SPECIAL MEETING AGENDA

Planning and Zoning Board
City of St. Augustine, Florida
Alcazar Room
Tuesday, June 27, 2023, 1:00 pm

Agenda

1. **Roll Call**

2. **General Public Comments for Items Not on the Agenda**

3. **Discussion and Recommendation Related to Drafted Language Regarding Partial Demolition Code Amendments**

4. **Consideration and Discussion Related to Updating the City's Parking Code Regulations**

   a. Review of the Survey Results of the recently conducted Parking Code Survey focused on Input from the Business Community and Comparison to the Previous Results
   b. Discussion and Recommendations related to potential updates to the City's Parking Code to incorporate mobility concepts adopted in the City's Mobility Plan and the Comprehensive Plan
   c. Planning and Zoning Board discussion

5. **Adjournment**

Notices: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."
In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respective elected or appointed body.

The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: Discussion and Recommendation Related to Drafted Language Regarding Partial Demolition Code Amendments

This item on the Special Meeting Agenda is related to the Partial Demolition Code Amendments that were last discussed at the August 2, 2022, board meeting. At that August meeting, the PZB gave consensus to send the proposed ordinance to the City Commission with the Board's concerns mentioned (See attached August 2022 meeting minutes).

You may recall that the August 2022 PZB meeting coinciding with meetings scheduled later in August through October 2022 to review the Architectural Guidelines for Historic Preservation (AGHP) updates, and the knowledge that additional refinements were needed to the HARB related code overall. At that time staff felt that it was beneficial for the historic preservation related land development code updates to be presented to the City Commission together with the AGHP updates. However, the AGHP update effort has continued longer than expected. In addition, new legislation passed during this year's legislative session, prompting staff to suggest moving forward with the partial demolition language with the HARB related proposed code revisions, and an addendum to the AGHP as previously planned so that the revised code can be adopted prior to October 2023.

Based on the PZB feedback the City Attorney revised the proposed language in the land development code update, which was provided for review at the August 2, 2022, PZB meeting, along with a proposed accompanying attachment related to partial demolition review of the Five (5) Elements important to buildings that is intended to become an addendum to the AGHP. This proposed addendum was updated based on your concerns; therefore, it is important for the PZB to review this document (See attached).

The final version of the ordinance amending the land development code and the revised AGHP addendum language are attached for your review and recommendation to the City Commission. This is in an effort to clearly delineate what the PZB is recommending moving forward with the adoption process.

The following is a discussion of staff concerns for your review as you further consider the issue of partial demolition and related revisions to the code and the AGHP from the Historic Preservation perspective. By discussing these issues, staff wants to make sure potential unintended consequences are avoided or are at least understood as we move forward with any recommended language. Staff will move forward with your recommendation(s); however, staff feels that it is important to express these concerns.

As has been indicated in past memorandums and discussions at Board meetings, the need for a partial demolition ordinance has been driven by concern expressed during the Historic Preservation Master Plan process and the realization of the implications from the increase in requests for full and partial demolition, and the elevation and/or relocations of structures that increased after the devastating hurricane impacts that the city experienced since 2016.

There has been a noticeable increase in proposed modifications to properties and proposed demolition and partial demolition of buildings over the last several years. As stated previously, at least 66% of the demolition permits issued over a 5-year period from November 2017 to August 2022 were for buildings in an existing National Register District or in areas of the city considered as potential district(s). The resulting real and potential impact to our historic buildings, historic neighborhoods and districts, and overall community character is something that can be mitigated in part through a partial demolition ordinance.

Growing staff concerns relate to the eventual/potential loss of the historic character and integrity and the value of identity of these areas, and the local economy overall, which has benefited from our rich historical resources. If buildings are altered to a certain extent or in an inappropriate way, the historic and/or architectural integrity could be compromised or lost, which has the potential to erode the character of the historic neighborhood or National Register Districts, thereby resulting in the eventual degradation of these important areas and to the city overall. To help establish what standards are used for evaluating significance within registered historic districts, and how historic integrity and other aspects are defined during the evaluation of significance, standard information is provided and attached for your review.

Hinging the partial demolition review only on buildings that are contributing to a National Register District, could result in property owners trying to remove a contributing status for their building or the historic designation for the overall district from the national register. Staff has been informed by the Florida Division of Historical Resources that the "fifty year or older rule" that is currently in place for demolition review of buildings is a more effective approach, since the age of a building is something that is not administered by another entity like the National Park Service, which oversees the National Register program. If partial demolition review was desired for only certain areas of the city, a specific local historic district overlay could be another effective approach.

Additionally, in past architectural surveys other buildings within the city have been identified as potentially contributing to a district if one was formed, but are not currently within a local historic Preservation Zoning District (HP 1-5) or one of the seven National Register Districts. To ensure the city's most architecturally significant buildings do not fall between the cracks for partial demolition review or full demolition review (that is being threatened by proposed legislation at the State level), staff is working on a comprehensive list of potential local landmarks.

While PZB approved the partial demolition code version that removed the review of materials for a replacement architectural element, it is important to be aware that this could have a negative impact on a historic building, and in turn, an impact to the neighborhood. Although there is the impression that alternative materials are superior to traditional building materials or that requiring a traditional building material/historic element to remain causes an economic

hardship to property owners, this is not necessarily always true and there is data that proves otherwise.

For example, the City's Historic Preservation Division hosted a historic window workshop on May 13th during the St. Augustine 2023 History Festival. Some of the key information provided to attendees is attached showing the potential energy efficiency of a historic window versus replacement windows, the return on investment for replacement windows versus repaired historic wood windows, and the math for insurance savings for scenarios of full replacements of historic elements. There is also anecdotal information that was learned during staff damage assessment efforts after the storms that the older original materials such as wood and coquina construction dried out and recovered from water intrusion better than some newer materials. Historic Preservation staff will continue to educate and work with property owners, to encourage the retention of historic building materials and elements.

With the additional time for review of these materials, staff would like to discuss additional minor code revisions proposed with the PZB and determine whether the PZB is comfortable making a recommendation of the overall historic preservation and HARB related language to the City Commission.

Thank you for all of your time, patience, and attention to this important matter. Please see the list of attachments and additional information provided for your review and feel free to contact us with any questions: Julie Courtney, Historic Preservation Officer at (904) 209-4283 or email jcourtney@citystaug.com or myself at (904) 209-4320 or email askinner@citystaug.com.

Amy McClure Skinner, AICP
Director
Planning and Building Department

Please find attached for your reference:

- Timeline of proposed partial demolition ordinance reviews and discussion with links to on-demand video recording of related HARB and PZB meetings
- Definitions to be Adopted in the Ordinance
- Historic Preservation Code sections, including the partial demolition ordinance reviewed and approved by PZB at August 2, 2022 meeting, **with new proposed amendments** indicated
- Exhibit A- Design Review Addendum to the AGHP (Revised version reviewed at November 2, 2021 PZB meeting with highlighted text indicating new proposed amendments based on previous PZB comments. Final edits to follow per PZB recommendations)
- August 2, 2022, PZB packet items including:
    - August 2, 2022 Memorandum from Amy Skinner, Planning and Building Department Director, for partial demolition related potential code amendments discussion
    - July 15, 2022 Memorandum from Isabelle Lopez, City Attorney, for the August 2, 2022 PZB meeting, outlining new amended language related to Partial Demolition and Design Review
    - Revisions to the partial demolition ordinance
    - Exhibit A - Design Review Addendum (October 5, 2021 version)
    - House Bill 423 Analysis (2022)
- Minutes from August 2, 2022 meeting related to Other Business Item 8(a) discussion
- November 2, 2021 Memorandum from Amy Skinner, Planning and Building Department Deputy Director, for PZB partial demolition related potential code amendments discussion
- October 5, 2021 Memorandum from Amy Skinner, Planning and Building Department Deputy Director, for PZB partial demolition related potential code amendments discussion
- Map with locations of the seven (7) National Register Historic Districts and National Historic Landmark area
- A map from 2016 reflecting the age of structures distributed around the city that illustrates the importance of the historic nature and distribution of potentially historic structures throughout the city
- Standards for Evaluation Significance Within Registered Historic Districts
- Seven Aspects of Historic Integrity to Evaluate Properties
- Excerpts from *How to Apply the National Register Criteria for Evaluation* including: Criteria for Evaluation, Definition of a District, How to Evaluate the Integrity of a Property, and Assessing Integrity in Properties and Districts
- Data related to potential energy efficiency of a historic window versus replacement windows, the return on investment for replacement windows versus repaired historic wood windows, and the math for insurance savings for scenarios of full replacements of historic elements

TIMELINE OF PARTIAL DEMOLITION ORDINANCE DISCUSSION AND REVIEW

MEETING DATE:	**BOARD:**	**ON-DEMAND VIDEO LINK:**
June 27, 2023	**PZB Special Meeting** Review of approved language and additional small revisions	
Staff and Boards working to update AGHP		
August 2, 2022	**PZB** ***Approval by PZB to recommend to City Commission*** after Presentation & Discussion of newly revised ordinance language (Amy Skinner, Planning & Building Director and Isabelle Lopez, City Attorney, and Julie Courtney Historic Preservation Officer)	Video
Staff analysis of legislative actions		
November 2, 2021	**PZB** Presentation & Discussion of newly updated revised ordinance language and attachment (Amy Skinner, Planning & Building Deputy Director and Julie Courtney, HPO)	Video
October 5, 2021	**PZB** Presentation & Discussion of revised ordinance language (Introduction by Amy Skinner, Planning & Building Deputy Director Presentation by Jenny Wolfe, HPO)	Video
June 16, 2021	**PZB Special Meeting** Additional information provided and addressing questions from June 1st meeting (Jenny Wolfe, HPO)	Video
June 1, 2021	**PZB** Presentation introducing proposed partial demo ordinance (Jenny Wolfe, HPO)	Video
February 18, 2021	**HARB** Review of incorporated suggestions from Nov 2020 meeting (Jenny Wolfe, HPO)	Video
November 19, 2020	**HARB** Introduced 5 Critical Elements to consider for Partial Demo Review (Jenny Wolfe, HPO)	Video
October 15, 2020	**HARB** Summary of past discussions and what is currently codified & Additional considerations (Jenny Wolfe, HPO)	Video
COVID Shutdown		
February 20, 2020	**HARB** Proposed: definitions, revisions of 28-89 & 28-90, policy statement (Jenny Wolfe, HPO)	Video
January 16, 2020	**HARB** Need for Partial Demolition Ordinance Introduced (Jenny Wolfe, HPO)	Video

Included for your reference, Definitions to be Adopted in the Ordinance:

Redline: Previously reviewed and approved new language by PZB at 8.2.2022 meeting

Archaeological preservation ordinance refers to Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that require archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

…

Architectural feature includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architectural feature limited review consists of the architectural review of limited physical elements of a regulated structure to be replaced after partial demolition and does not include material type or material colors. This limited review will focus on the overall character of the key elements of the structure visible from the street. Key elements that will be reviewed will be roofs (shape, size, placement), exterior windows and doors (number and placement of openings, shape and pattern of panes or lites, and design features visible from outside the regulated structure such as the exterior muntin with a raised profile), porches, stoops, and balconies (shape, size, placement), exterior siding (vertical, horizontal, or diagonal placement of similar sized boards, siding profile and pattern). The review is for exterior elements only and does not include the interior works or features of architectural elements (for example, this does not include window latch mechanisms or counterweights). Applications that match the replacements after a partial demolition to these existing key architectural elements or use in-kind features or materials as existing will be deemed in compliance with this limited architectural review and can be approved administratively. Applicants who do not want to use in-kind features or materials as existing nor match the replacements to these key architectural elements after partial demolition will be heard at a public hearing before the HARB or other designated reviewing agency. This category of limited review does not apply to properties in the Historic Preservation Districts of the City. The criteria applied for either HARB or administrative review will be as described in Sec. 28-89(3). See *Regulated structure*.

…

Architecturally similar means having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, pattern.

…

Contributing property is a building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; ~~or~~ (c) it independently meets the National Register of Historic Places criteria for evaluation; or (d) have yielded or may be likely to yield information important in history or prehistory.

…

Design compatibility refers to new construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building's historic character. For alteration to a historic building, repairs using historic materials is preferred; however, there are circumstances where substitute materials that imitate historic materials may be used if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result.

…

Façade includes the face of a building and is most commonly referred to as a street façade and/or visible façade.

…

Historic character refers to all visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building's relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity is the authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic period including evaluation of any changes that may have occurred through time which could contribute to the building's later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.
Historic period is the primary timeline for which the historic building derived its historic association with an event, person, place, pattern of development or other context.

…

Historic structure including contributing properties as defined for demolition and partial demolition purposes is a structure that is 50 years old or older, in a locally established historic preservation district, individually listed as historic locally or nationally, a contributing property in a designated National Register District or a potentially contributing property surveyed, but not recognized or not in a designated National Register District. But see *Regulated structure*.

…

In-kind features or materials means using architecturally similar material and design to convey the visual appearance of the remaining parts of the feature and finish.

…

Material deficiency refers to the inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

…

National Register of Historic Places is the list of historic properties significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state or federal level.

…

Partial demolition a partial demolition for purposes of proposed work on a historic structure or a regulated structure within the City of St. Augustine is considered the permanent removal of 50% of the appraised value or more of historic, individual elements of the building envelope (roof, walls, porches, windows, foundations). It also includes the removal of these historic features regardless of the percentage of the appraised value when they are on visible the sides of the building (visible from the street). See *Architectural feature limited review*.

…

Preservation the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

…

Reconstruction the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

…

Regulated structure is a building or a part of a building that is the subject of a partial demolition and that is not located in the City's Historic Preservation Districts but meets the following criteria of a Historic structure: it is individually listed as historic locally or nationally, or it is a contributing property in a designated National Register District, or it is a designated historic landmark. See *Architectural feature limited review*, and see *Partial demolition*.

…

Rehabilitation the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

…

Relocation the act of moving a building from its original location to another site, either on the same property or to another location entirely.

…

Restoration the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

…

Routine maintenance and repair in terms of historic preservation means using the same materials in a way that matches the architectural style of the existing building.

…

Significant architectural feature is an architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

…

Technical requirement refers to performance mandates established by local, state or federal governments and their supporting regulatory documents.

Attached for your review, Historic Preservation Code sections including proposed amendments:

KEY TO PROPOSED EDITS:

- Yellow highlighted color text: PROPOSED NEW WORDING
- ~~Yellow highlighted, Strikethrough words:~~ Words to replace/remove
- Terms with Definitions Highlighted in Blue: Terms suggested to be denoted with italics to indicate a definition is available for reference
- Redline or blue font (unhighlighted): Previously reviewed and approved new language
- ~~Srikethrough:~~ Previously reviewed and approved deletions of existing code language
- *[Notes highlighted in green]:* STAFF NOTES FOR CLARITY, SO READER CAN UNDERSTAND WHERE TEXT WAS MOVED OR CHANGED
- {Redline text} CHANGE TO: Yellow highlighted color text: PROPOSED NEW WORDING in areas that strikethrough could not be added to redline text without confusing versions of already approved wording with new proposed

DIVISION 3. - HISTORIC ARCHITECTURAL REVIEW BOARD[3]

Sec. 28-81. - Created~~; m~~ and Membership.

(1) There is hereby created ~~an~~ a historic architectural review board consisting of five (5) regular members to be appointed by the city commission from applications submitted on forms as from time to time promulgated by the city manager and approved by the city commission. Each member shall meet the requirements of the position they wish to fill. Two (2) members of the board as established herein shall be appointed for a term of one (1) year; two (2) for a term of two (2) years; and one (1) for a term of three (3) years. Thereafter all members shall be appointed for three-year terms except those appointed to fill vacancies for unexpired terms, in which case the appointment shall be for the unexpired term only. Members shall comply with all local and state requirements of office.

(2) The historic architectural review board may, in addition to its regular members, have a maximum of two (2) alternate board members to be appointed by the city commission from applications submitted on forms as from time to time promulgated by the city manager and approved by the city commission. The alternate members shall be appointed for a three-year term and may be reappointed for additional terms at the discretion of the city commission. Alternate members shall meet the requirements of the position they wish to fill as promulgated in section 28-81 and 28-82 of this Code and have previously served as regular members of the historic architectural review board. Alternate members will only be called upon to be seated and serve in their alternate member capacity, participate, and vote at meetings, in the event of an anticipated lack of quorum or bare minimum quorum of the regular members. It is the intent of this regulation to allow alternate members of this board to continue to practice their profession, trade or occupation while holding this public office, consistent with state law. Furthermore, due to the scarcity of available alternate members and the substantial public benefit to the community

of their volunteer efforts when called upon to serve at a specific meeting, it is the intent of this regulation to allow alternate members to present applications in their professional capacity to this board unless they are seated to serve at the same meeting.

(Code 1964, § 33-183; Ord. No. 16-08, § 1, 3-14-16; Ord. No. 20-29, § 1, 10-26-20; Ord. No. 20-30, § 1, 10-26-20)

Sec. 28-82. - Minimum qualifications criteria.

One (1) member must be a licensed, professional architect. The remaining members must hold a professional license, or educational credentials and professional membership in the fields of History, Archeology, Architectural History, Historic Landscapes and Architecture, Art History, Planning, Real Estate, Law, or Construction as further described below. It is the intent of this regulation to allow a member of HARB to continue to practice their profession or occupation while holding this public office, consistent with state law.

(1) *History.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one (1) of the following:

a. At least two (2) years of fulltime experience in research, writing, teaching, interpretation or other demonstrable professional activity with an academic institution, historic organization or agency, museum or other professional institution.

b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

(2) *Archaeology.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology or closely related field plus:

a. At least one (1) year of fulltime professional experience or equivalent specialized training in archaeological research, administration or management.

b. At least four (4) months of supervised field and analytic experience in general North American archaeology.

c. Demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one (1) year of fulltime professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one (1) year of fulltime professional experience at a supervisory level in the study of archaeological resources of the historic period.

(3) *Architectural history.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation or closely related field, with course work in American architectural history; or a bachelor's degree in architectural history, historic preservation or closely related field plus one (1) of the following:

a. At least two (2) years of fulltime experience in research, writing or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution.

b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

(4) *Historic landscapes and architecture.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in historic landscapes and architecture are a professional degree in architecture or landscape architecture or state license to practice architecture or landscape architecture, plus one (1) of the following:

a. At least one (1) year of study in architectural preservation, American architectural history, historic landscapes, preservation planning or closely related field.

b. At least one (1) year of fulltime professional experience on historic preservation projects. Such graduate study or experience shall include detailed investigations of historic structures and landscapes, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

(5) *Art history.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in architectural history are a graduate degree in art history or closely related field, with course work in art history; or a bachelor's degree in art history or a closely related field plus one (1) of the following:

a. At least two (2) years of fulltime experience in research, writing or teaching in art history with an academic institution, historical organization or agency, museum, or other professional institution.

b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of art history.

(6) *Planning.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in urban planning or urban design are a bachelor's degree in planning or closely related field, with course work in historic preservation plus one (1) of the following:

a. At least two (2) years of fulltime experience in project work, research, writing or teaching in planning, urban planning or urban design, with an academic institution, historical organization or agency, museum, or other professional institution or planning and design firm on historic preservation projects.

b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of historic preservation.

(7) *Real estate.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications in real estate sales, brokerage, or development are a broker or real estate agent license plus one (1) of the following:

a. At least five (5) years of fulltime experience in real estate sales or redevelopment of historic properties in St. Augustine's regulated districts with a demonstrated emphasis on historic

preservation and a commitment to supporting ethical real estate sales and redevelopment of historic properties.

b. Substantial contribution through research and publication to the body of scholarly knowledge in the field of real estate redevelopment and historic preservation.

(8) *Law.* The member must be a licensed professional, or hold the required educational credentials and professional membership, in this field. The minimum professional qualifications are a law degree from an accredited law school, plus one (1) of the following:

a. A course of study demonstrating advanced coursework in national registry and local designations, or historic preservation law.

b. At least one (1) year of fulltime professional experience on historic preservation projects. Such study or experience shall include detailed investigation and legal analysis of potential national or local designations for specific projects, or legal analysis, briefs, or memos relating to historic preservation law review articles or litigation.

(9) *Construction.* The member must be a licensed professional, or practice in an occupation substantially regulated by HARB within the City of St. Augustine, such as residential or commercial construction contracting or skilled artisan and trades, rehabilitating historic structures and landscapes plus one (1) of the following:

a. At least five (5) years of fulltime experience in residential or commercial construction contracting or skilled artisan and trades in St. Augustine's regulated districts focusing on historic preservation and restoration.

b. Substantial contribution through field training, teaching, or research and publication to the body of technical knowledge in the field of historic restoration and preservation.

(Code 1964, § 33-183.5; Ord. No. 00-17, § 1, 6-12-00; Ord. No. 05-15, § 1, 6-13-05; Ord. No. 20-29, § 1, 10-26-20)

Sec. 28-83. - Residence~~; t~~ and Tenure.

All members of the historic architectural review board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms.

(Code 1964, § 33-184; Ord. No. 96-66, § 1, 12-9-96; Ord. No. 03-14, § 2, 4-14-03; Ord. No. 05-15, § 2, 6-13-05)

Sec. 28-84. - Transfer of records.

All records of the historic architectural review board created by former section 33-183 of the Code of the City of St. Augustine are hereby transferred to the historic architectural review board created by this division. All applications pending before the historic architectural review board created by former section 33-183 shall be heard and considered by the historic architectural review board herein created.

(Code 1964, § 33-185)

Sec. 28-85. - Reserved.

Sec. 28-86. - Number of meetings~~; r~~and Rules.

The regular members of the historic architectural review board herein created shall meet once a month or upon call of the chairman. The board shall annually elect one (1) of its members as chairman and one (1) as vice-chairman, who shall serve only two (2) consecutive terms. It shall be the duty of the chairman to preside over all meetings of the board. In the absence of the chairman, the vice-chairman shall preside. Three (3) members of the board shall constitute a quorum for the purposes of meetings and transacting business. No recommendations or formal action of the board shall be taken without a majority vote of those voting and without the concurrence of at least two (2) members. Alternates present may be counted to achieve a minimum quorum of three (3) members and for voting purposes, in the same manner as regular members. Failure to receive a majority vote of those voting and at least two (2) affirmative votes shall act as a denial by the board. Members of the historic architectural review board shall be mindful that they are acting as a quasijudicial board and shall, therefore, act and dress in their meetings with all appropriate decorum.
(Code 1964, § 33-187; Ord. No. 16-08, § 2, 3-14-16)

Sec. 28-87. - Responsibilities.

The members of the historical architectural review board herein created shall have the following responsibilities:

(1) Review petitions for certificates of appropriateness required within the historic preservation districts (HP-1 thru HP-5) under article III, division 3 of this chapter. Additionally, the board shall review all applications for building permits on property abutting or immediately facing the HP-1, HP-2 and HP-3 historical districts to ensure reasonable compatibility of the facades of such buildings visible from within such districts with the authentic restoration or preservation of the districts, and where found to be reasonably compatible, issue a certificate of appropriateness.

(2) Participate in the adoption of existing codes, ordinances, procedures and programs to reflect policies and goals designed to conserve historic districts.

(3) The review of all applications for demolition or partial demolition permits for *historic or regulated structures* ~~for structures that are fifty (50) years old or older, which are listed on the Florida Master Site File maintained by the State of Florida Division of Historic Resources, or which have been designated as an historical landmark.~~ Also, review all applications for demolition or partial demolition permits for primary structures within historic preservation zoning districts and National Register districts for potential designation as an historic landmark~~.~~, and review of partial demolition permits for

regulated structures not eligible for administrative approval. Privately owned single-family residential structures that qualify for complete demolition by statute and are not otherwise exempt pursuant to Chapter 553.79(25), Florida Statutes, will be processed consistent with State law.

(4) Cooperate with the agencies of city, county, regional, state and federal governments in planning proposed and future projects to reflect the concerns and policies expressed in this chapter; assist, as a consultant, in the development of proposed and future land use plans.

(5) Advise property owners and local governmental agencies concerning the property protection, maintenance, enhancement and preservation of resources designated under this chapter.

(6) Advise the city commission concerning the effects of local governmental actions on resources designated or that appear to qualify for designation under this chapter.

(7) Conduct regular public meetings and call special meetings.

(8) Recommend to the planning director the issuance of a stop work order when it appears that there has not been compliance with the requirements of section 28-90(a).

(9) Develop rules and procedures necessary to implement its powers and duties consistent with the provisions of this chapter.

(10) Designate historic landmarks. As utilized herein the term "local historic landmark" shall mean a building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. In the event the historic architectural review board desires not to issue a demolition or partial demolition permit for a structure that it finds could meet the criteria for a historic landmark ~~is not fifty (50) years old, or older~~, the historic architectural review board shall initiate proceedings for designation of the structure as a~~n~~ historic landmark. In the designation of a historic landmark, the historic architectural review board shall evaluate the subject property using criteria and standards established by the National Register of Historical Places for national landmarks, or if evaluating the structure as a potential local historic landmark substituting the importance of the resource to the city and state rather than the nation as a whole. No property shall be designated as a~~n~~ historic landmark without first providing the owner of the proposed historic landmark with notice and an opportunity to be heard in the same manner as that provided for a rezoning of property. In addition, consistent with Chapter 553.79(25), Florida Statutes, a local landmark designation for a privately owned single-family residential structure that qualifies for complete demolition by statute must include the consent of its owner. Any determination of the historic architectural review board shall be subject to appeal by any affected person to the city commission without any fee being charged or levied.

(11) Issue certificates of appropriateness for newspaper vending machines and similar machines designed to dispense advertising papers, brochures or magazines. The historic

architectural review board is authorized to issue certificates of authority for newspaper vending machines and similar machines designed to dispense advertising papers, brochures or magazines and to prepare and issue guidelines for the placement of such machines, conformity of design, size and color, which guidelines shall be submitted to the city commission for its approval prior to taking effect. Initial guidelines shall be prepared by the historic architectural review board and submitted to the city commission for approval no later than ninety (90) days after the passage of this ordinance. The guidelines shall not unreasonably restrict the placement of newspaper vending machines and similar machines designed to dispense advertising papers, brochures or magazines on city rights-of-way but shall provide standards for uniform design and color and shall contain reasonable restriction on the numbers of such machines which may be placed by any one vender within a city block and a reasonable restriction on the location of such machines so that newspapers and advertising papers, brochures or magazines shall generally be available but shall not unduly or unreasonably impact upon the historical perspective and view of the streetscape.
(Code 1964, § 33-188; Ord. No. 90-11, §§ 1, 2, 7-9-90; Ord. No. 94-14, § 2, 1-9-94; Ord. No. 03-17, § 6, 6-23-03; Ord. No. 04-08, 5-24-04)

Sec. 28-88. – Procedures and Application Requirements.

The historic architectural review board shall follow the following procedures for certificate or opinion of appropriateness, relocation, or demolition or partial demolition review:

(1) The board shall adopt rules prescribing the procedure for making and reviewing applications for a certificate of appropriateness or request for opinion of appropriateness.

(2) Applications ~~for a certificate of appropriateness or request for opinion of appropriateness~~ shall be initiated with the ~~building official or planning director~~ Planning and Building Department.

(3) Unless a longer time shall be agreed upon by the applicant and the board in the particular case, a public hearing shall be held by the board to consider any application for a certificate of appropriateness or request for opinion of appropriateness within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall be made as provided. Notice of any public hearing shall be published once in a newspaper of general circulation not less than ten (10) days in advance of the date of such hearing. Such published notice shall be in a form prescribed by the board and/or city commission, as appropriate, and written and published by the planning and building division. Proof of publication shall be on file with the planning and building division. Procedures described herein shall also apply to public hearings conducted by the city commission.

(4) Each final order shall contain the citation to the applicable legal authority for the denial of the permit upon which the board's order is based and may include

additional findings and conclusions of law, as well as, such conditions and safeguards as prescribed by the board as are appropriate in the matter, including but not limited to, reasonable time limits within which action pursuant to such order shall be begun or completed or both. The board shall provide for the establishment and maintenance of a record of the hearing by the city clerk for all application requests considered by it. The board shall establish such record in a sufficient degree to disclose the factual basis for its final determination with respect to such requests and appeals. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or if absent or failing to vote indicating such fact, and shall keep records of its official actions, all of which shall be a public record and filed immediately in the planning and building department and preserved with the city clerk. The record shall contain all evidence, testimony and findings placed in the record of the hearing without need to reiterate the same in the final order. A verbatim transcript of the hearing is required for an appeal to the city commission, and may be required for other judicial proceedings. It is the responsibility of the appellant to obtain a complete record of the hearing from the city clerk and to retain a certified court reporter to transcribe the hearing at appellant's cost. For purposes of appeals to the city commission, persons who meet the qualifications of indigency and who have filed a complete indigency application with the city clerk pursuant to this code, may provide an alternative to the certified court reporter transcript, such as providing an audio-visual recording of the proceedings on appeal.

(5) The ~~certificate of appropriateness~~ application and a final order shall describe the project for which is issued and the type of work to be done. The board may require certain terms or conditions as a prerequisite for the approval of an application ~~certificate of appropriateness~~, which shall be clearly stated thereon the final order.
(Code 1964, § 33-189; Ord. No. 90-11, § 5, 7-9-90; Ord. No. 94-01, § 5, 1-24-94; Ord. No. 17-02, § 1, 2-23-17)

(6) Additional application requirements: *[MOVED FROM EXISTING 28-89d (1-4)]*

a. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.

b. Signs required~~.~~: The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition or partial demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.

c. Mailed notices~~.~~: Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition or partial

demolition is to be considered, the time and place of the public hearing shall be posted by United States mail by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.

d. Applications.: for a certificate of demolition, including partial demolition shall be presented to the historic architectural review board by the property owner or representative authorized by the owner with a completed authorization form.

e. 7. If an owner/applicant fails to appear for three (3) historic architectural review board meetings, the application may be considered as withdrawn.

(Code 1964, § 33-189; Ord. No. 90-11, § 5, 7-9-90; Ord. No. 94-01, § 5, 1-24-94; Ord. No. 17-02, § 1, 2-23-17) ….

