CITY OF PALATKA
PLANNING BOARD AGENDA
April 2, 2013

1. Call to Order.

2. Roll Call.

3. Approval of Minutes of the March 5, 2013 meeting.

4. Appeal procedures and ex parte communication.

5. **OLD BUSINESS:**

Case 13-09: A request for a conditional use for non-temporary outdoor sales.

Location: 3523 Reid Street
Parcel #: 02-10-26-0000-0130-0010
Applicant: Ahearn & Dennis Investments, LLC

6. **NEW BUSINESS**

Case 13-10: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County C-2 (light commercial) to City C-2 (Intensive Commercial)

Location: 1095 N. State Rd. 19
Parcel #: 02-10-26-6870-0000-0441
Owner: Donna Jaquith-Bryne

Case 13-11: Administrative request to annex, amend the Future Land Use map from County US (Urban Service) to City COM (Commercial) and rezone from County IL (Industrial Light) to City C-2 (Intensive Commercial) located at 421 & 425 N. Moody Rd.

Location: 421 & 425 N. Palm Ave.
Parcel #: 01-10-26-8650-0030-0400
Owner: Ernest W. Matchett

Case 13-12: amend the Municipal Code to revise various landscaping and tree protection standards as set forth in Zoning Code Chapter 94, Article VI and VII..

7. **Other Business -** Staff Presentation on Growth Management Laws

8. **ADJOURNMENT**

CITY OF PALATKA
PLANNING BOARD MINUTES
March 5, 2013

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The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Judith Gooding, Earl Wallace, Anthony Harwell and Joe Petrucci. **Members absent:** Joe Pickens, George DeLoach and Lavinia Moody. **Also present**: Project Manager and Grants Administrator Jonathan Griffith, Recording Secretary Pam Sprouse and City Attorney Don Holmes.

Mr. Motion was made by Mr. Petrucci and seconded by Ms. Gooding to approve the minutes for February 12, 2013 meeting. All present voted affirmative, motion carried.

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

Case 13-09 A request for a conditional use for non-temporary outdoor sales.
Location: 3523 Reid St.
Applicant: Ahearn & Dennis Investments, LLC

Mr. Griffith explained that Mr. Crowe was not able to be present today and stated that Mr. Crowe recommended approval of the request, subject to several conditions and safeguards listed in his staff report (see below):

1. the vendor space shown just east of the sign shall be moved back in line with the other vendor spaces to provide for more of an organized appearance – the site plan shall be revised to reflect this;
2. a three to four-foot tall visual screen shall be provided between the right-of-way and parking and display areas, consisting of a hedge, masonry wall, or wood or aluminum fencing;
3. palm trees or another acceptable type of understory tree(s) shall be planted along the side property lines on a 20-foot spacing from the front property line to the front wall of the main building;
4. a six-foot high masonry wall, privacy fence, or hedge contained within a thirty foot landscape buffer shall be required along the rear property line at the time that adjacent residential development occurs;
5. the trash receptacle area shown at the rear of the parking row to the west of the building must be screened on three sides with a gate on one side – the site plan or narrative shall be revised to reflect this;
6. all outdoor areas shall be cleaned of litter and refuse after each day of operation - this is an operational standard that shall be included as a condition of approval in the approval letter;
7. adequate restroom facilities shall be shown on the site plan;
8. Mr. Chad Dennis will be the designated market manager, and the point of contact and the responsible party for this conditional use permit;
9. given that the site plan shows 33 parking spaces and four outside vendor spaces and the Property Appraiser records indicate that the building is 9,276 square feet including the canopy overhand area in front of the building, 35 parking spaces are required (based on one parking space per vendor and one parking space per 300 square foot of sales area), therefore the applicant will have to provide two more parking spaces or remove 600 square feet of sales area from use;

10. uses are subject to Sign Code, signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size;
11. the following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code;
12. display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles;
13. No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale;
14. all merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance;
15. The site plan shall be revised to show fire lanes, restrooms, exterior lighting, and additional required landscaping; and
16. The site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.

Chad Dennis, 3523 Reid Street stated that regarding the parking requirements, he will only be using 3000 square feet up front for the market, the rest will be used by one tenant and he will have three parking spaces in the back, the rest will be for the market. He does want to change the spaces towards the front of the building and will submit a new site plan to the Planning Director; but he will be able to meet the 35 space requirement, he would like the parking space to face the building instead of facing the west.

Mr. Stewart asked if Mr. Dennis was amenable to all of the other conditions recommended by Staff.

Mr. Dennis replied that he was good with all of the requirements but would rather put up a fence verses the hedge. His choice would be to put up a round post fence as he has a couple hundred that he would like to use and believes that it would look nice, as well as, bring a country feel to the market. He added that where the parking is, he had already planted palms and paid a lot of money for the trees there and does not want to have to put up hedges or fencing there, he believes that the whole idea is to place the buffer where they are displaying stuff.

Mr. Griffith replied that as the whole parcel is being used, staff's recommendation was to buffer the entire right-of-way frontage to include the parking area. He referred to item no. 2 of the listed recommendations; a three to four-foot tall visual screen shall be provided between the right-of-way and parking and display areas, consisting of a hedge, masonry wall, or wood or aluminum fencing. Mr. Griffith added that this is specifically cited from the code.

Discussion continued regarding the landscaping code requirements.

Mr. Griffith stated that he spoke with the City Attorney and as Mr. Dennis has stated, this is not holding him up, and it would probably be good idea to have Mr. Crowe involved, so if it were the pleasure of the Board this could be tabled until next month.

Mr. Holmes advised that there may be a variance provision in the code that Mr. Dennis may be able to operate under, but there is no reference to the part of the code that Mr. Crowe is relying upon. It is his believe that what Mr. Crowe has put in the staff report is a tracking of the buffering requirement that is set forth in the landscape code. The landscape code also has a provision for variance from the buffer/vegetation requirements, if certain conditions are met. He would want Mr. Crowe's input as to whether those conditions are met.

Motion made by Mr. Sheffield and seconded Mr. Harwell to table this request until the next meeting. All present voted affirmative, motion carried.

Other Business: Discussion of proposed riverfront trailhead facilities.

Mr. Griffith explained that the City is applying for an Office of the Greenway Trails (OGT) grant for the Trailhead construction. This will include rest room facilities, parking, bike racks and additional canoe/kayak launch at the southern portion of the park, among other ancillary amenities. The city is proposing to centralize the restroom facilities (part of the reconfiguration of the southern park) at the terminus of the City dock along with the concession facilities. The final application will be submitted next week and it is planned to be under construction by the beginning of 2014. He asked the Board members if they had any questions about the Trailhead facility.

Mr. Stewart asked what the term Trailhead meant.

Mr. Griffith replied that for the City it is for recreation and commercial boaters, canoers, kyakers, hikers and bicyclists, and for OGT it is bicyclist, canoers and kyakers. We are the center point to the St. Augustine, with a direct connection from St. Augustine to Palatka to Lake Butler bicycle trail, as well as, Putnam County Blueways for canoeing and kayaking.

Mr. Stewart asked how the bike trail along the bridge would tie into the Trailhead.

Mr. Griffith replied that when coming off the bridge, this project would put a way finding sign that would take them around the boardwalk, through the riverfront park and to the restroom facilities or Trailhead facility.

Mr. Petrucci asked how they would travel through the park.

Mr. Griffith stated that stripping would probably put them down Memorial Parkway, with what we call "sharrows" which denotes to motorists and cyclists that drivers and cyclists share the road. They are proposing a roundabout, a traffic calming measure, approximately 60 feet south of the Church steps so that area can be opened back up to vehicular circulation while minimizing pedestrian conflicts. He added that part of those

improvements include removing the three aprons into the launch area, increasing the parking from 30 to 60 truck & trailer spots and making it a little easier to access with 35 foot turning radius and 30 foot wide drive isles in the truck & trailer parking lot.

Discussion continued regarding the layout of the trail and Mr. Griffith reminded the Board that this is a State project for the benefit of the entire state. The County is administering it under their local agency program technically; it is a FDOT project for the benefit for the entire state. The City is consulted where it comes through our municipality and our comments are taken into consideration, however, we do not have a lot of control. He added that with Palatka's local, being the center point to the St. Augustine to Palatka to Lake Butler section and also at the center point to the Putnam Blue Ways, it is kind of a logical mid-point for a trailhead rest room facility, which will be located in the middle of a launch area. The OGT grants will help to minimize the City's match percentage for the Fish and Wild Life Commission grants. As a project already being pursued, the City had put up a little more than $300, 000.00 of the City's funds for next year for the Fish and Wild Life Commissions (FWC) grants, and if we get this grant it will almost cut that in half.

Ms. Gooding asked if the existing concession stand was going to be torn down.

