CITY OF PALATKA
PLANNING BOARD AGENDA
December 3, 2013

1. Call to Order.

2. Roll Call.

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

4. Appeal procedures and ex-parte communication.

5. **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: Vincent and Gloria Thompson

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: McNab D. and Marc Spalding dba M + S.

6. **OLD BUSINESS:**

Case 13-46: Workshop on 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 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.

7. **OTHER BUSINESS**

Adoption of the 2014 meeting calendar:

January 7th	May 6th	* September 9th
February 4th	June 3rd	October 7th
March 4th	July 1st	November 4th
April 1st	August 5th	December 2nd

* 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 2nd Tuesday of the month.

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
November 5, 2013

The meeting was called to order by Chairman Carl Stewart at 4:00 pm. **Other members present:** Vice-Chairman Daniel Sheffield, Anthony Harwell, George DeLoach Lavinia Moody and Earl Wallace, (arrived after the 2nd case). **Members absent:** Joe Petrucci, Judith Gooding and Joe Pickens. **Also present**: Planning Director Thad Crowe and Recording Secretary Pam Sprouse.

Motion was made by Mr. DeLoach and seconded by Mr. Sheffield to approve the minutes for September 3, 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.

OLD BUSINESS – none

NEW BUSINESS

Case 13-49: Request to amend Municipal Code Sec. 94-200(e) to reduce the required minimum size for required permanent enclosed structure associated with non-temporary outdoor storage and sales from 1500 to 1200 sq. ft.

Mr. Crowe explained that application for this request is for the reduction of minimum size for permanent structures associated with non-temporary outdoor storage and sales, which is currently 1,500 sq. ft., and the applicant would like the Board to consider reducing the minimum to 1,200 sq. ft. to accommodate his business of non-temporary outdoor storage shed sales, proposed to be located at 3725 Reid St. and is a companion request to be considered next on the agenda. He reminded the Board of its April 2nd 2013 meeting's recommendation to the City Commission that non-temporary outdoor sales be allowed within C-2 zoning districts as a principal use, with the condition (among others) that there be a permanent building on the site that was at least 1,500 square feet in size. The reasoning behind the permanent structure rule was to ensure that a business had a permanent presence on the site instead of just a collection of outdoor sales items. Staff believes that there is not a substantive difference between a 1,500 and a 1,200 sq. ft. building, and that the smaller building will suffice in establishing a permanent presence for a business and accommodating the central office activities. In the interest of economic development and infill, important factors in the City's Comprehensive Plan, he recommended approval.

Motion made by Mr. Sheffield and seconded by Ms. Moody to recommend approval of the amendment as submitted. All present voted affirmative, motion carried.

Case 13-45: Conditional use request for non-temporary outdoor sales located in a C-2 zoning district, located at 3725 Reid Street.

Mr. Crowe gave an overview of the request and reviewed a sketch plan submitted by the applicant to show the general layout of parking, vendor spaces and proposed landscaping. He stated that the applicant has proposed the hours of operation to be Monday through Saturday 8:30 a.m. to 6:00 p.m. Mr. Crowe added that he believes this application meets applicable non-temporary outdoor sales criteria and recommended approval in accordance with the revised site plan submitted by the applicant and subject to the following conditions:

a Required buffering and screening shall occur at the time that residential development occurs to the rear.
b The site plan must be revised to include six parking spaces adjacent to the building on the paved area, with one of those being a 15-foot wide and 20-foot long handicapped space with a five foot striped ramp on the passenger side, and the others being 10 by 20 foot spaces. The internal driveway shall be at least 22 feet in width. The parking row shall have parking-space-size landscape islands on either end with shade trees planted within them that are adjacent to the end of parking rows. Wheel stops are required.
c Garbage cans must be stored in an area that is enclosed on three sides with a six-foot tall privacy fence or wall and on one side with a swinging gate.
d Signs are allowed for individual vendors and displays, limited to each display area and not more than 20 square feet in size, otherwise the Sign Code shall apply.
e Display items are to be arranged in an organized and neat manner and not in a haphazard arrangement.
f No automobiles, motorcycles, boats, or other motorized vehicles; heavy equipment; live animals; or personal services shall be offered for sale.
g Shed storage areas visible from the right-of-way shall be screened by fencing or vegetation that shall be maintained in an attractive and neat appearance. Sheds will be clustered together in an organized and attractive manner in several multiple display areas, and those visible from the public right-of-way shall be bounded by portable fences and large potted plants.
h Exterior lighting shall be shielded and downcast to reduce glare.
i Hours of operation are 8:30 AM to 6 PM Monday through Saturday.

Mr. Sheffield asked Mr. Hatcher if he had any problem with the restrictions recommended by staff as well as the hours of operation. Bob Hatcher with Florida Carports and Sheds, the applicant for this request, stated that he was amenable to the conditions recommended.

Ms. Moody commented that the City is trying to create some growth here but also address the problem of certain businesses violating zoning standards and presenting an unattractive appearance and strongly suggested that the applicant take the recommendations seriously and make the business look good. Mr. Hatcher indicated he would diligently comply with codes.

Motion made by Mr. DeLoach and seconded by Ms. Moody to approve the request subject to staff recommendations. All present voted affirmative, motion carried.

Case 13-46: amend code Sec 94-161 and 162 to establish an overlay zoning district to provide for design standards and use restrictions in the Downtown zoning districts.

Mr. Crowe explained that what Staff is proposing is a kind of holistic and comprehensive set of guidelines governing downtown. Unlike many other Florida towns and cities of the City's size, Palatka's downtown does not have any design regulations or any special standards. There is some vague language in the zoning district's development standards section about creating a pedestrian oriented environment, but that is not very enforceable. The proposed overlay addresses the broad spectrum of issues that affect downtown and encourages the revitalization of downtown, using the Main Street approach. This approach generates pedestrian activity and brings more people downtown to restaurants, retail stores and personal service establishments. The overlay also addresses the current right to demolish any downtown building regardless of historic or architectural significance and the need for some basic design standards to ensure that new infill buildings and the renovation of existing buildings will blend with the fabric of the physical environment of Downtown Palatka so as not to 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. Mr. Crowe explained that there are two areas being proposed: 1) the retail core which would include properties fronting on St. Johns Avenue from the Riverfront Park up to 11th St.; and 2) the Periphery area which includes all areas zoned DB (Downtown Business) and DR (Downtown Riverfront) excluding the retail core. He added that there are many communities that have these types of standards and protections in place. The overlay standards would not present a regulatory burden as they would be administered by staff with any appeal of staff's decision would then come to the Planning Board. He completed his powerpoint presentation by graphically presenting the proposed design criteria for the building façades, signage and amendments to the allowed uses.

Mr. Sheffield asked if this was in essence creating a downtown historic district. Mr. Crowe explained that this was a step short of a historic district and was more of a design district that provided limited historic protection – in essence requiring historic preservation board review for the 16 individually significant downtown historic buildings but not for the 62 contributing buildings or the 29 noncontributing buildings. This measure is justified by Comprehensive Plan policies under Future Land Use Element Objective A.1.5 that compel the City to preserve historically significant buildings.

