

CITY OF ST. AUGUSTINE, FLORIDA

Planning and Zoning Board Workshop Meeting
August 30, 2006

The Planning and Zoning Board met in a workshop session at 3:00 p.m., Wednesday, August 30, 2006, in The Alcazar Room at City Hall, St. Augustine, Florida. The meeting was called to order by Roxanne Horvath, Chairperson, and the following were present.

1. ROLL CALL

Roxanne Horvath
Carl Blow
Gerald Dixon
Bill Leary
Deltra Long
John Valdes

Excused:

Leanna Freeman

City Staff:

Mark Knight, Director, Planning and Building Department
David Birchim, Planning Manager
Robin Upchurch, Assistant City Attorney
Pam Halterman, Recording Secretary

Other Attendees:

George Gardner, Mayor

2. PRESENTATION BY PROSSER-HALLOCK CONCERNING FORMED BASED ZONING OVERLAY DISTRICTS

Lynn Buffington and Dick Prosser, representatives for Prosser-Hallock attended the workshop.

Mr. Buffington thanked the board for holding the workshop and made the following remarks regarding Formed Based Zoning:

- * They had reviewed the pilot evaluation involving the character of the Flagler Model Land area
- * They had reviewed the causes involved with the variances, exceptions and anomalies in the chosen area
- * Originally looked at the uptown area, Lincolnville, north Davis Shores and

Flagler Model Land areas; however, staff had asked that they condense the review area

- * Desired to reduce the number of conflicts and anomalies
- * Flagler Model Land was an existing neighborhood and only used as an example in their review
- * Neighborhood assessment involved many elements such as heights, setbacks, land use, parking, etc
- * Collected data included the years of 2002 through 2005
- * The PZB heard approximately five variance requests each meeting or sixty requests on an annual basis
- * Variances could be addressed in the Code
- * Public realm was defined as “those parts or spaces of the urban fabric which were held in common such as plazas, squares, parks,

thoroughfares, street right-of-ways and civic buildings”

- * S.W.O.T. = strengths, weaknesses, opportunities and threats
- * It was critical to meet with residents in order to obtain a neighborhoods’ SWOT
- * Elements such as large setbacks could be good for one neighborhood but not necessarily good for another neighborhood
- * Current Zoning Codes did not address every situation in a neighborhood
- * Most variance requests involved setbacks and lot coverage
- * Land use appeared to be appropriate for the City
- * Development standards raised concerns during the review
- * Most lots measured less than seventy-five feet in width which resulted in residents applying for variances
- * 25% lot coverage was considered low
- * Averaging front setbacks could be a solution in retaining the character of a neighborhood
- * Concern was not being placed on density of a neighborhood
- * People generally understood graphics quicker than text
- * Building disposition was the location of a structure on a site
- * They had reviewed building massing and building orientation
- * Recommended that building entrances face the street and not the side

Mr. Buffington offered to answer any questions the board members might have for him.

Mr. Leary commented that he had finally started to understand the work completed by Prosser-Hallock. He pointed out that much data had been collected on the Flagler Model Land area. He noted that the density issue referendum would be placed on the City’s November 2006 election ballot. He stated that most variances involved non-conforming lots. He expressed that he had many unanswered questions regarding the depth of detail in Prosser-Hallock’s draft report.

Mr. Dixon pointed out that the subject neighborhood had been established prior to the Code being adopted. He stated that the goal was to analyze the character and elements of a neighborhood to determine which elements worked in a particular neighborhood. He noted that Flagler Model Land included commercially zoned property placed along Ponce de Leon Boulevard and had residential mixed with Flagler College buildings. He explained that Prosser-Hallock was offering a new palette on how to approach development in a neighborhood.

Mr. Leary said he liked the suggestion of a new and fresh way of reviewing zoning verses the current Euclidian [geometric] style.