Mr. Holmes explained that currently there is no lease in affect for the concession stand and that the existing operation is there informally, on a month to month basis.

Additional discussion ensued regarding other current and proposed grant programs.

Mr. Griffith advised that the City is drafting a request for proposal for concession, dock operations and water taxi operations. Under the current FWC grant we are constructing floating mooring slips for transient boaters, for temporary mooring with electric and water off of the existing city pier. We are also going to pursue a FWC grant for a fuel farm station at the southern portion of the Riverfront Park. Mr. Griffith advised that the RFP will be on the City Commission agenda for March 14, 2013, so the Board members will be able to view the Agenda packet on line.

Motion made by Mr. Wallace and seconded by Mr. Sheffield to support the plan in concept and of staff applying for OGT funds. Mr. asked if the same company providing the drawings for the restroom facilities the same one as for the environmental center. Mr. Griffith replied that it is possible or the City may select one from the RFQ for continuing services. All present voted affirmative, motion carried.

Mr. Sheffield stated that he would like to request a Planning Board workshop sometime soon.

With no further business, meeting adjourned.

Case 13-09
Request for a Conditional Use for Non-Temporary Outdoor Sales
3523 Reid St. (Palatka Market)
Applicant: Chad Dennis

STAFF MEMO

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

At the Board's last meeting, the item was tabled after discussion of the Applicant's objection to the two conditions below.

- a three to four-foot tall visual screen shall be provided between the right-of-way and parking and display areas, consisting of a hedge, masonry wall, or wood or aluminum fencing (as applicable to the streetyard[1]); and
- palm trees or another acceptable type of understory tree(s) shall be planted along the side property lines on a 20-foot spacing within the streetyard, requiring an additional nine such trees.

Staff has revisited these recommendations and re-affirms them. As the aerial photo shows, the front/side buffer will help improve the appearance of the site from the roadway. Reid Street, particularly this section, is a main gateway and corridor into the City and is currently in a blighted state. Improvements on a parcel-by-parcel basis will help to beautify this roadway. It is a reasonable request to require landscaping in exchange for the increased intensity of the outdoor sales use. The hedge/fence and palms will "soften" the appearance of the outdoor display items while still allowing for views of the display area from the roadway.

The staff report with the other staff recommendations is attached with this memo.

[1] "Streetyard" refers to the area between the right-of-way property line and the front wall of the building

Case 13-09
Request for a Conditional Use for Non-Temporary Outdoor Sales
3523 Reid St. (Palatka Market)
Applicant: Chad Dennis

STAFF REPORT (REVISED)

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST
Conditional Use allowing non-temporary outdoor sales. Required public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND
The Applicant is currently conducting outdoor sales at 3523 Reid Street (east of SR 19). After discovering that this activity was in violation of the Zoning Code, the applicant applied for a Zoning Code text change to allow for non-temporary outdoor sales. Outdoor sales are limited to limited periods of time or in the context of a produce market, as noted below:

- outdoor promotional sale (limited to 72 hours in duration, "midnight madness" type sale);
- seasonal goods sale (limited to 30 days, Christmas trees or 4th of July fireworks);
- special event sale (associated with special event like Blue Crab Festival);
- temporary goods sale (other outdoor sales, not to exceed 30 days in duration); and
- farmers' market (intended for food and produce goods). The Applicant filed an application to amend the Code to allow non-temporary outdoor sales, which forestalled code enforcement action on the specific use.

The Board recommended approval of such non-temporary sales at their January meeting, and Staff anticipates that the City Commission will adopt the enabling ordinance at their February 28th meeting.

Figure 1: Property from Reid St

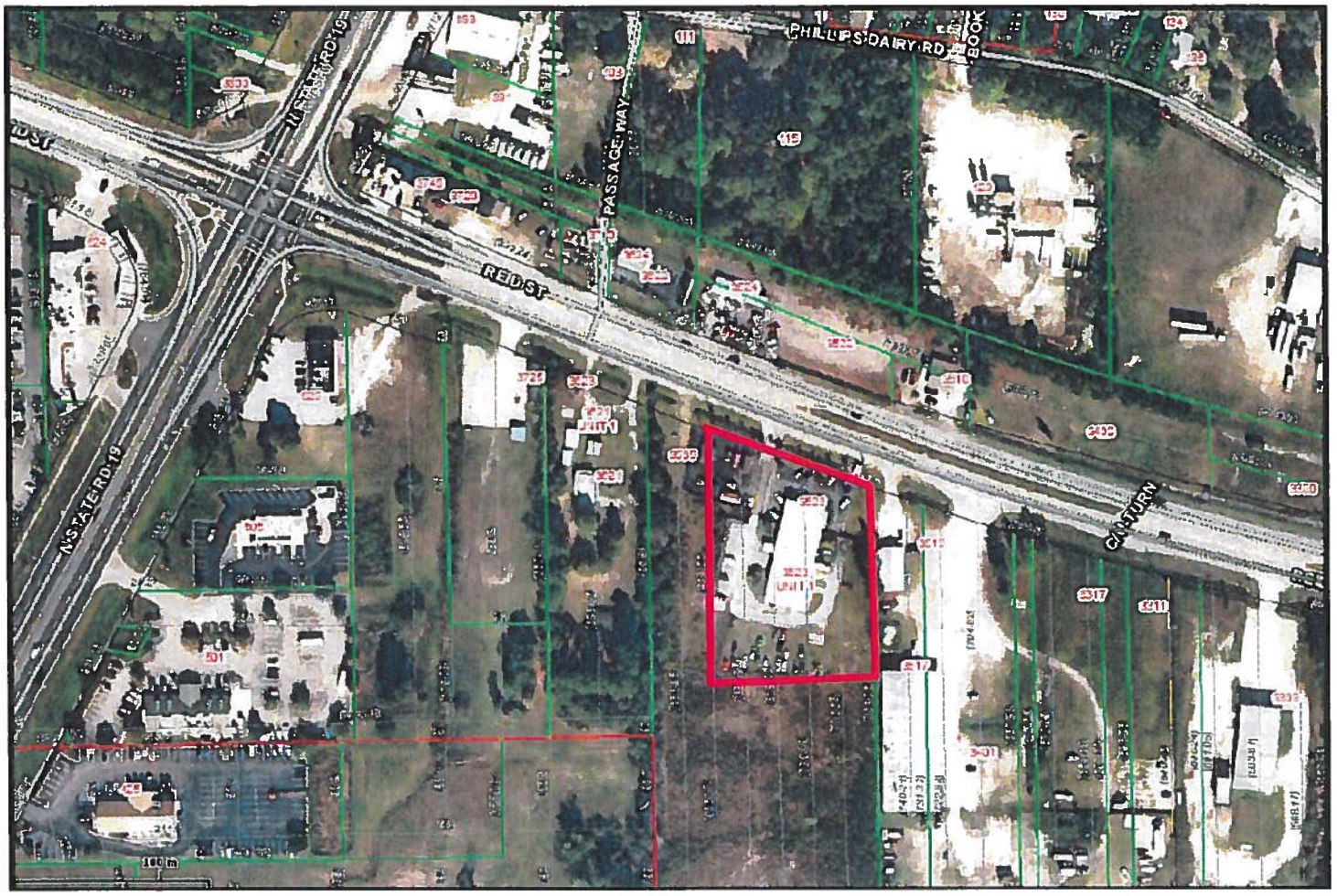


Figure 2: Property Location

PROJECT ANALYSIS

Per Section 94-200(c)(3) the Planning Board shall review such an application to ensure protection of the public health, safety, and general welfare. In addition to normal concerns of the planning board in considering conditional use requests, particular attention shall be given to traffic flow and control, auto and pedestrian safety, and the effect which such use and activity will have on surrounding uses, particularly where the adjoining use is residential.

Traffic Flow and Auto Safety

A single vehicular entrance provides right-in, right-out access to Reid Street and is of sufficient width and configuration to allow for safe access to the property.

Pedestrian Safety

This section of Reid Street does not have a sidewalk but there is sufficient room for pedestrians to walk on the road shoulder. Most customers will arrive in vehicles.

Effect on Surrounding Uses

The area is a fairly intensive retail commercial area with few nearby residences. Staff believes there is adequate parking to serve this sales event and the normal activities of the store. No adverse impacts on surrounding uses are anticipated.

Specific Criteria

The following underlined criteria apply specifically to non-temporary outdoor sales, with staff comments immediately following each criterion. The applicant has provided a sketch plan to show the general layout of parking and vendor spaces, attached with this report.