Robert Lemon, 111 Easement Lane, Interlachen, commended the City for taking these steps to have regulations for any area, historic buildings are extremely valuable and this is a wonderful way to preserve the history and add to the ambiance of the whole city. Zoning is also a very good way to separate incompatible uses, such as an industrial site right next to a residential use. He questioned mixing the two issues (architectural design and zoning) as they are both fairly complex issues. He said that he would encourage the City to separate the two issues and suggested workshops inviting input from the taxpaying community.

Reverend Don Hanna, St. James United Methodist Church and Vice President of the South Putnam Ministerial Association voiced concerns of putting restrictions on churches even though right now it is confined to St. Johns Ave. and then also restricting those specific churches on the periphery deemed historic. He read a letter from the South Putnam Ministerial Association urgently requesting the tabling of this proposed amendment to a time certain. Additionally, the Association requested that the Planning Director forward to them the interpretation of this proposed ordinance before the next meeting. He ended by saying that the appropriate action would be to table this request until additional review can be made.

Neal Chancey, 2615 Lane St., Palatka, commended Mr. Crowe for his detailed restructuring of the zoning code to really appeal to the commercial class (use), but expressed concerns for some of the items relating to compatibility. He agreed that revitalization for downtown as a base is very important, but this effort should not impact churches. To restrict the church is to restrict the church's ability to reach out to people in this community that are in need. He recommended taking out the emphasis on churches of this amendment, and also recommended that a questionnaire be sent out to the community about this particular code amendment.

Cynthia Aisa, 424 N. Fern St. San Mateo, stated that she attends church on 7th St. and Main St. and wanted to know if her church would be affected by this amendment which would be a problem for them, as the church is trying to grow. She agreed that this item should be tabled for a workshop discussion so that the community can better understand the proposed changes and how existing businesses and uses will be affected.

Kirby Kennedy, representative of First Baptist Church, 501 Oak St., agreed that Mr. Crowe and his group have done a tremendous job trying to figure out ways to make downtown an incredible place where people will gather. He stated that his church has been in Palatka since the early 1870s and on Oak Street since the early 1900's. He stated that they have a vested interest in downtown. He also requested that this item be tabled. He added that they have the ability to invest in downtown to bring people downtown. He said that his church had met with city officials in August and again in September regarding how they could invest in the property across the street from the church in building a $3.5 to $4 million-dollar family life center with a gymnasium and

swimming facility with a façade on St. Johns Ave., possibly to include an art gallery as well. He said this would grow their congregation and added that city staff had made no mention of these proposed changes.

Charlie Rayburn agreed with the need for a workshop.

Bob Taylor, 241 Crystal Cove, commended Mr. Crowe and staff in their efforts on putting the guidelines together. He stated that there are some concerns (some that have already been voiced) and another one is with the 50 year historic rule (structures are eligible for local and national historic registration once they are 50 years old). He agreed that a workshop would be advisable to find compromises on some of the concerns that need to be worked out. One significant concern is with removing the allowance of some of the uses, as those that are existing will then become non-conforming, which could be troublesome.

Dawn Perry, 2370 Westover Dr., stated that a lot of his concerns have been brought up by the previous speakers and added that of her opposition to excluding churches from this area and referenced excerpts from a federal statute protecting churches known as the R.E.L.U.P.I.A. act.

Alexander Altman, 5256 Silver Lake Dr., referred to a quote from Benjamin Franklin, stating that if you give up a little freedom for protection, you deserve neither freedom nor protection, as has been presented as "a sort of protection measure" with this proposal. He believes that it is clear this amendment will create a schism in the community that this particular issue and point will create division and conflict within the very community the Board is trying to serve.

Charles Rudd, Palatka Main St. Manager, referred to grants that are attracting people to the retail district and explained that the goal is to create a destination retail corridor of specialty boutiques and restaurants as that is the only way to complete with the big stores like Wal-Mart and K-mart, so the Downtown retail/entertainment district competes on specialization, customer service and attracting people to a retail destination, that brings an infusion of new dollars into the community. The statistics prove that when you buy local, more money stays in the community. Mr. Rudd added that all of the current uses that have been allowed, all this time are a big part of what has brought the City to this point today, adding that more than fifty percent of current use is office/non-retail and another twenty-five percent is vacant. Every space is extremely valuable and each space needs to support the next space, staff is just proposing the retail corridor for the proposed overlay zoning use restrictions. The goal is to create a destination retail corridor of specialty boutiques and restaurants as that is the only way to complete with the big stores like Wal-Mart and K-mart. He ended by saying this is just another tool for the City to use to where we can kind of tip that mouse, and change what we have been doing, because "we" people don't like what we have been getting to where we preserve and create a retail corridor. These uses are allowed in the periphery of this district, as well as in other places all over town. He continued that there is probably not any use that is allowed in every district.

Motion made by Ms. Moody and seconded by George DeLoach to table this request until a workshop can be held. All present voted, resulting in 5 yeas and 1 nay (Mr. Harwell). Motion carried.

Case 13-47: Administrative request to repeal the Public Schools Element of the Comprehensive Plan.

Mr. Crowe explained this request is for consideration of repealing the Public Schools Facilities Element of the Comprehensive Plan. The Florida legislature several years ago eliminated the requirement for this element within the Comprehensive Plan of local jurisdictions due to its basic "unworkability" and unnecessary red tape. Given that the school enrollment is declining and ample school capacity is available, significant residential development is unlikely to occur to create school capacity problems and the City has very little say about school boundary changes; and also 3) the process requires unnecessary investment of staff time on all fronts; Staff recommends repeal of the Element.

Staff recommended repeal of the School Facilities Element of the adopted Comprehensive Plan

Case 13-48: Request for a conditional use to expand an existing church located in an R-2 (Two-family) zoning district.

Location : 1511 Washington Street
Owner: Church of God by Faith, Inc.

Mr. Crowe reviewed the staff report and recommendations for consideration. He recommended approval with the following conditions:

1. Uses on the property shall be limited to a maximum existing 225-seat church sanctuary, associated activities normally associated with a church, and 864 square foot new multi-purpose building.
2. Site development shall occur in keeping with the approved site plan.
3. Per Zoning Code Section 261 any exterior lighting on the site must be designed and arranged so that no source of such lighting is visible from adjoining residential properties. All site lighting shall be shielded or downcast to eliminate glare on adjoining properties and roadways.
4. The refuse area shall be screened on three sides with a six-foot tall privacy or stockade fence.
5. The Applicant shall erect a six-foot tall wood privacy or stockade fence or plant a continuous hedge of similar height along the east and west property lines adjacent to the new addition (not along the entirety of these property lines). While it is not required, Staff recommends that the Applicant plant a shade tree to the west of the new addition. The Applicant shall submit a landscape plan showing these elements for staff review and approval prior to any permit issuance.
6. All other applicable standards of the Municipal Code must be met.

Mr. Sheffield asked if the building design would be in keeping with the existing building.

Robert Benjamin, agent and contractor for the owner advised that it would be in keeping with the existing church and that the construction documents are in review at the building department. He explained that this is a multipurpose room for activities for the existing congregation.