Mr. Buffington expressed that it was critical for residents to get involved in

their neighborhoods and clarify what they desired for the neighborhood. He acknowledged that Plan Unit Development zoning was more prevalent because of its bargaining options. He stated that any change involved how much residents wanted to impose on themselves. He suggested that the existing Code did not work for the Flagler Model Land neighborhood.

Mr. Valdes voiced that new development appeared as reconstructed pre-war character and style.

Mr. Dixon reiterated that reconstruction of inner cities by demolition allowed for maximization of land.

Mr. Valdes agreed that the current Zoning Code did not work; however, downtown residents would be receptive to new zoning because the public at large was tired of the suburban style.

Mr. Buffington pointed out that the current Code would fit the north Davis Shores neighborhood. He explained that Anastasia Boulevard was primarily commercial development; however, single, residentially zoned lots existed behind the commercial which posed other problems.

In response to an inquiry, Mr. Prosser advised that they were initially asked to review zoning which was found to be outdated in the core areas. He said they had determined that focusing on the PZB process and related issues would help to facilitate change. He noted that they would help staff focus on

anomalies. He stated that the method should be condensed, simple and easy to understand. He affirmed that the proposed method could be used on a select neighborhood, and they were ready to conduct a charette with the information already completed in the Flagler Model Land area.

Mr. Buffington pointed out that many cities in the United States had already implemented the new zoning. He advised that he would provide the board with names of people involved with implementing the changes and how their areas had been impacted.

Mr. Prosser noted that PUD's were being used to rezone areas.

Mr. Valdes explained that the City had implemented Historic Preservation Zoning during the early 1970's, and it had been very successful. He pointed out that the most expensive and sought after properties were located in the HP Districts.

Mr. Prosser commented that one did not need to go far to view examples. He noted that they had been involved in closing St. George Street which initially had adversely impacted many people.

Mr. Valdes suggested that the public needed to be told that the City did not want to have the control over neighborhoods similar to the HP Districts.

Ms. Long asked that a timeline on the zoning changes and impacts to a

neighborhood be included with the additional information Prosser-Hallock would provide the board in the near future.

Mr. Blow suggested that a key document would be the working Neighborhood General Code.

Mr. Buffington advised that one important issue involved walking the neighborhood and viewing the existing character.

Mr. Leary asked what percentage of residents needed to be interested to implement change or whether a situation had to happen in a neighborhood that forced residents to seek different zoning.

Mr. Buffington advised that they would send letters to residents in a neighborhood which would explain a charette and invite them to participate. He noted that not one-hundred percent of residents would attend.

Mr. Valdes pointed out that currently residents had a heightened sensitivity to changes occurring in neighborhoods. He asked Mr. Knight for his opinion on the proposed changes.

Mr. Knight stated that the next step would involve going into the neighborhood and conducting a charette. He said his experience was that people who attended a charette were generally positive; however, during hearings and adoption of the regulation most people who had attended the

charette were home thinking everything was going smoothly, but citizens with issues attended hearings to oppose the matter. He said adoption of regulations was never a kind process. He acknowledged that many variance issues could be eliminated if the City adopted standards consistent with what currently existed in an area. He suggested that language needed to be defined and be straight forward; otherwise, it would become difficult to manage.

Mr. Prosser commented that attendance at a charette, at times, included residents who did not live in the subject area. He noted that residents with conflicts such as a school function held the same evening would probably not attend the charette. He pointed out that neighborhoods with an elderly sector might have different interests than residents with school-age children.

Mr. Leary stated that after the charette a new ordinance would be created including specific changes to the neighborhood and that ordinance would become an overlay to the Zoning Code.

Mr. Dixon pointed out that the county currently had overlay ordinances for specific parts of the county.

Mr. Buffington suggested that, due to the similar characteristics, the City consider the same overlay ordinance for several neighborhoods such as Lincolnville and Flagler Model Land.

Mr. Blow asked for clarification regarding the next step of the process.

Mr. Buffington stated that they needed to complete some additional revisions to the text on the draft report, and they would then present it to the City Commission.

Mr. Blow suggested that demographics were an important element and an analysis should be included with the Prosser-Hallock report.