- Minimum lot size of 1.0 acres, with a minimum frontage of 200 feet and a minimum lot depth of 300 feet. *Staff comment*: the property meets this standard, with a lot size of 1.89 acres, a frontage of 272', and an average lot depth of 337'.
- A 30-foot setback is required from any right-of-way for outdoor display areas and parking areas, and shall include a landscaped area with a three to four-foot high visual screen consisting of a hedge, masonry wall, or wood or aluminum fencing, maintained in a neat appearance. One shade tree every fifty feet is required to further screen activities (when powerlines or other obstructions are present, understory trees may be utilized, or trees may be planted in the right-of-way with the approval of the controlling jurisdiction). *Staff comment*: while the property line is very close to the parking and vendor area, a measurement on the aerial indicates that the green space area on the property and adjacent right-of-way exceeds 30 feet. The vendor space shown just east of the sign should be moved back in line with the other vendor spaces to provide for more of an organized appearance. The site plan does not show the required three to four-foot tall visual screen that is required. As there are power lines involved, shade tree planting is not required and the existing palm trees meet the understory tree requirement above, however staff recommends that the palms or another acceptable understory tree be planted in a 20-foot spacing along the side property lines from the front property line to the front wall of the main building. This is a Landscape Code requirement.
- When adjacent to residential uses or zoning, six-foot high masonry wall, privacy fence, or hedge contained within thirty foot landscape buffer, and 100-foot setback from residential property lines. *Staff comment*: Adjacent properties along Reid Street are commercially developed and zoned. The property to the rear/south is undeveloped, but is residentially zoned. Staff accepts a condition that requires the screening at the time that residential development occurs.
- Adequate refuse containers must be provided and must be screened with a six-foot tall privacy fence with a swinging gate. *Staff comment*: the trash receptacle area is shown at the rear of the parking row to the west of the building. As noted above it must be screened on three sides with a gate on one side.
- All outdoor areas shall be cleaned of litter and refuse after each day of operation. *Staff comment*: this is an operational standard that should be included as a condition of approval in the approval letter.
- Adequate restroom facilities must be provided. Restrooms facilities are not shown on the site plan but are required – this should be referenced in the approval letter.
- Sales may be operated by an individual vendor or by multiple vendors under the control of a central sales manager. *Staff comment*: the approval letter should designate Mr. Chad Dennis as the

market manager, and he will be the point of contact and the responsible party for this conditional use permit.

- One parking space for each vendor must be provided, with an additional space for every 300 square feet of outdoor and indoor sales area. *Staff comment*: the site plan shows four outside vendor spaces and the Property Appraiser records indicate that the building is 9,276 square feet including the canopy overhand area in front of the building. This requires 35 parking spaces. The site plan shows 33 spaces. The applicant will have to provide more parking spaces or limit the sales area to a slightly smaller area.
- Uses are subject to Sign Code. Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size. The following signs are prohibited: "human" signs, inflatable figures or objects, pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code. *Staff comment*: These conditions should be included in the approval letter.
- Display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles. *Staff comment*: These conditions should be included in the approval letter.
- No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale. *Staff comment*: These conditions should be included in the approval letter.
- All merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance. *Staff comment*: These conditions should be included in the approval letter.
- The conditional use site plan shall require at a minimum the following elements: access roads, entrances and exits, parking, traffic lanes, fire lanes, refuse containers, fences, buildings, restroom facilities, lighting, landscaping and other improvements as required. *Staff comment*: The site plan should be revised to show fire lanes, restrooms, exterior lighting, and additional required landscaping.
- The conditional use site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale. *Staff comment*: the site plan or narrative should be revised to include the above information.
- The Planning Board may assign additional restrictions and standards to the use to ensure that the conditional use criteria will be satisfied. *Staff comment*: this will be determined by the Board.

Figure 3: front of site – staff is recommending that the palm trees, or another type of understory tree, be continued along each side property line to the front of the building, with similar 20-foot spacing

STAFF RECOMMENDATION

Staff believes that this application meets applicable non-temporary outdoor sales criteria, if the recommendations below are included as conditions of approval (revised language is shown as underlined text). Staff recommends approval of Case 13-09, non-temporary outdoor sales at 3523 Reid Street <u>in accordance with the attached site plan, and</u> with the following conditions:

1. a three to four-foot tall visual screen shall be provided between the right-of-way and parking and display areas, consisting of a hedge, masonry wall, or wood or aluminum fencing;
2. palm trees or another acceptable type of understory tree(s) shall be planted along the side

property lines on a 20-foot spacing from the front property line to the front wall of the main building;

3. a six-foot high masonry wall, privacy fence, or hedge contained within a thirty foot landscape buffer shall be required along the rear property line at the time that adjacent residential development occurs;
4. the trash receptacle area shown at the rear of the parking row to the west of the building must be screened on three sides with a gate on one side – the site plan or narrative shall be revised to reflect this;
5. all outdoor areas shall be cleaned of litter and refuse after each day of operation - this is an operational standard that shall be included as a condition of approval in the approval letter;
6. adequate restroom facilities shall be shown on the site plan, any outdoor portable toilets shall be screened in a similar manner as trash receptacles;
7. Mr. Chad Dennis will be the designated market manager, and the point of contact and the responsible party for this conditional use permit, with this designation being transferrable to another individual in the future with that person's name and contact information being provided to the Building and Zoning Department;
8. Use of the facilities shall be based on the parking standard of ~~Given that the site plan shows 33 parking spaces and four outside vendor spaces and the Property Appraiser records indicate that the building is 9,276 square feet including the canopy overhand area in front of the building, 35 parking spaces are required (based on~~ one parking space per vendor and one parking space per 300 square foot of sales area, therefore with the three vendors shown on the site plan and the Applicant's state intent to use no more than 3,000 square feet of interior space for the use, at least thirteen parking spaces shall be required for the use~~), therefore the applicant will have to provide two more parking spaces or remove 600 square feet of sales area from use~~;
9. uses are subject to Sign Code, signs are allowed for individual vendors and displays, limited to the premises of each display area and not more than 20 square feet in size;
10. the following signs are prohibited: "human" signs, ~~inflatable figures or objects,~~ pennants and banners other than the allowance of two banners as defined in the Sign Code, snipe signs, and any other sign not allowed by the Sign Code;
11. display items are to be arranged in an organized and neat manner, on tables or racks, and may not be sold from vehicles;
12. No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale;
13. all merchandise shall be brought into the building at the end of each business day except for larger items that are not easily moved, with such items being screened by fencing or vegetation that shall be maintained in an attractive and neat appearance;
14. The site plan shall be revised to show fire lanes, restrooms, exterior lighting, and additional required landscaping; and
15. The site plan or narrative shall include verbiage regarding days and hours of operation; the means, such as stalls, tables or other structures by which merchandise is to be displayed; and the specific types of goods requested for sale.