Motion made by Mr. Sheffield and seconded by Mr. DeLoach to approve the request as recommended by staff. All present voted affirmative. Motion carried.

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 to the following landscape area types applicable to conditional uses: roadway buffers, vehicular use buffers, and parking lot landscape islands.

Mr. Crowe recommended tabling this item to the December 3rd meeting for continued research and refinement of the ordinance.

Motion made by Mr. Deloach and seconded by Ms. Moody to table the request until next month. All present voted affirmative, motion carried.

With no further business, meeting adjourned.

Case 13-51: 2410 Tommy Avenue
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: November 25, 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.

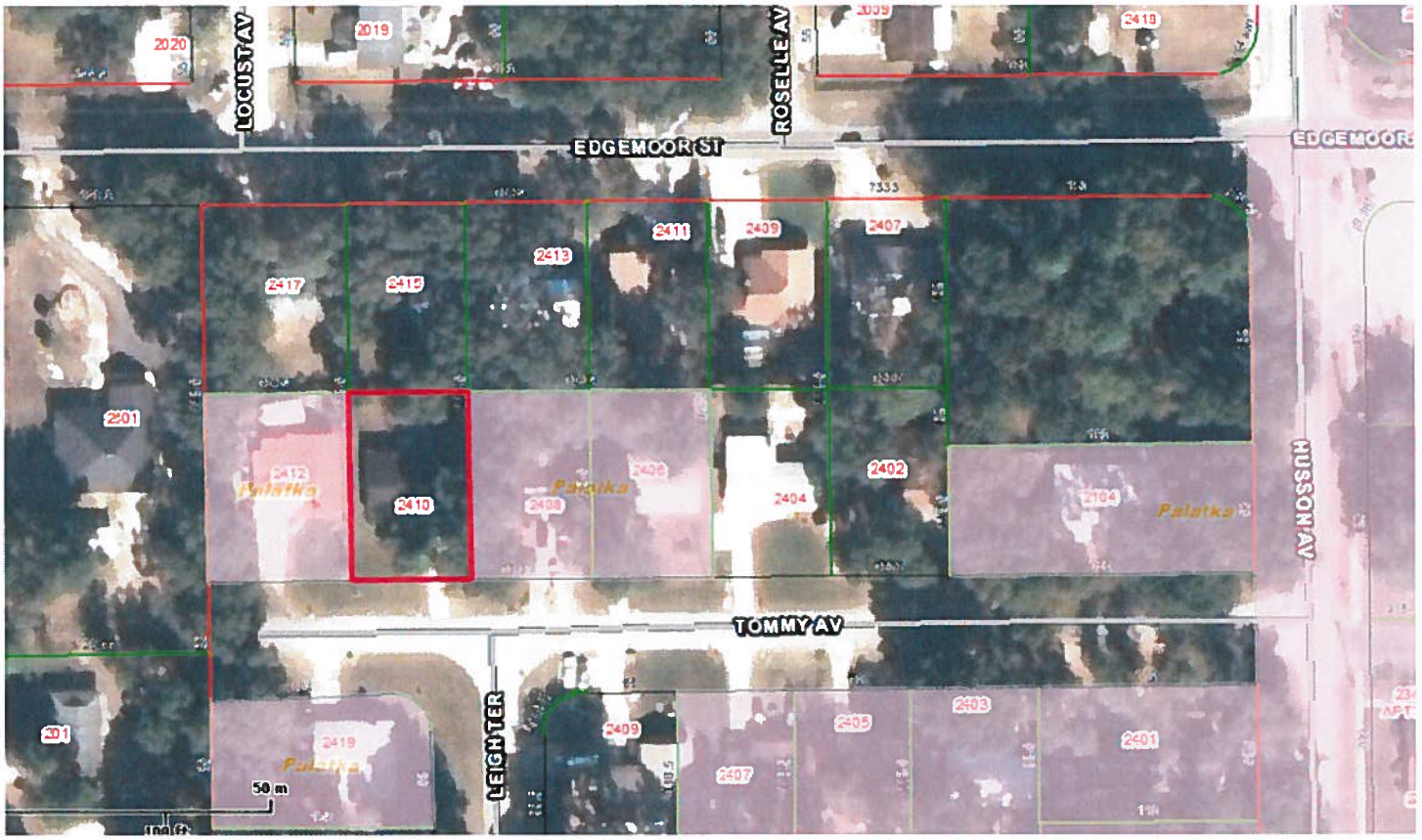


Figure 1: Site and Vicinity Map (purple shaded area represents city limits)

Figure 2: Tommy Ave. from Husson St.

Figure 3: 2410 Tommy Ave. (left)

APPLICATION BACKGROUND

The property under consideration currently has County single-family land use and zoning, as 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**
UR (Urban Reserve)	RL (Residential Low)	R-1A (Residential Single-family)	R-1A (Single-family Residential)

Table 2: Future Land Use Map and Zoning Designations for Adjacent Properties

	Future Land Use Map	Zoning
North of Site	County UR (Urban Reserve)	County R-1A (Residential Single-family)
East of Site	RL (Residential Low)	R-1A (Single-family Residential)
West of Site	RL (Residential Low)	R-1A (Single-family Residential)
South of Site	RL (Residential Low)	R-1A (Single-family Residential)

Nearby properties including 2406, 2408, and 2412 Tommy Avenue and 2419 Leigh Street were annexed into the City in 2012 due to the county Health Dept.'s prohibition of replacing or deepening wells when they are within 250 feet of a city water line. Also, the City's Comprehensive Plan requires that when properties receiving city water are contiguous to city limits they must annex into the City. Staff is presenting this application as an administrative action, as opposed to an action by the property owner, due to the rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional fees for the FLUM amendment and rezoning is an additional burden. The taxes collected from such 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. The property is contiguous to the City limits as shown in Figure 1.

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 properties 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 in the southwest Palatka area, as shown graphically in Figure 2 below.