Sec. 28-89. - Criteria for certificate or opinion of appropriateness, relocation or demolition or partial demolition review.

The criteria for opinion of appropriateness, certificate of appropriateness, certificate of relocation, certificate of demolition or partial demolition review will be determined as follows:

(1) Structures within historic preservation zoning districts. In reviewing an application for structures within historic preservation zoning districts, for a certificate of appropriateness, the board {or planning and building official} *CHANGE TO:* Planning and Building Department shall consider the design and appearance of the structure, including the interior visible from the outside, front, sides, rear and roof; materials, textures and colors; plat plan or site layout, including features such as walls, walks, terraces, plantings, accessory structures, signs, lights, awnings, canopies, and other appurtenances. The decision to approve or deny the proposed application issue or not to issue the certificate shall be based on the conformance of the proposed work to the Architectural Guidelines for Historical Preservation (AGHP) and adopted addendums or applicable entry corridor design standards of the City of St. Augustine as from time to time promulgated by the historic architectural review board or the city commission and approved by ordinance of the city commission, hereinafter referred to as 'AGHP,' Albert Manucy's Houses of St. Augustine - 1565-1821, and other architectural guidelines as may be adopted from time to time. *THIS IS ALREADY STATED VERBATIM UNDER (c):* {When reviewing a certificate of relocation of a structure, consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located.} The board shall not exercise any control over land use, such as governed by this chapter, or over construction, such as is governed by the building code, unless such control is within the intent and scope of this chapter.

a. In the case of an opinion of appropriateness: HARB shall make a determination that the general concept, preliminary construction plans, details or specifications of a project meet the architectural requirements of the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guidelines, but that the information may be insufficient to meet the requirements of a certificate of appropriateness or to obtain a building permit.

b. In the case of a certificate of appropriateness: HARB shall make a final determination that the material details are sufficient, construction plans are complete, and architectural details and specifications for a project meet the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guideline requirements. A certificate of appropriateness is required before a building permit may be issued. Only those plans and details approved by HARB may be reviewed by the {Building Official} *CHANGE TO:* Planning and Building Department during the building permit review process.

c. In the case of a certificate of relocation of a structure: consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located, that the relocation of the structure will not adversely impact the city's historic preservation efforts or negatively affect the streetscape. If the building will be relocated on the same site, or moved to a new site in a locally designated historic preservation zoning district, then the process and plan requirements for a certificate of appropriateness also apply to the building's new location.

d. In the case of a certificate of demolition or partial demolition: a determination is made that the demolition or partial demolition of the structure will or will not adversely impact the city's historic preservation efforts. The applicant may also be required to submit information on the structural condition of the building from an engineer or architect to justify the need for the demolition or the partial demolition of the structure, and all other requirements of this code.

(2) Before approving the plans for any proposed structure or signs located or to be located in a historic preservation zoning district, the board shall find:

a. In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.

b. In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.

c. In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district or districts in which it is to be located.

d. In the case of the proposed demolition of an existing structure, or a project that constitutes partial demolition that the removal of such structure or architectural features will not be detrimental to the historic and architectural character of the city or that, balancing the interest of the city in preserving the integrity of the city and interest of the owner of the property~~;~~.

1. Approval of the plans for demolition in the latter event the board may issue an order ~~to~~ postponing demolition for a period of not to exceed twelve (12) months after which the owner must reapply. The board may issue a second postponement

with the total postponement period not to exceed two (2) twelve (12) month periods. If the board concludes that the demolition should be postponed, it shall, before issuing any final order with respect to such postponement, afford the applicant an opportunity to appear before the board to offer any evidence ~~he~~ they may desire to present concerning the proposed order. Within the period of postponement, the board shall ascertain what the city or other agency or organization may do to preserve such structure and shall make recommendations to that effect to the city commission or otherwise cause the structure to be preserved. This section shall not apply to any permit for demolition which has been applied for, in proper form, prior to the effective date of this section.

2. If the building or structure is of exceptional significance, including a local historic landmark, is a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places, the board can deny the demolition if the board finds the removal of such building or structure will be detrimental to the historic and architectural character of the city and the applicant has not proven the denial will cause an undue economic hardship.

3. The demolition ~~destruction~~ of colonial buildings listed on the Florida Master Site File, or colonial buildings designated ~~L~~local historic ~~L~~landmarks, or colonial buildings meeting the criteria for eligibility on the National Register of Historic Places must be approved by the city commission.

4. In the case of a partial demolition: the board shall find that the proposed replacement materials maintain the historic character and integrity of the structure and are compatible with the historic structure's building envelope or the removal will not compromise the overall historic character and integrity of the structure.

(3) Criteria for *regulated structure*. Replacement elements for regulated structures as defined in this code will be reviewed consistent with the procedures for *architectural feature limited review*. The board will apply the adopted design criteria if any for the area or AGHP if applicable to the regulated structure, if any. If no design criteria have been adopted, the board will accept evidence and testimony to establish relevant architectural features. Some regulated structures may have architectural features that support its historic character and historic period, as well as modifications or additions over time. The board will accept evidence and testimony to establish whether the architectural features should meet preservation or reconstruction standards.

~~*Additional application requirements:*~~

(MOVED STRIKEDTHROUGH TEXT FROM 28-89 TO 28-88 SINCE IT IS RELATED TO APPLICATIONS):

~~1. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.~~

~~2. Signs required. The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition or partial demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public~~

~~street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.~~

~~3. Mailed notices. Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition or partial demolition is to be considered, the time and place of the public hearing shall be posted by United States mail by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.~~

~~4. Applications for a certificate of demolition, including partial demolition shall be presented to the historic architectural review board by the property owner or representative.~~

~~5.~~ (4). Applications for partial demolition of buildings listed ~~in~~ on the National Register of Historic Places, contributing or potentially contributing to a historic district in the National Register of Historic Places, listed as a local historic landmark pursuant to this code, listed as a potential landmark identified in the Historic Preservation Element of the Comprehensive Plan, Master Plan or identified by historic preservation planning staff as culturally significant within the recent past, may apply for the demolition of additional components of the building as part of a more comprehensive rehabilitation plan. Staff may require that the application be reviewed as a full demolition with required documentation, appropriate condition assessment and a rehabilitation plan, recognizing that applicants may encounter unforeseen building damage, site conditions, flood mitigation obstacles, or other significant and demonstrable reasons justifying a more extensive partial demolition as part of the rehabilitation. ~~As a condition of~~ In issuing a certificate of demolition or partial demolition, the board may include approval of both the partial demolition and potential related additional demolition and its ~~require the~~ rehabilitated replacement design under one application ~~be approved by the board and that no permit be issued for the demolition of said structure until~~ This will allow the approval of drawings sufficient for a building permit and that all necessary requirements for the new construction ~~of a new building~~ related to the demolition or partial demolition ~~have been~~ are submitted for ~~the new construction~~ permitting review and approval by staff.

~~6.~~ (5). As a condition of issuing a certificate of demolition, including partial demolition, the board may require, at the applicant's expense, salvage and preservation of significant building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties. The board may also require at the applicant's expense the recording of the structure for archival purposes prior to demolition or partial demolition. The recording may include, but shall not be limited to, photographs and measured drawings.

(MOVED THIS STRIKEDTHROUGH TEXT TO 28-88 SINCE IT IS RELATED TO APPLICATIONS):

~~7. If an owner/applicant fails to appear for three historic architectural review board meetings, the application may be considered as withdrawn.~~

THESE WERE UNDER 7 AS 7e and 7f: THEY SHOULD FOLLOW THE OTHER COD RELATED LANGUAGE AND WERE MOVED BELOW AS # 7 and 8:

~~{e. In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.~~

~~f. The board shall not have the authority to consider interior arrangements.~~

(~~3 (~~4)Cross out) (6.) Applications for certificate of demolition of a building or structure that is of exceptional significance, including a local historic landmark, has been a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places shall require the following with the burden of proof to be on the applicant. The board may also require the following of structures considered to be contributing to the historical character of the city:

a. A report from an architect or structural engineer licensed in the State of Florida with demonstrated experience in restoration, rehabilitation or renovation as to the structural soundness of the building and its adaptability for continued use.

b. Proof of unreasonable or undue economic hardship. In any instance where an undue economic hardship, as defined in this chapter, is claimed by a property owner, the property owner may submit to the board any or all of the following information before the board makes a decision on the application for certificate of demolition:

1. An estimate of the cost of the proposed construction, alteration, demolition, or removal;
2. The estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
3. In the case of a proposed demolition, an estimate from an architect, developer, licensed contractor, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
4. The annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
5. The remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;
6. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing, or ownership of the property;

7. Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two (2) years;
8. The assessed value of the property according to the two (2) most recent assessments;
9. The real estate taxes for the previous two (2) years;
10. The form of ownership or operation of the property, whether an individual, sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other;
11. Any other information considered necessary by the board to a determination as to whether the property does yield or may yield a reasonable return to the property owner. The board may require that the property owner furnish such additional information as the board believes is relevant to the board's determination of any alleged undue economic hardship. No decision of the board shall result in undue economic hardship for the property owner. In any case where undue economic hardship is claimed, the board shall make two (2) specific findings. First, the board shall determine if the owner would be entitled to a certificate of demolition without consideration of undue economic hardship. Second, the board shall determine whether the owner demonstrated an undue economic hardship.

[MOVED FROM PREVIOUS 7e, 7f :]

~~e.~~ (7.) In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.

~~f.~~ (8.) The board shall not have the authority to consider interior arrangements.

~~(4~~ ~~5)~~ (9) The ~~building official and/or planning director~~ Planning and Building Department may, based upon the AGHP and consistent with this article, make the decision to issue or not to issue ~~the certificate~~ a required permit for the following work:

a. Placement of utility service.
b. Repainting with the same color if previously approved for painting with an appropriate color selected from the AGHP guidelines.
c. Structural maintenance and repair utilizing the same materials and architectural character.
d. Any other structural maintenance consistent with the AGHP. ~~repair or remodeling which does not exceed two hundred fifty dollars ($250.00).~~
e. Exterior construction or equipment not visible.
f. All signs and graphics.
g. Landscape features, including fences, walls, walks, patios, decks, driveways, plant materials and ornamentation ~~that does not exceed one thousand dollars ($1,000.00)~~.
h. Placement of exterior utility support equipment, including air conditioning compressors, gas tanks, etc.

~~(5~~ ~~6)~~ (10) Appeals from decisions of the ~~building official and/or planning director~~ Planning and Building Department under subsection ~~(3)~~ (9) of this section may be taken to the board within fifteen (15) days from such decision.

(Code 1964, § 33-190; Ord. No. 02-17, § 1, 8-26-02; Ord. No. 05-22, § 2, 8-8-05; Ord. No. 11-15, § 1, 10-24-11; Ord. No. 17-21, § 2, 8-28-17)

Sec. 28-90. – Administration, ~~and~~ records, and appeals.

*(a) Any necessary building or demolition (full or partial) permit and/or certificate of occupancy shall not be issued unless the {planning and building official} *REPLACE WITH:* Planning and Building Department reviews the application for compliance with *(delete "with")* ~~and/or~~ *LEAVE* and/or the historic architectural review board approv~~es~~al *REPLACE WITH:* approves ~~the application~~ *LEAVE* an application as outlined under 28-88 ~~for a certificate of appropriateness~~. Such permit shall be subject to the terms of such approval as well as other necessary provisions of this Code.

**FOR CLARITY (a) would read with proposed edits:*

*(a) Any necessary building or demolition (full or partial) permit and/or certificate of occupancy shall not be issued unless the Planning and Building Department reviews the application for compliance and/or the historic architectural review board approves an application as outlined under 28-88. Such permit shall be subject to the terms of such approval as well as other necessary provisions of this Code.

(b) Applications ~~for certificates of appropriateness~~ shall be submitted through the ~~office of the building official and/or planning director~~ Planning and Building Department and shall include, in duplicate if requested, all plans, elevations and other information necessary to determine the appropriateness of the features to be passed upon.

(c) Prior to issuance or denial of a certificate of appropriateness, relocation, demolition, or partial demolition required by the board, the board shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. The board shall hold a public hearing concerning each application.

(d) Every decision of the board and/or ~~building official and/or planning director or designee~~ Planning and Building Department in passing upon plans for structures or signs located or to be located in the district shall be in the form of a written order or permit as appropriate, stating the finding of the board, its decisions and reasons therefor.

(e) The board shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the board.

(f) An appeal may, within thirty (30) days thereafter, be taken by any aggrieved person to the city commission from the board's action in granting or denying an opinion or certificate of appropriateness, relocation or demolition or partial demolition. The appeal shall be as prescribed in section 28-29(g). Any appeal from the decision of the city commission shall be heard by the

circuit court of the county, on writ of certiorari, as in the case of any other zoning decision from the city commission. All orders to approve certificates of demolition, except for partial demolition, shall become effective on the 31st day following the date of the rendered order, unless this waiting period is specifically granted a written waiver by the city commission or city manager. The owner-applicant of an order to approve a demolition certificate may request a hardship waiver to the city manager for emergency humanitarian reasons including the health and safety of the occupants of a structure in need of immediate emergency repairs, renovation or reconstruction. In the alternative, the owner-applicant of an order to approve a demolition certificate may request a waiver from the city commission if the delay in demolishing the structure would create an undue burden on the owner-applicant that would be greater than the public interest served in preserving the thirty-day waiting period. All decisions to grant or deny the waiver shall be rendered in writing within five days of the decision, mailed by standard U.S. mail to the owner-applicant and posted on the city's website. The decision of the city manager or city commission shall serve as the final administrative appeal of the waiting period.

(g) Any decision of the historic architectural review board certified by the ~~planning director~~ Planning and Building Department to be in conflict with a determination or decision of the planning and zoning board or of the board of adjustments and appeals; shall be reviewed by the city commission in the same manner as an appeal and the commission shall review the determination of the historic architectural review board, and the decision of the planning and zoning board or board of adjustments and appeals as to which it is certified to be in conflict and shall determine whether the decision of the historic architectural review board should be affirmed, modified or reversed and the decision of the commission shall supersede the decision reviewed. All affected persons shall be notified of the hearing by the city commission in the same manner as that provided for appeals from decisions of the planning and zoning board. The hearing before the commission shall be de novo.

(Code 1964, § 33-191; Ord. No. 05-22, § 3, 8-8-05; Ord. No. 15-21, § 1, 8-10-15)

Sec. 28-91. - Enforcement.

Enforcement of this division shall be as follows:

(1) Neither the owner of nor the person in charge of a structure of exceptional significance, including a local historic landmark, or within an historic district shall permit such structure to fall into a state of disrepair which may result in the deterioration of exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the historic architectural review board, a detrimental effect upon the character of the district as a whole or the life and character of the structure in question.

(2) A stop work order shall be issued by the building official in any case where work has commenced or preparation for work has commenced, if no certificate of appropriateness, relocation, demolition, or partial demolition has been obtained where one is required by section 28-90. The stop work order shall be issued to the owner, the occupant, or any person commencing work or preparation for work in violation of this division. The stop work order shall remain in full force and effect until a certificate of appropriateness, relocation, demolition, or partial demolition has been obtained or it has been determined by the board that no certificate of appropriateness, relocation, demolition, or partial demolition is required.

(3) Any person who violates any provision of this division shall be punished as provided by section 28-35.

(4) Any person who files with the board and/or Planning and Building Department ~~building official and/or planning director~~ any application or request for an opinion of appropriateness or a certificate of appropriateness, relocation, demolition, or partial demolition and who refuses to furnish, upon demand by the board and/or building official and/or planning director, any information relating to such application or request, or who willfully makes any false statement in such application or request, or who, upon such demand, willfully furnishes false information to the board and/or Planning and Building Department ~~building official and/or planning director~~ shall be punished as provided by section 28-35.

(Code 1964, § 33-192; Ord. No. 05-22, § 4, 8-8-05)

Sec. 28-92. - Termination of certificates of demolition or partial demolition.

The historic architectural review board shall include a time limitation in its certificates of demolition, utilizing the following procedures:

(1) The board shall include a provision in its orders for certificates of demolition **or partial demolition** that the certificate expires one (1) year from the date of the order.

(2) The owner of the property described in the certificate of demolition **or partial demolition** may request an administrative six-month extension from the planning and building director. The request for administrative extension must be filed in writing with the planning and building department during regular office hours no later than thirty (30) days before the expiration of the certificate of demolition **or partial demolition**. The administrative extension is a ministerial act and shall be available for one extension only.

(3) In the alternative, the owner of the property described in the certificate of demolition **or partial demolition** may request a one-year extension from the board. The request for board extension must be filed in writing with the planning and building department during regular office hours no later than thirty (30) days before the expiration of the certificate of demolition. The application for board extension shall be heard at the next available board meeting. A board extension cannot be applied for property that has already been granted an administrative extension.

(4) If the property owner has received either an administrative extension or a board extension of time on a certificate of demolition **or partial demolition**, the property is not eligible for further consecutive extensions and upon the expiration of the extension the property owner must reapply for a certificate of demolition.

(5) Valid certificates of demolition **or partial demolition** issued prior to the effective date of this section shall be honored by the ~~planning and building department~~ Planning and Building Department and no further action is needed by the property owner other than compliance with life safety procedures and application for a demolition permit **or partial demolition** from the building department.

(Ord. No. 17-06, § 1, 3-23-17)

Secs. 28-93—28-110. - Reserved.

Attached for your review, AGHP Addendum language to be Adopted in the Ordinance (Final edits to follow per PZB recommendations):

Exhibit "A"

The attached Exhibit A includes an Addendum to the Architectural Guidelines for Historic Preservation (AGHP) that outlines the process and defines the limits of work to a building envelope and the five (5) critical elements that relate to the defining features of an historic structure for proposed demolition and partial demolition.

This is intended to provide guidance and direction to the Historic Architectural Review Board (HARB), staff and the public as to what is considered demolition, partial demolition and what Historic Preservation Staff can approve administratively, and what needs to be reviewed by the HARB.

This is in an effort to provide a framework for consistency, and maintain the character and integrity of the City's historic neighborhoods.

EXTERIOR BUILDING RENOVATIONS FOR HISTORIC PROPERTIES IN ST. AUGUSTINE

How the City Preserves Historic Buildings and Neighborhoods

If you own a building that is a local landmark, listed in the National Register, or is a contributing property to a National Register Historic District and you are doing exterior demolition work, the attached standards will guide you through the process. These review standards were put in place to safeguard the enduring economic benefits of historic properties and quality of life for residents and visitors.

A "HISTORIC PROPERTY" MEETS ONE OR MORE OF THESE CRITERIA:

LOCAL LANDMARK...

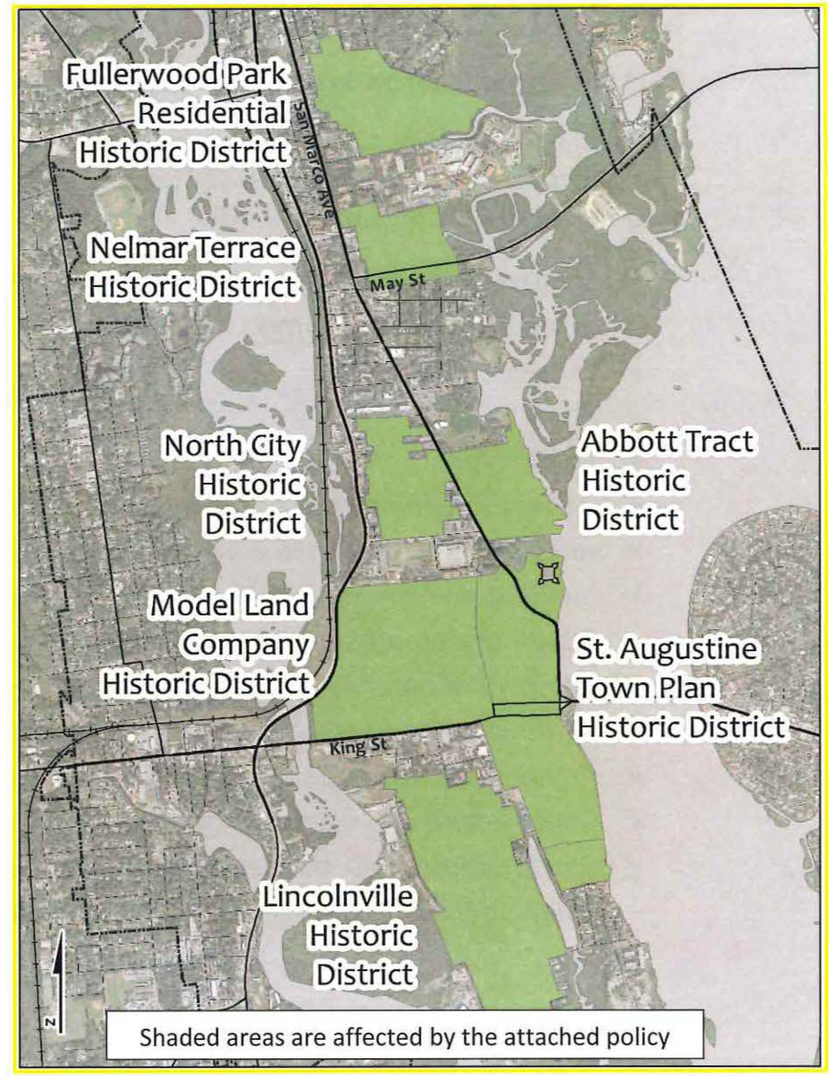
A building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. A list of these resources is on file with city staff and available on the city's website.

NATIONAL REGISTER...

The official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. Designated historic resources may be a building, district, object, site, or structure that meets the criteria of significance and integrity. A list and a map of these buildings is on file with city staff and available on the city's website.

CONTRIBUTING STRUCTURE...

Adds to the historical or traditional cultural associations, historic architectural qualities, or archeological values for which a property or district is significant. Each of the city's National Register Historic Districts has a list and a map of contributing and non-contributing resources. Buildings marked Contributing and/or Contributing but Altered are considered designated buildings. These records are on file with city staff and available on the city's website. Some areas have been surveyed and indicate potentially contributing properties, but are not in a defined ditrict.



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SCOPE OF WORK EXEMPTED FROM THIS REVIEW PROCESS:

Certain construction work is considered routine repair and maintenance or is not a type of improvement subject to this policy

Note that if the property is zoned Historic Preservation 1, 2, 3, 4, or 5 or situated on Anastasia Boulevard, King Street, or San Marco Avenue the property is not given these exemptions because they are regulated by the full extent of the Architectural Guidelines for Historic Preservation or the Design Standards for Entry Corridors. Other properties in other historic neighborhoods are exempt.

- ✓ *Landscaping materials or other yard elements*
- ✓ *Sidewalks and driveways*
- ✓ *Fences*
- ✓ *Pools*
- ✓ *Paint color*
- ✓ *Adding screening or other porch enclosures when the historic porch will remain intact*
- ✓ *Alterations to detached accessory structures (garage, mechanical, or storage structures)*
- ✓ *Installation or removal of any utility or mechanical systems*
- ✓ *Repair of damaged building elements with the same character of design even if using the same material is not available or feasible*
- ✓ *Removal of porches, foundations, and chimneys required for a flood mitigation project if they will be replaced in similar character*
- ✓ *Removal of non-historic elements (ex: a building feature that is not 50-years old or older)*
- ✓ *Any new construction not associated with demolition work on a historic building*
- ✓ *Constructing any accessibility features when not associated with the full demolition of a historic building*
- ✓ *Construction or partial demolition on properties in undesignated areas such as West Augustine, North City, Lighthouse Park, and Davis Shores unless locally landmarked or listed individually in the National Register or a potentially contributing property*

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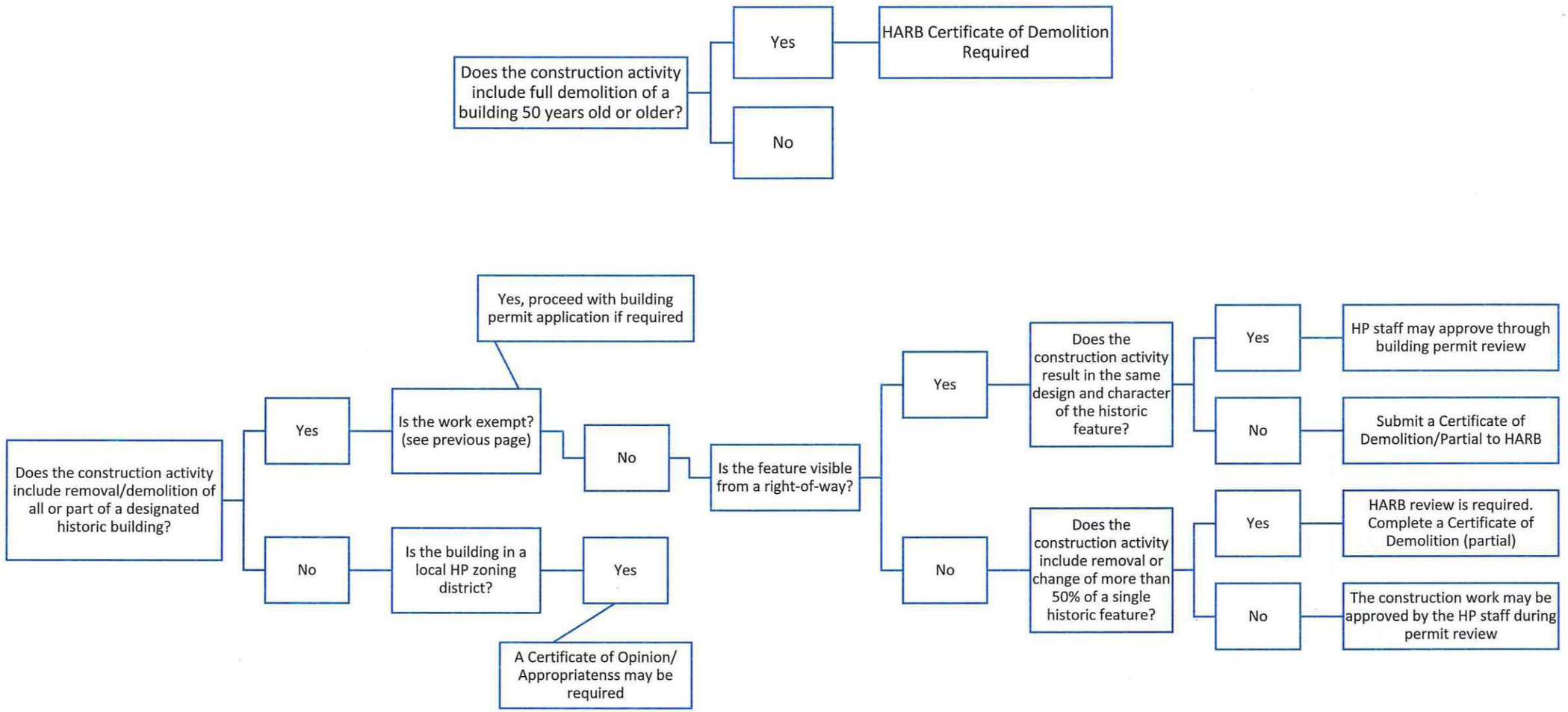
Does the construction activity include full demolition of a building 50 years old or older?
Yes
HARB Certificate of Demolition Required
No
Does the construction activity include removal/demolition of all or part of a designated historic building?
Yes
Is the work exempt? (see previous page)
Yes, proceed with building permit application if required
No
Is the feature visible from a right-of-way?
Yes
Does the construction activity result in the same design and character of the historic feature?
Yes
HP staff may approve through building permit review
No
Submit a Certificate of Demolition/Partial to HARB
No
Does the construction activity include removal or change of more than 50% of a single historic feature?
Yes
HARB review is required. Complete a Certificate of Demolition (partial)
No
The construction work may be approved by the HP staff during permit review
No
Is the building in a local HP zoning district?
Yes
A Certificate of Opinion/ Appropriatenss may be required

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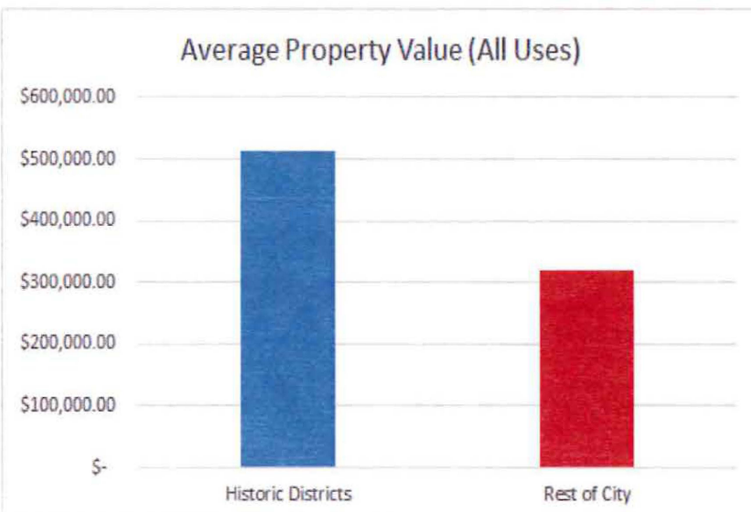
PURPOSE AND OBJECTIVE:

To encourage the preservation of the historic building envelope which characterizes the St. Augustine citywide landscape.

In some cases, partial demolition is warranted and when combined with standards of review the construction work can result in an improved appearance that balances the existing historic character of the building. To accomplish this, city staff and the HARB will have ability to review the design of the replacement features within the scope of the partial demolition work. This applies only to designated historic structures. It does not apply to undesignated buildings and in-fill development on vacant or developed lots regardless of location (except for HP zoning districts and entry corridors). This process is an opportunity for staff and the HARB to encourage property owners to recognize and celebrate the unique and original features of their historic building.

The standards for review apply to designated historic buildings including local landmarks, contributing buildings to a National Register Historic District, and buildings individually listed in the National Register. This is a small minority of the buildings in the city, and the property owners of these structures are valued for their stewardship. Currently there is a total of 1,659 designated buildings which is about 20% of the buildings in the city. The historic districts are only 7% of the city's land mass. These districts currently include the St. Augustine National Register Historic District, Model Land Company, Lincolnville, Abbott Tract, North City, Nelmar Terrace, and Fullerwood Park.