ATTACHMENTS: APPLICANT NARRATIVE & SITE PLAN

The Palatka Market
3523 Reid Street
Palatka, Florida 32177

RECEIVED
MAR 0 4 2013
BY: DM

City of Palatka Planning and Zoning,

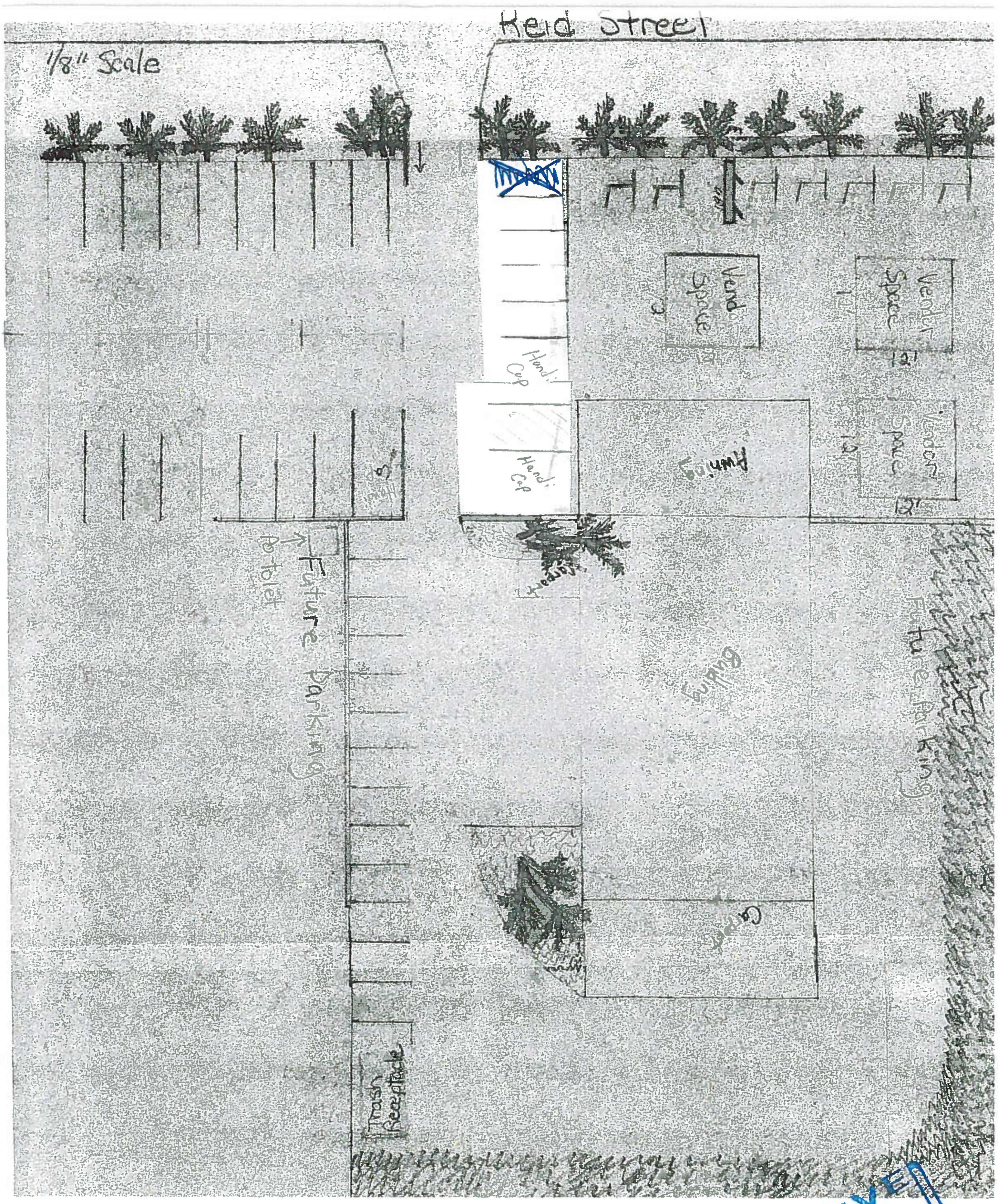
We would like to sell produce and other miscellaneous items inside the building and around the outside of the property. We would also like to rent spaces to other venders so they too can also sell misc. items.

Our hours of operation will be, Monday through Thursday 10am till 6pm, Friday and Saturday 8am till 6pm and Sunday 10am till 4pm.

A barrier hedge will be put in across the front of the entire property. The hedges will be planted approximately 3 feet apart for proper growth. The trash receptacle will have a fence surrounding it. The current square footage of the indoor Market is 3000 sq. ft.

We are trying to make a safe and inexpensive place for families during this economy. We would like to keep our residents in Putnam instead of having to travel to other surrounding counties... in doing so, maybe bring outside residents into Putnam to shop all of or local businesses.

Note: TRASH receptacle w/B fenced on 3 sides, with a gate.
ALL vendors will be set up on tables and/or tents.



RECEIVED
MAR 26 2013

Case 13-10: 1095 N. SR 19

Request to Annex, Amend Future Land Use Map and Rezone

Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 25, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To annex, amend Future Land Use Map (FLUM), and rezone the following property as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

Figure 1: Site and Vicinity Map (red shaded area represents city limits)

Figure 2: Property from Carter Rd. – N. SR 19 is to right

Figure 3: Property east of site, from Carter Rd.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and commercial zoning. There is a bail bonds office on the property and the property owner has also expressed an interest in establishing a car sales lot on the property in the future.

The property and its current and proposed FLUM and zoning classifications are shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	C-2 (Commercial-Light)	C-2 (Intensive Commercial)

Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually

eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.

3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be "reasonably compact."

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits as N. SR 19, Carter Rd., and Triangle Park are all in the City.

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave that is present between N. SR 19, US 17, and SR 100 (see map to right).

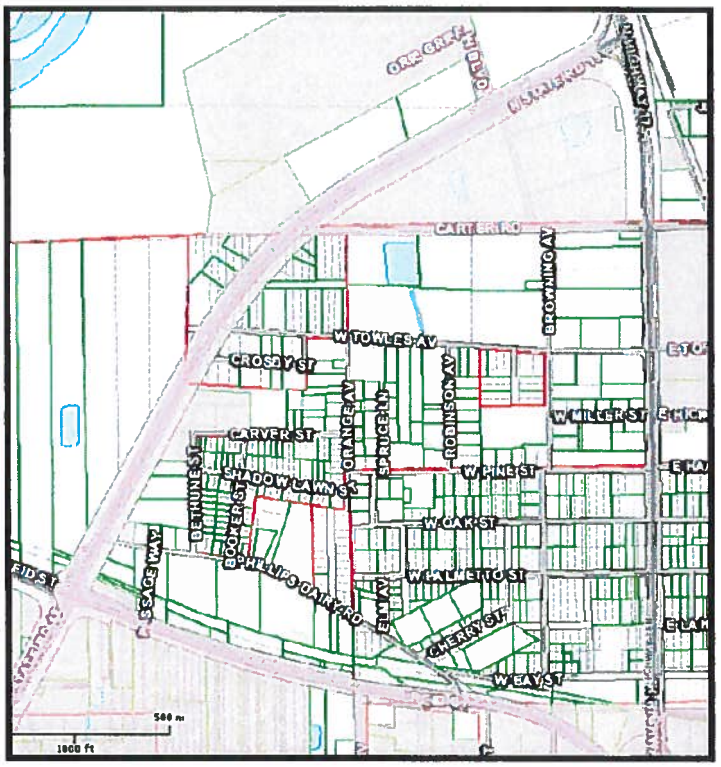


Figure 4: Enclave Area Between Reid St., N SR 19, & US 17

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff Comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.

The proposed amendment is in keeping with the following objective and policies of the Comprehensive Plan, and does not conflict with other plan elements.

Policy A.1.9.3

A. Land Use Districts

1. Commercial

Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business

activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. SR 19 right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is located within a commercial/institutional corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on this developed site.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*

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[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. The existing and proposed use does not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:

a. Whether the proposed change is in conformity with the comprehensive plan.

Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.

Staff Comment: The property is located in an established commercial/institutional corridor.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.

Staff Comment: Rezoning the property to C-2 provides uniformity to both existing City and County commercial zoning on and around this property and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: Not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.

Staff Comment: Rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

Staff Comment: the property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: The already-developed property does not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: see response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
Staff Comment: based on the previous responses, the change will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
Staff Comment: providing a FLUM and zoning designation to the property that are similar to the designation of surrounding properties and are similar to the existing County FLUM and zoning is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: Not applicable as the City land use and zoning will be similar as the current County classifications.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the property's existing and proposed use is not out of scale with the neighborhood and City.

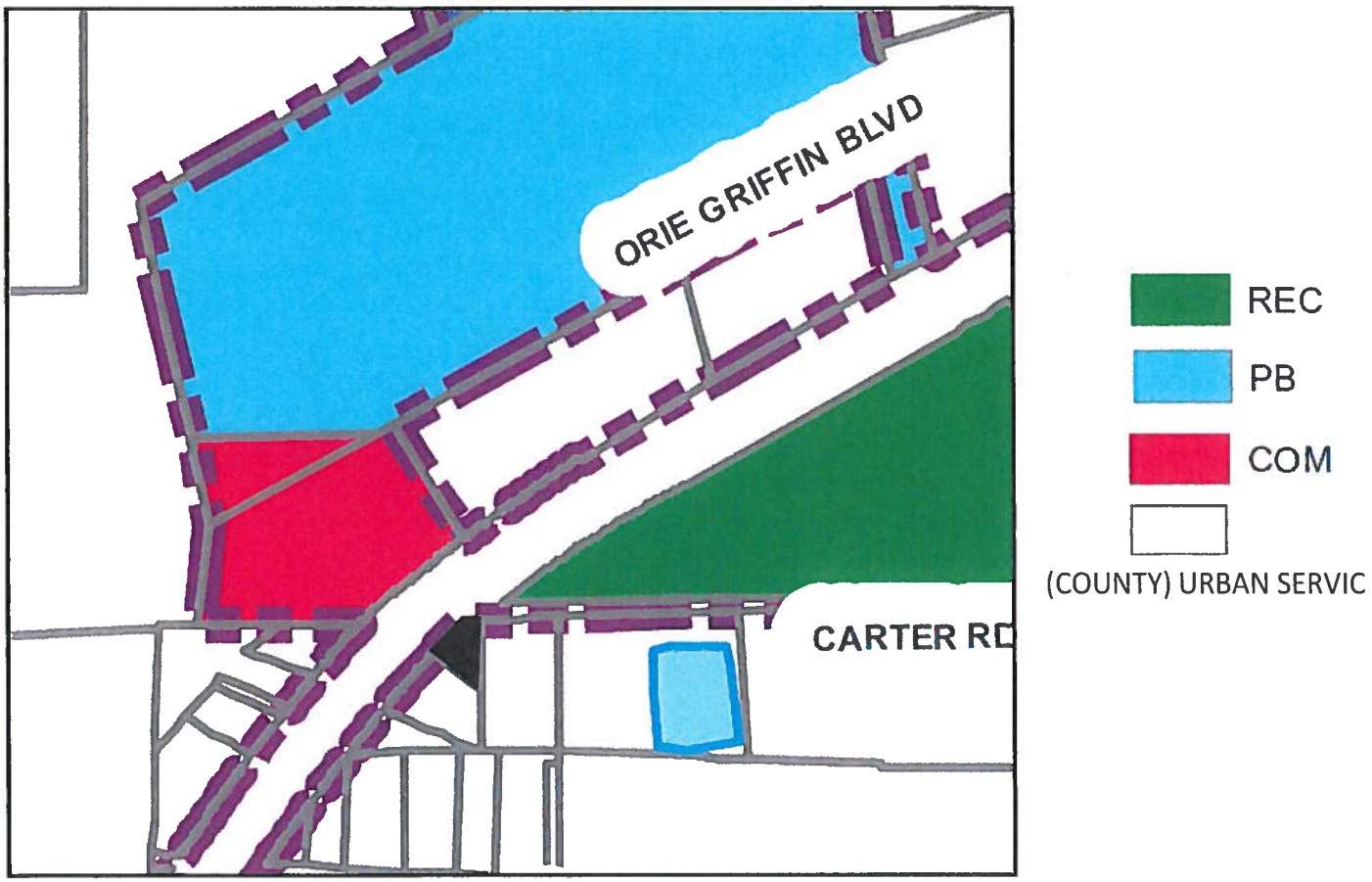
p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.
Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 1095 N. SR 19.