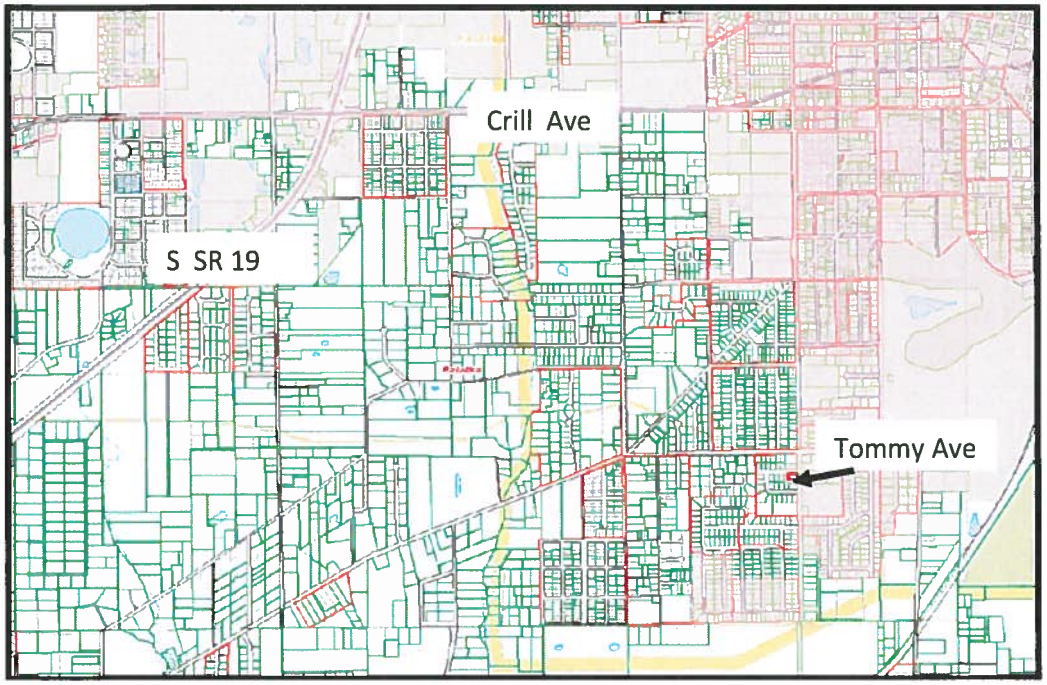


Figure 2: Southwest Palatka Urban Area Enclave (city limits in purple shaded color)

Future Land Use Map Amendment Analysis

Criteria for consideration of comprehensive plan amendments under F.S. 163-3187 are shown RR Line elow (staff Comment follows each criterion, and comprehensive plan extracts are <u>underlined</u>).

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.

> *<u>Policy A.1.9.3</u>*
> *<u>A. Land Use Districts</u>*
> *<u>1. Residential</u>*
> *Residential land use is intended to be used primarily for housing and shall be protected from intrusion by land uses that are incompatible with residential density. Residential land use provides for a variety of land use densities and housing types.*
> *<u>Low Density</u> (1730acres) - provides for a range of densities up to 5 units per acre.*
> *<u>Medium Density</u> (231 acres) - provides for a range of densities up to 10 units per acre.*

Staff Comment: the property is now in the County's Urban Reserve FLUM category (density range of one to four units per acre), which is approximately equivalent to the City's RL (Residential Low Density), which has a density range of one to five units per acre.

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 Husson 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 in a residential neighborhood that is suitable for the proposed residential 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.*
- *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 residential neighborhood.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
Staff Comment: Rezoning the property to R-1A provides uniformity to both existing City and County single-family 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 the use on road and utility capacity will be negligible, particularly since the use is 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: One condition that has changed in regard to this property is the failure or obsolescence of private wells and the present ability to tie into a city water line.

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: All development and redevelopment must meet City and water management district stormwater retention requirements. No drainage problems are anticipated for the 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 designations to properties 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 commercial 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 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 RL, and rezoning to R-1A for 2410 Tommy Avenue.

Case 13-52: 1400 N. State Road 19
Request to Annex, Amend Future Land Use Map and Rezone
Applicant: D. McNabb and Marc Spalding

STAFF REPORT

DATE: November 25, 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. Please note that the newspaper advertisement indicated a proposed PB (Public Buildings) land use and PBG-2 zoning. Staff and the applicant agreed to change this request to an industrial request. Based on past practice and industry standards, proposed zoning and land use requests can be changed after advertisement if the revised request is not more intensive than the original request.

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

APPLICATION BACKGROUND

The property under consideration currently has County single-family land use and zoning, as 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)	RL (Residential Low)	AG (Agriculture)	M-1 (Light Industrial)

Table 2: Future Land Use Map and Zoning Designations for Adjacent Properties

	Future Land Use Map	Zoning
North of Site	PB (Public Buildings and Grounds)	PBG-2 (Public Buildings & Grounds-2
East of Site	County US (Urban Service)	County AG (Agriculture)
West of Site	COM (Commercial)	C-2 (Intensive Commercial)
South of Site (across SR 19, Triangle Park)	REC (Recreation)	C-2 (Intensive Commercial)

The applicant is requesting the annexation and other actions to allow the School District to develop a bus garage on the property. The current bus garage is located at 1207 Eagle St. on the Northside. This is a less than ideal situation given the location in a mostly residential neighborhood and the negative impacts of bus traffic. Staff is presenting this application as an administrative action, as opposed to an action by each property owner, due to the rationale presented below.

1. Hardship. Most property owners annexing into the City do so because they are compelled to due to the failure of septic tanks or wells and the Health Dept. requirement that they hook up to city utilities when such lines are within 250 feet of the property. The cost of hooking up to City utilities approaches up to $6,000 depending on whether both water and sewer are required. The additional fees for the FLUM amendment and rezoning is an additional burden. The taxes collected from such 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. The property is contiguous to the City limits on the north, south, and west.

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 properties meets the standard of compactness as it is does not create an enclave, pocket, or finger area but in fact reduces the size of this particular County enclave.

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*
> *3. Industrial (258 acres)*
> *Land designated for industrial use is intended for activities that are predominantly associated with the manufacturing, assembly, processing, or storage of products. Industrial land use provides for a variety of intensities of use including heavy industry, light industry, and industrial park operations. Land Development Regulations shall provide requirements for buffering industrial land uses (i.e., sight, access noise) from adjacent land uses of lesser density or intensity of use. The intensity of industrial land use, as measured by impervious surface shall not exceed 90 percent of the parcel and a floor area ratio not to exceed 1.0. Intensity may be further limited by intensity standards of the Zoning Code.*

Staff Comment: the property is now in the County's Urban Service FLUM category, which allows a wide range of nonresidential and residential uses, including commercial, industrial, and public uses with a floor-area-ratio of 0.7 and a residential density up to nine units per acre), which is approximately equivalent to the City's RM (Residential Medium Density).

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 located in the State Road 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: 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.*
- *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. This 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 a mostly public district that includes the Sheriff's Office, Jail, and a large public recreation complex.

c. Possible creation of an isolated district unrelated to adjacent and nearby districts.
Staff Comment: The M-1 zoning is similar and not more intensive than the PBG-2 zoning to the north which allows the jail facility and also other intensive uses like sanitary and construction debris landfills and communications towers.

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 the use on road and utility capacity will be negligible, particularly since the use is 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: No conditions have changed to compel this amendment.

g. Whether the proposed change will adversely influence living conditions in the neighborhood.
Staff Comment: This is a non-residential area so this criterion is not applicable.

h. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
Staff Comment: A four-lane roadway is a more preferable location for a bus garage than a residential neighborhood with two-lane narrow streets.

i. Whether the proposed change will create a drainage problem.
Staff Comment: all development must meet City and water management district stormwater retention requirements.

j. Whether the proposed change will seriously reduce light and air to adjacent areas.
Staff Comment: Development on the site must conform to applicable height, lot coverage, and other factors that will prevent such impacts.

k. Whether the proposed change will adversely affect property values in the adjacent area.
Staff Comment: given the preponderance of intensive institutional uses (jail, sheriff's office) in the area, Staff does not believe a bus garage will have a noticeable impact on area property values.