PlaceEconomics in *Resilient Heritage in the Nation's Oldest City*, 2020

Incremental demolition of historic buildings or reconstruction of historic buildings from the inside out can eventually threaten the validity of the National Register Historic Districts. For example, Lincolnville has gone from a concentration of 81% of historic buildings to 67% when just considering full demolition, which could be greater if buildings that have lost integrity through partial demolition are included. The purpose of these review standards is to increase the city's ability to protect and preserve the historic resources of the city's built environment, enhance the city's historic integrity, and promote an authentic and livable community amid changing economic and environmental circumstances (City of St. Augustine Comprehensive Plan, Historic Preservation Goal).

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127 Oneida Street before and after rehabilitation which used the 10-yr historic property tax exemption to reduce the taxable value by almost $150,000*

Property values in the historic districts account for 41% of the city's assessed property values, and their value increases more than other areas of the city so it is in their individual financial interests to preserve the historic character of their buildings.

The Historic Preservation Master Plan includes specific tasks related to the goal to minimize demolition of historic buildings and provide clear guidance to applicants of the review process. Designated historic properties and contributing properties to a district are eligible for tax benefits. If the building or district is no longer historic this incentive would not be available to current and future property owners across the city. Also, a 2020 economic study in *Resilient Heritage in the Nation's Oldest City* found that heritage tourism is driven largely by the volume of historic resources. A reduction of 10% of historic buildings in the city results in a 2% loss of visitor parties, and a reduction of 50% of historic buildings in the city results in 34% loss of visitor parties. The quality of life for residents and visitors alike would be negatively impacted without the community's commitment to historic preservation.

Recognizing and celebrating significant features of a building discourages loss of integrity from incompatible alterations on designated historic buildings, protects the validity of the city's historic districts, contributes to the unique character of the city, and preserves their contribution to the local economy.

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REVIEW CHECKLIST

If you own one of St. Augustine's historic buildings and need to make exterior changes this process provides guidance to encourage preservation of the historic character that makes your building and St. Augustine unique. Preservation standards accepted nationally and recognized in the St. Augustine Architectural Guidelines for Historic Preservation were used to establish protocols in this document. Emergencies and damage from natural disasters will be handled on a case-by-case basis with officials.

- ☐ Confirm the property is a local landmark, contributing or potentially contributing to a National Register District, or individually listed in the National Register
- ☐ Preservation staff will review the scope of work using photos, a sketch building and site plan, and material details submitted by the owner/applicant
- ☐ If the work is routine repair and maintenance, or otherwise exempt, no additional paperwork beyond the building permit is required
- ☐ If the work is a demolition activity that requires the HARB approval, a Certificate of Partial Demolition is required
- ☐ Administrative reviews are described in this document and general guidance for approvable alterations is provided
- ☐ HARB reviews require a Certificate of Appropriateness for properties in the local HP zoning districts or a Certificate of Demolition/Partial Demolition
- ☐ The HARB meetings are public hearings and comprised of City Commission-appointed volunteer experts in related fields of historic preservation. Meetings are held once per month and application deadlines occur once per month, generally a month prior to the hearing. A staff report will supplement the application materials and be presented to the HARB for its review.
- ☐ The HARB will approve, approve with conditions, deny, or continue the application to an additional hearing date as applicable
- ☐ When the construction/demolition work is approved a building permit may be submitted, and the permit will proceed through the regular review process. Any conditions set by ordinance or the HARB must be satisfied prior to issuance of the building permit.
- ☐ As an incentive to encourage preservation strategies, historic preservation staff may assist with an historic preservation tax exemption application*
- ☐ The applicant is responsible for obtaining all other necessary approvals related to the project such as zoning requirements related to lot coverage, building setbacks, height, tree removal etc. as well as any archaeology review, building, fire, right-of-way, and utility codes
- ☐ The administrative decision (staff reviews) and/or the HARB determination on an application may be appealed as per city ordinance

***If a property is being restored, rehabilitated, or renovated according to preservation guidelines an ad valorem tax exemption for the dollar value of qualifying improvements may be applied that results in a reduction to the property's taxable value for a period of ten years. Improvements must meet a minimum threshold and can include a full or partial rehabilitation.**

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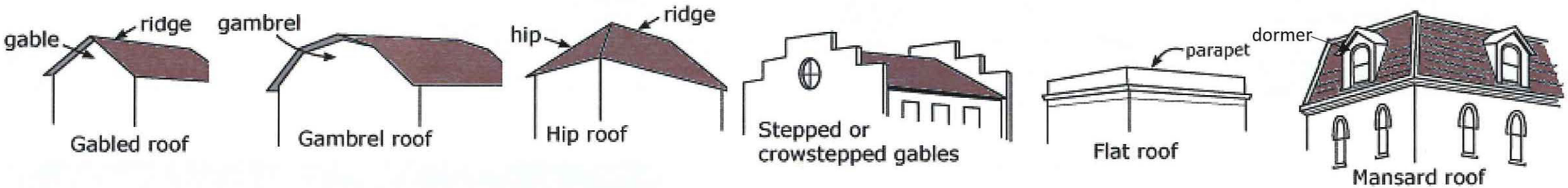
5 CRITICAL ELEMENTS OF THE HISTORIC BUILDING ENVELOPE:

FOR LANDMARK, NATIONAL REGISTER, AND CONTRIBUTING OR POTENTIALLY CONTRIBUTING BUILDINGS TO DESIGNATED NATIONAL REGISTER HISTORIC DISTRICTS

Feature descriptions are taken from the National Park Service Technical Preservation Services publication of the Secretary of the Interior's Standards for Rehabilitation

Roof: the form of the roof (gable, hipped, gambrel, flat, shed, mansard, etc.) is significant as are its decorative and functional features (appurtenances like cupolas, parapets, chimneys, dormers and soffit elements), roofing material, and size, color, and patterning.



When the current exterior feature has existed on the building for more than fifty years, HARB approval is required to:

- remove and change the following traditional roof coverings: clay or concrete tile, stamped metal shingle or diamond-patterned shingle systems
- remove decorative or functional features visible from a right-of-way
- change the configuration, shape and/or pitch on facades visible from a right-of-way
- and/or to remove 50% or more of the total roof structure (excluding roof sheathing)
- use a colored metal roofing material (ex: blue metal roof)

HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the roof or roof feature significant enough that it should not be altered unless proven technically and/or materially required?

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Sample historic roofing materials:

Wood shingle roof

Diamond-patterned roof

Stamped metal shingle roof

Clay tile roof

- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the historic roof still the dominant visible feature; is there subtle but visible distinction of the new roof feature/element from the historic roof feature; does the new element match the size, scale, material/pattern of the historic roof?

<u>Historic Preservation Staff will have the ability to approve the following during regular permit review:</u>

- ✓ routine roof and trim repairs not meeting the above thresholds
- ✓ removal of a decorative or functional feature not visible from a right-of-way
- ✓ replacement of roof sheathing up to 100% of the roofed areas for existing asphalt shingle roofs, galvalume/sheet metal type roof, and other modern roof cladding

Example: Full replacement of any asphalt shingle or metal roof with a new asphalt shingle roof or metal roof (respectively) using a traditional color will be approved administratively

Historically this building had a clay barrel tile roof matching the barrel tile still evident on the lower parapet roof.

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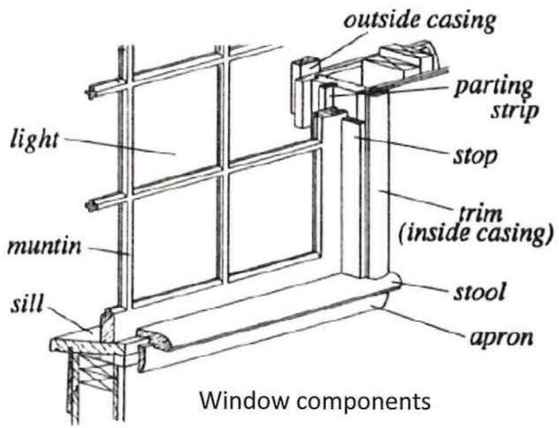
Windows: window materials and how the window operates (e.g. double hung, casement, awning, or hopper) are significant as are its components (sash, muntins, pane configuration, sills, mullions, casings, or brick moulds) and related features such as historic shutters/awnings.



Window components

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ remove and change window design, or change their operational direction (ex: up/down sash to swing) on facades visible from a public right-of-way
- ❖ and/or to remove 50% or more of all the building's windows (visible or not) unless the replacement window matches the character and design of the existing window (regardless of material)

HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ Window condition assessment and consideration of replacement cost and life service of the replacement window versus the repair cost and life service of the original window (see photo caption next page)
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value.

The window design is described by the number of glass panes called 'lites' as shown in these examples. These patterns are not interchangeable because they are unique to the style of the building. Traditional wood, vertical sash windows:
Left is a 6/6 divided lite and right is a 2/2 divided lite

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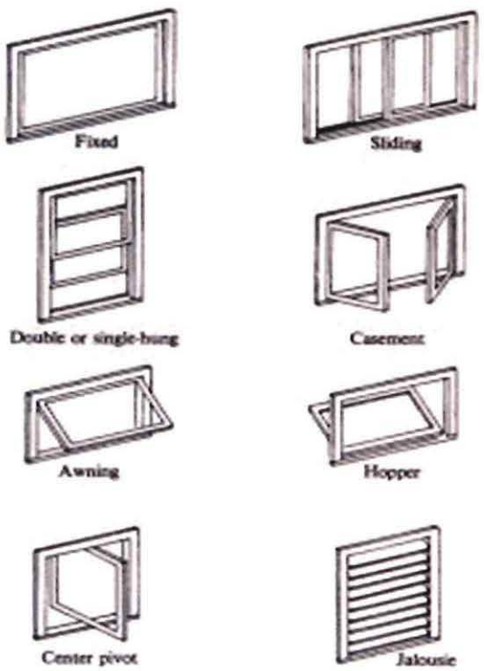
Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ✓ repair and maintenance of windows not meeting the above threshold
- ✓ replacement of windows with windows that match the historic design and character (regardless of materials)
- ✓ replacement of windows on facades not visible from a right-of-way under the 50% threshold
- ✓ replacement of non-historic windows with windows that match the design character of the building

Example: Removing a ranch-style picture window on a historic frame vernacular house and installing any vertical sash-type window will be approved by historic preservation staff

Example: Window replacements that use characteristic exterior molding and muntin profiles may be approvable even if using different materials



Window operation types

Hands-on training for DIY-ers

*Historic windows can be repaired and restored to last longer than the average replacement window. Therefore, when considering the lifetime cost of a window the original will be less expensive. Prices can range from $500 to over $1000 for restoration, comparable to replacement windows with a negative economic and historic impact.**

*See https://savingplaces.org/stories/preservation-tips-tools-retrofitting-historic-windows#.X-4YhNhKh3A and https://austinhistorical.com/services/residential-window-restoration/ for data and analysis.

Original 3/1 and 4/1 lite vertical sash windows replaced with 1/1 across the entire building and will require HARB approval if the building is designated historic.

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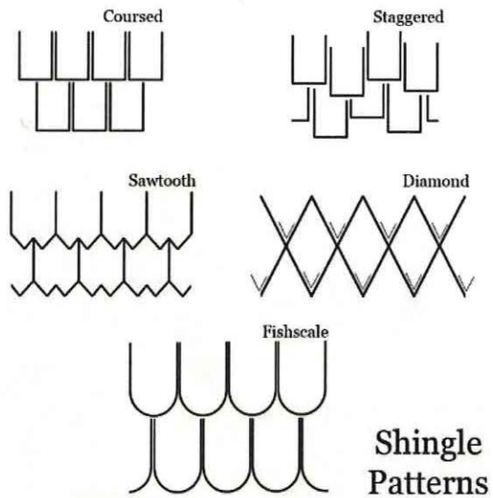
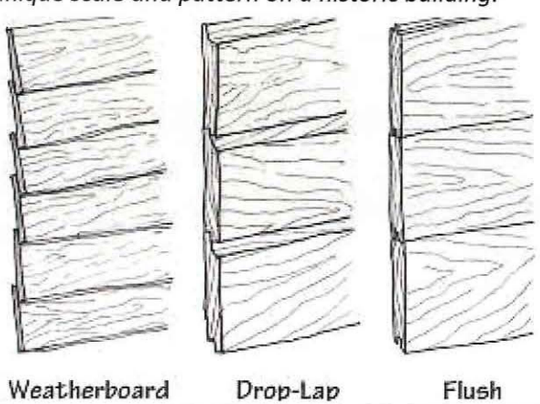
Exterior finishes: wood and masonry exterior features (walls, siding, brackets, railings, cornices, window and door surrounds, steps, and columns) and repetitive exterior detailing are important in defining the overall historic character of a building.



Sample wood siding profiles that contribute to the unique scale and pattern on a historic building:



When the current exterior features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ remove and change wood and/or masonry wall finishes on facades visible from a public right-of-way

Example: removing wood horizontal siding, brick or brick veneer, stucco, coquina/coquina concrete and changing to a different material or pattern requires HARB approval

- ❖ and/or to remove 50% or more of these exterior features unless the replacement matches the character and design of the existing feature (regardless of material)

HARB approval will be based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the finish material and/or design significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the exterior still the dominant visible feature and does it match the size, scale, material and/or pattern of the historic exterior?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ✓ Repair and maintenance of wall cladding when it does not meet the above threshold
  Example: Removing singular elements/portions of the exterior finish that is deteriorated beyond repair and replacing it with the same design will be approved administratively regardless of material.
- ✓ Repair or replacement of features on facades not visible from a right-of-way
- ✓ Replacement of non-historic exterior features that match the design character of the building

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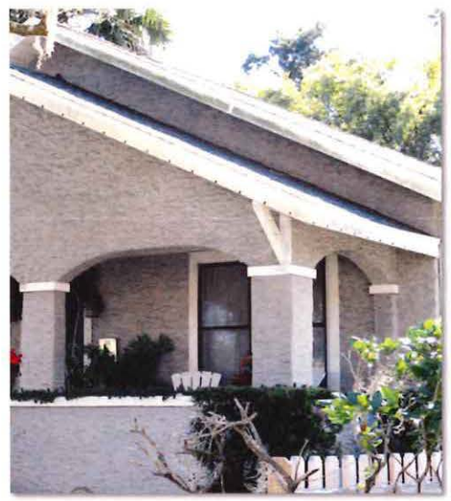
Example: Removing asbestos siding and restoring/replacing traditional horizontal siding underneath will be administratively approved if it does not compromise the structural stability of the building

Traditional wood, coursed shingle finish. *Changing the shingle pattern to a staggered design would change the character of the historic building from Shingle Style to a Bungalow or Arts and Crafts*



Historic masonry finishes can be simple or highly detailed and have unique stucco texture

The siding on this building was altered (ca. 1930-50s) and shows the impact of replacement finishes that change the scale and detail of the building's historic character. Restoring the Queen Anne siding would be a staff- approvable request. Also note for reference the scale of historic horizontal siding shown on the adjacent historic building.

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Porches, balconies, stoops, loggias: these functional and decorative features along with their materials and features (doors, transoms, pilasters, columns, balustrades, stairs, roofs, canopies) are important in defining the overall historic character of a building.

Wrap-around porch with columns and balusters

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ remove a historic porch, balcony, or stoop
- ❖ and/or to remove 50% or more of their materials and features
- ✓ *Exception: see staff approval for flood mitigation project*

HARB approval will based on:

- ✓ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the feature significant enough that it should not be altered unless proven technically and/or materially required?

  Example: Reconstructing a balcony or porch that is deteriorated beyond repair with similar materials and design may be approvable and recommended for an expedited hearing.
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the existing porch/balcony/stoop still the dominant visible feature and do changes match the size, scale, material/pattern of the historic feature?

  Example: Removing a balcony and constructing a larger balcony that maintains scale, design, and materials of the building may be approvable.

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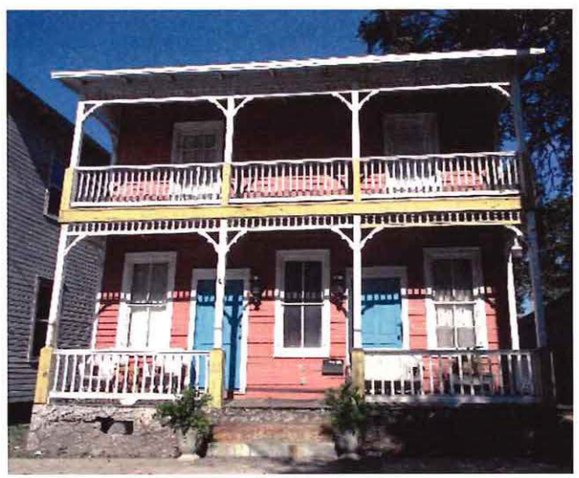
Centered porch with turned balusters and folk-style bracketed posts



Two-story front porch undergoing repairs that are in-kind with its historic character which could be approved by staff.

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ✓ Repair and maintenance of porches/balconies/stoops when it does not meet the above threshold
- ✓ Repair or replacement of porches/balconies/stoops facades not visible from a right-of-way
- ✓ Replacement of non-historic exterior features that match the design character of the building

  Example: Restoring an enclosed porch to an open/screened porch will be staff approved if using/reinforcing the historic character of the building.
- ✓ Removal of porches or stoops when necessary for a flood mitigation project if using a best-practice approach

  Example: Constructing a new but similar porch at the elevated location will be staff approved if it is context-sensitive and uses compatible materials.

Evidence on the Sanborn map (left) and the building shows there used to be a historic two-story frame porch likely removed ca. 1930-1950s when asbestos siding was added. Reconstructing a compatible porch could be approved by staff.

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Foundations: structural systems and visible features of such systems are important in defining the overall historic character of a building including the materials (wood, metal, and masonry), the type of system, and its features such as posts and beams, masonry columns, above-grade stone or masonry foundation walls or piers.

Coquina concrete block is a material unique to St. Augustine

A new brick pier foundation matches historic materials and scale

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ❖ Removing and changing the foundation type (ex: brick pier to stem wall) or exterior material (ex: brick to concrete masonry unit/block)
- ❖ and/or to remove 50% or more of the above-grade foundation system unless replaced with the same design and character
- ✓ *Exception: see staff approval for flood mitigation project*

HARB approval will be based on:

- ✓ An evaluation of how removal of the foundation impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the original foundation significant enough that it should not be altered unless proven technically and/or materially required?
- ✓ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of historic foundation still the dominant visible feature and do changes match its size, scale, material/pattern?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ✓ Repair and maintenance of foundations that do not meet the above threshold

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A building elevation project revealed unique coquina stone piers (background) along with traditional brick piers (foreground)

Example: Constructing a replacement brick pier foundation that restores structural soundness and matches the original design will be staff approved.

Example: Replacing a singular, deteriorated brick pier with a matching brick pier in the same basic location will be staff approved.

✓ Removal of a foundation when necessary for a flood mitigation project if using a best practice approach

Example: Constructing a new but similar foundation using the same materials and scale will be approved by staff.

NOTE: Archaeological review may be required for any work that includes ground disturbances, consult the City Archaeologist and Archaeological Preservation Ordinance for more information.

Foundation (and porch) was removed to allow for the building to be elevated to a new floor height for a flood mitigation project.

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The following information is presented as a reference to assist property owners in identifying the unique characteristics of their historic building. It is not a full representation of the types of buildings in St. Augustine but rather a set of limited examples with features that are easily identifiable and referenced in this document.

Character defining features:
Asymmetrical two-story front building face façade with multiple roof pitches
Opening patterns: Paired wood, 2/2 vertical sash windows and single doors
Novelty wood horizontal siding mixed with coursed shingle siding
Note porch locations, size/scale, form
Porch posts that are a combination of turned and bracketed design
Porch railing design
Stoop location and materials
Foundation is obscured by contemporary screening but is likely a pier system
(Roof cladding is not historic so other materials could be allowable)

Character defining features:
Asymmetrical one-story form
Shed roofs in opposing position
Horizontal lines and brick stamped finish
Metal 1/1 vertical sash windows and corner windows
Likely a slab on grade foundation
(Roof cladding is not a prominent visual character)

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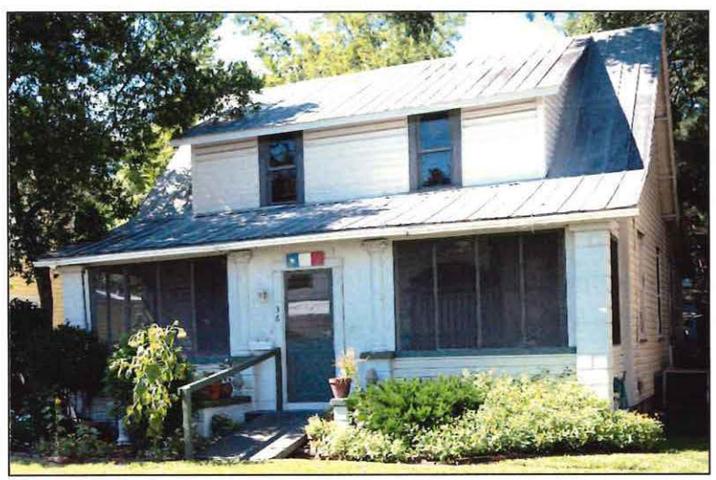
Character defining features:
Three-block massing with central vertical chimney
Gable and parapet roof types with clay tile exterior
A unique stucco finish and texture
Arched windows with fanlights on top
Open entry porch and stoop framed with square piers
Plaster detailing along top of building face/facade
Likely a stem wall foundation



Character defining features:
Front face of the building is divided in three-bay in a symmetrical fashion
A large shed roof dormer sits on the second floor and the overall roof is a gable roof with metal crimp exterior finish
Front porch (historically enclosed) with knee-wall under a shed roof supported by block columns (the porch could be fully opened with minimal impact)
Simple single pane windows with no dividers
Horizontal siding
Stoop has been altered to accommodate a ramp and is easily reversible
Pier foundation

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Character defining features:
Symmetrical design under single gable roof with composition shingles
Wood 6/1 vertical sash windows with operable louvered shutters
Entry stoop is a classical design
Brick façade is in a running bond pattern (unpainted) with distinguishable window lintels using a different brick pattern
Likely a continuous wall foundation

Character defining features:
Asymmetrical façade pattern under single hipped roof with metal crimped roof
Wood 1/1 vertical sash windows with inset of stained glass and arched lintel
Rough/rusticated, unpainted, concrete block exterior building elements
Open porch is under the main roof and has wood brackets and trim at the top
Entry stoop with matching block piers
Likely a continuous wall foundation

Archaeological Preservation Ordinance refers to Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that requires archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

Architectural feature includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architecturally similar means having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, and pattern.

Contributing property a building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; or (c) it independently meets the National Register of Historic Places criteria for evaluation.

Design compatibility refers to new construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building's historic character. For alterations to a historic building, repairs using historic materials is preferred; however, there are circumstances where substitute materials that imitate historic materials may be used (i.e. unavailability of historic materials or skilled craftspeople, inherent flaws in the original material, or code-mandated changes) if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result. For new construction and additions, the materials and form should be harmonious with the historic building with just enough differentiation from the historic building to not be jarringly out of place or too similar to be confused as part of the original historic fabric.

Façade includes the face of a building and is most commonly referred to as a street façade and/or visible façade

Historic character refers to all visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building's relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity is the authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic period including evaluation of any changes that may have occurred through time which could contribute to the building's later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling, and association.

Historic period is the primary time line for which the historic building derived its historic association with an event, person, place, pattern of development or other historic context.

Historic Preservation Property Tax Exemption is an exemption for qualifying properties (designated historic structures) from ad valorem taxes levied by the City of St. Augustine on 100% of the assessed value of the improvements to real property for 10 years. To qualify, the improvements must be at least $20,000 or 50% of the assessed value of the structure before improvements, whichever is less. A minimum of 25% of the proposed improvements must be to the exterior or foundation of the structure. Flood mitigation projects, partial restoration projects, and full adaptive use projects may be eligible.

Material deficiency refers to the inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

National Register of Historic Places is the list of historic properties significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state, or federal level.

Preservation: The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

DRAFT

Reconstruction: The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Rehabilitation: The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

Relocation: The act of moving a building from its original location to another site, either on the same property or to another location entirely.

Restoration: The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

Routine maintenance and repair in terms of historic preservation means using the same materials in a way that matches the architectural style of the existing building.

Significant architectural feature is an architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

Technical requirement refers to performance mandates established by local, state, or federal governments and their supporting regulatory documents.

U.S. Department of the Interior: Secretary of the Interior's Standards for Rehabilitation

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: August 2, 2022

RE: **Other Business Item 8(b)**

Planning and Zoning Board discussion related to potential code amendments pertaining to Historic Preservation and the issue of partial demolition.

This Other Business item on the Agenda relates to previous discussions held by the PZB regarding the issue of "partial demolition". This item was last discussed by the PZB in October 2021.

You may recall that the PZB had several concerns related to potentially expanding regulation of demolition, design, and material requirements outside of the City's historic districts. As you know the city has several local historic districts comprising the core downtown area as well as several National Register Districts of historic neighborhoods surrounding the downtown area (See attached map).

In 2020 and 2021 city Historic Preservation staff worked with the HARB to develop guidance material related to demolition and partial demolition because of concerns over the potential erosion of the historic fabric of the city's neighborhoods, which includes the gradual reduction of the historic significance of structures in these areas due to extensive demolition or removal of features and inappropriate replacement materials. It can be debated about how much material needs to be removed completely or what can be rehabilitated before proposed work is considered enough demolition to constitute review by HARB and/or what is considered a loss of historic significance. Regardless the removal of historic materials is irreplaceable.

It is with these concerns in mind that city staff proposed an update to the land development code and the adoption of an Appendix to the Architectural Guidelines for Historic Preservation (AGHP). Specific staff concerns related to the destruction of historic elements of buildings, the loss of historic integrity of actual structures, undermining of the city's character, erosion of defining features of the neighborhood, and reducing the integrity of the city's historic neighborhoods which could lead to reducing the justification and potentially losing the integrity of the National Register Districts.

Staff with HARB's support, and input from the PZB proposed some parameters that more clearly define what is "character defining" where the change or removal would impact the historic nature of a structure. These elements are alterations or removal of roof, windows, exterior finishes, porches/balconies/stoops/loggias and foundations.

Based on the PZB feedback in October the City Attorney revised the proposed language in the land development code update (See attached). Also included attached find the proposed language related to the Five (5) Elements important to buildings as an Addendum to the AGHP.

The City Attorney referred to State legislation that has impacted regulation of historic structures in her memorandum, also find this language and clarifications attached related to the recently passed House Bill 423 (2022) for the PZB to review. The implications of which and the subsequent internal staff discussion has contributed to the delay in returning this item to the PZB.

The memorandum from the October 2021 PZB meeting is also attached for your reference. A map from 2016 reflecting the age of structures distributed around the city that illustrates the importance of the historic nature and distribution of potentially historic structures throughout the city is also attached for your reference.

Staff would like to discuss this item with the PZB and determine whether the PZB is comfortable making a recommendation to the City Commission.

Thank you for your attention to this matter. If you have any questions, please call Julie Courtney, Historic Preservation Officer at (904) 209-4283 or email at jcourtney@citystaug.com or myself at (904) 209-4320 or email at askinner@citystaug.com.

Amy McClure Skinner, AICP
Director
Planning and Building Department

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning & Zoning Board

DATE: July 15, 2022

RE: **PARTIAL DEMOLITION AND DESIGN REVIEW**

The attached revisions to sections of city code pertain to our ongoing review of partial demolition and design review for replacement components of certain structures outside of the HP districts. Staff received substantial comments at the Nov. 2, 2021 PZB meeting, and the City Attorney was asked to formulate a new draft based on those comments. Thereafter, a new draft was circulated to Mr. Misterly, who had the most specific comments and suggestions during the PZB meeting, for his review to gauge whether the new draft was heading in the direction that PZB wanted it to go. This past spring during the legislative session, House Bill 423 was adopted by the legislature, and staff began a series of internal meetings to better understand the reach of the new law as it may pertain to demolition criteria. In the interim, the Lincolnville CRA proceeded with a survey of architectural features in Lincolnville with an eye to potentially creating design guidelines. The attached revisions to the partial demolition ordinance attempt to encompass and address all these factors.

The highlights are:

1. Minor formatting and clarification of existing language as it pertains to HARB's review of structures in the HP districts. These are more housekeeping changes.
2. New and improved definitions for terms that are used in those sections of code. Although most terms should be familiar, it was important to have one clear definition when those terms are used in this section of code.
3. New concepts.
   - A) The key new concept is that we are creating a new category of regulated structure. These are buildings that are not in the HP districts, but throughout the City. Regulated structures are individually listed or contributing to a National Register District (think Lincolnville, Model Land, etc.), or they are a designated historic landmark (a/k/a local landmark). Age is not a triggering criterion for a regulated structure. This was a specific issue of concern to PZB board members because they did not support new regulations for partial demolition of structures simply because they were 50 years old.
   - B) If your building is a regulated structure, you then have a much more limited architectural feature review.
     - i) Administrative staff review, no need to go to HARB. If you replace your roof, windows, doors, siding, porch/balcony with materials that generally have the same shape, size, and placement as before, you are good to go with just a staff sign off. They don't have to be the exact same material; they just have to generally look similar to what was there from the street view. Colors aren't reviewed and internal mechanisms aren't reviewed.
     - ii) If you want to change the shape of your porch, or the slant of your roof, or change window styles completely, then you will have to go to HARB, but it won't be the level of review for HP.

C) What criteria will be used? If your structure is in a National Register District that adopts design criteria, then HARB will apply those. For instance, if Lincolnville does adopt design criteria, HARB would apply those to regulated structures in Lincolnville. If you have a regulated structure in a National Register District that hasn't adopted design guidelines, then HARB will apply the architectural features relevant to your home's historic period, as established by evidence and testimony. What about structures that have had additions or modifications to them? Those will be evaluated based on whether they should be preserved or reconstructed to a more appropriate period.

A typical question may be, why does all of this just apply to partial demolition and not complete demolition? The reason is that once a structure is completely demolished, and a new structure replaces it, the new structure is no longer contributing to the historic quality of the National Register District. That doesn't mean that design criteria for brand new structures shouldn't be considered in the future, but that addresses a different community concern: mass, scale and compatible character between old and new houses, rather than preserving contributing properties to a particular National Register District.