FUTURE LAND USE MAP



ZONING MAP

Case 13-11: 421 & 425 N. Palm Ave.
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

To annex, amend FLUM, and rezone the following property as noted below. Public notice included legal advertisement, property posting, and letters to nearby property owners (within 150 feet). City departments had no objections to the proposed actions.

Figure 1: Site and Vicinity Map (red shaded area represents city limits)

Figure 2: Property – Ford Dealership is to right, across Palm Ave.

Figure 3: Distribution/Warehouse Use across Peters St.

APPLICATION BACKGROUND

The property under consideration currently has a County mixed-use Future Land Use Map (FLUM) designation and multi-family zoning. There is a four-unit office building on the property.

The property and its current and proposed FLUM and zoning classifications are shown below.

Table 1: Current and Proposed Future Land Use Map and Zoning designations

Future Land Use Map Category		Zoning	
Current Putnam Co.	**Proposed City**	**Current Putnam Co.**	**Proposed City**
US (Urban Service)	COM (Commercial)	IL (Light Industrial)	C-2 (Commercial Intensive)

The applicant is voluntarily annexing into the City to hook up to the City's water and sewer systems. Staff is presenting these applications as administrative actions, as opposed to an action by each property owner, due to the rationale presented below.

1. Revenue Recovery. The taxes collected from this property will defray the administrative expense of the annexation fairly quickly.
2. Comprehensive Plan Support. Public Facilities Element Policy D.1.2.1 directs the City to proactively annex properties served by water and sewer into the City. Language in the adopted Evaluation and Appraisal Report of the Comprehensive Plan compels the City to again proactively work to diminish and eventually eliminate enclaves. City staff believes this directive is sufficient to submit these actions as administrative applications.
3. Economic Development. By encouraging voluntary annexation and requiring annexation of agreement properties, the City is working to increase utility and other service provision efficiency, enhance system revenues, and encourage growth.

PROJECT ANALYSIS

Annexation Analysis

Florida Statute 171.044 references voluntary annexation requirements and requires that property proposed for annexation must meet two tests. First, properties must be contiguous to the annexing municipality and second, properties must also be "reasonably compact."

Contiguity. F.S. 171.031 provides a definition for contiguous and requires that boundaries of properties proposed for annexation must be coterminous with a part of the municipality's boundary. As indicated in Figure 1, the property is contiguous to the City limits, which are across Kelley Smith Road (statutes do not consider rights-of-way and interrupting contiguity).

Compactness. The statute also provides a definition for compactness that requires an annexation to be for properties in a single area, and also precludes any action which would create or increase enclaves, pockets, or finger areas in serpentine patterns. Annexing the property meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the greater County enclave bounded by N. Palm Ave., St. Johns Ave., and Reid St. (see map to right).

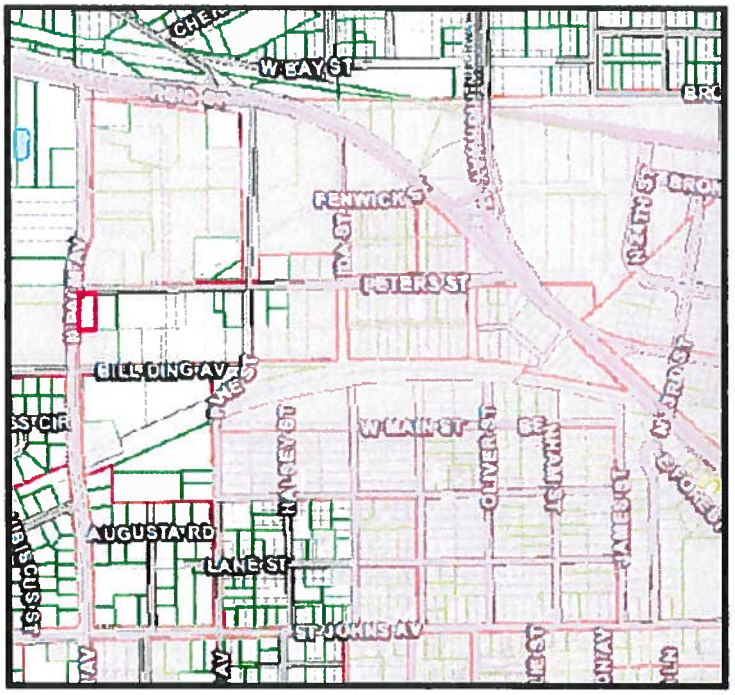


Figure 4: Enclave Area (pink area is City)

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown in italics below (staff Comment follows each criterion, and comprehensive plan extracts are underlined).

List Goals, Objectives, and Policies of the Comprehensive Plan that support the proposed amendment.
The proposed amendment is in keeping with the following objective and policies of the Comprehensive Plan, and does not conflict with other plan elements.

Policy A.1.9.3
A. Land Use Districts
1. Commercial
Land designated for commercial use is intended for activities that are predominantly associated with the sale, rental, and distribution of products or the performance of service. Commercial land use includes offices, retail, lodging, restaurants, services, commercial parks, shopping centers, or other similar business activities. Public/Institutional uses and recreational uses are allowed within the commercial land use category. Residential uses are allowed within Downtown zoning districts, at an overall density of 20 units per acre and are subject to additional project density, design and locational standards set forth in these zoning districts (Ordinance # 11-22). The intensity of commercial use, as measured by impervious surface, should not exceed 70 percent of the parcel and a floor area ratio of 1.5, except that a floor area ratio of up to 4.0 is allowed in downtown zoning districts. Intensity may be further limited by intensity standards of the Zoning Code. (Ordinance # 12-50). Land Development Regulations shall provide requirements for buffering commercial land uses (i.e., sight access, noise) from adjacent land uses of lesser density or intensity of use. See Policy A.1.3.2.

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows nonresidential uses limited by a Floor Area Ratio of 1.0 [1] and a maximum impervious surface [2] ratio of 85%. The City's COM FLUM allows a higher FAR of 1.5 and a slightly lower impervious surface of 70%, with both being comparable to the County's intensity limits. Section 94-111(b) allows the C-2 zoning category within the COM land use category.

Provide analysis of the availability of facilities and services.
Staff Comment: the property is in close proximity to urban services and infrastructure including city water and sewer lines (both within the N. Palm Ave. right-of-way).

Provide analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
Staff Comment: The property is within a commercial corridor that is suitable for the proposed commercial FLUM designations. Staff is not aware of any soil or topography conditions that would present problems for development, or of any natural or historic resources on these developed sites.

Provide analysis of the minimum amount of land needed as determined by the local government.
Staff Comment: not applicable, as this is to be determined at the next revision of the overall Comprehensive Plan.

Demonstrate that amendment does not further urban sprawl, as determined through the following tests.

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[1] Floor Area Ratio is a measurement of intensity defined as the size of the property divided by the square footage of a building. For example a FAR of 1.0 allows a building of 43,560 square foot on a lot of the same size.
[2] Impervious surface is the area that will not absorb rainwater, including paved areas, building areas, and pond/water areas.