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 designations to properties 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 industrial land use and zoning will be similar to the current County classifications.

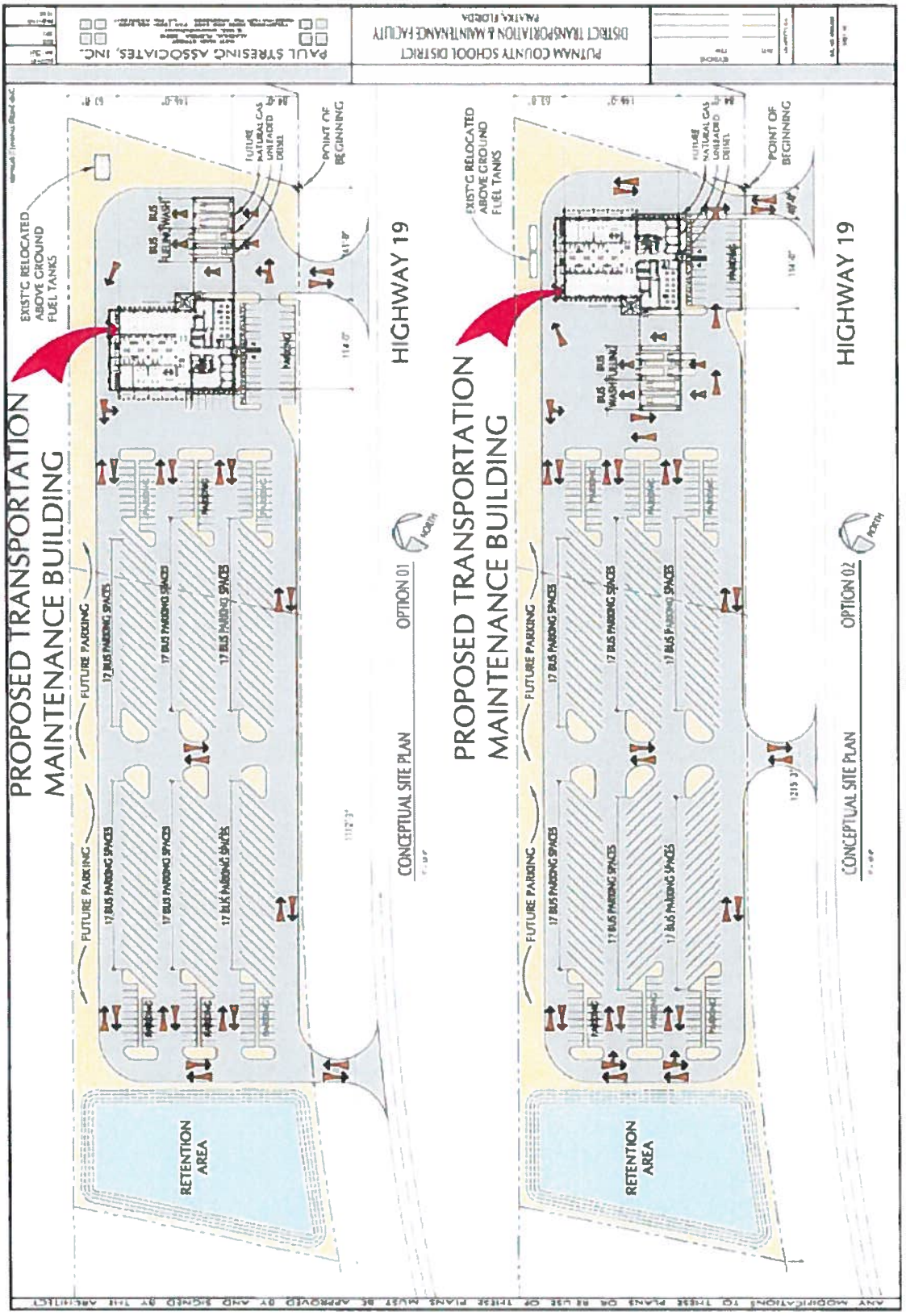
o. Whether the change suggested is out of scale with the needs of the neighborhood or the city.
Staff Comment: the property is not out of scale with the neighborhood and City.

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 IL (Industrial), and rezoning to M-1 (Light Industrial) for 1400 N. State Road 19.

Attachment: Concept Site Plan


PROPOSED TRANSPORTATION MAINTENANCE BUILDING
EXIST'G RELOCATED ABOVE GROUND FUEL TANKS
FUTURE NATURAL GAS UNLEADED DIESEL
POINT OF BEGINNING
BUS FUELING/WASH
HIGHWAY 19
FUTURE PARKING
17 BUS PARKING SPACES
RETENTION AREA
NORTH
CONCEPTUAL SITE PLAN
OPTION 01
PROPOSED TRANSPORTATION MAINTENANCE BUILDING
OPTION 02

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

STAFF REPORT

DATE: November 26, 2013

TO: Planning Board Members

FROM: Thad Crowe, AICP
Planning Director

The Board considered at their November meeting an administrative 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 overlay standards included a use section which would not allow institutional and other uses that are at cross-purposes with the core retail shopping area of St. Johns Avenue. The other part of the overlay was design standards for exterior alteration and new construction. A number of attendees at the Board meeting expressed concern about the narrow issue of not allowing storefront churches along St. Johns Ave. The Board requested that staff hold a workshop to further explain the changes and receive public input, which will occur at this December 3 meeting. The item will come back to the Board for final consideration at their January, 2014 meeting.

ATTACHMENTS: Staff Report
Draft Downtown Overlay District

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

STAFF REPORT

DATE: October 22, 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.

APPLICATION BACKGROUND

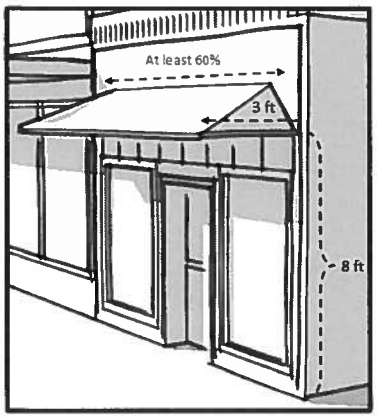
Like other Florida downtowns, downtown Palatka has a unique character as a result of its traditional architecture and historic development pattern. There are currently no design or development standards in place that protect downtown from incompatible development other than the following language in 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." 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.

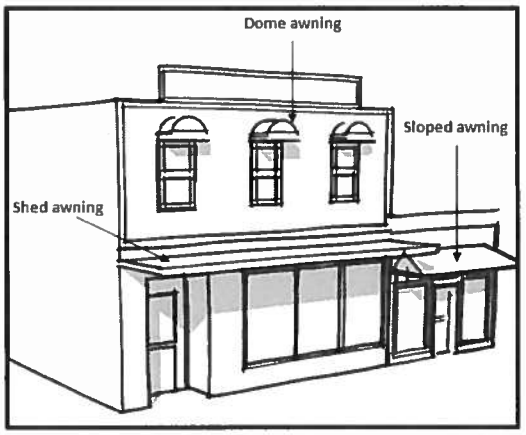
In brief, the overlay standards identify two downtown areas: the retail core and periphery. The retail core consists of properties fronting on St. Johns Ave. between the Riverfront Park and 11th St. and the periphery includes the remainder of the areas zoned DB (Downtown Business) and DR (Downtown Riverfront), 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. 11th St.