We plan on having a follow up discussion and review of this version of the proposed ordinance at the August 2, 2022 PZB meeting, and if PZB believes that this version is ready to be recommended to City Commission, move it on to be placed on first reading at a future City Commission meeting.

Thank you.

Isabelle C. Lopez
City Attorney

/sl
Attachment

ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 ADDING DEFINITIONS RELATED TO ARCHITECTURAL TERMS, DEMOLITION AND RELOCATION; AMENDING CHAPTER 28, SECTION 28-87 CLARIFYING THE CRITERIA FOR HISTORIC LANDMARK AND PROVIDING FOR REVIEW OF PARTIAL DEMOLITION PERMITS; SECTION 28-89 REVISING AND CLARIFYING CRITERIA FOR THE REVIEW OF CERTIFICATE OR OPINION OF APPROPRIATENESS, RELOCATION OR DEMOLITION; AMENDING CHAPTER 28, SECTION 28-90 ADDING REFERENCE TO PARTIAL DEMOLITION; ADOPTING EXHIBIT "A" AS AN ADDENDUM TO THE ARCHITECTURAL GUIDELINES FOR HISTORIC PRESERVATION (AGHP); PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City of St. Augustine is recognized as the Nation's Oldest City; and

WHEREAS, the intent of the City's Comprehensive Plan, Historic Preservation Master Plan, and implementing land development codes and architectural guidelines are to preserve and protect historic structures, and the nature and character of the City's historic neighborhoods; and

WHEREAS, the City Commission, the Historic Architectural Review Board, and the Planning and Zoning Board are aware that new development, code requirements, full and partial demolitions, and relocations of structures can contribute to a change in the character of the historic downtown and historic neighborhoods of the City; and

WHEREAS, the historic assets of the city contribute to the character of residential neighborhoods, quality of life, and equate to an economic value of $2.9 billion dollars according to the 2020 publication *Resilient Heritage in the Nation's Oldest City*; and

WHEREAS, on August 2nd, 2022 the Planning and Zoning Board acting as the designated land planning agency for the City of St. Augustine recommended the included additions and revisions to Chapter 28, the Zoning Code to the City Commission; and

WHEREAS, the intent of the partial demolition ordinance as it relates to structures outside the designated Historic Preservation Districts is to ensure that structures are rebuilt in a way that is generally consistent with the historic visual character of the structure's key visible architectural elements and maintain the integrity of National Register Districts and their contributing structures. It is not intended that these structures be held to the same level of detailed architectural design criteria as structures in the Historic Preservation Districts; and

WHEREAS, during the 2022 legislative session House Bill 423 was enacted into law (codified as Chapter 553.79(25), Florida Statutes) in the context of building construction standards and the specter of recurring losses for single-family residential structures in a flood plain and constructed below FEMA finished floor elevations ("qualifying single-family residential structures"). The intent of the bill was to address complete demolitions of qualifying single-family residential structures, not to regulate partial demolitions, especially those that were needed to elevate buildings from the flood plain; and

WHEREAS, pursuant to the new statutory regulations these qualifying single-family residential structures must be reviewed for demolition approval by staff without a public hearing, and any replacement single-family residential structure can only be required to meet the same local regulations as apply to similarly situated vacant parcels; and

WHEREAS, under the new law, for example, a new structure that is built in a Historic Preservation District following the complete demolition of a qualifying single-family residential structure, must comply with AGHP architectural guidelines because these design guidelines apply equally to all similarly situated vacant parcels; and

WHEREAS, replacement structures for qualifying single-family complete demolitions located outside of the Historic Preservation Districts can only be required to meet design guidelines if those guidelines apply to similarly situated vacant parcels; and

WHEREAS, House Bill 423 (2022) does not apply to partial demolitions nor does it prohibit design guidelines for partial replacements; and

WHEREAS, the bill provides an exemption for all structures designated at any time on the National Register of Historic Places ("exempt structures"), and the National Park Service does not differentiate between structures that are individually listed versus those that are contributing to a National Register District, both are deemed "designated" historic in the National Register of Historic Places and therefore exempt from the regulations of this new law; and

WHEREAS, the bill also provides for an exemption for privately owned single-family residential structures with a local historic designation or other agency historic designation prior to January 1, 2022, or with the owner's consent thereafter; and

WHEREAS, the City Commission intends for its ordinances to be interpreted consistent with State of Florida law; and

WHEREAS, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:

Section 1. Amendment to Chapter 28, Article I, Section 28-2. Chapter 28, Article I, Section 28-2 is hereby amended, as follows:

"Sec. 28-2. - Definitions.
For the purpose of this chapter, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their

ordinarily accepted meanings or such as the context may imply. Words used in the present tense include the future; the singular number includes the plural and the plural includes the singular. The word "shall" is mandatory; the word "may" is permissive. The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied." The word "lot" includes the word "plot" or "parcel." The word "structure" includes the word "building" as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word "land" includes the word "marsh," "water" or "swamp." The word "map" shall mean the "Zoning Maps of the City of St. Augustine, Florida" and the "city" shall mean the City of St. Augustine, Florida, a corporation of the State of Florida.

...

Archaeological preservation ordinance refers to Chapter 6 of the St. Augustine Code of Ordinances which identifies archaeological zones that require archaeological review when the threshold of ground disturbance activity is met or exceeded with development and utility permits.

...

Architectural feature includes but is not limited to the following: architectural style, scale, massing, siting, general design, and general arrangement of the exterior of the building or structure; type and texture of exterior materials; size, type, placement, and patterns of roof(s), windows, doors, and all attached appurtenances including porches, stairs and stoop features, dormers, additions, trim details, balconies and railings or other decorative attachments.

Architectural feature limited review consists of the architectural review of limited physical elements of a regulated structure to be replaced after partial demolition and does not include material type or material colors. This limited review will focus on the overall character of the key elements of the structure visible from the street. Key elements that will be reviewed will be roofs (shape, size, placement), exterior windows and doors (number and placement of openings, shape and pattern of panes or lites, and design features visible from outside the regulated structure such as the exterior muntin with a raised profile), porches, stoops, and balconies (shape, size, placement), exterior siding (vertical, horizontal, or diagonal placement of similar sized boards, siding profile and pattern). The review is for exterior elements only and does not include the interior works or features of architectural elements (for example, this does not include window latch mechanisms or counterweights). Applications that match the replacements after a partial demolition to these existing key architectural elements or use in-kind features or materials as existing will be deemed in compliance with this limited architectural review and can be approved administratively. Applicants who do not want to use in-kind features or materials as existing nor match the replacements to these key architectural elements after partial demolition will be heard at a public hearing before the HARB or other designated reviewing agency. This category of limited review does not apply to properties in the Historic Preservation Districts of the City. The criteria applied for either HARB or administrative review will be as described in Sec. 28-89(3). See *Regulated structure*.

...

Architecturally similar means having substantially the same façade design or exterior appearance using like characteristics in terms of height, mass, scale, footprint, arrangement of openings, pattern.

...

Contributing property is a building, site, structure or object which adds to the historical architectural qualities, historic associations or archaeological values for which a district is significant because (a) it was present during the period of significance of the district and possesses historic integrity reflecting its character at that time; (b) is capable of yielding important information about the period; or (c) it independently meets the National Register of Historic Places criteria for evaluation.

...

Design compatibility refers to new construction or alterations to a historic building or setting that preserves significant materials, features and form, and preserves the building's historic character. For alteration to a historic building, repairs using historic materials is preferred; however, there are circumstances where substitute materials that imitate historic materials may be used if the appearance and properties of the historic materials can be matched closely and no damage to the remaining historic fabric will result.

...

Façade includes the face of a building and is most commonly referred to as a street façade and/or visible façade.

...

Historic character refers to all visual aspects and physical features that comprise the appearance of historic properties and extends to the setting of historic properties to include a building's relationship to the environment and adjacent streets and buildings, landscape plantings, views, and the presence of accessory features.

Historic integrity is the authenticity of a property's identity, evidenced by the survival of physical characteristics that existed during the property's historic period including evaluation of any changes that may have occurred through time which could contribute to the building's later-acquired historic character and significance. An overall sense of past time and place are evident in the composite of seven qualities: location, design, setting, materials, workmanship, feeling and association.

Historic period is the primary timeline for which the historic building derived its historic association with an event, person, place, pattern of development or other context.

...

Historic structure including contributing properties as defined for demolition and partial demolition purposes is a structure that is 50 years old or older, in a locally established historic preservation district, individually listed as historic locally or nationally, a contributing property in a designated National Register District or a potentially contributing property surveyed, but not recognized or not in a designated National Register District. But see *Regulated structure*.

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...

In-kind features or materials means using architecturally similar material and design to convey the visual appearance of the remaining parts of the feature and finish.

...

Material deficiency refers to the inability of the building material, or a majority of building materials that comprise a feature or structure, to serve its purpose and documented as beyond repair.

...

National Register of Historic Places is the list of historic properties significant in American history, architectural, archaeology, engineering and culture maintained by the Secretary of the Interior, as established by the National Historic Preservation Act of 1966, as amended. May be significant at the local, state or federal level.

...

Partial demolition a partial demolition for purposes of proposed work on a historic structure or a regulated structure within the City of St. Augustine is considered the permanent removal of 50% of the appraised value or more of historic, individual elements of the building envelope (roof, walls, porches, windows, foundations). It also includes the removal of these historic features regardless of the percentage of the appraised value when they are on visible ~~the~~ sides of the building (visible from the street). See *Architectural feature limited review*.

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...

Preservation the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction.

...

Reconstruction the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

...

Regulated structure is a building or a part of a building that is the subject of a partial demolition and that is not located in the City's Historic Preservation Districts but meets the following criteria of a Historic structure: it is individually listed as historic locally or nationally, or it is a contributing property in a designated National Register District, or it is a designated historic landmark. See *Architectural feature limited review*, and see *Partial demolition*.

...

Rehabilitation the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, cultural and archaeological values.

...

Relocation the act of moving a building from its original location to another site, either on the same property or to another location entirely.

...

Restoration the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work.

...

Routine maintenance and repair in terms of historic preservation means using the same materials in a way that matches the architectural style of the existing building.

...

Significant architectural feature is an architectural feature(s) that comprises the historic character of the structure and built near the same time as the building or added features and alterations that maintain the historic character of the building.

...

Technical requirement refers to performance mandates established by local, state or federal governments and their supporting regulatory documents.

..."

Section 2. Amendment to Chapter 28, Article II, Section 28-87. Chapter 28, Article II, Section 28-87 is hereby amended, as follows:

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"Sec. 28-87. - Responsibilities.

The members of the historic architectural review board herein created shall have the following responsibilities:

...

(3) The review of all applications for demolition or or partial demolition permits for historic or regulated structures, ~~that are fifty (50) years old or older, which are listed on the Florida Master Site File maintained by the State of Florida Division of Historic Resources, or which have been designated as an historical landmark~~. Also, review all applications for demolition or partial demolition permits for primary structures within historic preservation zoning districts and National Register districts for potential designation as an historic landmark, and review of partial demolition permits for regulated structures not eligible for administrative approval. Privately owned single-family residential structures that qualify for complete demolition by statute and are not otherwise exempt pursuant to Chapter 553.79(25), Florida Statutes, will be processed consistent with State law.

...

(10) Designate historic landmarks. As utilized herein the term "historic landmark" shall mean a building, object, site, or structure of the highest historical, architectural, cultural, or archaeological importance and whose demolition, removal, relocation, or alteration would constitute an irreplaceable loss to the character and quality of the city. In the event the historic architectural review board desires not to issue a demolition or partial demolition permit for a structure that it finds could meet the criteria for a historic landmark ~~is not fifty (50) years old, or older~~, the historic architectural review board shall initiate proceedings for designation of the structure as a~~n~~ historic landmark. In the designation of a~~n~~ historic landmark, the historic architectural review board shall evaluate the subject property using criteria and standards established by the National Register of Historical Places for national landmarks, or if evaluating the structure as a potential local landmark substituting the importance of the resource to the city and state rather than the nation as a whole. No property shall be designated as an historic landmark without first providing the owner of the proposed historic landmark with notice and an opportunity to be heard in the same manner as that provided for a rezoning of property. In addition, consistent with Chapter 553.79(25), Florida Statutes, a local landmark designation for a privately owned single-family residential structure that qualifies for complete demolition by statute must include the consent of its owner. Any determination of the historic architectural review board shall be subject to appeal by any affected person to the city commission without any fee being charged or levied.

...

Section 3. Amendment to Chapter 28, Article II, Section 28-89. Chapter 28, Article II, Section 28-89 is hereby amended, as follows:

"Sec. 28-89. - Criteria for certificate or opinion of appropriateness, relocation or demolition or partial demolition review.

The criteria for opinion of appropriateness, certificate of appropriateness, certificate of relocation, certificate of demolition or partial demolition review will be determined as follows:

(1) Structures within historic preservation districts. In reviewing an application ~~for a certificate of appropriateness,~~ the board ~~and/or building official and/or planning director~~ or planning and building official shall consider the design and appearance of the structure, including ~~the interior visible from the outside,~~ front, sides, rear and roof; materials, textures and colors; plat plan or site layout, including features such as walls, walks, terraces, plantings, accessory structures, signs, lights, awnings, canopies, and other appurtenances. The decision to approve or deny the proposed application ~~issue or not to issue the certificate~~ shall be based on the conformance of the proposed work to the Architectural Guidelines for Historical Preservation (AGHP) and adopted addendums ~~or applicable entry corridor design standards~~ of the City of St. Augustine as from time to time promulgated by the historic architectural review board ~~and/~~or the city commission and approved by ordinance of the city commission, hereinafter referred to as 'AGHP,' ~~and~~ Albert Manucy's Houses of St. Augustine - 1565-1821, and other architectural guidelines as may be adopted from time to time. When reviewing a certificate of relocation of a structure, consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located. The board shall not exercise any control over land use, such as governed by this chapter, or over construction, such as is governed by the building code, unless such control is within the intent and scope of this chapter.

a. In the case of an opinion of appropriateness HARB shall make a determination that the general concept, preliminary construction plans, details or specifications of a project meet the architectural requirements of the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guidelines, but that the information may be insufficient to meet the requirements of a certificate of appropriateness or to obtain a building permit.

b. In the case of a certificate of appropriateness HARB shall make a final determination that the material details are sufficient, construction plans are complete, and architectural details and specifications for a project meet the AGHP, Albert Manucy's Houses of St. Augustine - 1565-1821, or other adopted architectural guideline requirements. A certificate of appropriateness is required before a building permit may be issued. Only those plans and details approved by HARB may be reviewed by the Building Official during the building permit review process.

c. In the case of a certificate of relocation of a structure consideration will be given to the immediate surroundings and to the district or districts in which it is located or to be located, that the relocation of the structure will not adversely impact the city's historic preservation efforts or negatively affect the streetscape. If the building will be relocated on the same site, or moved to a new site in a locally designated historic preservation zoning district, then the process and plan requirements for a certificate of appropriateness also apply to the building's new location.

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d. In the case of a certificate of demolition or partial demolition a determination is made that the demolition or partial demolition of the structure will or will not adversely impact the city's historic preservation efforts. The applicant may also be required to submit information on the structural condition of the building from an engineer or architect to justify the need for the demolition or the partial demolition of the structure, and all other requirements of this code.

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(2) Before approving the plans for any proposed structure or signs located or to be located in a historic preservation district, the board shall find:

a. In the case of a proposed alteration or addition to an existing structure, that such alteration or addition will not materially impair the architectural or historic value of the structure.

b. In the case of a proposed new structure, that such structure will not, in itself or by reason of its location on the site, materially impair the architectural or historic value of a structure on adjacent sites or in the immediate vicinity.

c. In the case of a proposed new structure, that such structure will not be injurious to the general visual character of the district or districts in which it is to be located.

d. In the case of the proposed demolition of an existing structure, or a project that constitutes partial demolition that the removal of such structure or architectural features will not be detrimental to the historic and architectural character of the city or that, balancing the interest of the city in preserving the integrity of the city and interest of the owner of the property~~:~~.

1. Approval of the plans for demolition in the latter event the board may issue an order ~~to~~ postponing demolition for a period of not to exceed twelve (12) months after which the owner must reapply. The board may issue a second postponement with the total postponement period not to exceed two (2) twelve (12) month periods. If the board concludes that the demolition should be postponed, it shall, before issuing any final order with respect to such postponement, afford the applicant an opportunity to appear before the board to offer any evidence ~~he~~ they may desire to present concerning the proposed order. Within the period of postponement, the board shall ascertain what the city or other agency or organization may do to preserve such structure and shall make recommendations to that effect to the city commission or otherwise cause the structure to be preserved. This section shall not apply to any permit for demolition which has been applied for, in proper form, prior to the effective date of this section.

2. If the building or structure is of exceptional significance, is a contributing property to a National Register of Historic Places District or has been individually listed on the National Register of Historic Places, the board can deny the demolition if the board finds the removal of such building or structure will be detrimental to the historic and architectural character of the city and the applicant has not proven the denial will cause an undue economic hardship.

3. The demolition~~struction~~ of colonial buildings listed on the Florida Master Site File, or colonial buildings designated Local Landmarks, or colonial buildings meeting the criteria for eligibility on the National Register of Historic Places must be approved by the city commission.

In the case of a partial demolition the board shall find that the proposed replacement materials maintain the historic character and integrity of the structure and are compatible with the historic structure's building envelope or the removal will not compromise the overall historic character and integrity of the structure.

(3) Criteria for regulated structure. Replacement elements for regulated structures as defined in this code will be reviewed consistent with the procedures for architectural feature limited review. The board will apply the adopted design criteria to the regulated structure, if any. If no design criteria have been adopted, the board will accept evidence and testimony to establish relevant architectural features. Some regulated structures may have architectural features that support its historic character and historic period, as well as modifications or additions over time. The board will accept evidence and testimony to establish whether the architectural features should meet preservation or reconstruction standards.

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Additional application requirements:

1. The owner shall permit access to the subject property for the purpose of inspections and/or appraisals required by the board or preservation officer.
2. Signs required. The planning and building department shall cause a sign or signs to be posted on any land upon which an application with respect to relocation or demolition or partial demolition has been made not less than seven (7) days in advance of the date of the public hearing at which such application is to be considered. Such sign shall show the date of construction of the existing building and be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street right-of-way with an attached notation indicating generally the direction and distance to the land concerning which a public hearing is scheduled. Such sign shall be posted in full view of the public and shall be maintained by the applicant until final determination has been made by the board or city commission.
3. Mailed notices. Not less than ten (10) days in advance of the date of the required public hearing(s) at which an application for a certificate of demolition or partial demolition is to be considered, the time and place of the public hearing shall be posted by United States mail by the applicant to all owners of real property within one hundred fifty (150) feet of the boundaries of the land upon which the application is made. For the purpose of notice requirements to adjoining owners within one hundred fifty (150) feet, the names and addresses shall include information obtained from the St. Johns County Property Appraiser records within ninety (90) days prior to the application date. Such list prepared for any required public hearing with the historic architectural review board, if appealed, shall also be used for a required public hearing with the city commission. A record of the date on which the list was compiled shall be provided to and maintained by the planning and building department.
4. Applications for a certificate of demolition, including partial demolition shall be presented to the historic architectural review board by the property owner or representative.
5. Applications for partial demolition of buildings listed in the National Register of Historic Places, contributing or potentially contributing to a historic district in the

National Register of Historic Places, listed as a local landmark pursuant to this code, listed as a potential landmark identified in the Historic Preservation Element of the Comprehensive Plan, Master Plan or identified by historic preservation planning staff as culturally significant within the recent past, may apply for the demolition of additional components of the building as part of a more comprehensive rehabilitation plan. Staff may require that the application be reviewed as a full demolition with required documentation, appropriate condition assessment and a rehabilitation plan, recognizing that applicants may encounter unforeseen building damage, site conditions, flood mitigation obstacles, or other significant and demonstrable reasons justifying a more extensive partial demolition as part of the rehabilitation. ~~As a condition of~~ In issuing a certificate of demolition or partial demolition, the board may include approval of both the partial demolition and potential related additional demolition and its ~~require the~~ rehabilitated replacement design under one application ~~be approved by the board and that no permit be issued for the demolition of said structure until~~ This will allow the approval of drawings sufficient for a building permit and that all necessary requirements for the new construction ~~of a new building~~ related to the demolition or partial demolition ~~have been~~ are submitted for ~~the new construction~~ permitting review and approval by staff.

6. As a condition of issuing a certificate of demolition, including partial demolition the board may require, at the applicant's expense, salvage and preservation of significant building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties. The board may also require at the applicant's expense the recording of the structure for archival purposes prior to demolition or partial demolition. The recording may include, but shall not be limited to, photographs and measured drawings.

7. If an owner/applicant fails to appear for three historic architectural review board meetings, the application may be considered as withdrawn.

e. In the case of any proposed new or altered sign, that the sign will not materially impair the architectural or historic value of any structure to which it is attached, nor any adjacent structure, and that such sign is consistent with the architecture of the building and the historical character of the area.

f. The board shall not have the authority to consider interior arrangements.

..."

Section 3. Amendment to Chapter 28, Article II, Section 28-90. Chapter 28, Article I, Section 28-2 is hereby amended, as follows:

"Sec. 28-90. - Administration and records.

(a) Any necessary building or demolition (full or partial) permit and/or certificate of occupancy shall not be issued unless the ~~building official and/or the planning director or designee~~ planning and building official reviews the application for compliance with ~~and/or~~ the historic architectural review board approv~~e~~sal ~~the application for a certificate of appropriateness~~. Such permit shall be subject to the terms of such approval as well as other necessary provisions of this Code.

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(b) Applications for certificates of appropriateness shall be submitted through the office of the building official and/or planning director and shall include, in duplicate, all plans, elevations and other information necessary to determine the appropriateness of the features to be passed upon.

(c) Prior to issuance or denial of a certificate of appropriateness required by the board, the board shall take such action as may reasonably be required to inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard. The board shall hold a public hearing concerning each application.

(d) Every decision of the board and/or building official and/or planning director or designee in passing upon plans for structures or signs located or to be located in the district shall be in the form of a written order stating the finding of the board, its decisions and reasons therefor.

(e) The board shall not disapprove any plans without giving its recommendations for changes necessary to be made before the plans will be reconsidered. Such recommendations may be general in scope, and compliance with them shall qualify the plans for reconsideration by the board.

(f) An appeal may, within thirty (30) days thereafter, be taken by any aggrieved person to the city commission from the board's action in granting or denying an opinion or certificate of appropriateness, relocation or demolition or partial demolition. The appeal shall be as prescribed in section 28-29(g). Any appeal from the decision of the city commission shall be heard by the circuit court of the county, on writ of certiorari, as in the case of any other zoning decision from the city commission. All orders to approve certificates of demolition, except for partial demolition, shall become effective on the 31st day following the date of the rendered order, unless this waiting period is specifically granted a written waiver by the city commission or city manager. The owner-applicant of an order to approve a demolition certificate may request a hardship waiver to the city manager for emergency humanitarian reasons including the health and safety of the occupants of a structure in need of immediate emergency repairs, renovation or reconstruction. In the alternative, the owner-applicant of an order to approve a demolition certificate may request a waiver from the city commission if the delay in demolishing the structure would create an undue burden on the owner-applicant that would be greater than the public interest served in preserving the thirty-day waiting period. All decisions to grant or deny the waiver shall be rendered in writing within five days of the decision, mailed by standard U.S. mail to the owner-applicant and posted on the city's website. The decision of the city manager or city commission shall serve as the final administrative appeal of the waiting period.

(g) Any decision of the historic architectural review board certified by the planning director to be in conflict with a determination or decision of the planning and zoning board or of the board of adjustments and appeals; shall be reviewed by the city commission in the same manner as an appeal and the commission shall review the determination of the historic architectural review board, and the decision of the planning and zoning board or board of adjustments and appeals as to which it is certified to be in conflict and shall determine whether the decision of the historic architectural review board should be affirmed, modified or reversed and the decision of the commission shall supersede the decision reviewed. All affected persons shall be notified of the

hearing by the city commission in the same manner as that provided for appeals from decisions of the planning and zoning board. The hearing before the commission shall be de novo."

Section 4. Adopting attached Exhibit "A". The attached Exhibit "A", "5 Critical Elements of the Historic Building Envelope" is adopted as an addendum to the Architectural Guidelines for Historic Preservation (AGHP).

Section 5. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that repealed language shall be removed and that the sections of this ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 6. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 8. Effective Date. This ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2021.

ATTEST: _____
Tracy Upchurch, Mayor-Commissioner

_____
Darlene Galambos, City Clerk
(SEAL)

Exhibit "A"

The attached Exhibit A includes an Addendum to the Architectural Guidelines for Historic Preservation (AGHP) that outlines the process and defines the limits of work to a building envelope and the five (5) critical elements that relate to the defining features of an historic structure for proposed demolition and partial demolition.

This is intended to provide guidance and direction to the Historic Architectural Review Board (HARB), staff and the public as to what is considered demolition, partial demolition and what Historic Preservation Staff can approve administratively, and what needs to be reviewed by the HARB.

This is in an effort to provide a framework for consistency, and maintain the character and integrity of the City's historic neighborhoods.

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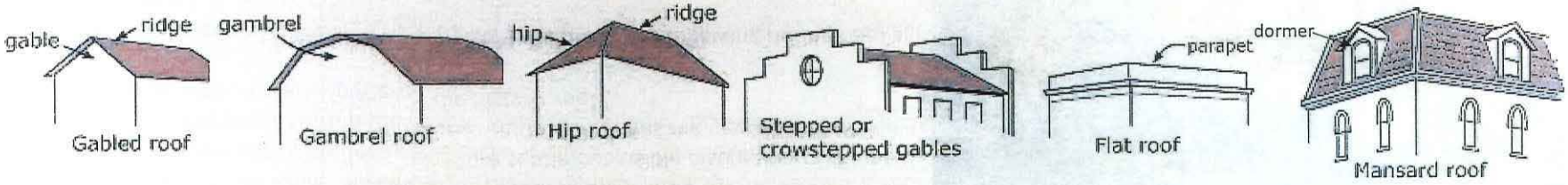
5 CRITICAL ELEMENTS OF THE HISTORIC BUILDING ENVELOPE:

FOR LANDMARK, NATIONAL REGISTER, AND CONTRIBUTING BUILDINGS TO DESIGNATED NATIONAL REGISTER HISTORIC DISTRICTS

Feature descriptions are taken from the National Park Service Technical Preservation Services publication of the Secretary of the Interior's Standards for Rehabilitation

Roof: the form of the roof (gable, hipped, gambrel, flat, shed, mansard, etc.) is significant as are its decorative and functional features (appurtenances like cupolas, parapets, chimneys, dormers and soffit elements), roofing material, and size, color, and patterning.



When the current exterior feature has existed on the building for more than fifty years, HARB approval is required to:
remove and change the following traditional roof coverings: clay or concrete tile, stamped metal shingle or diamond-patterned shingle systems
remove decorative or functional features visible from a right-of-way
change the configuration, shape and/or pitch on facades visible from a right-of-way
and/or to remove 50% or more of the total roof structure (excluding roof sheathing)
use a colored metal roofing material (ex: blue metal roof)

HARB approval will based on:

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the roof or roof feature significant enough that it should not be altered unless proven technically and/or materially required?

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Sample historic roofing materials:

Wood shingle roof

Diamond-patterned roof

Stamped metal shingle roof

Clay tile roof

- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the historic roof still the dominant visible feature; is there subtle but visible distinction of the new roof feature/element from the historic roof feature; does the new element match the size, scale, material/pattern of the historic roof?

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ☐ routine roof and trim repairs not meeting the above thresholds
- ☐ removal of a decorative or functional feature not visible from a right-of-way
- ☐ replacement of roof sheathing up to 100% of the roofed areas for existing asphalt shingle roofs, galvalume/sheet metal type roof, and other modern roof cladding

Example: Full replacement of any asphalt shingle or metal roof with a new asphalt shingle roof or metal roof (respectively) using a traditional color will be approved administratively

Historically this building had a clay barrel tile roof matching the barrel tile still evident on the lower parapet roof.

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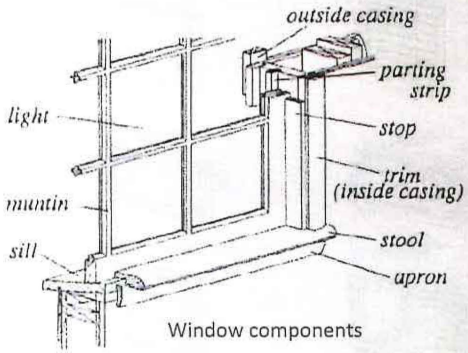
Windows: window materials and how the window operates (e.g. double hung, casement, awning, or hopper) are significant as are its components (sash, muntins, pane configuration, sills, mullions, casings, or brick moulds) and related features such as historic shutters/awnings.



Window components

When such features have existed on the building for more than fifty years, HARB approval is required to:

☐ remove and change window materials, components, design, or change their operational direction (ex: up/down sash to swing) on facades visible from a public right-of-way

☐ and/or to remove 50% or more of all the building's windows (visible or not)

HARB approval will based on:

☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the window feature or design significant enough that it should not be altered unless proven technically and/or materially required?

☐ Window condition assessment and consideration of replacement cost and life service of the replacement window versus the repair cost and life service of the original window (see photo caption next page)

☐ The design compatibility of the proposed work to ensure continuity of the building's historic value.

Example: Preferred window replacements, if required, that use characteristic exterior molding and muntin profiles may be approvable even if using different materials. Such changes may be recommended for an expedited hearing.