- *Low-intensity, low-density, or single-use development or uses*
- *Development in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*
- *Radial, strip, isolated, or ribbon development patterns.*
- *Development that fails to adequately protect and conserve natural resources and agricultural activities.*
- *Development that fails to maximize use of existing and future public facilities and services.*
- *Development patterns or timing that will require disproportional increases in cost of time, money and energy in providing facilities and services.*
- *Development that fails to provide a clear separation between rural and urban uses.*
- *Development that discourages or inhibits infill development and redevelopment.*
- *Development that fails to encourage a functional mix of uses.*
- *Development that results in poor accessibility among linked or related land uses.*

Staff Comment: the location of this property within the City's urbanized area ensures that urban services are available. These uses do not represent urban sprawl.

Rezoning Analysis

Per Section 94-38 of the Zoning Code, the Planning Board shall study and consider the proposed zoning amendment in relation to the following criteria, which are shown in *italics* (staff comment follows each criterion).

1) When pertaining to the rezoning of land, the report and recommendations of the planning board to the city commission required by subsection (e) of this section shall show that the planning board has studied and considered the proposed change in relation to the following, where applicable:
a. Whether the proposed change is in conformity with the comprehensive plan.
Staff Comment: as previously noted, the application is supported by the Comprehensive Plan.

b. The existing land use pattern.
Staff Comment: The property is located in an established commercial corridor.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
Staff Comment: Nearby properties within the City to the south and northwest also have the C-2 zoning designation. Rezoning the property to C-2 provides uniformity to both existing City and County zoning and does not create an isolated zoning district.

d. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.
Staff Comment: Roadway capacity is available on area roadways and the impacts of these uses on road and utility capacity will be negligible, particularly since the uses are already present.

e. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
Staff Comment: See response to c. above.

f. Whether changed or changing conditions make the passage of the proposed amendment necessary.

Staff Comment: Not applicable.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.
Staff Comment: Rezoning the property to a designation similar to the current County zoning will not adversely affect neighborhood living conditions.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
Staff Comment: the property proposed for rezoning is already developed and thus traffic congestion or public safety will not be affected.

i. Whether the proposed change will create a drainage problem.
Staff Comment: No drainage problems are anticipated for this already-existing use.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: The already-developed property does not have excessive height, density, or intensity to reduce light and air to existing adjacent areas.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: see response to g. above.

l. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.
Staff Comment: based on the previous responses, the changes will not negatively affect the development of adjacent properties.

m. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
Staff Comment: providing a FLUM and zoning designations to property that are similar to the designation of surrounding properties and are similar to the existing County FLUM and zoning is not a grant of special privilege.

n. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.
Staff Comment: The City commercial land use and zoning are in keeping with the existing use.

o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the property and its use is not out of scale with the neighborhood and City.

p. Whether it is impossible to find other adequate sites in the city for the proposed use in districts already permitting such use.
Staff Comment: not applicable.

q. The recommendation of the historical review board for any change to the boundaries of an HD zoning district or any change to a district underlying an HD zoning district.

Staff Comment: not applicable.

STAFF RECOMMENDATION

As demonstrated in this report, this application meets applicable annexation, future land use amendment, and rezoning criteria. Staff recommends approval of the annexation, amendment of Future Land Use Map category to COM, and rezoning to C-2 for 421 and 425 N. Palm Ave.

FUTURE LAND USE MAP

ZONING MAP

Case 13-12
Tree Preservation and Landscape Code Revisions

STAFF MEMO

DATE: March 27, 2013

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

This item represents a comprehensive updating of the tree preservation and landscape code to reflect best practices and current circumstances as well as to provide greater clarity. Staff is recommending tabling this item to the May meeting at the request of the City Attorney, who wished to discuss some aspects of the potential changes.

So that the Board can start to become familiar with the code and potential changes, Staff has attached a summary of the ordinances and a list of issues with this memo. The issues were presented to the City's Tree Advisory Committee, which informally endorsed the changes.

PART II - MUNICIPAL CODE
Chapter 94 - ZONING
TREE PRESERVATION AND LANDSCAPING STANDARDS

SEC. 291-INTENT	AESTHETIC APPEARANCE OF CITY
	IMPROVE ENVIRONMENT (AIR/WATER QUALITY, REDUCE STORMWATER RUNOFF, MUFFLE NOISE, SHADE/ENERGY CONSERVATION, WATER CONSERVATION)
	REDUCE NOISE & GLARE, SOFTEN HARSH URBAN ENVIRONMENT
	ESTABLISH PROCEDURES FOR ADMINISTRATION & ENFORCEMENT
	MAINTAIN/INCREASE PROPERTY VALUES
	PRESERVE EXISTING TREES & INCORPORATE NATIVE PLANTS INTO SITE DESIGN
	PUBLIC INFORMATION & EDUCATION
SEC. 94-292-DEFINITIONS	
SEC. 94-293–TREE COMMITTEE	ADVISORY COMMITTEE APPOINTED BY MAYOR – NO DUTIES ASSIGNED
SEC. 94-294-TREE PROTECTION	PROTECTED TREES-8" DIAMETER AT BREAST HEIGHT (DBH) CALIPER & LARGER
	EXEMPT: SINGLE-FAMILY & MOBILE HOMES, SINGLE-FAMILY ZONING, AGRICULTURAL, BOTANICAL GARDENS & NURSERIES, TREES ENDANGERING HEALTH & PROPERTY, TREES IN PARKS, TREES W/IN BLDG. FOOTPRINT OR 10 AROUND IT, HAZARD TO POWERLINES, DEAD OR EXOTIC TREES
	PERMIT REQUIRED FOR PROTECTED TREE REMOVAL
	CRITERIA FOR CONSIDERATION OF PERMIT: IMPACT ON AESTHETIC & ENVIRONMENTAL QUALITY, SAFETY, EXTENT OF DISEASE, EROSION/RUNOFF IMPACTS, MITIGATION PLAN, SPECIES & SIZE
	LIVE OAKS REPLACED WITH LIVE OAKS
	PLANNING BOARD APPROVES TREE REMOVAL OVER 36" DBH
	TREE REPLACEMENT/MITIGATION: 1/3 OF DBH INCHES EXCEPT 2/3 WHEN MATURE TREE CANOPY SIGNIFICANTLY IMPACTED (INTERPRETED AS MORE THAN 50% OF TOTAL DBH)
	MITIGATION THROUGH RELOCATION OF TREES ON SITE, PROTECTION OF UNPROTECTED TREES (LESS THAN 8" DBH), AND TREE PLANTING
	TREE BARRICADES REQUIRED DURING DEVELOPMENT AROUND UNDISTURBED AREA AT LEAST 50% OF DRIPLINE
	APPEALS TO BOARD OF ZONING APPEALS
	PERMIT FEE : $25

SEC. 94-295-GENERAL LANDSCAPE REQUIREMENTS	APPLICABLE TO NONRESIDENTIAL DEVELOPMENT & MULTI-FAMILY 3 OR MORE UNITS
	INSTALLATION: ACCEPTED COMMERCIAL PLANTING PROCEDURES, LANDSCAPE AREAS PROTECTED BY WHEEL STOPS OR CURBING, CURBS PERFORATED TO ALLOW DRAINAGE INTO LANDSCAPED AREA
	LANDSCAPING MAINTAINED TO "PRESENT A NEAT, HEALTHY, & ORDERLY APPEARANCE"
	IRRIGATION REQUIRED – UNDERGROUND SYSTEM OR EXPOSED SPRINKLERS
	PROPERTY OWNERS TO MAINTAIN AND CONTROL LIMBS & FOLIAGE OVER PUBLIC RIGHT-OF-WAY (10' OVER SIDEWALKS & R-O-W $ 14' OVER ROADS)
	PLANT MATERIALS: FLORIDA NO. 1 OR BETTER
	PLANTED TREES AT LEAST 10' HIGH & 1.5" DBH
	PLANTED SHRUBS: MINIMUM 24" HIGH & 15" WIDE
	VINES: 30" HIGH AFTER 6 MONTHS FROM PLANTING
	SOD GRASS USED IN SWALES & OTHER AREAS SUBJECT TO EROSION
	PLANTERS ALLOWED, AT LEAST 10 SF & 15' DEPTH
	EXOTIC TREES NOT ALLOWED FOR LANDSCAPE CREDIT
	TREE CREDITS: 2-7" DBH-1; 7-12" DBH-2; 12-20" DBH-3; 20'+-4 – <u>DOES NOT SPECIFY IF A CREDIT APPLIES TO A TREE OR DBH VALUE</u>
	TREE CREDIT TREES: PLANTING AREA AT LEAST ½ RADIUS OF CROWN SPREAD UP TO 10' AROUND TREE, NOT LESS THAN 2.5'
	REQUIRED TREE TYPE RATIO: CANOPY & UNDERSTORY TREES-50% MAX, PALMS 15% MAX