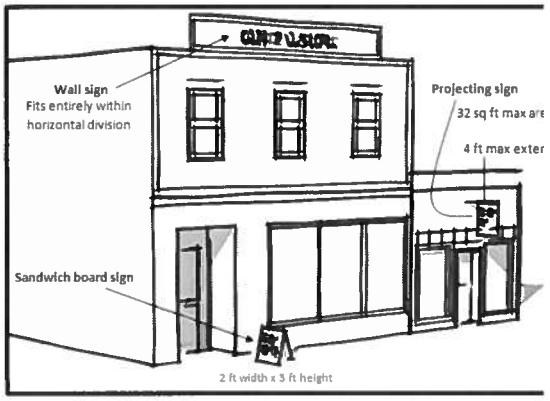
The standards provide a customized list of uses for the retail core that include retail, service, and professional office uses. Prohibited uses are the same as in the DB and DR districts, and conditional uses include colleges, schools, convention facilities, motels, government uses, parking garages, and upper floor residential dwellings with more than three units. Allowable and other uses in the periphery area would remain unchanged.

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, and include limited building color regulations. These standards guide redevelopment and development to the historic appearance of pre-WWII buildings.







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

New construction would meet the above standards and also be subject to other regulations, including the prohibition of new driveways and parking lots on St. Johns Ave., recognizable building entrances, similar building height, bringing buildings up to the street, and design protocols for parking garages and corner buildings, among others.

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. As indicated on the draft downtown commercial historic buildings survey map, 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. Also included with this packet is a map showing vacant lots in the downtown area, which gives a clear indication of the considerable redevelopment potential of the area. 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)

October, 2013

10/23/2013

PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

PALATKA DOWNTOWN OVERLAY ZONING (DRAFT)

Table of Contents

1. INTENT 2
2. DOWNTOWN ZONES 2
   A. Retail Core 2
   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 6
   C. Color 6
   D. Exterior Materials 7
   E. Illumination 7
   F. Landscaping 7
   G. Roofs 7
   H. Storefronts 7
   I. Signs 7
   J. Windows 9
   K. Streetwalls 10
   L. Fencing 10
4. DESIGN STANDARDS FOR NEW CONSTRUCTION. 10
   A. Corner Buildings 10
   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

1. **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.

2. **DOWNTOWN ZONES**. The downtown area consists of two specific areas: the retail core and periphery.
   A. **Retail Core**: this area includes properties fronting on St. Johns Avenue between the Riverfront Park and N./S. 11th St.

B. **Periphery**: this area includes all areas zoned DB (Downtown Business) and DR (Downtown Riverfront), excluding the Retail Core, and also includes areas within the C-2 zoning district south of Main Street between the riverfront and N. 11th 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 permitted principal uses as well as development and design standards set forth in Sec. 94-202.

1. General retail establishments which include:
   - a. Antiques and collectibles
   - b. Art.
   - c. Arts and crafts.
   - d. Bakeries (retail).
   - e. Bicycle shops.
   - f. Billiard parlors and indoor recreation and amusement facilities.
   - g. Books and periodicals.
   - h. Cameras (including incidental repair) and photographic supplies.
   - i. Candy and confectionary shops.
   - j. Delicatessens.
   - k. Department and discount stores.
   - l. Electronics and appliances (including incidental repairs).
   - m. Farmer's markets, as defined and regulated by section 94-201 of the Zoning Code.
   - n. Flowers and gifts.
   - o. Fish and seafood shops (retail).
   - p. Furniture stores.
   - q. Gifts.
   - r. Gourmet shops.
   - s. Hardware stores.
   - t. Health food shops.
   - u. Hobby shops.
   - v. Jewelers (including incidental repair).
   - w. Leather goods and luggage.
   - x. Mobile food vendors and push carts.
   - y. Musical instruments and supplies.
   - z. Office equipment and furniture and supplies.
   - aa. Pet stores.
   - bb. Pharmaceuticals.
   - cc. Plant shops.
   - dd. Specialty foods.

ee. Sporting goods.
ff. Sundries and notions.
gg. Wearing apparel.
hh. 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. Health spas.
i. Interior designer studios.
j. Job printing.
k. Martial arts or comparable physical activities studios.
l. Museums and galleries.
m. Photographic studios.
n. Restaurants without drive-through facilities.
o. Shoe repair shops.
p. Tailor shops.
q. Travel agencies.
r. Trophy and awards sales and assembly.
s. 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.
g. Investment offices.
h. Medical offices.
i. Real estate offices and related services.
j. Surveyors offices.

(4) Residential uses, subject to development standards set forth in this section.

(5) 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:

a. Laundry facilities as an integral part of a hotel or marina.
b. Outside sale and display of goods at city approved functions and events.
c. Warehousing and/or storage completely enclosed within the principal building.
d. Meeting space and limited retail sales as an accessory use to hotels.
e. Open air dining on public sidewalks provided a minimum horizontal clearance of four feet is maintained.
f. 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.
g. 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.
h. 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.

(6) *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:

a. Adult entertainment establishments, uses, and activities (as defined and regulated by chapter 3 of the Municipal Code).
b. Communication towers.
c. Drive-through facilities.
d. Manufacturing, fabrication, and assembly activities, except as a conditional accessory use.
e. Outside sale, display, rental, or storage of construction equipment, rental trucks and trailers.
f. Residential dwellings on the first floor constructed or converted after May 1, 2003.
g. Roadside vending.
h. Rooming and boarding houses.
i. Warehousing and/or storage, except as an accessory use.
j. 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. Colleges~~, vocational schools and preschools~~.
b. Community production or movie theaters.
c. Convention facilities.
e. Government uses, activities, and structures.
f. Hotels and motels.
h. Multi-level parking facilities and commercial parking lots.

k. Residential dwellings consisting of three or more units located above the first floor of a commercial use.

B. Periphery.

Allowable 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. 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*. Shall extend at least 60% of the length of the building or storefront, project out up to three feet from the back of the curb, and be at least eight feet above sidewalk grade.

(2) *Materials Allowed (Awnings)*. Allowable materials are canvas, acrylics, metal, aluminum, and poly-cotton fabrics.

(3) *Materials Allowed* (*Canopy*). Allowable materials are wood, metal, and aluminum.

(4) *Multiple Awnings*. Multiple awnings (not canopies) are appropriate for storefronts within a single building, however the awnings must be similar in terms of style and shape.

(5) *Obscuring Architecture*. Awnings and canopies shall not placed directly on important architectural features such as transoms or decorative glass and shall not obscure more than 30% of window vertically.

(6) *Symmetry*. Shall be centered along the building, storefront façade, windows, or doors.

(7) *Types Allowed*. Allowable awning types include shed, sloped, or dome (over window or door); mansard awnings are not allowed.