The window design is described by the number of glass panes called 'lites' as shown in these examples. These patterns are not interchangeable because they are unique to the style of the building. Traditional wood, vertical sash windows:
Left is a 6/6 divided lite and right is a 2/2 divided lite

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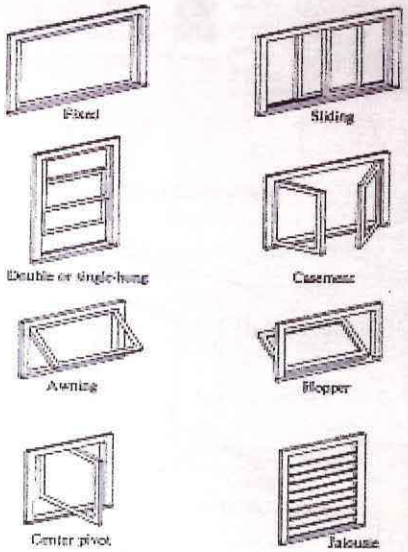
Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ☐ repair and maintenance of windows not meeting the above threshold
- ☐ replacement of windows on facades not visible from a right-of-way under the 50% threshold
- ☐ replacement of non-historic windows with windows that match the design character of the building

Example: Removing a ranch-style picture window on a historic frame vernacular house and installing any vertical sash-type window will be approved by historic preservation staff



Window operation types

Hands-on training for DIY-ers

*Historic windows can be repaired and restored to last longer than the average replacement window. Therefore, when considering the lifetime cost of a window the original will be less expensive. Prices can range from $500 to over $1000 for restoration, comparable to replacement windows with a negative economic and historic impact.**

*See https://savingplaces.org/stories/preservation-tips-tools-retrofitting-historic-windows#.X-4YhNhKh3A and https://austinhistorical.com/services/residential-window-restoration/ for data and analysis.

Original 3/1 and 4/1 lite vertical sash windows replaced with 1/1 across the entire building and would now require HARB approval if the building is designated historic.

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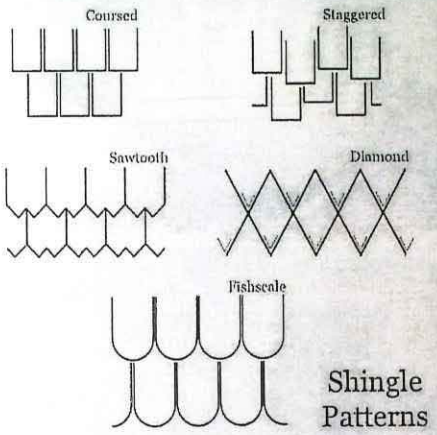
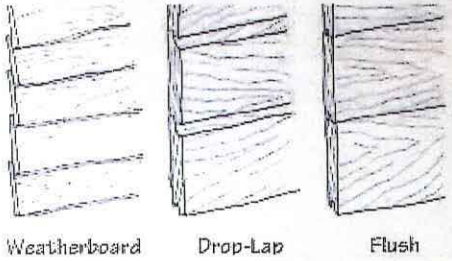
Exterior finishes: wood and masonry exterior features (walls, siding, brackets, railings, cornices, window and door surrounds, steps, and columns) and repetitive exterior detailing are important in defining the overall historic character of a building.



Sample wood siding profiles that contribute to the unique scale and pattern on a historic building:



When the current exterior features have existed on the building for more than fifty years, HARB approval is required to:

☐ remove and change wood and/or masonry wall finishes on facades visible from a public right-of-way

Example: removing wood horizontal siding, brick or brick veneer, stucco, coquina/coquina concrete and changing to a different material/pattern requires HARB approval

☐ and/or to remove 50% or more of these exterior features

HARB approval will be based on:

☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the finish material and/or design significant enough that it should not be altered unless proven technically and/or materially required?

☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the exterior still the dominant visible feature and does it match the size, scale, material/pattern of the historic exterior?

Example: When necessary, replacing wood horizontal siding with composite horizontal siding maintaining a similar reveal and profile may be an approvable request and may be recommended for an expedited hearing.

Staff will have the ability to approve the following during regular permit review:

☐ Repair and maintenance of wall cladding when it does not meet the above threshold

Example: Removing singular elements/portions of the exterior finish that is deteriorated beyond repair and replacing it with the same material and design will be approved administratively.

☐ Repair or replacement of features on facades not visible from a right-of-way

☐ Replacement of non-historic exterior features that match the design character of the building

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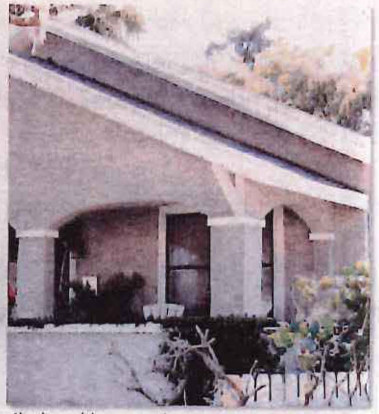
Example: Removing asbestos siding and restoring/replacing traditional horizontal siding underneath will be administratively approved if it does not compromise the structural stability of the building

Traditional wood, coursed shingle finish. *Changing the shingle pattern to a staggered design would change the character of the historic building from Shingle Style to a Bungalow or Arts and Crafts*



Historic masonry finishes can be simple or highly detailed and have unique stucco texture

The siding on this building was altered (ca. 1930-50s) and shows the impact of replacement finishes that change the scale and detail of the building's historic character. Restoring the Queen Anne siding would be a staff- approvable request. Also note for reference the scale of historic horizontal siding shown on the adjacent historic building.

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Porches, balconies, stoops, loggias: these functional and decorative features along with their materials and features (doors, transoms, pilasters, columns, balustrades, stairs, roofs, canopies) are important in defining the overall historic character of a building.

Wrap-around porch with columns and balusters

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ☐ remove a historic porch, balcony, or stoop
- ☐ and/or to remove 50% or more of their materials and features
- ✓ *Exception: see staff approval for flood mitigation project*

HARB approval will based on:

- ☐ An evaluation of how removal of the feature impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the feature significant enough that it should not be altered unless proven technically and/or materially required?
  Example: Reconstructing a balcony or porch that is deteriorated beyond repair with matching materials and design may be approvable and recommended for an expedited hearing.
- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of the existing porch/balcony/stoop still the dominant visible feature and do changes match the size, scale, material/pattern of the historic feature?
  Example: Removing a balcony and constructing a larger balcony that maintains scale, design, and materials of the building may be approvable.

Historic Preservation Staff will have the ability to approve the following during regular permit review:

- ☐ Repair and maintenance of porches/balconies/stoops when it does not meet the above threshold
- ☐ Repair or replacement of porches/balconies/stoops facades not visible from a right-of-way

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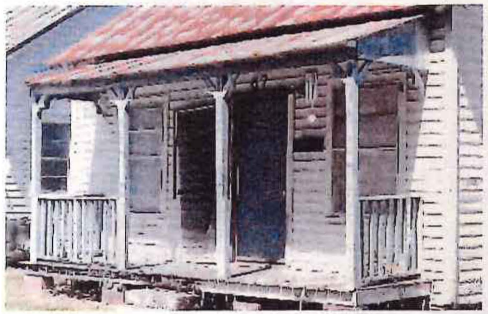
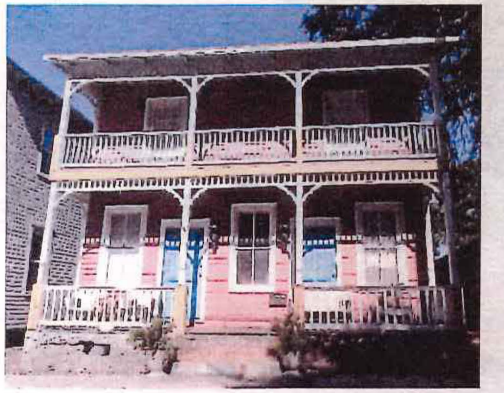
- ☐ Replacement of non-historic exterior features that match the design character of the building
  Example: Restoring an enclosed porch to an open/screened porch will be staff approved if using/reinforcing the historic character of the building.

- ☐ Removal of porches or stoops when necessary for a flood mitigation project if using a best-practice approach

  Example: Constructing a new but similar porch at the elevated location will be staff approved if it is context-sensitive and uses compatible materials.



Centered porch with turned balusters and folk-style bracketed posts



Two-story front porch undergoing repairs that are in-kind with its historic character which could be approved by staff.

Evidence on the Sanborn map (left) and the building shows there used to be a historic two-story frame porch likely removed ca. 1930-1950s when asbestos siding was added. Reconstructing a compatible porch could be approved by staff.

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Foundations: structural systems and visible features of such systems are important in defining the overall historic character of a building including the materials (wood, metal, and masonry), the type of system, and its features such as posts and beams, masonry columns, above-grade stone or masonry foundation walls or piers.

Coquina concrete block is a material unique to St. Augustine

A new brick pier foundation matches historic materials and scale

When such features have existed on the building for more than fifty years, HARB approval is required to:

- ☐ Removing and changing the foundation type (ex: brick pier to stem wall) or exterior material (ex: brick to concrete masonry unit/block)
- ☐ and/or to remove 50% or more of the above-grade foundation system
- ✓ *Exception: see staff approval for flood mitigation project*

HARB approval will based on:

- ☐ An evaluation of how removal of the foundation impacts the overall historic character of the building and historic integrity of the city. Can the building still convey a unique sense of time and place? Is the original foundation significant enough that it should not be altered unless proven technically and/or materially required?
- ☐ The design compatibility of the proposed work to ensure continuity of the building's historic value. Specifically, is the prominent character of historic foundation still the dominant visible feature and do changes match its size, scale, material/pattern?

Example: Constructing a replacement brick pier foundation that restores structural soundness and matches the original design may be approvable and may be recommended for expedited hearing.

Historic Preservation Staff will have the ability to approve the following during the regular permit review:

- ☐ Repair and maintenance of foundations that do not meet the above threshold

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A building elevation project revealed unique coquina stone piers (background) along with traditional brick piers (foreground)

Example: Replacing a singular, deteriorated brick pier with a matching brick pier in the same basic location will be staff approved.

- ☐ Removal of a foundation when necessary for a flood mitigation project if using a best practice approach

  Example: Constructing a new but similar foundation using the same materials and scale will be approved by staff.

NOTE: Archaeological review may be required for any work that includes ground disturbances, consult the City Archaeologist and Archaeological Preservation Ordinance for more information.

Foundation (and porch) was removed to allow for the building to be elevated to a new floor height for a flood mitigation project.

House Bill 423 (2022):

553.79 Permits; applications; issuance; inspections.—

(...)

(25)(a) A local law, ordinance, or regulation may not prohibit or otherwise restrict the ability of a private property owner to obtain a building permit to demolish his or her single-family residential structure coastal high-hazard area, moderate flood zone, or special flood hazard area according to a Flood Insurance Rate Map issued by the Federal Emergency Management Agency for the purpose of participating in the National Flood Insurance Program if the lowest finished floor elevation of such structure is at or below base flood elevation as established by the Florida Building Code or a higher base flood elevation as may be required by local ordinance, whichever is higher, provided that such permit otherwise complies with all applicable Florida Building Code, Florida Fire Prevention Code, and Life Safety Code requirements, or local amendments thereto.

(b) An application for a demolition permit sought under this subsection may only be reviewed administratively for compliance with the Florida Building Code, the Florida Fire Prevention Code, and the Life Safety Code, or local amendments thereto, and any regulations applicable to a similarly situated parcel. Applications may not be subject to any additional local land development regulations or public hearings. A local government may not penalize a private property owner for a demolition that is in compliance with the demolition permit.

(c) If a single-family residential structure is demolished pursuant to a demolition permit, a local government may not impose additional regulatory or building requirements on the new single-family residential structure constructed on the site of the demolished structure which would not otherwise be applicable to a similarly situated vacant parcel.

(d) This subsection does not apply to any of the following:

1. A structure designated on the National Register of Historic Places.
2. A privately owned single-family residential structure designated historic by a local, state, or federal governmental agency on or before January 1, 2022.
3. A privately owned single-family residential structure designated historic after January 1, 2022, by a local, state, or federal governmental agency with the consent of its owner.

Analysis of HB 423 (2022) for informational review by Planning (Amy Skinner, David Birchim), Historic Preservation Planning (Julie Courtney, Candice Seymour), Building Official (Buddy Schauland) and City Attorney:

Background

Staff members who's positions require that they understand and apply land development regulations met over the course of two months to circulate the bill language, share analysis from the State (Ruben Acosta, Bureau of Historic Preservation, Division of Historical Resources), other Certified Local Governments (CLGs), and surveying governmental agency guidance documents including National Register Bulletin, National Park Service Cultural Resource Management Guideline, the U.S. Secretary of the Interior's Standards for Treatment of Historic Properties, FEMA Historic Structure definitions and glossary, the Florida Department of State "Florida Master Site File" guidance, and other guidance documents from historic preservation organizations such as the National Trust for Historic Preservation, and literature including "Historic Preservation: An Introduction to Its History, Principles, and Practice," Third Edition, by Normal Tyler, Hene R. Tyler and Ted J. Ligibel. Staff also reviewed the legislative

history, comment period, and voting history of House Bill 423 to discern the legislative intent in order to discharge their respective duties.

Analysis

Legislative History. A review of the comment/question period and voting history indicates that all comment was waived in support and the bill passed its committees and final vote unanimously. The bill sponsor was Representative Chip LaMarca in the House and Senator Brodeur in the Senate. Lobbyists registered on the bill represented FAIR, Associated Industries, Associated Builders and Contractors of Florida, and Florida Roofing & Sheet Metal Association. Governor DeSantis signed the bill into law on May 25, 2022 and it has an effective date of July 1st, 2022; session laws 2022-136.

Context of Statute. House Bill 423 amends Florida Statutes Section 553.79 by adding a new subsection (25). Chapter 553 is concerned with building construction standards. A few years ago the statute was amended to limit design review of certain logo and signage elements described in subsection (24). The City and other historic preservation groups were involved in suggesting edits to the draft bill to exempt "property located in a designated historic district."

Competing Interests. The bill's insertion within the context of building construction standards and the specter of recurring losses for structures below FEMA finished floor elevations informs the analysis. Section 553.79 at subsection (24) balanced industry needs and the desire to preserve local character by exempting historic preservation districts. It is in this context that staff analyzed the intent and effect of the new subsection (25). The legislative intent appears to balance state-wide standards in building demolition and construction, while specifically protecting historic preservation districts and the integrity of the National Register program.

Framework of §(25). A superficial first reading of the language could lead to a misunderstanding of the intent and reach of the legislation. Staff members shared varying first impressions, and then dug deeper in a line-by-line analysis. Subsection (25) consists of a trigger, followed by a series of limiting qualifiers, a two-part rule, and ends with three separate exceptions.

- (25)(a) Trigger: a private property owner seeks to obtain a building permit to demolish his or her single-family residential structure
- (a) 1st Limiting Qualifier: applies to coastal high hazard, moderate flood zone, or special flood hazard areas according to FEMA flood maps
- (a) 2nd Limiting Qualifier: applies if lowest finished floor elevation is at or below base flood elevation
- (b) Rule: if an application meets (a), then only an administrative review is allowed, with no public hearing, to determine compliance with the following: Building Code, Fire Prevention Code, Life Safety Code, and any regulations applicable to a similarly situated parcel
- (c) Rule: if a single-family residential structure is demolished per permit, local government cannot impose additional regulatory or building requirements on the replacement home which would not be applicable to a similarly situated vacant parcel
- 1st Exception: a structure designated on the National Register of Historic Places
- 2nd Exception: a privately owned single-family residential structure designated historic by a local, state, or federal governmental agency on or before January 1, 2022
- 3rd Exception: a privately owned single-family residential structure designated historic after January 1, 2022, by a local, state, or federal governmental agency with the consent of its owner.

Similar Parcel. Rules (b) and (c) of the bill allow other local land development regulations to apply but only if they would apply to other "similarly situated parcels". The test here is not focused on the structure but on the parcel. For instance, all parcels in the City's Historic Preservation Districts (HP districts) are subject to the same local rules, whether vacant or not. In practical terms, this means that the demolition approval of a single-family structure within the HP districts would be reviewed using the same code criteria but at the staff level only, with no public hearing (rule "b" of the bill). The new replacement or modified single-family structure would require HARB approval at a public hearing. Rule (c) does not prohibit the public hearing process and allows the application of local regulations so long as they apply to similarly situated vacant parcels in the HP districts.

Commercial Buildings. The trigger is limited to single-family residential structures, therefore commercial buildings would not trigger subsection (25) at all.

Designated Historic. The term 'designated' historic perhaps caused the most pause. Unfortunately, the bill did not contain a definition, glossary, or formal cross-reference, therefore staff combed other guidance documents to come to an understanding of what constitutes a 'designation' in the historic preservation literature. From a National Register perspective, the National Park Service does not differentiate between a building that is 'individually listed' versus identified as 'contributing' to a National Register District. Both are deemed equally 'designated' or 'listed' in that historical preservation context. When asked, Mr. Ruben Acosta of the Bureau of Historic Preservation pointed to the definition of "historic property" in The National Historic Preservation Act (54 USC 300308) as a structure included or eligible for inclusion in the National Register. Florida Statutes (267.021(4), Fla. Stat.) defines "historic property" as any historic district or building of historical value.

National Register. National Register structures have their own separate exemption under the bill's language. National Historic Landmarks are included in the National Register of Historic Places as they designate nationally significant structures.[1] In addition, there is no end date attributed to the National Register structure exemption in the bill. The fact that the legislature chose to create a standalone exemption for National Register structures and omit an effective date appears to be intentional. The other two exceptions to the rule have a set date of January 1, 2022, but the National Register exception includes no date at all. This implicitly means that any time a structure is designated on the National Register, the structure becomes exempt from subsection (25). The designation did not have to occur by January 1, 2022, but can happen at some point in the future. Current contributing structures to a National Register District are exempt, but so are future ones. Extrapolating this to a real-life scenario, this would mean that structures that are either individually listed or identified as contributing to a new or updated National Register District fall within statutory exemption number (1), and the other terms of subsection (25) do not apply to it.

Local, State, Federal. The drafters of the legislation separated out the National Register process from all other possible local, state, or federal procedures to designate as historic a single-family residential structure. Again, this appears intentional. Exception (2) and exception (3) are both phrased differently from the first exception. These two exceptions are limited to only single-family residential structures (the National Register exception uses the broader term of all 'structures'), they are also limited in time

[1] The City of St. Augustine has 6 identified National Historic Landmark designations: Cathedral of St. Augustine, Fort Mose, Gonzalez Alvarez House, Hotel Ponce de Leon, Llambias House, and the St. Augustine Town Plan.

to January 1, 2022.[2] Exception (2) creates a backstop to any future designations under this category of exception because those structures had to be designated historic on or before January 1, 2022. Similarly, exception (3) provides that new historic designations under this local/state/other federal category, must include the consent of the owner. The National Register program requires only that the owner not object to the designation. The legislative bill analysis points out this requirement in the National Register program and separates it from the consent requirement of the two other categories of the bill. The National Register program is not the only federal historic preservation program; other federal programs include the Historic American Buildings Survey, American Battlefield Protection Program, Historic Lighthouses and Light Stations, and Maritime Historic Landmarks. In context of the first exception, exceptions (2) and (3) of the bill limit those terms to local historic designations, state historic designation, and other than National Register federal historic designations.

Partial Demolition. The trigger only applies to a complete demolition of the single-family residential structure. From a structural construction perspective, the intent of the legislation is to lessen administrative barriers to the removal of homes currently at risk of flooding. Demolition of the structure is one means of achieving this goal, but so is raising the structure. Therefore, partial demolition of single-family residential structures does not trigger the legislation. When appropriate, raising the structure out of the flood plain, with the associated partial demolition of a staircase or porch, does not appear to be prohibited or the intended target of the bill. Partial demolition regulations and review may continue, as they do not fall within the trigger or intent of the new subsection (25).

[2] The City of St. Augustine had designated 4 Local Historical Landmarks as of January 1, 2022: The Record Building, St. Augustine Waterworks, 32 Granada St., 307 Minorca Ave. On March 17, 2022, the City designated 2 Tremerton Pl. at the request of the property owner.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting
August 2, 2022

The Planning and Zoning Board met in formal session Tuesday, August 2, 2022, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Grant Misterly, Chairperson and the following were present:

1. Roll Call:

Grant Misterly, Chairperson
Mike Davis, Vice- Chairperson
Jon DePreter
Carl Blow
Charles Pappas
Christina Griggs

Absent: Sarah Ryan, excused

City Staff:
Amy Skinner, Director, Planning & Building Department
Jacob Fredriksson, Planning & Building Planner
Isabelle Lopez, City Attorney
Elyse Wiemann, Recording Secretary

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2. General Public hearings for Items Not on the Agenda

BJ Kalaidi

3. Approval of Minutes

Mr. Blow asked for clarification regarding the motion on page seven.

Mr. DePreter clarified the motion for Item 6(d) was referenced under Item 4(a).

Ms. Wiemann noted that was accurate but would clarify for notability.

MOTION

Mr. Pappas MOVED to APPROVED the June 7, 2022 minutes with the above changes. The motion was SECONDED by Mr. DePreter and APPROVED by UNANIMOUSLY VOICE VOTE.

Ms. Skinner announced Item 4(a) needed to be postponed and suggested moving the item to after Item 6(a), as the applicant called and said he was running late but would be in attendance. She noted item 7(g), 0 Seminole Drive had been withdrawn by the applicant.

MOTION

Mr. DePreter MOVED to move Item 4(a) to after Item 6(a). The Motion was SECONDED by Mr. Blow and APPROVED by UNANIMOUSLY VOICE VOTE.

Mr. DePreter MOVED to withdraw the applicant's request for Item 7(g). The Motion was SECONED by Mr. Blow.

Mr. Blow asked if this were to return to the PZB, would it be a new application.

Ms. Lopez replied in the affirmative and advised the motion was not needed as the applicant withdrew the application.

4. Preliminary Plat Approval

Item heard after Item 6(a).

4. (a) 2022-0040 James G. Whitehouse, Esq. – Applicant c/o St. Johns Law Group

Mr. Misterly said the "ask" was optimistic, but ultimately it was a property in downtown St. Augustine and money had to come into play somewhere. He said he did not understand the benefit or how it made sense.

Mr. Hilburn noted property taxes would be paid as they would not own the building. He said the membership would not be ten dollars and money would have to be made. He said at the next layer, the Board could add conditions. He said it was not a bad idea to have a non-profit in the area but if there were things about the non-profit that the Board did not like it could be determined at the next step when the Use-by-Exception was discussed. He said the Board should have options and they were asking to keep the options open.

Ms. Lopez said there was nothing stopping them from moving forward and the Board could ask for a different definition which could have more qualifiers for a private club. She said this would be a way for Staff to work on the Boards concerns thoroughly.

Mr. Misterly asked if they were allowed to designate someone on the Board to review and work out the issues before the entire Board reviewed it again.

Ms. Lopez replied in the affirmative.

There was Board consensus for the item to be brought back to the Board after further review by City staff and Mr. Blow.

b. Planning and Zoning Board discussion related to potential code amendments pertaining to Historic Preservation and the issue of partial demolition.

Ms. Skinner provided a brief overview regarding the topic and said the draft had the amended language which defined partial demolition and, Julie Courtney, Historic Preservation Officer, was available to answer any questions.

Mr. Misterly said the City did a great job addressing a lot of his concerns and felt this was better for homeowners. He said the City clarified the intent that historic homes should be built back with visual aesthetics only and should be similar to what was. He said the main concern was to have the homes keep the visual historic character. He noted he was pleased with several items that had been added.

Mr. Blow felt Mr. Misterly made a tremendous effort to help protect the property rights of homeowners.

Mr. DePreter asked if this did not apply to every house, only the designated homes. He asked if this helped streamline the partial demolition as there would no longer be the need for fifty- year review on every house as these were designated.

Ms. Skinner said they sent out over 1,600 letters to regulated structures that were considered contributing in the National Register Historic District. She said it was now clearly defined. She said the criteria outlined five critical elements and were clearly defined for staff to review or at HARB.

Mr. Davis questioned page 8, section 10.

Ms. Lopez said they created a definition for "regulated structure" which was different than a historic structure and noted the definition for a regulated structure.

Mr. Davis said his confusion was where it stated, "in the event that HARB desires not to issue a demolition or partial demolition permit for a structure that it finds could meet the criteria for a historic landmark, the HARB shall initiate proceeding for designation of the structure as a historic landmark". He said that provided HARB the ability to start the process when the homeowner needed to make repairs or tear down the house.

Ms. Lopez explained those were for Local Landmarks. She said the Wisteria House across from City Hall was a Local Landmark,

and it met the elevated level of criteria that deemed it a Local Landmark. She said the intent was if it truly met the criteria, it could be a Local Landmark, which was the same as a National Landmark but at the local level and the same criteria was used.

Mr. Davis said it continued to say "no property shall be designated as a historic landmark without first providing the owner of the proposed historic landmark with notice and an opportunity to be heard in the same manner as that provided for a rezoning". He asked if that meant the application would come before the PZB.

Mr. Lopez replied no, it would only be heard at HARB. She said this was the way HARB designated local landmarks.

Mr. Davis stated if the owner disagreed, was the homeowner able to be heard by a different Board or did, they have to return to the same Board twice.

Ms. Lopez said it would be heard through an appeal.

Mr. Davis felt another Board needed to review it besides HARB.

Ms. Skinner noted this would open the option for tax credits.

Ms. Courtney said the Local Landmark designation for the Wisteria House was owner initiated to obtain an Ad Valorem Tax exemption. She said HARB had not pursued Local Landmarks actively as there were only five as of now.

Mr. Davis said was just trying to be cautious and wanted to safeguard the public to have the option to appeal to a higher Board.

Ms. Lopez noted as of now, HARB would make the decision and the appeal would be heard by the City Commission.

Mr. Davis said he did not want a government Board take away private property rights.

Ms. Lopez asked if the concern addressed for the first decision to be by HARB and then appealed at no charge to City Commission.

Mr. Davis replied in the affirmative.

Mr. Blow stated the fee for the appeal was minimal compared to the fees to obtain attorneys and experts for the appeal. He said if a HARB Board in the future deemed a home a local landmark and the City lost the appeal; the City should have to reimburse the applicants expenses.

Ms. Lopez stated she could include that when speaking to the City Commission but thought that could become pricy for the City.

Mr. Misterly asked if a home had been remodeled prior to this ordinance and after this were to pass, what era would be used for the placement.

Ms. Lopez noted the memo under new concepts item (c). She said the home would be evaluated in the era of the house and would be on a case-by-case basis.

Public comment was opened.

Melinda Rakoncay said there were many historic homes that needed to be saved regardless of how the owner felt. She was concerned with item ten on page 8, regarding total demolition, and understood the designation to save the home would need permission from the owner.

Ms. Courtney advised there was new State legislation effective July 1, 2022, and that was referred as House Bill 423, which significantly impacted the review of demolition for buildings that were in flood plains and below the flood level.

Ms. Lopez said this meant if the home qualified for complete demolition under the statue then the City was not allowed to designate it a local landmark, replacement review of the replacement structure. She

provided an example of what that would consist of.

Public comment was closed.

There was Board consensus to send the Ordinance to City Commission with the concerns mentioned by the Board.

9. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 7:55 P.M.[10]

Grant Misterly, Chairperson

[10] Transcribed by Elyse Wiemann

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: November 2, 2021

RE: **Other Business Item 8(a)**

Discussion and recommendation regarding an Ordinance to clarify Historic Architectural Review Board (HARB) demolition and partial demolition review applicability and procedures.

This memorandum is intended to summarize previous discussions related to and changes made to an Ordinance revising the demolition and partial-demolition language in the land development code, and adding an Addendum to the AGHP to clarify the review process for demolitions and partial demolitions.

The PZB discussed this issue at both their June 1, 2021 and October 5, 2021, meetings regarding the potential impacts of demolition and partial demolition within the City's historic neighborhoods. Code updates and clarifications were discussed including potential impacts on the historic integrity of the City's National Register Districts as demolitions and partial demolitions are carried out.

At the June 1st PZB meeting the PZB requested that staff conduct additional outreach and specifically mail information letters to the over 1600 property owners that may be affected by new legislation to require design review for the new construction after demolition or partial demolition outside of the local historic districts.

Since the June meeting, the City conducted several interviews, met with the chairs of the Neighborhood Association Council, developed material posted on the city website, and conducted three (3) workshops and/or webinars related to the subject. Additionally, the city did mail information directly to over 1600 property owners, and updated the HARB at their October 21st meeting. Staff has had very few inquiries from property owners.

As part of the review and adoption of the Historic Preservation Master Plan and the updated Historic Preservation Element of the Comprehensive Plan the HARB has been discussing the issue of demolition and partial demolition. The implications of demolition on historic preservation within the community and community character also came to light after the devastating hurricanes of 2016 and 2017, and a subsequent increase in requests for demolition, partial demolition, and relocations of structures.

Over a 5-year period from November 2017 to current 93 demolition permits were issued by the Planning and Building Department. The permits totaled an estimated $878,569.00 in value. Of the 93 permits 61 were in existing National Register Districts or in potential districts in the Davis Shores area and West City. Fully 66% of the demolition permits issued were in an existing National Register District or a potential district area (See attached map).

The most demolition permits issued were in:

- Davis Shores (20),
- Lincolnville (12),
- the Town Plan (downtown) (12),
- West City (6),
- North City (5) and
- Model Land (3) and
- one (1) each in Abbott Tract, Fullerwood, and Nelmar National Register Districts

The concern for the City is the eventual loss of the historic character and integrity of these areas and the value of identity, and the local economy overall. It is an open question regarding the pace at which there will be an eventual degradation of the National Register Districts or other areas because of the loss of historic integrity.

During the November 19, 2020 HARB meeting the board provided direction to staff to continue articulating the proposed partial demolition review procedures focusing on critical building elements. There were five critical elements of the historic building envelope identified: **roofs, windows, exterior finishes, porches/balconies/stoops, and foundations**. The HARB gave feedback on which items could be considered for administrative approval and which items should require HARB approval.