SEC. 94-296-SPECIFIC LANDSCAPE REQUIREMENTS

BUFFER TABLE – LANDSCAPE AREAS ALONG PROPERTY LINES, BUFFER TYPES (A, B, ETC.) (ALSO SEE TABLE 94-303, DEVELOPMENT MUST MEET STRICTER BUFFER OF 2 TABLES)

Use Of Adjacent Parcel	Use of Parcel Being Developed						
Use of Adjacent Parcel	Single-Fam. Subdivision	Multi family	Office	Comm-ercial	Indus-trial	Instit-utional	Public ROW
Single-family	None	A	B	B	C	B	None
Multi family	None	None	A	B	B	A	None
Office	None	None	None	A	B	A	None
Commer-cial	None	None	None	None	B	A	None
Indust-rial	None	None	None	None	None	A	None
Instit-utional	A	A	A	A	B	None	None
Public ROW	A	A	A	A	A	A	None

VARIANCE FROM TABLE ALLOWED TO SAVE NATIVE VEGETATION & TO ACHIEVE AESTHETIC PURPOSES OF BUFFER ZONE

WITH NEW DEVELOPMENT ADJACENT TO EXISTING RESIDENTIAL USE, BUFFER MUST BE 80% OF COMBINED BUFFER ZONES OF TWO USES

INTERIOR/PARKING LOT LANDSCAPING: 10 SF LANDSCAPED AREA PER PARKING SPACE (FOR AREAS WITH 5+ SPACES OR W/ BUILDINGS 1500+ sf), AND 25 SF LANDSCAPED AREA PER 500 SF OF PAVED AREA (FOR PAVED AREAS GREATER THAN 1000 SF)

PARKING LOT LANDSCAPE ISLANDS: MINIMUM 100 SF IN SIZE & 5' WIDE, CONTAINS ONE TREE

PARKING LOT: CURBING OR WHEEL STOPS REQUIRED

NOT MORE THAN 12 PARKING SPACES UNINTERRUPTED BY LANDSCAPE ISLAND

LANDSCAPING CAN BE SHIFTED TO PERIMETER AREAS FOR AREAS WHERE THEY IMPEDED FUNCTION OF AREA (LOADING ZONES, CAR DISPLAY SALES)

NEW NONRESIDENTIAL CONSTRUCTION REQUIRES LANDSCAPE PLANS BY LICENSED FLORIDA-REGISTERED LANDSCAPE ARCH. OR OTHER PROFESSIONAL AUTHORIZED BY LAW TO PRACTICE LANDSCAPE DESIGN

SIGHT DISTANCE TRIANGLE: AT INTERSECTIONS VISIBILITY MUST BE MAINTAINED 10' FROM R-O-W INTERSECTION BETWEEN 2.5' AND 10' ABOVE STREET LEVEL

APPEALS TO ZONING BOARD OF APPEALS

PART II - MUNICIPAL CODE
Chapter 94 - ZONING
TREE PRESERVATION AND LANDSCAPING STANDARDS

SEC. 94-300-PURPOSE	REDUCE ADVERSE IMPACTS BETWEEN USES; PROTECT PUBLIC HEALTH, SAFETY, WELFARE BY MINIMIZING NOISE, AIR, DUST, AND VISUAL POLLUTION, REDUCING HEAT & GLARE, PRESERVING PROPERTY VALUES AND NEIGHBORHOOD CHARACTER, CONTROL EROSION, & IMPROVE AESTHETIC APPEAL OF CITY
SEC. 94-301-DEFINITIONS	REDEVELOPMENT: DEMOLITION & REBUILDING OR EXPANSION OF 50% OR MORE OF BUILDING'S SQUARE FOOTAGE
	CANOPY TREE: HEIGHT GREATER THAN 35'
	UNDERSTORY TREE: HEIGHT LESS THAN 35'
SEC. 94-302-APPLICABILITY	BUFFERS REQUIRED FOR: FUTURE LAND USE AMENDMENTS, REZONINGS, CONDITIONAL USES, REDEVELOPMENT SITES 2 ACRES OR LESS ADDITIONS OR EXPANSIONS GREATER THAN 5000 SF, SITES GREATER THAN 2 ACRES ADDITIONS OR EXPANSIONS GREATER THAN 10,000 SF, ADDITIONS OR EXPANSIONS LESS THAN 100 FEET FROM ANY PROPERTY LINE (APPLICABLE ONLY TO ENCROACHED-UPON PROPERTY LINE), ADDITIONS OR EXPANSIONS ABUTTING SINGLE OR TWO FAMILY ZONED AREAS (APPLICABLE ONLY TO ENCROACHED-UPON PROPERTY LINE)

SEC. 94-303-BUFFER DETERMINATION

BUFFER INSTALLATION MAY BE DELAYED UNTIL CONSTRUCTION COMMENCES, THE CONTIGUOUS USE IS INITIATED, OR C.O. IS REQUESTED FOR ADJACENT UNDEVELOPED LOT

Zoning of adjacent parcel	Zoning of parcel proposed for development/redevelopment/expansion			
	CON	ROS, OR	R-1AA, R-1A, R-1, R-2	R-3, R-4
CON	-	-	A	B
ROS, OR	-	A	A	B
R-1AA, R-1A, R-1, R2	A	A	-	B
R-3, R-4	A	A	A	B
C-1A, C-1	A	A	B	C
DB, DR	A	A	B	C
PBG-1, AP-1	A	A	C	C
C-2	A	A	C	D
M-1, PBG-2, AP-2	A	A	D	D

Zoning of adjacent parcel	Zoning of parcel proposed for development/redevelopment/expansion				
	C-1A, C-1	DB, DR	PBG-1, AP-1	C-2	M-1, PBG-2, AP-2
CON	C	-	D	D	D
ROS, OR	C	-	C	C	D
R-1AA, R-1A, R-1, R2	C	-	C	D	D
R-3, R-4	C	-	C	C	D
C-1A, C-1	-	-	B	B	D
DB, DR	C	-	B	B	D
PBG-1, AP-1	C	-	B	B	C
C-2	A	-	A	A	C
M-1, PBG-2, AP-2	C	-	A	A	B

SEC. 94-304-BUFFER CATEGORIES				
	CATEGORY A			
		Option 1	Option 2	Option 3
	Width of Buffer	5 feet	10 feet	20 feet
	Number of Canopy Trees per 100 linear feet	0	0	Undisturbed Natural Vegetation
	Number of Understory Trees per 100 linear feet	0	2	Undisturbed Natural Vegetation
	Number of Shrubs/Ornamental Grasses per 100 linear feet	20	15	Undisturbed Natural Vegetation
	Fence, Wall or Earth Berm	6 to 8 foot wood stockade fence or masonry wall	None Required	None Required
	CATEGORY B			
		Option 1	Option 2	Option 3
	Width of Buffer	15 feet	10 feet	20 feet
	Number of Canopy Trees per 100 linear feet	1	0	Undisturbed Natural Vegetation
	Number of Understory Trees per 100 linear feet	4	4	Undisturbed Natural Vegetation
	Number of Shrubs/Ornamental Grasses per 100 linear feet	25	20	Undisturbed Natural Vegetation
	Fence, Wall or Earth Berm	None Required	6 to 8 foot wood stockade fence or masonry wall; or 2 to 6 foot earth berm with wood stockade fence or masonry wall installed at highest point to provide 6 to 8 foot high buffer	None Required

SEC. 94-304-BUFFER CATEGORIES (CONT'D)	CATEGORY C			
		Option 1	Option 2	Option 3
	Width of Buffer	20 feet	10 feet	30 feet
	Number of Canopy Trees per 100 linear feet	3	0	Undisturbed Natural Vegetation
	Number of Understory Trees per 100 linear feet	3	0	Undisturbed Natural Vegetation
	Number of Shrubs/Ornamental Grasses per 100 linear feet	20	20	Undisturbed Natural Vegetation
	Fence, Wall or Earth Berm	None Required	6 to 8 foot wood stockade fence or masonry wall; or 2 to 6 foot earth berm with wood stockade fence or masonry wall installed at highest point to provide 6 to 8 foot high buffer	None Required
	CATEGORY D			
		Option 1	Option 2	Option 3
	Width of Buffer	40 feet	30 feet	75 feet
	Number of Canopy Trees per 100 linear feet	6	4	Undisturbed Natural Vegetation
	Number of Understory Trees per 100 linear feet	6	5	Undisturbed Natural Vegetation
	Number of Shrubs/Ornamental Grasses per 100 linear feet	33	25	Undisturbed Natural Vegetation
	Fence, Wall or Earth Berm	None Required	6 to 8 foot wood stockade fence or masonry wall; or 2 to 6 foot earth berm with wood stockade fence or masonry wall installed at highest point to provide 6 to 8 foot high buffer	None Required