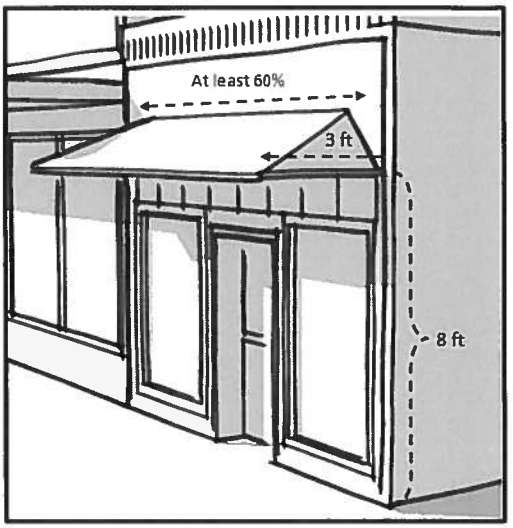


Fig. 1 *Awning dimensions*

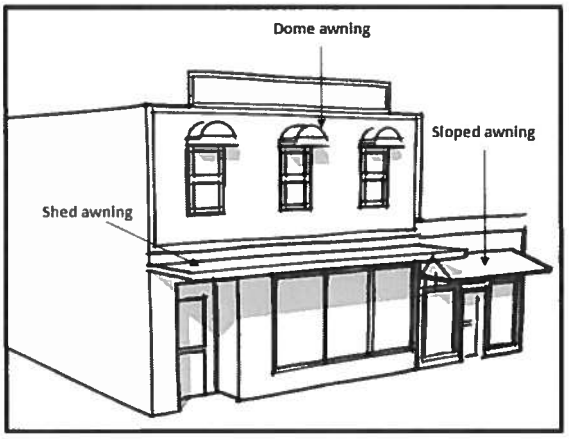


Fig. 2 *Appropriate awning types*

(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.**

With the exception of a. below, color standards are only applicable to the Retail Core.

(1) *Inappropriate Colors*. Fluorescent colors are prohibited, as are luminous paints and synthetic reflective materials.

(2) *Primary Colors*. Primary colors shall be muted so as to not detract from building architecture. Light pastel and earth tone colors shall be allowed while black color shall be prohibited. The individuality of buildings should be emphasized by assigning a primary color to a multi-unit building and not applying different colors to storefronts within a building. Individual identify of individual storefronts within a building can be achieved through varying awning color and distinctive signage.

(3) *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.

(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.

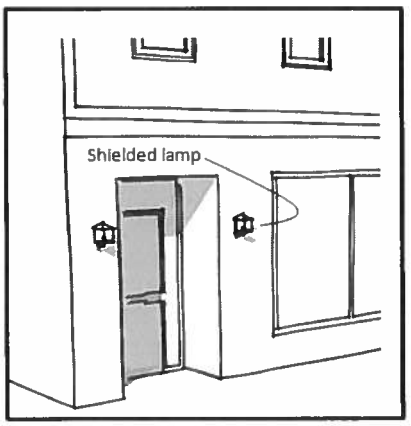


Fig. 3 *Shielded light fixtures*

(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.

(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.

(2) *Street Tree Spacing*. Street trees should be planted in conformance with an approved downtown streetscape plan.

(g) **Roofs**. Original rooflines shall be maintained.

(h) **Storefronts**. Applicable only to the Retail Core, 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**.

(1) *Allowable Signs*. Allowable signs include wall signs, projecting signs, awning/canopy signs, sandwich board signs, and window signs.

(2) *Awning/Canopy Signs*. Awning/canopy sign copy area shall be limited to the valance (front facing edge).

(3) *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.

(4) *Internally Lit Signs*. In the Retail Core internally lit signs are prohibited except for backlit channel letters used for wall signs. Other Internally lit signs are allowed in the Periphery.

(5) *Ground Signs*. Permitted as set forth in Sec. 62, Sign Code, and Sec. 94-191 and 94-162.

(6) *Neon Signs*. Neon signs are limited to window and projecting signs and may flash, but scrolling or other movement shall be allowed. "Open" signs are excluded from the two-sign maximum if they are less than ten square feet.

(7) *Projecting Signs*. Projecting signs shall not extend beyond four feet from the building, shall be located generally in the center of the building or above the main entrance, shall be two-sided, and shall not exceed 32 square feet.

(8) *Roof Signs*. Signs shall not be mounted above or extend above the roofline.

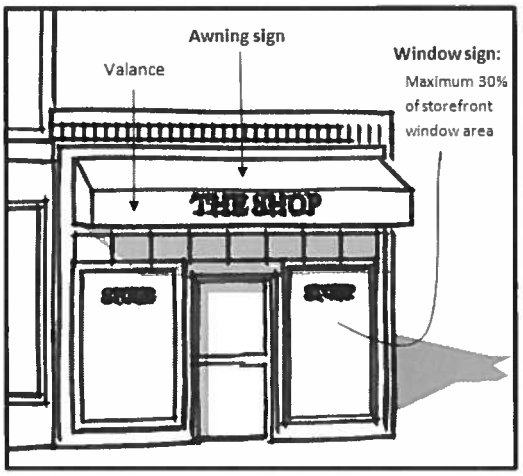


Fig. 4 *Awning and window signs*

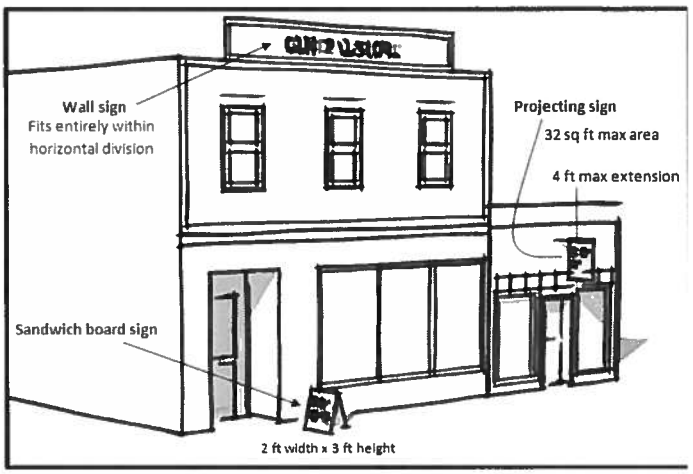


Fig. 5 *Wall, sandwich board, and projecting signs*

(9) *Sandwich Board Signs*. Sandwich board signs shall be a uniform size of two feet in width and three feet in height, shall be placed on sidewalks to maintain a minimum of four feet of clear area, shall have a professional, finished appearance; and shall be maintained in good condition. The sign may contain a chalk or white board area for daily changeable copy.

(10) *Maximum Signs*. Applicable only to the Retail Core, each store front shall be limited to no more than two signs not including window signs and sandwich board signs. One additional 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 40 square feet in size.

(11) *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 3-dimensional objects, including individual lettering. The

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

(12) *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.

(13) *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.

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

(15) *Wall Sign Dimensions*. Maximum size shall be 125% of storefront frontage linear feet, from 30 square feet 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.