The direction to staff was to include graphics and examples so that the review procedure would be clear to the public, staff, and applicants alike. This document was provided to the PZB. The goal was to encourage historic property owners to choose the path of rehabilitation and restoration of original features first and compatible new elements second. This work culminated in an Addendum document to the AGHP which is intended to provide clarity and be adopted by the City Commission. Since the October PZB meeting this addendum has been revised to try to make the application of the code in the document clearer. The revised document is attached and includes:

- A National Historic Register District map;
- A list of exempted work to identify exterior/site elements not subject to review, construction work exempted because the scope of work maintains the design and character of the feature(s) regardless of material, and a list of neighborhoods that are not impacted;
- A decision tree that generally follows the review process;
- Page headers to emphasize the main objectives on the page;
- The "next steps" reformatted and the text revised to read as a checklist;

- A brief explanation of the historic property tax exemption criteria;
- Staff approval for work within the building envelope 5 critical elements expanded to include repair/replacement of a feature when the overall design and character is maintained, regardless of material; and
- A description of the historic property tax exemption added to the key terms page.

To be enforceable, changes to the city code are also required. The proposed Ordinance was also reviewed by the PZB in October. The PZB did express some concerns related to "architectural" review of structures outside of the local historic districts. The PZB did acknowledge that it values maintaining the integrity of the seven (7) National Register Districts, and understands the critical nature of maintaining certain architectural integrity thresholds within the federally designated National Register Districts.

The PZB recognized the difficulty in administering historic preservation concepts, such as, character, texture, materials, patterns, and similar context when it comes to rehabilitating structures without guidelines. The PZB asked for more clarity, possible incentives, available information and completed surveys to identify contributing properties or properties that have potential to be contributing be more accessible to the public, and the need to better define partial demolition.

The revised Ordinance is attached including the additional changes indicated in blue. A definition of partial demolition and historic structure have been added, and other changes have been made to try to clarify requirements of the code.

As proposed:

- The full demolition of all structures 50 years old or older will still require review by HARB;
- Partial demolition is defined, and the process clarified for defined historic structures, approvals based on the nature of the work are outlined for staff and for HARB, and partial demolitions are not subject to the 30 day waiting period;
- Replacement work is reviewed for certain defined properties, but defined by the Addendum to help address compatibility, and maintaining historic character and integrity; and
- The extent of potential partial demolitions that can be anticipated allowing for "rehabilitation plans" that can be prepared to streamline the review by HARB so that a project is only reviewed once by HARB, but outlines a course of action if the scope of work changes based on the condition of the structure once work commences.

Staff recognizes that this item has been discussed extensively by HARB. The PZB is set to provide additional discussion at their regularly scheduled meeting Tuesday, November 2, 2021. Updated materials based on PZB's discussion will be provided to the boards and the public prior to the PZB's November meeting. Staff will continue to provide as much information on the city's website and make information accessible and available to the public as requested.

Additionally, the AGHP is in the process of being updated and can be revised to include additional information as it becomes more clear, and available over the next year.

Thank you for your attention to this matter. If you have any questions, please call Julie Courtney at (904) 209-4283 or email at jcourtney@citystaug.com or myself at (904) 209-4320 or email at askinner@citystaug.com.

Amy McClure Skinner, AICP
Deputy Director
Planning and Building Department

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: October 5, 2021

RE: **Other Business Item 8(a)**

Discussion and recommendation regarding an Ordinance to clarify Historic Architectural Review Board (HARB) demolition and partial demolition review applicability and procedures.

At the June 1, 2021, Planning and Zoning Board (PZB) meeting a discussion was held regarding potential impacts of demolition and partial demolition within the City's historic neighborhoods. Code updates and clarifications were discussed including potential impacts on the historic integrity of the City's National Register Districts as demolitions and partial demolitions are carried out.

The PZB requested that staff conduct additional outreach and specifically mail information letters to the over 1600 property owners that may be affected by new legislation to require design review for the new construction after demolition of contributing properties outside of the local historic districts.

Since June the City has conducted several interviews, met with the chairs of the Neighborhood Association Council, developed material posted on the city website, and conducted three (3) workshops and/or webinars related to the subject. Additionally, the city did mail information directly to over 1600 property owners. The letter and information sent is attached for your information.

Over the last few years as part of the review and adoption of the Historic Preservation Master Plan and the updated Historic Preservation Element of the Comprehensive Plan the Historic Architectural Review Board (HARB) has been discussing the issue of demolition and partial demolition. The implications of demolition on historic preservation within the community and community character also came to light after the devastating hurricanes of 2016 and 2017, and a subsequent increase in requests for demolition, partial demolition, and relocations of structures.

During the November 19, 2020 Historic Architectural Review Board (HARB) meeting the board provided direction to staff to continue articulating the proposed partial demolition review procedures focusing on critical building elements. There were five critical elements of the historic building envelope identified: roofs, windows, exterior finishes, porches/balconies/stoops, and foundations. The HARB gave feedback on which items could be considered for administrative approval and which items should require HARB approval.

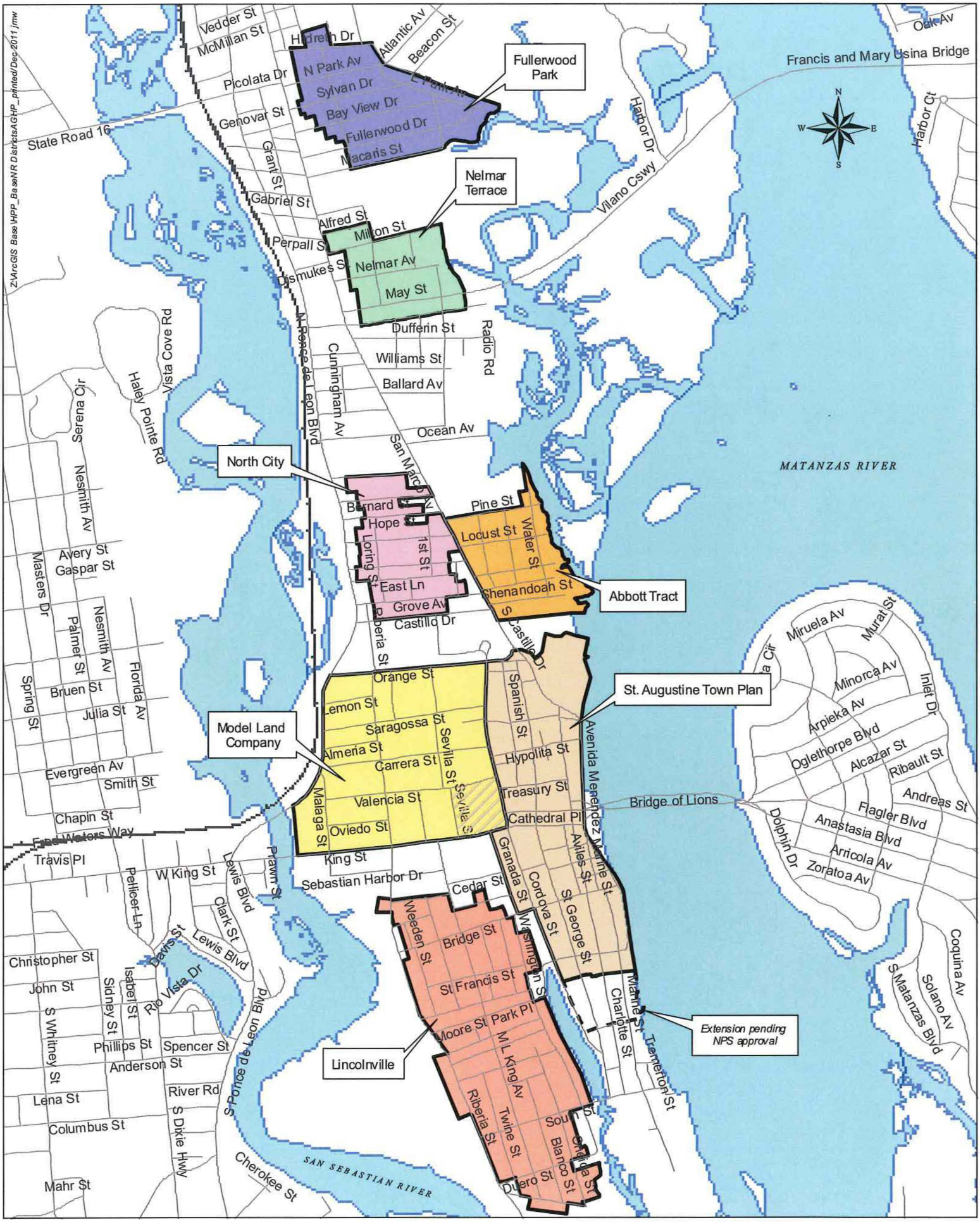
The direction to staff was to include graphics and examples so that the review procedure would be clear to the public, staff, and applicants alike. The goal was to encourage historic property owners to choose the path of rehabilitation and restoration of original features first and compatible new elements second. This work culminated in the attached document which is intended to provide clarity and be adopted as an Exhibit to the attached proposed Ordinance. The information related to the five (5) important elements would be adopted as an Addendum to the existing Architectural Guidelines for Historic Preservation (AGHP).

To be enforceable, changes to the city code are also required. The proposed Ordinance includes these required changes to Chapter 28. The PZB can review the proposed changes in a redline format that shows insertions and changes, as well as, deletions to the text of Sections 28-89 and 28-90. The AGHP Addendum is also attached to the Ordinance as Exhibit "A".

This item has been discussed extensively by HARB. The proposed revisions are based on HARB's recommendations and direction to staff. Staff respectfully requests a recommendation from the PZB to the City Commission regarding this Ordinance.

Thank you for your attention to this matter. If you have any questions, please call Jenny Wolfe, Historic Preservation Officer at (904) 209-4326 or email at jwolfe@citystaug.com or myself at (904) 209-4320 or email at askinner@citystaug.com.

_____
Amy McClure Skinner, AICP
Deputy Director
Planning and Building Department



St. Augustine National Register Historic Districts

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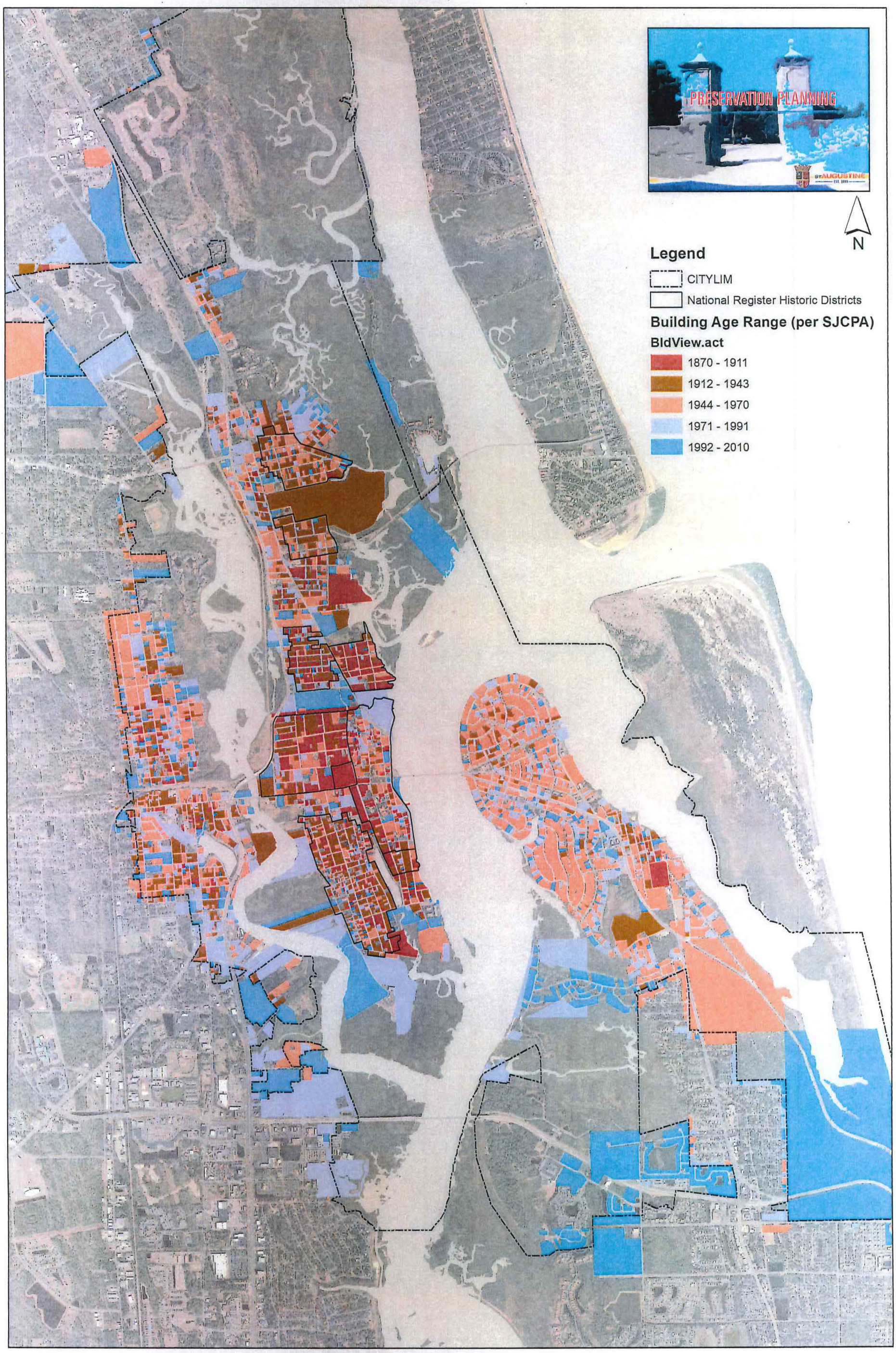


City of St. Augustine
PLANNING AND BUILDING DEPARTMENT
P.O. Box 210, St. Augustine, FL 32085 Phone: (904) 825-1065

COMMUNITY CHARACTER ANALYSIS
BUILDING PATTERNS AND NRHD

SHEET
1 of 4

This content is from the eCFR and is authoritative but unofficial.

Displaying title 36, up to date as of 6/16/2023. Title 36 was last amended 6/05/2023.

Title 36 —Parks, Forests, and Public Property
Chapter I —National Park Service, Department of the Interior
Part 67 —Historic Preservation Certifications Under the Internal Revenue Code

EDITORIAL NOTE ON PART 67

Editorial Note: Nomenclature changes to part 67 appear at 76 FR 30541, May 26, 2011.

§ 67.5 Standards for evaluating significance within registered historic districts.

(a) Properties located within registered historic districts are reviewed by the Secretary to determine if they contribute to the historic significance of the district by applying the following Standards for Evaluating Significance within Registered Historic Districts.

(1) A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling and association adds to the district's sense of time and place and historical development.

(2) A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

(3) Ordinarily buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old.

(b) A condemnation order may be presented as evidence of physical deterioration of a building but will not of itself be considered sufficient evidence to warrant certification of nonsignificance for loss of integrity. In certain cases it may be necessary for the owner to submit a structural engineer's report to help substantiate physical deterioration and/or structural damage. Guidance on preparing a structural engineer's report is available from the appropriate SHPO or NPS WASO.

(c) Some properties listed in the National Register, primarily districts, are resources whose concentration or continuity possesses greater historical significance than many of their individual component buildings and structures. These usually are documented as a group rather than individually. Accordingly, this type of National Register documentation is not conclusive for the purposes of this part and must be supplemented with information on the significance of the specific property. Certifications of significance and nonsignificance will be made on the basis of the application documentation, existing National Register documentation, and other available information as needed. The Keeper may amend the National Register documentation by issuing a supplementary record if the application material warrants such an amendment. If a certification request is received for a property which is not yet listed on the National Register or which is outside a district's established period or area of significance, a preliminary determination of significance will be issued only if the request includes adequate documentation and if there is written assurance from the SHPO that the SHPO plans to nominate the property or district or that the district nomination in question is being revised to expand its significance or for certified districts, written assurance from the duly authorized representative that the district documentation is being revised to expand the significance. Certifications will become final when the property or district is listed or when the district documentation is officially amended unless the significance of the property has been lost as a result of alteration or damage. For procedures on amending listings to the National Register and additional information on the use of National Register documentation and the supplementary record which is contained in National Register Bulletin 19, “Policies and Procedures for Processing National Register Nominations,” consult the appropriate SHPO or NPS WASO.

(d) Where rehabilitation credits are sought, certifications of significance will be made on the appearance and condition of the property before rehabilitation was begun.

(e) If a nonhistoric surface material obscures a facade, it may be necessary for the owner to remove a portion of the surface material prior to requesting certification so that a determination of significance or nonsignificance can be made. After the material has been removed, if the obscured facade has retained substantial historic integrity and the property otherwise contributes to the historic district, it will be determined to be a certified historic structure. However, if the obscuring material remains when a determination of nonsignificance is requested under § 67.4(a)(2), the property will be presumed to contribute to the historic significance of the district, if otherwise qualified, and, therefore, not eligible for the other tax credits under section 47 of the Internal Revenue Code.

(f) Additional guidance on certifications of historic significance is available from SHPOs and NPS WASO.

National Park Service

National Historic Landmarks

Glossary

Glossary of Terms

Criteria & Historic Context

Historic Integrity

Historic integrity is the ability of a property to convey its historical associations or attributes. While the NHL and National Register of Historic Places (NR) programs use the same seven aspects of integrity to evaluate properties (location, setting, design, materials, workmanship, feeling, and association) NHLs must retain them to a *higher degree* than required for NR listing. If the resource has been more than modestly modified or deteriorated since its period of national significance, it may meet the NR threshold for integrity, but not the higher NHL standard.

Location: Location is the place where the historic property was constructed or the place where the historic event occurred. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons.

Setting: Setting is the physical environment of a historic property. It refers to the historic character of the place in which the property played its historical role. It involves how, not just where, the property is situated and its historical relationship to surrounding features and open space. The physical features that constitute the historic setting of a historic property can be either natural or manmade and include such elements as topographic features, vegetation, simple manmade paths or fences, and the relationships between buildings and other features or open spaces.

Design: Design is the combination of elements that create the historic form, plan, space, structure, and style of a property. This includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. Design can also apply to districts and to the historic way in which the buildings, sites, or structures are related. Examples include spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

Materials: Materials are the physical elements that were combined or deposited during a particular period of time and in a

particular pattern or configuration to form a historic property. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a re-creation; a property whose historic features have been lost and then reconstructed is usually not eligible.

Workmanship: Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. It may be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in precontact contexts include Paleo-Indian Clovis points, Archaic period beveled adzes, Hopewellian worked bone pendants, and Iroquoian effigy pipes.

Feeling: Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district which retains its original design, materials, workmanship, and setting will relate the feeling of agricultural life in the nineteenth century.

Association: Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Therefore, a property where a nationally significant person carried out the action or work for which they are nationally significant is preferable to the place where they returned to only sleep, eat, or spend their leisure time. Like feeling, association requires the presence of physical features that convey a property's historic character.

Significance

Resource Types

Archeological Properties

Property Description

Sources and Citations

Other Terms

Last updated: August 29, 2018

Was this page helpful?

NATIONAL REGISTER BULLETIN

Technical information on the the National Register of Historic Places: survey, evaluation, registration, and preservation of cultural resources

U.S. Department of the Interior
National Park Service
Cultural Resources
National Register, History and Education

How to Apply the National Register Criteria for Evaluation

II. THE NATIONAL REGISTER CRITERIA FOR EVALUATION

CRITERIA FOR EVALUATION:[3]

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

A. That are associated with events that have made a significant contribution to the broad patterns of our history; or

B. That are associated with the lives of persons significant in our past; or

C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. That have yielded, or may be likely to yield, information important in prehistory or history.

CRITERIA CONSIDERATIONS:

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties *will qualify* if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

b. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

c. A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or

d. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

g. A property achieving significance within the past 50 years if it is of exceptional importance.

[3]The Criteria for Evaluation are found in the *Code of Federal Regulations, Title 36, Part 60,* and are reprinted here in full.

IV. HOW TO DEFINE CATEGORIES OF HISTORIC PROPERTIES

The National Register of Historic Places includes significant properties, classified as buildings, sites, districts, structures, or objects. It is not used to list intangible values, except in so far as they are associated with or reflected by historic properties. The National Register does not list cultural events, or skilled or talented individuals, as is done in some countries. Rather, the National Register is oriented to recognizing physically concrete properties that are relatively fixed in location.

For purposes of National Register nominations, small groups of properties are listed under a single category, using the primary resource. For example, a city hall and fountain would be categorized by the city hall (building), a farmhouse with two outbuildings would be categorized by the farmhouse (building), and a city park with a gazebo would be categorized by the park (site). Properties with large acreage or a number of resources are usually considered districts. Common sense and reason should dictate the selection of categories.

BUILDING

A building, such as a house, barn, church, hotel, or similar construction, is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

Buildings eligible for the National Register must include all of their basic structural elements. Parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. The whole building must be considered, and its significant features must be identified.

If a building has lost any of its basic structural elements, it is usually considered a "ruin" and is categorized as a site.

Examples of buildings include:

administration building
carriage house
church
city or town hall
courthouse
detached kitchen, barn, and privy
dormitory
fort
garage
hotel
house
library
mill building
office building
post office
school
social hall
shed
stable
store
theater
train station

STRUCTURE

The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter.

Structures nominated to the National Register must include all of the extant basic structural elements. Parts of structures can not be considered eligible if the whole structure remains. For example, a truss bridge is composed of the metal or wooden truss, the abutments, and supporting piers, all of which, if extant, must be included when considering the property for eligibility.

If a structure has lost its historic configuration or pattern of organization through deterioration or demolition, it is usually considered a "ruin" and is categorized as a site.

Examples of structures include:

aircraft
apiary
automobile
bandstand
boats and ships
bridge
cairn
canal
carousel
corncrib
dam
earthwork
fence
gazebo
grain elevator
highway
irrigation system
kiln
lighthouse
railroad grade
silo
trolley car
tunnel
windmill

OBJECT

The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment.

Small objects not designed for a specific location are normally not eligible. Such works include transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place.

Objects should be in a setting appropriate to their significant historic use, roles, or character. Objects relocated to a museum are inappropriate for listing in the National Register.

Examples of objects include:

boundary marker
fountain
milepost
monument
scupture
statuary

SITE

A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.

A site can possess associative significance or information potential or both, and can be significant under any or all of the four criteria. A site need not be marked by physical remains if it is the location of a prehistoric or historic event or pattern of events and if no buildings, structures, or objects marked it at the time of the events. However, when the location of a prehistoric or historic event cannot be conclusively determined because no other cultural materials were present or survive, documentation must be carefully evaluated to determine whether the traditionally recognized or identified site is accurate.

A site may be a natural landmark strongly associated with significant prehistoric or historic events or patterns of events, if the significance of the natural feature is well documented through scholarly research. Generally, though, the National Register excludes from the definition of "site" natural waterways or bodies of water that served as determinants in the location of communities or were significant in the locality's subsequent economic development. While they may have been "avenues of exploration," the features most appropriate to document this significance are the properties built in association with the waterways.

Examples of sites include:

battlefield
campsite
cemeteries significant for information potential or historic association
ceremonial site
designed landscape
habitation site
natural feature (such as a rock formation) having cultural significance
petroglyph
rock carving
rock shelter
ruins of a building or structure
shipwreck
trail
village site

DISTRICT

A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

CONCENTRATION, LINKAGE, & CONTINUITY OF FEATURES

A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. For example, a district can reflect one principal activity, such as a mill or a ranch, or it can encompass several interrelated activities, such as an area that includes industrial, residential, or commercial buildings, sites, structures, or objects. A district can also be a grouping of archeological sites related primarily by their common components; these types of districts often will not visually represent a specific historic environment.

SIGNIFICANCE

A district must be significant, as well as being an identifiable entity. It must be important for historical, architectural, archeological, engineering, or cultural values. Therefore, districts that are significant will usually meet the last portion of Criterion C plus Criterion A, Criterion B, other portions of Criterion C, or Criterion D.

TYPES OF FEATURES

A district can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. It may even be considered eligible if all of the components lack individual distinction, provided that the grouping achieves significance as a whole within its historic context. In either case, the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole.

A district can contain buildings, structures, sites, objects, or open spaces that do not contribute to the significance of the district. The number of noncontributing properties a district can contain yet still convey its sense of time and place and historical development depends on how these properties affect the district's integrity. In archeological districts, the primary factor to be considered is the effect of any disturbances on the information potential of the district as a whole.

GEOGRAPHICAL BOUNDARIES

A district must be a definable geographic area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations. It is seldom defined, however, by the limits of current parcels of ownership, management, or planning boundaries. The boundaries must be based upon a shared relationship among the properties constituting the district.

DISCONTIGUOUS DISTRICTS

A district is usually a single geographic area of contiguous historic properties; however, a district can also be composed of two or more definable significant areas separated by nonsignificant areas. A discontiguous district is most appropriate where:

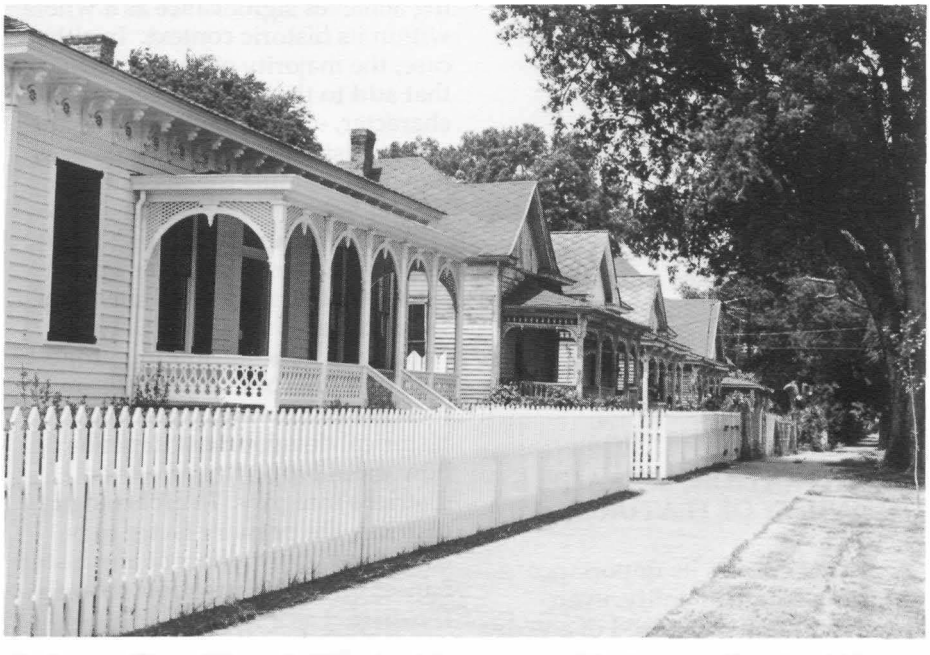
- Elements are spatially discrete;
- Space between the elements is not related to the significance of the district; and
- Visual continuity is not a factor in the significance.

In addition, a canal can be treated as a discontiguous district when the system consists of man-made sections of canal interspersed with sections of river navigation. For scattered archeological properties, a discontiguous district is appropriate when the deposits are related to each other through cultural affiliation, period of use, or site type.

It is not appropriate to use the discontiguous district format to include an isolated resource or small group of resources which were once connected to the district, but have since been separated either through demolition or new construction. For example, do not use the discontiguous district format to nominate individual buildings of a downtown commerical district that have become isolated through demolition.

Examples of districts iE,[;lude:

business districts
canal systems
groups of habitation sites
college campuses
estates and farms with large acreage/ numerous properties
industrial complexes
irrigation systems
residential areas
rural villages
transportation networks
rural historic districts



Ordeman-Shaw Historic District, *Montgomery, Montgomery County, Alabama. Historic districts derive their identity from the interrationship of their resources. Part of the defining characteristics of this 19th century residential district in Montgomery, Alabama, is found in the rhythmic pattern of the rows of decorative porches. (Frank L. Thiermonge, III)*

VIII. HOW TO EVALUATE THE INTEGRITY OF A PROPERTY

INTRODUCTION

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance.

Historic properties either retain integrity (this is, convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity.

To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining *which* of these aspects are most important to a particular property requires knowing why, where, and when the property is significant. The following sections define the seven aspects and explain how they combine to produce integrity.

SEVEN ASPECTS OF INTEGRITY

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association

UNDERSTANDING THE ASPECTS OF INTEGRITY

LOCATION

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved. (See Criteria Consideration B in *Part VII: How to Apply the Criteria Considerations*, for the conditions under which a moved property can be eligible.)

DESIGN

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.

A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

SETTING

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the *character* of the place in which the property played its historical role. It involves *how*, not just where, the property is situated and its relationship to surrounding features and open space.

Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences.

The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings*. This is particularly important for districts.

MATERIALS

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place.

A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible. (See Criteria Consideration E in *Part VII: How to Apply the Criteria Considerations* for the conditions under which a reconstructed property can be eligible.)

WORKMANSHIP

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques.

Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in prehistoric contexts include Paleo-Indian clovis projectile points; Archaic period beveled adzes; Hopewellian birdstone pipes; copper earspools and worked bone pendants; and Iroquoian effigy pipes.

FEELING

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

ASSOCIATION

Association is the direct link between an important historic event or person and a historic property. A property retains association if it *is* the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle.

Because feeling and association depend on individual perceptions, their retention *alone* is never sufficient to support eligibility of a property for the National Register.

ASSESSING INTEGRITY IN PROPERTIES

Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established can you proceed to the issue of integrity.

The steps in assessing integrity are:

- Define the **essential physical features** that must be present for a property to represent its significance.
- Determine whether the **essential physical features are visible** enough to convey their significance.
- Determine whether the property needs to be **compared with similar properties.** And,
- Determine, based on the significance and essential physical features, **which aspects of integrity** are particularly vital to the property being nominated and if they are present.

Ultimately, the question of integrity is answered by whether or not the property retains the **identity** for which it is significant.

DEFINING THE ESSENTIAL PHYSICAL FEATURES

All properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity. The essential physical features are those features that define both *why* a property is significant (Applicable Criteria and Areas of Significance) and *when* it was significant (Periods of Significance). They are the features without which a property can no longer be identified as, for instance, a late 19th century dairy barn or an early 20th century commercial district.

CRITERIA A AND B

A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s). If the property is a site (such as a treaty site) where there are no material cultural remains, the setting must be intact.

Archeological sites eligible under Criteria A and B must be in overall good condition with excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to convey important associations with events or persons.

CRITERION C

A property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique. A property that has lost some historic materials or details can be eligible *if* it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.