SEC. 94-304-BUFFER CATEGORIES (CONT'D)	STREET FRONTAGE BUFFER				
		2 acres or les		Greater than 2 acres	
		Option 1	Option 2	Option 1	Option 2
	Planting strip adjacent to public ROW	8 feet	5 feet	10 feet	7 feet
	Number of large trees per 100 linear feet of frontage or fraction	1	2	1	2
	Number of shrubs per 100 linear feet or frontage of fraction	25	30	25	30
	Maximum height of a berm at 3:1 slope	6 feet	2 feet	6 feet	2 feet
	BERMS MAX SLOPE OF 3:1, MINIMUM CROWN WIDTH 2', PLANTED WITH GROUND COVER				
SEC. 94-306-LOCATION OF BUFFERS	ALONG LOT PERIMETERS, STREET BUFFERS MAY BE IN R-O-W				
	FENCE: BEST SURFACE FACES ADJACENT PROPERTY				
SEC. 94-307-PLANTING SPECIFICATIONS	GRASS LIMITED TO LAWN GRASS				
	BUFFER CANOPY TREES: MINIMUM 8' HIGH, 2' DBH CALIPER, MATURE CROWN SPREAD OF AT LEAST 25 FEET, PLACED 20' OUTSIDE OF OVERHEAD WIRES				
	BUFFER UNDERSTORY TREES: MINIMUM 5' HIGH, 1.5' DBH CALIPER, MATURE CROWN SPREAD OF AT LEAST 15 FEET				
	SHRUBS & ORNAMENTAL GRASS: MINIMUM 12" HIGH WHEN PLANTED, 18" FOR HEADGES, PLANTED AT LEAST 30" ON CENTER APART				
	PLANTINGS SHOULD NOT BE EVENLY SPACED OR PLANTED IN STRAIGHT LINE				
	IRRIGATION OR TEMPORARY WATERING SYSTEM REQUIRED				
	PROTECTED TREES DOUBLE COUNT TOWARD BUFFER REQUIREMENT				
SEC. 94-308-TIMING OF BUFFER INSTALLATION	PROPERTY OWNER AND SUCCESSOR RESPONSIBLE FOR MAINTAINING BUFFER				
	APPLICANT MAY SUBMIT AFFADAVIT REQUESTING POSTPONEMENT OF PLANTING UNTIL BETTER GROWING SEASON TIME				

SEC. 94-310-EXCEPTIONS & MODIFICATIONS	CBD EXEMPTION
	MODIFICATIONS REQUESTED IN WRITING WHEN NATURAL LAND CHARACTERISTICS SUCH AS TOPOGRAPHY OR EXISTING VEGETATION ACHIEVES THE SAME INTENT, OR IF INNOVATIVE BUFFERING OR ARCHITECTURAL DESIGN PROVIDES EQUIVALENT SCREENING OR BUFFERING EFFECT
SEC. 94-311 – SCREENING REQUIRED FOR TRASH AREAS, DUMPSTERS, AND OUTDOOR STORAGE AREAS VISIBLE FROM ANY PUBLIC STREET OR FROM RESIDENTIAL USES OR ZONES	SCREENED BY PLANTS, OPAQUE FENCING, OR MASONRY WALLS ON 3 SIDES TO PROVIDE BETWEEN 6' AND 8' OF VERTICAL VISUAL OBSTRUCTION
SEC. 94-312-VARIANCES	BOARD OF ZONING APPEALS

ISSUE	RECOMMENDATION
DEFINITIONS	
"Developed area" definition - *building, structure, surface drive area, gravel or landscaping, building, surface drive area, gravel or landscaping.*	Remove landscape areas from developed area, add retention ponds to developed area
Plant List. No listing of approved plants.	Provide list of approved canopy trees, understory trees, shrubs, and groundcovers, including appropriate locations (street, parking lot) and water/irrigation zone. Allow for flexibility from list with justification provided.
BUFFERS	
Buffer Tables. Seven buffer tables with inconsistent buffer requirements, in both Articles	Consolidate buffer tables into one master table.
Property Line Buffers. Table 94-303 requires buffers between properties with the same zoning of between 10 feet, 30 feet, even more in some cases. This is wasted green space that separates similar uses. Strategic landscaping focuses on green space and trees along roadways and also between dissimilar uses/zoning along with screening.	Eliminate required buffers between like zoning (Commercial-to Commercial for example) and develop percentage open space requirement and required tree points, with plantings to be concentrated along adjoining roadways, parking lot shade tree islands, and around buildings. This will help to shade and beautify streets, parking areas, and buildings (in the latter case reducing energy costs).
Effective Tree Screening.	Require evergreen trees for use in buffers between incompatible uses (commercial next to residential, for example).
Conservation Areas. All development proposed adjacent to conservation areas should provide buffers (not required now).	Rework into master buffer table.
MAINTENANCE	
Better tree maintenance standards for required trees [94-295(b)(2)a]. (Note that single-family dwellings are exempt from tree and landscaping ordinance, this applies to parking lot trees, city trees, buffer trees.)	1. Proper pruning procedures using accepted horticultural practices 2. Prohibition of harmful pruning practices like "lolipopping" and "hat-racking."
STRATEGIC LANDSCAPING	
Age diversity: consider incentive to keep trees between 1-2" caliper (new trees) and 8" (protected trees).	Adopt tree point system where a site has to earn a level of tree points – points to be based on caliper and weighted for location.
Species diversity.	Require different type trees for larger projects
Live Oak Replacement. Requirement that live oaks be replaced with live oaks [94-294(c)6] is not necessary, deters species diversity and site specific	Eliminate requirement.

needs, defers canopy growth as live oaks grow slow.	
Off-site mitigation.	When not possible to meet planting requirements (not enough room on site) allow for off-site mitigation in nearby public areas (right-of-way, parks)
Xeriscaping. No xeriscaping/use of drought tolerant/native plants required or promoted	Require native and drought tolerant plants for nonresidential, multi-family, & PUDs, with exceptions approved by Tree Committee
Low Impact Development. Encourage integration of stormwater retention with landscaping	Revise accordingly to allow for and incentivize "rain gardens"/bioretention areas, planted with a mix of herbaceous perennials, shrubs, and (if conditions permit) understory trees that can tolerate intermittent ponding. Reduces pond size and better filters stormwater.
Conditional Use requires total compliance with landscape code [94-302(b)(3)], can be onerous for existing businesses and developments, particularly individual stores in shopping centers.	Proportional and flexible compliance for existing developments.
Existing Uses. Bright-line thresholds now govern buffering/screening standards for expansion of existing uses, using arbitrary figure of two acres for greater compliance. [94-302(b)(3)].	Applicable to expansion over 50%, square footage expansion with percentage applied to landscaping compliance.
TREE PRESERVATION	
Tree credits[94-295(d)] – unclear whether credits apply to caliper (diameter of tree at breast height) or tree itself	Revise to indicate credits apply to caliper.
Tree preservation measures.	1. Allow for flexible and strategic intrusion into dripline to encourage realistic urban tree preservation. 2. Allow administrative setback variances to preserve trees.
PARKING LOTS	
Terminal islands. Parking row terminal islands not clearly required [94-296(b)]. Provides for shade and better controls vehicle movement.	Require terminal row landscape islands with shade trees.
Parking Lot Green Space. Requirement for 25 SF landscape area for every 500 SF paved area is low. Two parking rows with 10 spaces fronting a 24' wide driveway (4400 SF) would only require 220 SF landscape area. This is just two landscape islands, and is 5% of paved area, with most codes requiring	Revise to at least 50 SF LS area per 500 SF paved area to achieve 10% landscape area in parking lots

at least 10% as a bare minimum. If the standard terminal islands were required, the four islands would approach the 10% standard.	
Landscape Island Size. Minimum 5' width and 100 SF parking lot landscape island insufficient to support trees [94-296(b)(2)].	Use standard parking space size for island, which will also assist designers in moving planned islands around
Landscape Island Shade Tree Flexibility.	Allow for flexibility on not requiring shade trees in islands when they can be planted strategically (to the south or west) of such areas to effectively provide shade to such parking areas.
Landscape Island Frequency. Code now allows 12 parking spaces uninterrupted by landscape island, too wide an expanse of pavement, need more shaded parking spaces -- standard is 10 or lower [94-296(b)(4)].	Lower to not more than 10 parking spaces not in interrupted by landscape islands.