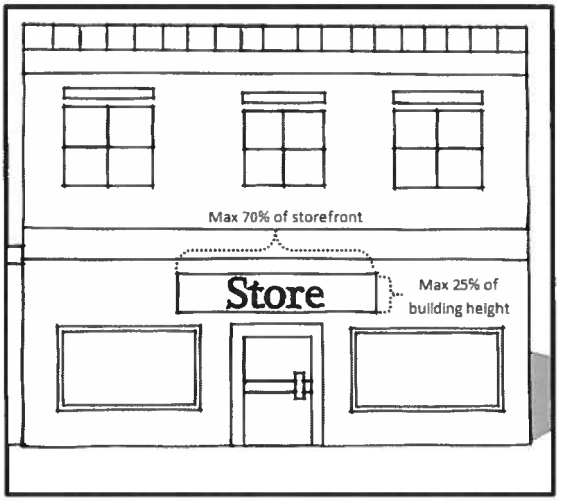


Fig. 6 *Wall sign dimensions*

(16) *Window Sign Area*. Window sign area shall not exceed 30% 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 60% of window area.

(17) *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 total building 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.

(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 Window Spacing*. Upper floor windows shall be regularly spaced.

(7) *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.

(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.

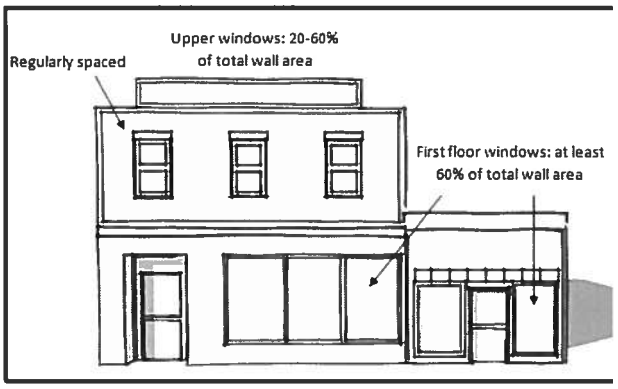


Fig. 7 *Window spacing and verticality*

(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. 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.

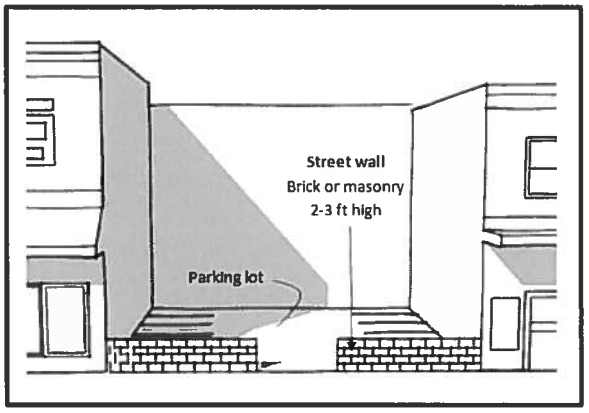


Fig. 8 *Streetwall*

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

In addition to meeting the previous standards set forth in Section 3, new construction and redevelopment when improvement value exceeds 50% of property value must meet the following standards.

(a) **Corner Buildings**. Corner buildings are to have entrances angled to face the intersection midpoint and shall include at least one of the following embellishments: cornice details, arches, peaked roof forms, or clock or bell corner towers.

(b) **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 for property improvements that exceed 50% of the value of the property.

(c) **Entrances**. Buildings shall have front entrance

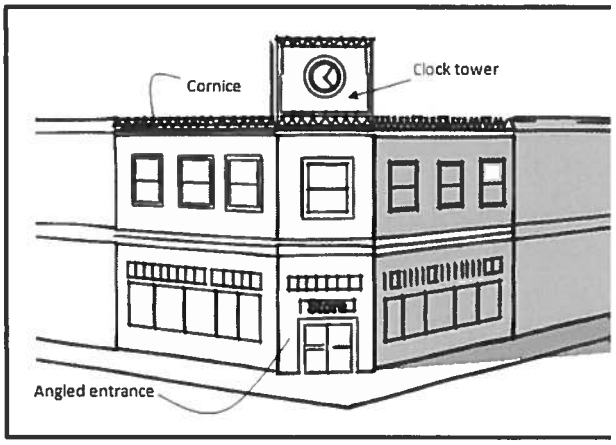


Fig. 9 *Embellished corner building with angled entrance*

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.

(d) **Height**. Buildings height shall be similar to that of adjacent buildings, except that any new building may have a height up to 60 feet.

(e) **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.

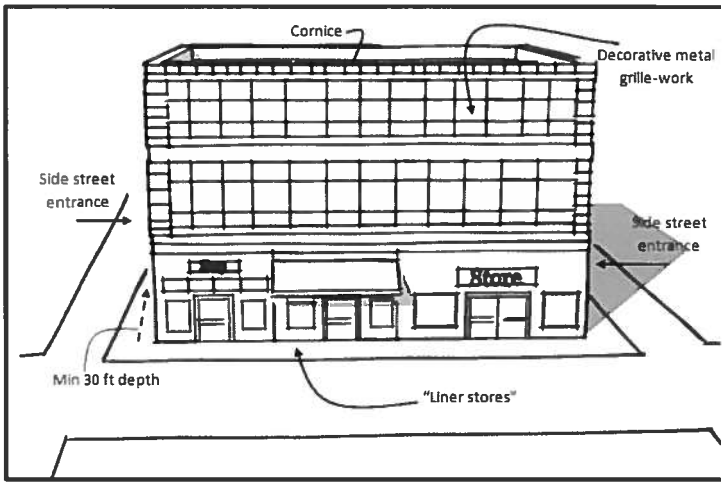


Fig. 10 *Parking garage*

(f) **Proportion**. New construction and facade rehabilitation shall maintain horizontal and vertical spacing of elements similar to other buildings on the block.

(g) **Roofs**. Structures shall have a recognizable top consisting of (but not limited to) cornice treatments, roof overhangs with brackets, richly textured materials and/or differently colored materials. Flat roofs shall be enclosed by parapets at least 42 inches high, or high enough to conceal HVAC equipment.

(h) **Setbacks**. Applicable only to the Retail Core, 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.

(i) **Width**. Applicable only to the Retail Core, 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.

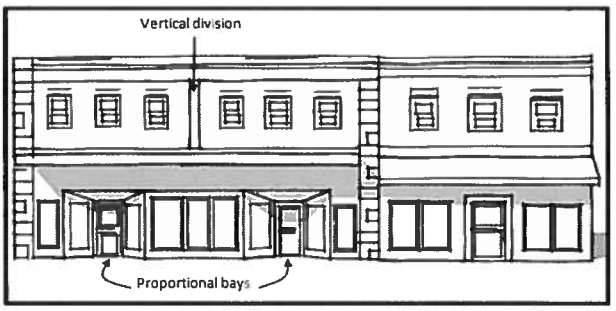


Fig. 11 *Similar width and proportion of new construction*

Case 13-50
Request to Amend Zoning Code
(Revisions to Landscaping, Tree Protection, and Buffering and Screening Standards)
Applicant: Building & Zoning Dept.

STAFF REPORT

DATE: November 26, 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.