Archeological sites eligible under Criterion C must be in overall good condition with excellent preservation of features, artifacts, and spatial relationships to the extent that these remains are able to illustrate a site type, time period, method of construction, or work of a master.

CRITERION D

For properties eligible under Criterion D, including archeological sites and standing structures studied for their information potential, less attention is given to their overall condition, than it they were being considered under Criteria A, B, or C. Archeological sites, in particular, do not exist today exactly as they were formed. There are always cultural and natural processes that alter the deposited materials and their spatial relationships.

For properties eligible under Criterion D, integrity is based upon the property's potential to yield specific data that addresses important research questions, such as those identified in the historic context documentation in the Statewide Comprehensive Preservation Plan or in the research design for projects meeting the *Secretary of the Interior's Standards for Archeological Documentation.*

INTERIORS

Some historic buildings are virtually defined by their exteriors, and their contribution to the built environment can be appreciated even if their interiors are not accessible. Examples of this would include early examples of steel-framed skyscraper construction. The great advance in American technology and engineering made by these buildings can be read from the outside. The change in American popular taste during the 19th century, from the symmetry and simplicity of architectural styles based on classical precedents, to the expressions of High Victorian styles, with their combination of textures, colors, and asymmetrical forms, is readily apparent from the exteriors of these buildings.

Other buildings "are" interiors. The Cleveland Arcade, that soaring 19th century glass-covered shopping area, can only be appreciated from the inside. Other buildings in this category would be the great covered train sheds of the 19th century.

In some cases the loss of an interior will disqualify properties from listing in the National Register—a historic concert hall noted for the beauty of its auditorium and its fine acoustic qualities would be the type of property that if it were to lose its interior, it would lose its value as a historic resource. In other cases, the overarching significance of a property's exterior can overcome the adverse effect of the loss of an interior.

In borderline cases particular attention is paid to the significance of the property and the remaining historic features.

HISTORIC DISTRICTS

For a district to retain integrity as a whole, the majority of the components that make up the district's historic character must possess integrity even if they are individually undistinguished. In addition, the relationships among the district's components must be substantially unchanged since the period of significance.

When evaluating the impact of intrusions upon the district's integrity, take into consideration the relative number, size, scale, design, and location of the components that do not contribute to the significance. A district is not eligible if it contains so many alterations or new intrusions that it no longer conveys the sense of a historic environment.

A component of a district cannot contribute to the significance if:

- it has been substantially altered since the period of the district's significance *or*
- it does not share the historic associations of the district.

VISIBILITY OF PHYSICAL FEATURES

Properties eligible under Criteria A, B, and C must not only retain their essential physical features, but the features must be visible enough to convey their significance. This means that even if a property is physically intact, its integrity is questionable if its significant features are concealed under modern construction. Archeological properties are often the exception to this; by nature they usually do not require visible features to convey their significance.

The Window Workshop

by

AUSTIN Historical

Why Restore?

1. Authenticity
2. Longevity
3. Efficiency
4. Affordability

Window Lifespan

Replacement Windows……15-20 years

Historic Wood Windows……..~1,000 years

St Andrews Church UK
Built Pre-1066

Old Windows Are…

Drafty, leaky, energy hogs, noisy, they rattle, too hot, too cold

All About the Glass

“Replacing single-pane glass to reduce operational carbon emissions also means glass with a 1000-year lifetime is replaced by an IGU with a 25- to 30-year lifetime. Increased embodied carbon has been traded for reduced operational carbon emissions.”

- Helen Sanders, Ph.D. Surface Sciences

All About the Glass

“Replacing single-pane glass to reduce operational carbon emissions also means glass with a 1000-year lifetime is replaced by an IGU with a 25- to 30-year lifetime. Increased embodied carbon has been traded for reduced operational carbon emissions.”

- Helen Sanders, Ph.D. Surface Sciences

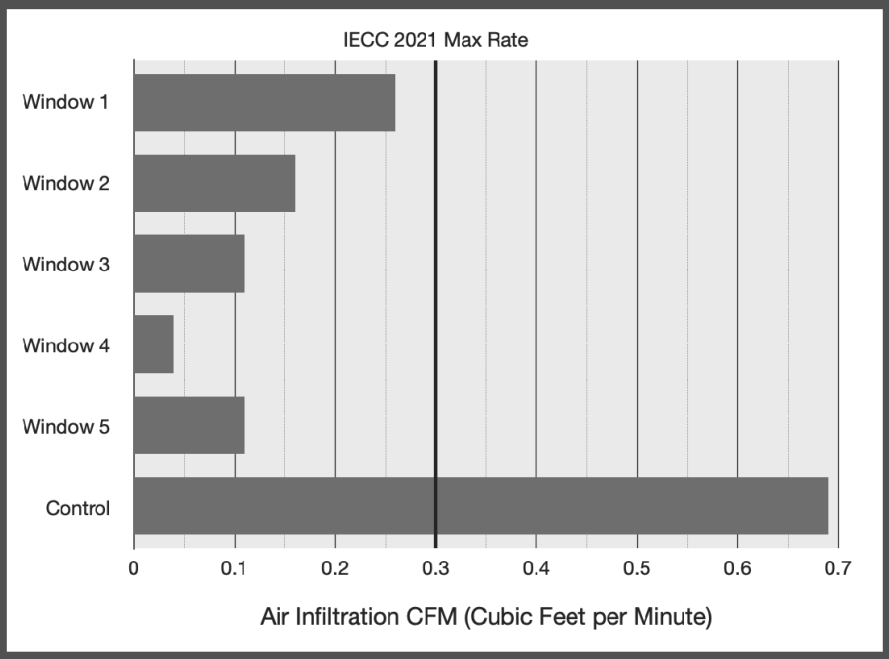
2021 IECC

International Energy Conservation Code

Section R402 4.3

"Windows, skylights and sliding glass doors shall have an air infiltration rate of not greater than 0.3 cfm per square foot (1.5 L/s/m2)"

Window Air Infiltration



Window 1: Restored, added exterior wood storm window, no weatherstripping .26

Window 2: Restored, added integrated metal weatherstripping, added exterior wood storm window with rubber gasket weatherstripping .16

Window 3: Restored, added integrated metal weatherstripping, added exterior metal storm product .11

Window 4: Restored, added rubber bulb weatherstripping to perimeter of sashes, no storm window .04

Window 5: Not restored, added site-made interior air panel (similar to interior storm window) .11

Control: Single-pane wood window .69

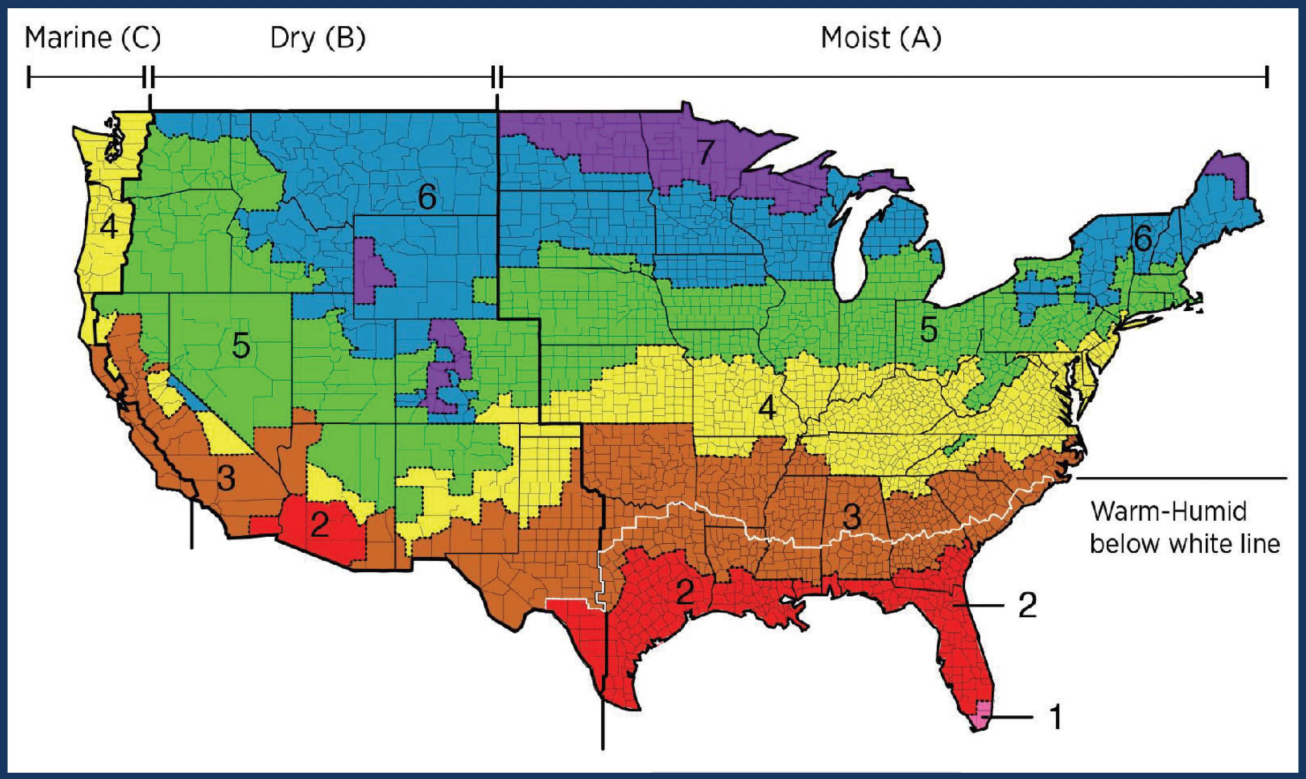


TABLE C402.4 BUILDING ENVELOPE FENESTRATION MAXIMUM *U*-FACTOR AND SHGC REQUIREMENTS

CLIMATE ZONE	1		2		3		4 EXCEPT MARINE		5 AND MARINE 4		6		7		8	
Vertical fenestration																
***U*-factor**																
Fixed fenestration	0.50		0.50		0.46		0.38		0.38		0.36		0.29		0.29	
Operable fenestration	0.65		0.65		0.60		0.45		0.45		0.43		0.37		0.37	
Entrance doors	1.10		0.83		0.77		0.77		0.77		0.77		0.77		0.77	
SHGC																
Orientation[a]	SEW	N	SEW	N	SEW	N	SEW	N	SEW	N	SEW	N	SEW	N	SEW	N
PF < 0.2	0.25	0.33	0.25	0.33	0.25	0.33	0.40	0.53	0.40	0.53	0.40	0.53	0.45	NR	0.45	N
0.2 ≤ PF < 0.5	0.30	0.37	0.30	0.37	0.30	0.37	0.48	0.58	0.48	0.58	0.48	0.58	NR	NR	NR	NR
PF ≥ 0.5	0.40	0.40	0.40	0.40	0.40	0.40	0.64	0.64	0.64	0.64	0.64	0.64	NR	NR	NR	NR
Skylights																
U-factor	0.75		0.65		0.55		0.50		0.50		0.50		0.50		0.50	
SHGC	0.35		0.35		0.35		0.40		0.40		0.40		NR		NR	

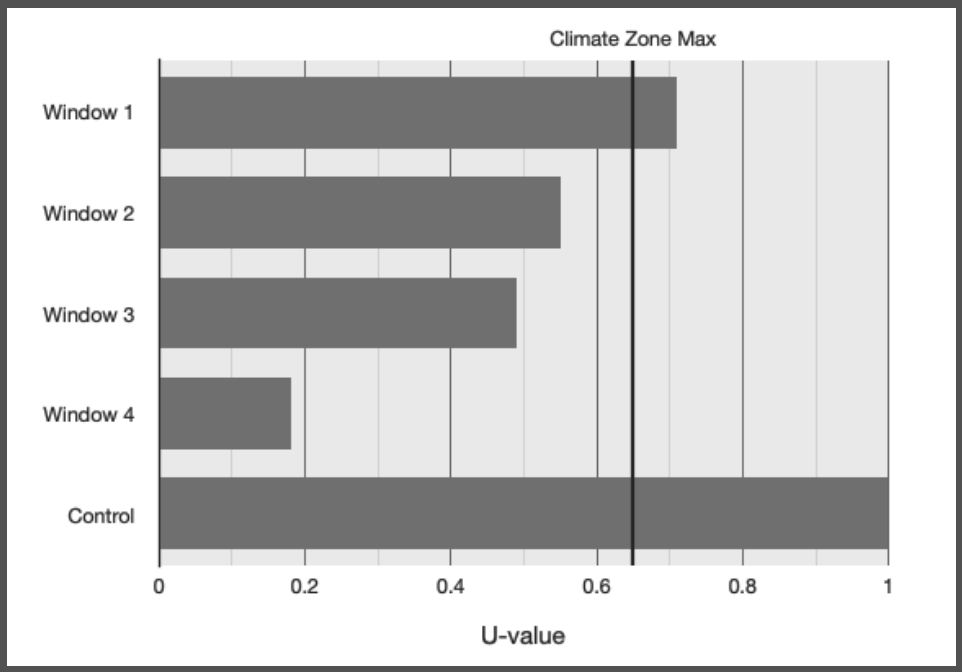
NR = No requirement, PF = Projection factor.

a. "N" indicates vertical fenestration oriented within 45 degrees of true north. "SEW" indicates orientations other than "N." For buildings in the southern hemisphere, reverse south and north. Buildings located at less than 23.5 degrees latitude shall use SEW for all orientations.

Window Rating Factors

1. U-Factor
2. SHGC (Solar Heat Gain Coefficient)
3. VT (Visible Transmittance)

Window U-Factor



Window 1: Hull Historical 100-year window single-pane wood window .71

Window 2: Single-pane historic wood window + Indow (standard grade) .55

Window 3: Single-pane historic wood window + exterior wood storm .49

Window 4: Single-pane historic wood window retrofit with Pilkington Spacia .18

Control: Single-pane wood window 1

Life Cycle Assessment

A framework to quantify the environmental impacts of a product or service across all stages of its life cycle.

Environmental Product Declaration (EPD)

Transparently communicates the environmental performance or impact of any product or material over its lifetime.

	Relative to Single Pane		Relative to Typical Alternative			
			Replacement		New Construction	
Official Savings Statements:	Choose ENERGY STAR® and save **[insert $ or Btu]** a year when replacing single pane windows		Choose ENERGY STAR® and save **[insert $ or Btu]** a year over double pane, clear glass replacement windows		Choose ENERGY STAR® and save **[insert $ or Btu]** a year over double pane, clear glass windows in new construction	
REGION	Utility Dollars	Btu (millions)	Utility Dollars	Btu (millions)	Utility Dollars	Btu (millions)
California	$125	9.9	$20	0.3	$15	0.4
East North Central	$270	24.8	$60	4.7	$55	4.5
East South Central	$260	18.9	$45	2.4	$40	2.4
Florida	$150	6.1	$60	2.3	$55	2.2
Middle Atlantic	$300	21.8	$70	3.9	$65	3.8
Mountain	$295	24.5	$50	2.9	$45	2.7
New England	$340	23.5	$65	3.9	$65	3.8
Northwest	$285	30.9	$35	3.6	$35	3.5
South Atlantic	$325	20.1	$45	2.2	$45	2.2
West North Central	$290	25.1	$65	4.8	$60	4.6
West South Central	$210	12.5	$65	2.2	$60	2.1

Assumptions

- 2,000 SF home
- 20 windows @ 3'x5'

Savings

- $7.50 per window per year
- Total: $150 per year

ROI

- $650 per replacement window
- $650/$7.50 = ~86.6 years

https://www.google.com/url?sa=i&url=https%3A%2F%2Fnpplan.com%2Fparks-by-state%2Fmassachusetts-national-parks%2Fboston-national-historical-park-park-at-a-glance%2Fboston-national-historical-park-freedom-trail%2Fboston-national-historical-park-historic-sites%2Fboston-national-historical-park-paul-revere-house%2F&psig=AOvVaw0yK1W8Qsp67E81tDOX7QBw&ust=1648756597799000&source=images&cd=vfe&ved=0CAsQjRxqFwoTCJDo3Z7P7vYCFQAAAAAdAAAAABAD

Year	0	5	10	15	20	25	30	35	40	45	50	55	60	Total
Historic Wood Windows														
Waste (lbs)	47								47					**94 lbs**
Labor, Materials & Maintenance	**$22,400**	**$725**	**$2,500**	**$725**	**$2,500**	**$725**	**$2,500**	**$725**	**$25,124**	**$725**	**$2,500**	**$725**	**$2,500**	
Energy Savings*		-$560	-$560	-$560	-$560	-$560	-$560	-$560	-$560	-$560	-$560	-$560	-$560	**-$6,720**
Total	$22,400	$22,565	$24,505	$24,670	$26,610	$26,775	$28,715	$28,880	$53,444	$53,609	$55,549	$55,714	$57,654	**$57,654**
Vinyl Windows														
Waste (lbs)	1,170				1,140				1,140				1,140	**4,590 lbs**
Labor, Materials & Maintenance^	$10,500	$725	$725	$725	$11,550	$725	$725	$725	$12,705	$725	$725	$725	$13,976	
Energy Savings*		-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	**-$9,000**
Total	$10,500	$10,475	$10,450	$10,425	$21,225	$21,200	$21,175	$21,150	$33,105	$33,080	$33,055	$33,030	$46,256	**$46,256**
New Wood Windows														
Waste (lbs)	1,170				1,170				1,170				1,170	**4,680 lbs**
Labor, Materials & Maintenance^	$18,000	$725	$2,500	$725	$19,800	$725	$2,500	$725	$21,780	$725	$2,500	$725	$23,958	
Energy Savings*		-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	**-$9,000**
Total	$18,000	$17,975	$19,725	$19,700	$38,750	$38,725	$40,475	$40,450	$61,480	$61,455	$63,205	$63,180	$86,388	**$86,388**
Clad Windows														
Waste (lbs)	1,170				1,180				1,180				1,180	**4,710 lbs**
Labor, Materials & Maintenance^	$24,000	$725	$2,500	$725	$26,400	$725	$2,500	$725	$29,040	$725	$2,500	$725	$31,944	
Energy Savings*		-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	-$750	**-$9,000**
Total	$24,000	$23,975	$25,725	$25,700	$51,350	$51,325	$53,075	$53,050	$81,340	$81,315	$83,065	$83,040	$114,234	**$114,234**

^Replacement Costs Based on Angie'sList National Average Replacement Cost

*Energy Savings based on EnergyStar.gov

Replacement Window Assumptions: 20 windows 1-over-1 Double Hung Windows with double-paned glass, no trim replacement or painting.

Restoration Assumptions: 20 1-over-1 Double Hung Windows fully restored with new glazing putty and spring bronze weatherstripping, no trim replacement or painting.

Mainetance Assumptions: Caulk touch up every year for all windows, all windows except for vinyl full exterior repainting every 10 years.

Costs of Ownership (60 yrs.)

- Replacement Vinyl Windows – $46,256
- *Historic Wood Windows – $57,654*
- Replacement Wood Windows – $86,388
- Replacement Clad – $114,234

Safety

How many hurricanes did that glass make it through?

Insurance Savings

Insurance Savings

- Must upgrade EVERY opening (windows, doors, garage)
- Average savings of 60%-80% on homeowner's insurance
- Average cost of insurance in St. Johns County is around $3,000 depending on the house's value (from Clovered)
- Annual savings $2,100
- Savings after 5 years: $10,500

Impact Window Costs

- ~ $1,200 per window including installation (https://www.bobvila.com/articles/hurricane-windows-cost/ - average cost)
- Cost of replacing 20 windows = $24,000 (+ estimate around $8,000 for 1 garage door + 2 regular doors + installation = $6,000) = $30,0000

Total ROI

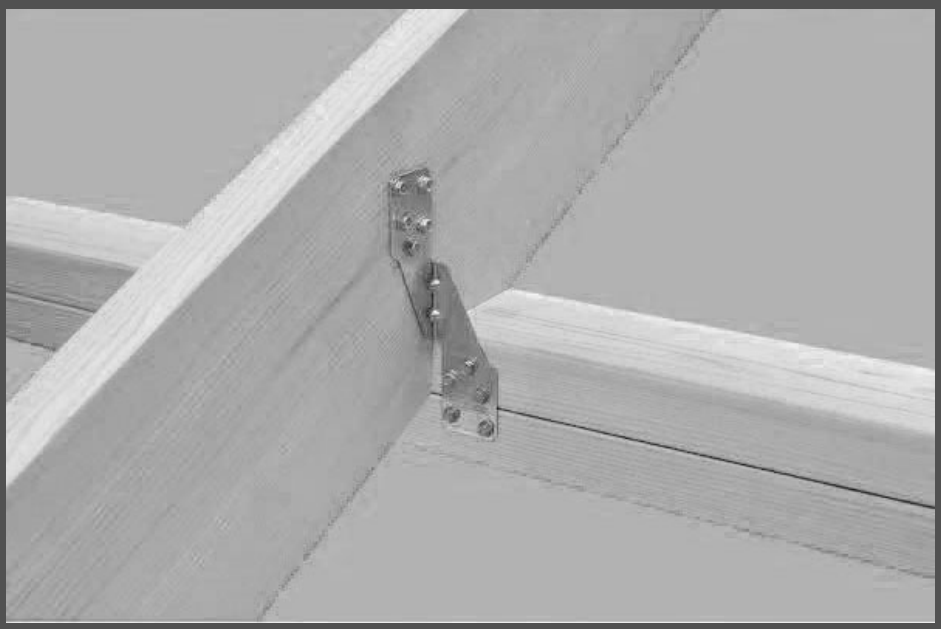
- Replacement Costs: $30,000
- Savings after 5 years: $10,500
- Return of Investment: ~ 14 years

How many windows do you have?

Better Alternatives

- Hurricane Clips (roof wind mitigation)
  - Cost ~$2,000
  - Savings 60% to 80%
  - ROI < 1 year

Installing these little clips on every rafter results in the **SAME** discount as all new impact rated windows!



Better Alternative - Hurricane Screens

ARMOR SCREEN HURRICANE PROTECTION

SCREEN PRICING

Job Name: Austin Historical				Larry Thomas (561) 822-7470 larry@armorscreen.com
Screen Number	Screen Location	Type of Screen	Screen Color	Total Screen(s) Price
Small	Window	Horizontal	Black	$325.00
Medium	Window	Horizontal	Black	$500.00
Large	Window	Horizontal	Black	$800.00
				Sub Total
TOTALS:	0			$1,625.00

Initial: _____

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: **Item 4(a)**

Review regarding the results of the recently conducted Parking Code Survey

This Special Meeting of the Planning and Zoning Board (PZB) provides an opportunity for the Board to discuss and eventually recommend the adoption of an Ordinance to update the city's existing parking code to be more consistent with the city's recently adopted Mobility Plan.

As suggested in April by the PZB the city relaunched the parking survey to specifically encourage businesses to discuss potential parking code updates and possible solutions and preferences regarding parking in the city. For all of those that took the time to participate in the survey it is greatly appreciated. The insight and feedback are extremely important.

The survey was available from Friday, May 5, 2023, through Sunday, May 28, 2023. This provided three (3) weeks for people to participate, **266** surveys were completed.

Attached you will find the results of the survey as shown by SurveyMonkey, and all the written comments provided by the participants. The written comments are inciteful and express a range of opinions including the need for parking for employees and businesses downtown, but also the recognition that there is a different need for tourists.

This item provides some thoughts and feedback from the survey participants for the PZB to consider and discuss and eventually help set the direction moving forward, but also to garner public comment, and provide an opportunity for staff to respond to any questions and concerns.

Thank you for your attention to this matter. If you have any questions, please call me at (904) 209-4320 or email at askinner@citystaug.com.

Amy McClure Skinner, AICP
Director
Planning and Building Department

In summary according to the responses:

- Most respondents (52%) live inside of the city limits of St. Augustine, 48% of the respondents live outside the city limits.

  This is a more even distribution than the first survey.

- Of those who participated living outside of the city limits 89% live in St. Johns County.

  The first survey participants were from a wider range of locations.

- Of those who participated 53% were business owners compared to only 7% in the first survey.

- What is lacking are:

  - Parking next to small businesses/restaurants (64%) [ranked #2 in previous survey]
  - Downtown parking lots (60%) [ranked #1 in previous survey]
  - Downtown street parking (59%) [ranked #3 in previous survey]
  - Downtown parking garage (56%) [ranked #4 (tied) in previous survey]
  - Satellite parking garage (41%) [ranked #4 (tied) in previous survey]

According to those who participated in the survey, parking lots should not be considered blight, and should be permitted, but they do contribute to increased congestion.

- Participants ranked transportation alternatives and indicated that they were willing to use the top three (3) in the same order of preference – riding a bike was considered a 4th place preference, but using a ride share was ranked as a 4th place alternative that they would actually use.

  - Satellite parking within walking distance to downtown (58% avg)
  - Satellite parking with direct shuttle drop-off (47% avg)
  - Satellite parking with an organized and timely circulator (50% avg)
  - Riding a bike (26% avg – ranked 4 out of 6)
  - Ride share (Uber/Lyft) (36% avg – ranked 6 out of 6)

This is the same rank order for the first four (4) alternatives as the respondents from the first survey. This seems to indicate that both sets of survey participant groups can see the value in providing satellite parking within walking distance, satellite parking with a shuttle service, and satellite parking with a circulator to and/or around the downtown.

Conclusions:

- On-street parking can be better controlled and managed to encourage timely turnover, notification, and encourage availability for ease and accessibility.
- Improvements can be made to direct people to available parking.
- Groups needing parking may need to be addressed with different solutions in different areas. Merchants, employees, and deliveries have different parking needs than tourists.
- Congestion is recognized as a problem.

Business Owner Input for Parking Code Update

Tuesday, May 30, 2023

Powered by SurveyMonkey

266

Total Responses

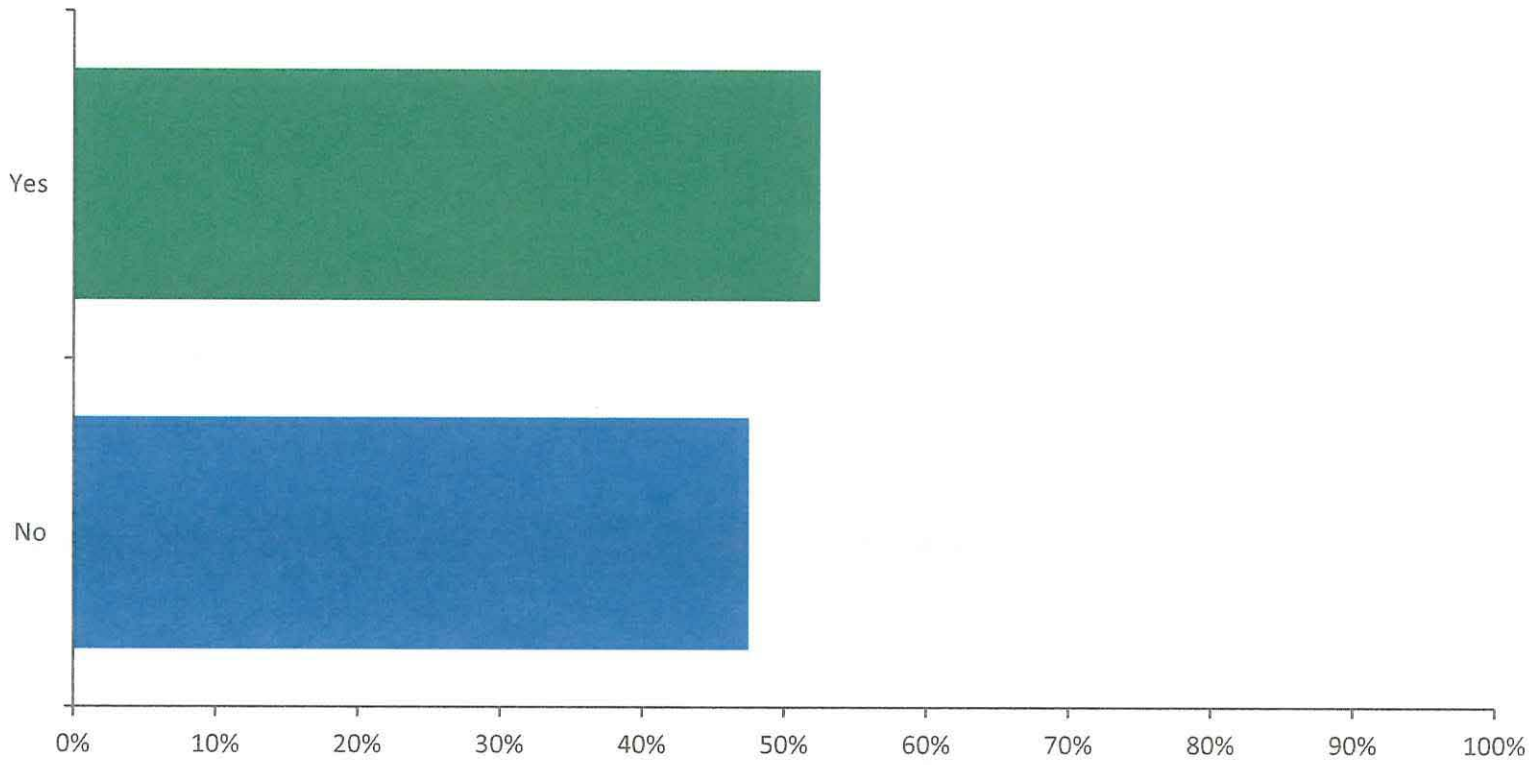
Date Created: Friday, May 05, 2023

Complete Responses: 266

Powered by SurveyMonkey

Q1: Do you live within the City Limits of St. Augustine

Answered: 261 Skipped: 5



Powered by SurveyMonkey

Q1: Do you live within the City Limits of St. Augustine

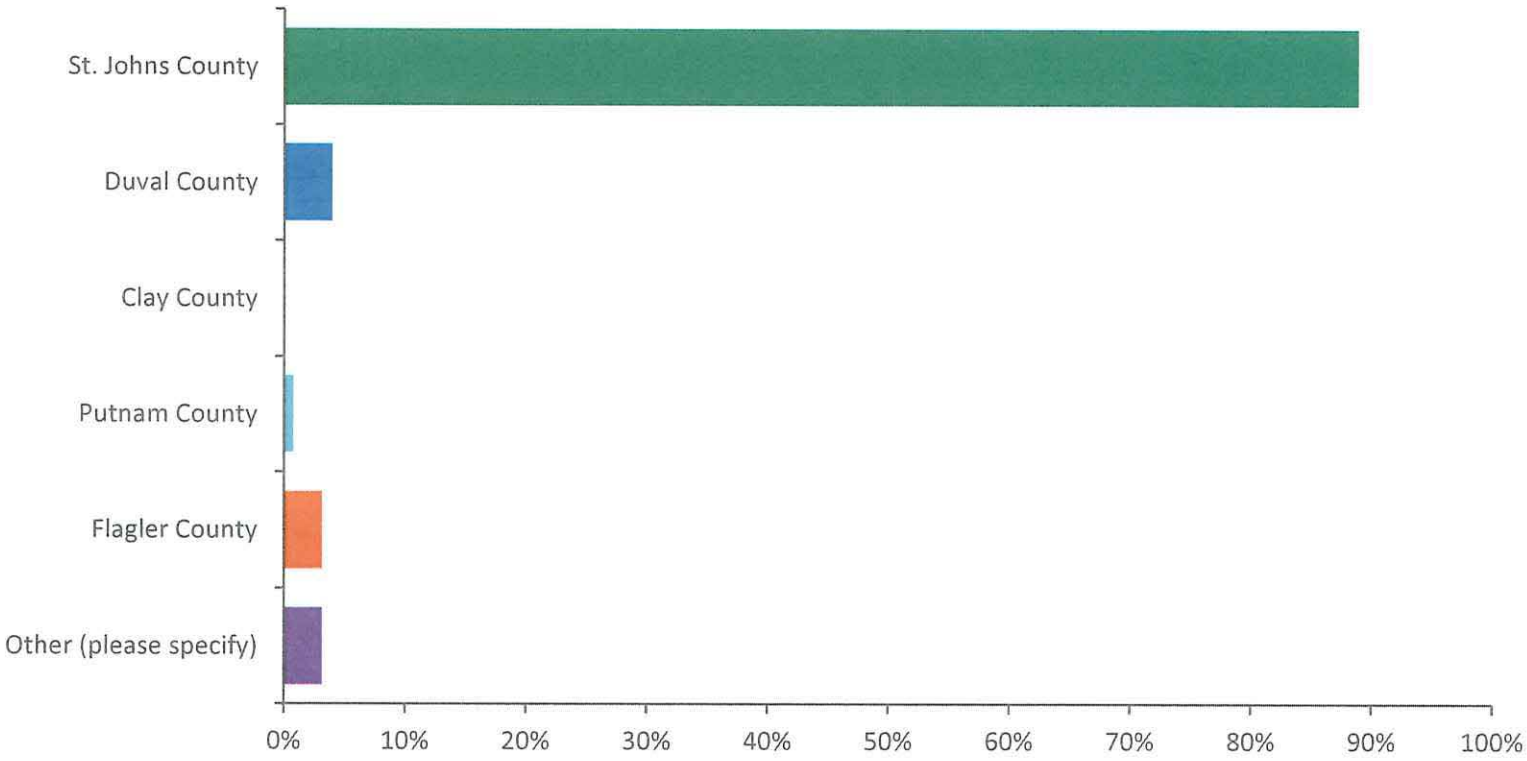
Answered: 261 Skipped: 5

ANSWER CHOICES	RESPONSES	
Yes	52.49%	137
No	47.51%	124
TOTAL		261

Powered by SurveyMonkey

Q2: Where do you live?