Mr. Prosser advised that the census track data would help in providing the desired information; however, it would not be at the exact level Mr. Blow had alluded to.

Mr. Buffington noted that a census track would provide demographics for the past thirty years and show the changes which had occurred over the years. He pointed out that many rental properties existed in the Flagler Model Land neighborhood.

Mr. Blow expressed that Prosser-Hallock had handled the tree element favorably, but he asked that the economic value of trees be considered at a greater level. He noted that property with many trees compared to property with no trees would add an additional fifteen percent to the value of the property. He offered several tree value articles to Mr. Prosser.

Mr. Prosser stated that Lemon Street was primarily lined with camphor trees.

In response to an inquiry, Mr. Buffington advised that they could provide the requested information to the board by next week.

Ms. Horvath stated that she did not want to see the ground-plane changed, as occurred on Tremerton Street. She pointed out that the nine lots had been raised to a nine foot elevation due to FEMA requirements; however, neighboring lots remained at six feet which had caused many problems for the area.

Mr. Buffington advised that they were not completely updated on the FEMA regulations.

Ms. Horvath expressed that she was opposed to filling an entire lot but agreed with filling the area under a house.

Mr. Dixon explained that the board did not discover the Tremerton Street problem until after the fact; however, the board currently had more experience regarding the issue.

Mr. Blow suggested that a City policy should be created to implement more underground utilities in order to help with the negative visual impacts involved with overhead utilities.

Mr. Knight advised that FPL wanted municipalities to burden the cost of placing utilities underground.

Mr. Dixon noted that obtaining land for placement of transformers was one issue with underground service.

Mr. Valdes suggested that the City could require underground utilities from the power pole to the structure.

In response to an inquiry, Mr. Knight advised that at the next meeting he would ask for a formal recommendation from the PZB to the City Commission.

Mr. Blow suggested that the item be placed on the October agenda to allow time to review the additional information that Prosser-Hallock planned to provide the board.

It was agreed that the item would be on the PZB October agenda.

3. OTHER BUSINESS

Mr. Blow mentioned that a PZB decision had been appealed to the City Commission. He noted that the current minutes were well done unless an appeal was filed. He pointed out that the appellant was required to provide a transcription of the meeting. He stated that the board had a lengthy discussion regarding the case that had been appealed; however, the City Commission had not read what the members had said, because the boards' discussion had not been detailed in the minutes.

Mr. Dixon pointed out that Mr. Knight attended the City Commission meetings and informed the Commissioners of the boards' discussion.

Mr. Blow suggested that it was a burden to staff to relay the discussion to the City Commission.

Ms. Upchurch advised that audio tapes along with written minutes were available to the public. She stated that PZB decisions could be indicated on the order and in the minutes. She suggested that it was important for the board to articulate the reasons for their decision.

Mr. Blow reiterated that he would like the City Commission to know the boards' reason for a decision.

Ms. Horvath noted that if the appellant did not agree with the City Commissions' decision, a circuit court judge would not read a discussion about how the PZB came to their decision, the judge would follow the specific law involved with the case.

Mr. Leary questioned whether it would be helpful for the chairperson of the PZB to attend the City Commission meeting while the appellants' case was heard.

Ms. Horvath voiced that she would be available to handle that matter and asked Mr. Knight to inform her of such cases.

Mr. Knight affirmed that he would contact Ms. Horvath.

Mr. Leary questioned whether transcription of neighbors who spoke on the issue was included, because it was evidence the board considered.

Mr. Dixon noted that neighbors' responses were included in the record.

Ms. Upchurch advised that if the board or City Commission decisions were appealed to the Circuit Court, the attorney for the appellant would ensure that a transcript was available to demonstrate that there was not competent, substantial evidence for the board's decision.

Mr. Blow said he wanted the City Commission to have the tools to do their job.

4. ADJOURNMENT

There being no further business, the meeting adjourned at 5:12 PM.

Roxanne Horvath, Chairperson

Pam Halterman, Recording Secretary