Answered: 126 Skipped: 140



Powered by SurveyMonkey

Q2: Where do you live?

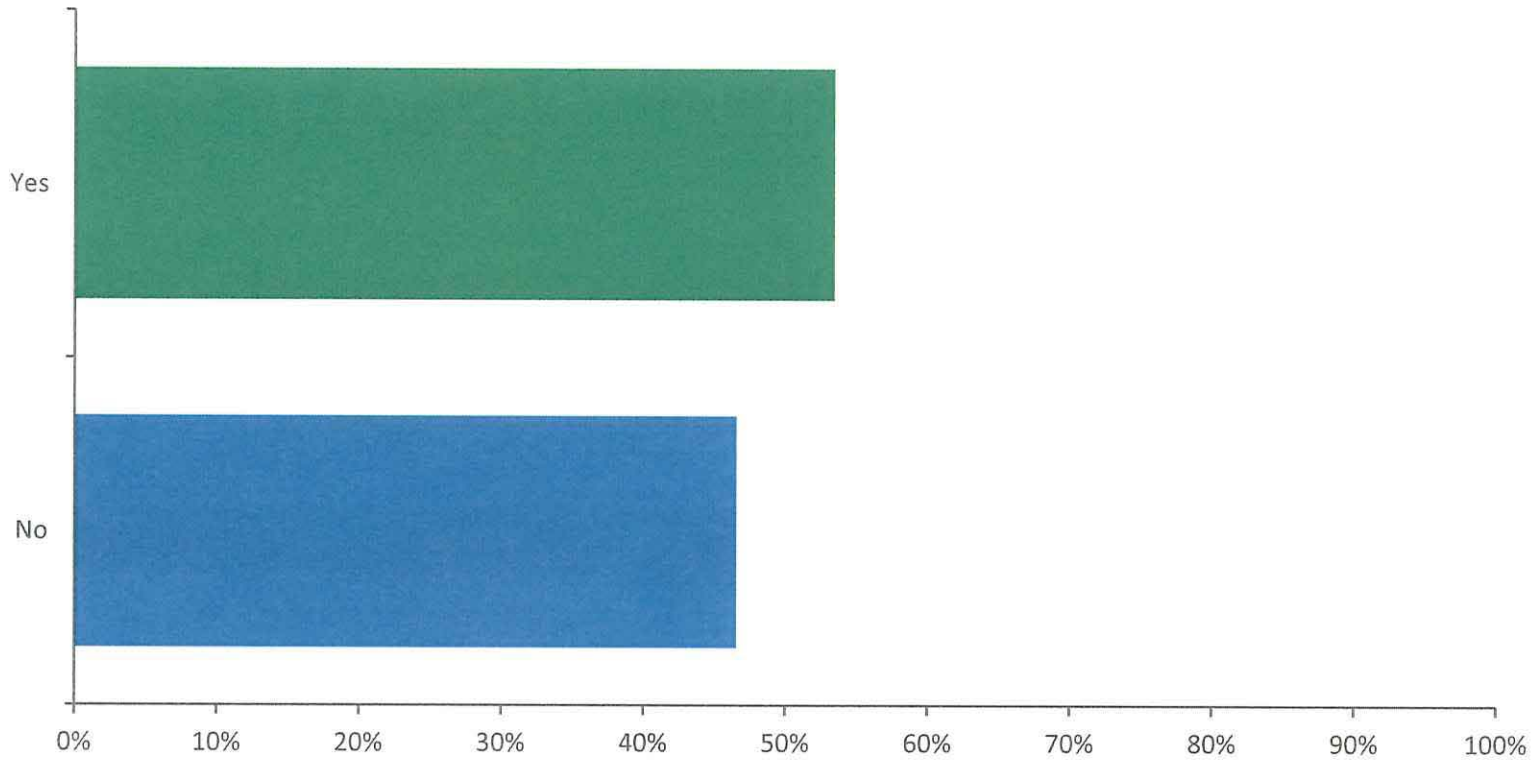
Answered: 126 Skipped: 140

ANSWER CHOICES	RESPONSES	
St. Johns County	88.89%	112
Duval County	3.97%	5
Clay County	0%	0
Putnam County	0.79%	1
Flagler County	3.17%	4
Other (please specify)	3.17%	4
TOTAL		126

Powered by SurveyMonkey

Q3: Do you own a business in the City Limits of St. Augustine?

Answered: 247 Skipped: 19



Powered by SurveyMonkey

Q3: Do you own a business in the City Limits of St. Augustine?

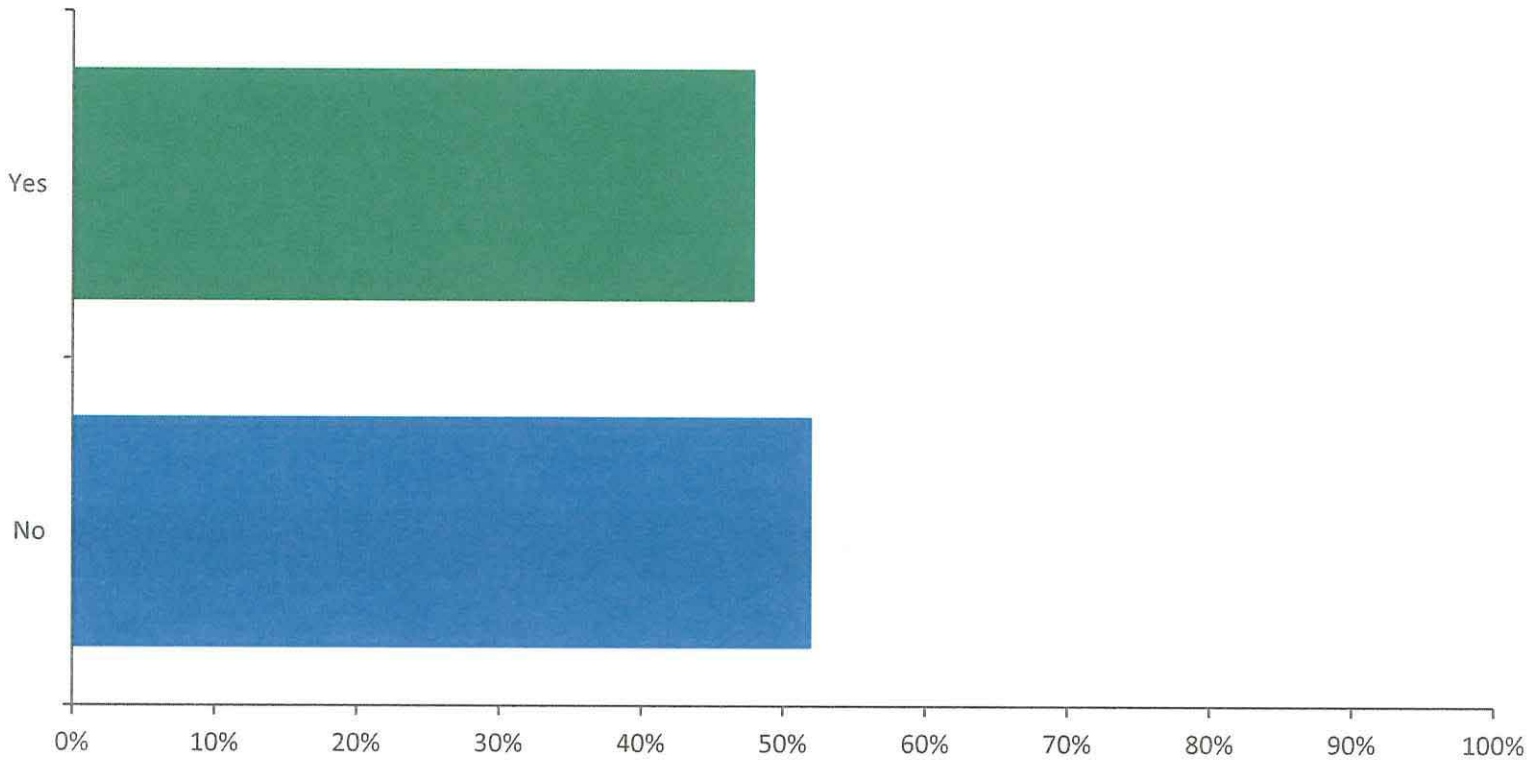
Answered: 247 Skipped: 19

ANSWER CHOICES	RESPONSES	
Yes	53.44%	132
No	46.56%	115
TOTAL		247

Powered by SurveyMonkey

Q4: Do you own property in the City Limits of St. Augustine

Answered: 246 Skipped: 20



Powered by SurveyMonkey

Q4: Do you own property in the City Limits of St. Augustine

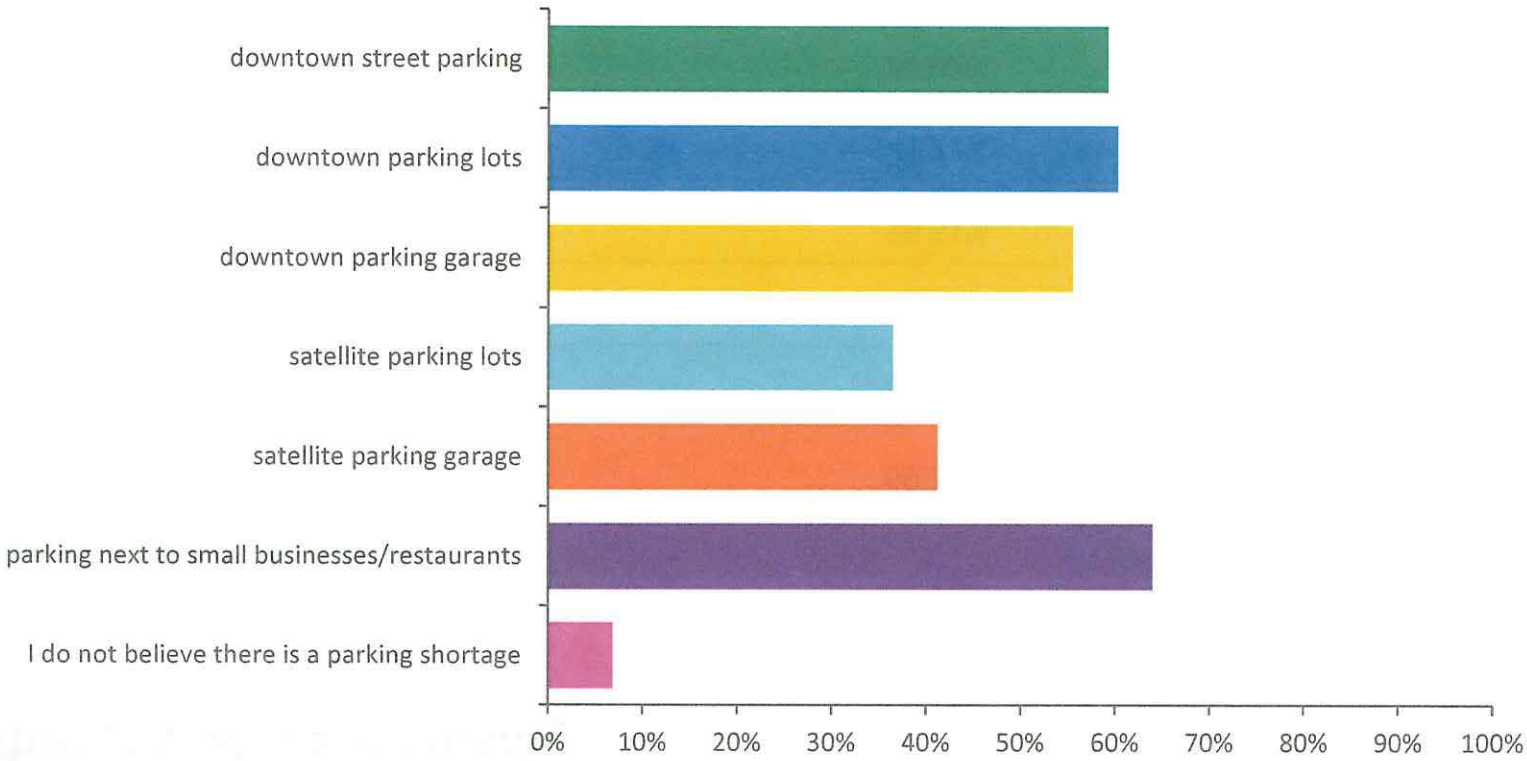
Answered: 246 Skipped: 20

ANSWER CHOICES	RESPONSES	
Yes	47.97%	118
No	52.03%	128
TOTAL		246

Powered by SurveyMonkey

Q5: If you believe there is a parking shortage in St. Augustine, select all options that you feel are lacking:

Answered: 189 Skipped: 77



Powered by SurveyMonkey

Q5: If you believe there is a parking shortage in St. Augustine, select all options that you feel are lacking:

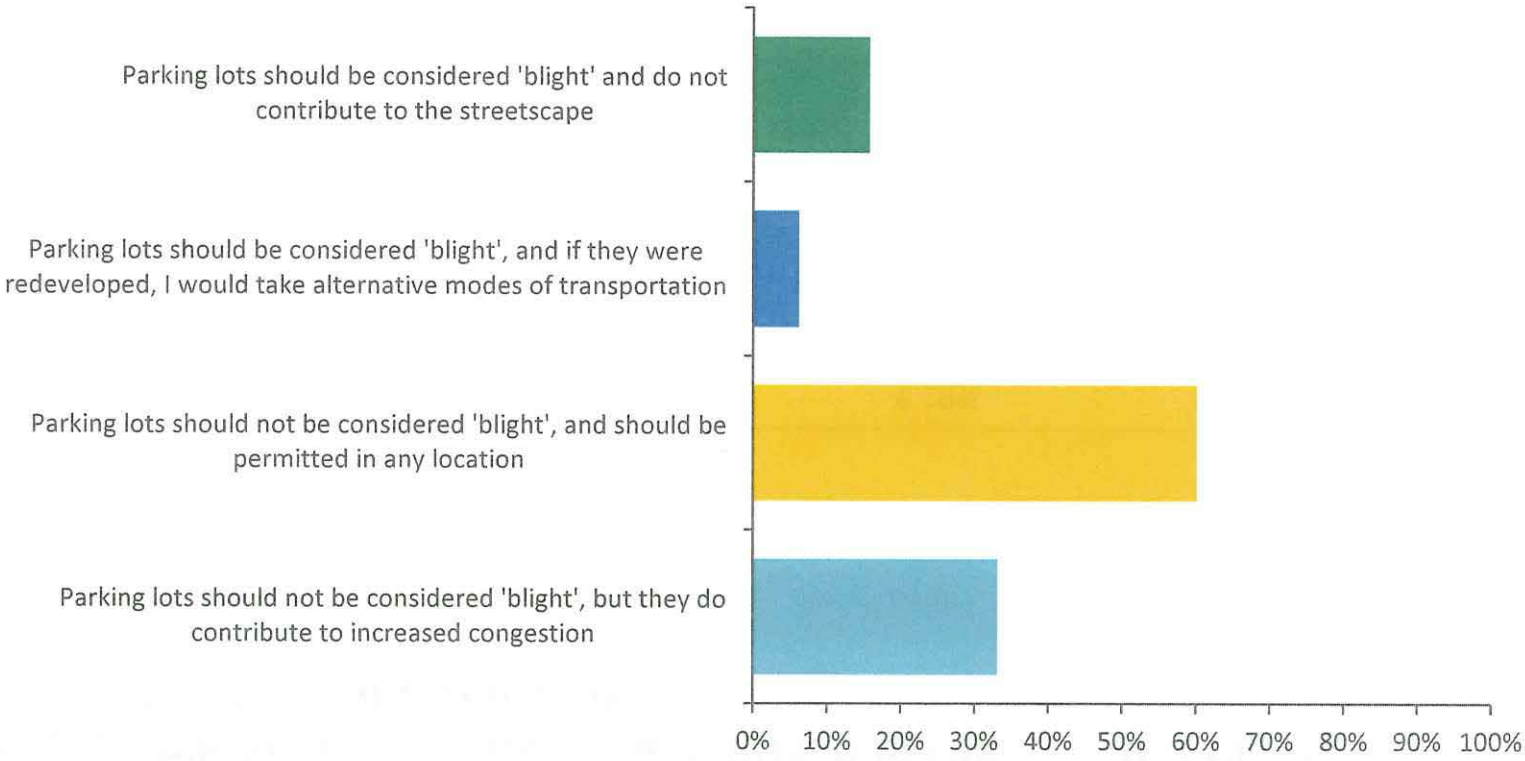
Answered: 189 Skipped: 77

ANSWER CHOICES	RESPONSES	
downtown street parking	59.26%	112
downtown parking lots	60.32%	114
downtown parking garage	55.56%	105
satellite parking lots	36.51%	69
satellite parking garage	41.27%	78
parking next to small businesses/restaurants	64.02%	121
I do not believe there is a parking shortage	6.88%	13
TOTAL		612

Powered by SurveyMonkey

Q6: Select all of the following statements below that you agree with. Please review the definition of 'blight' as you answer this question. Blight - land that is dilapidated, unattractive, or hazardous

Answered: 178 Skipped: 88



Powered by SurveyMonkey

Q6: Select all of the following statements below that you agree with. Please review the definition of 'blight' as you answer this question.Blight - land that is dilapidated, unattractive, or hazardous

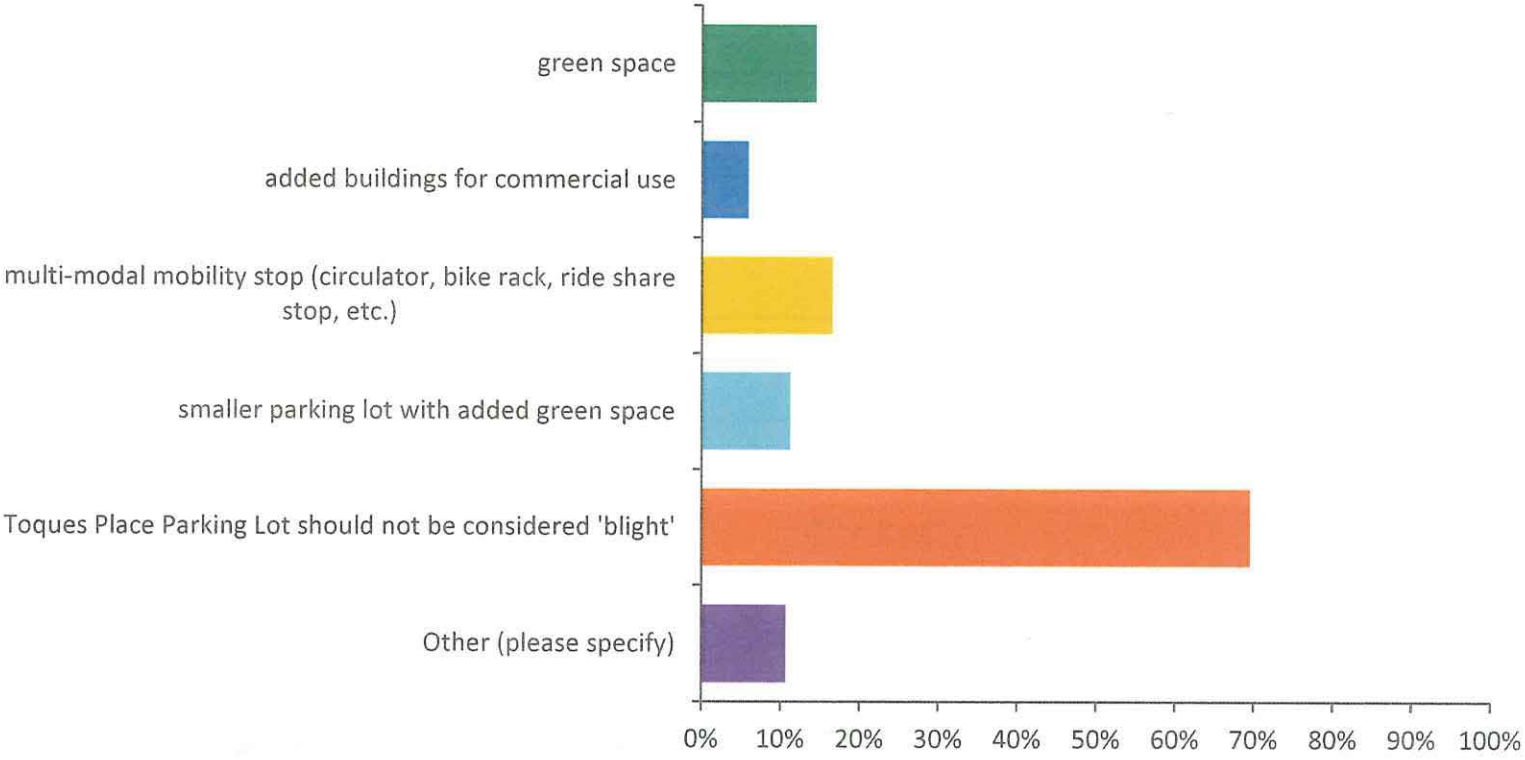
Answered: 178 Skipped: 88

ANSWER CHOICES	RESPONSES	
Parking lots should be considered 'blight' and do not contribute to the streetscape	15.73%	28
Parking lots should be considered 'blight', and if they were redeveloped, I would take alternative modes of transportation	6.18%	11
Parking lots should not be considered 'blight', and should be permitted in any location	60.11%	107
Parking lots should not be considered 'blight', but they do contribute to increased congestion	33.15%	59
TOTAL		205

Powered by SurveyMonkey

Q7: For example, Toques Place Parking Lot could be considered "blight." If it were redeveloped, select from the following options what you would like to see in its place.

Answered: 187 Skipped: 79



Powered by SurveyMonkey

Q7: For example, Toques Place Parking Lot could be considered "blight." If it were redeveloped, select from the following options what you would like to see in its place.

Answered: 187 Skipped: 79

ANSWER CHOICES	RESPONSES	
green space	14.44%	27
added buildings for commercial use	5.88%	11
multi-modal mobility stop (circulator, bike rack, ride share stop, etc.)	16.58%	31
smaller parking lot with added green space	11.23%	21
Toques Place Parking Lot should not be considered 'blight'	69.52%	130
Other (please specify)	10.70%	20
TOTAL		240

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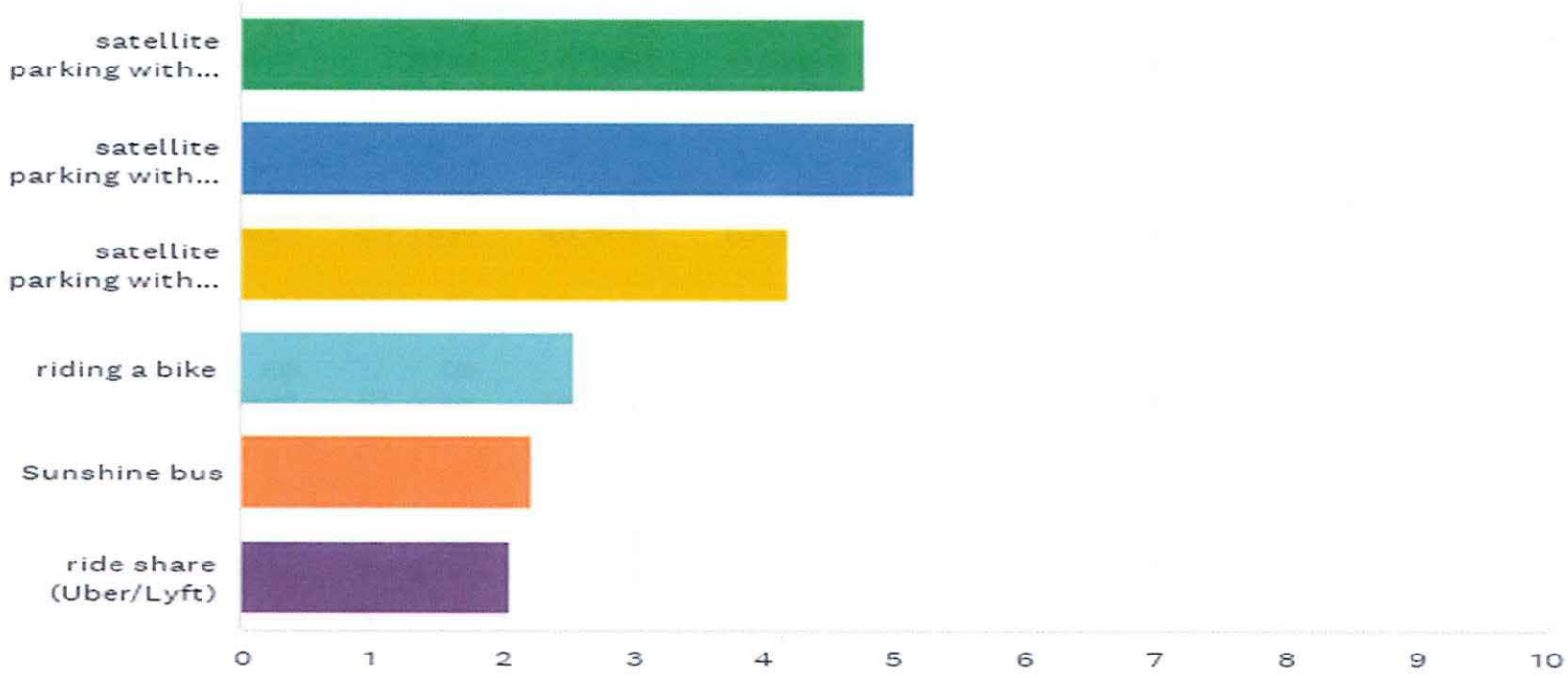
Q8: If downtown parking inventory was reduced, rank the following parking alternatives in order of preference.

Answered: 186 Skipped: 80



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Q8: If downtown parking inventory was reduced, rank the following parking alternatives in order of preference.

Answered: 186 Skipped: 80

	1	2	3	4	5	6	TOTAL	SCORE
satellite parking with direct shuttle drop-off	32.26% 60	34.41% 64	20.43% 38	8.60% 16	1.08% 2	3.23% 6	186	4.78
satellite parking within walking distance	47.31% 88	31.72% 59	14.52% 27	3.76% 7	2.69% 5	0.00% 0	186	5.17
satellite parking with "circulator" service	9.68% 18	24.19% 45	49.46% 92	10.22% 19	5.91% 11	0.54% 1	186	4.20
riding a bike	5.91% 11	1.61% 3	6.99% 13	37.63% 70	23.66% 44	24.19% 45	186	2.56
Sunshine bus	1.08% 2	2.15% 4	3.76% 7	26.88% 50	43.55% 81	22.58% 42	186	2.23
ride share (Uber/Lyft)	3.76% 7	5.91% 11	4.84% 9	12.90% 24	23.12% 43	49.46% 92	186	2.06

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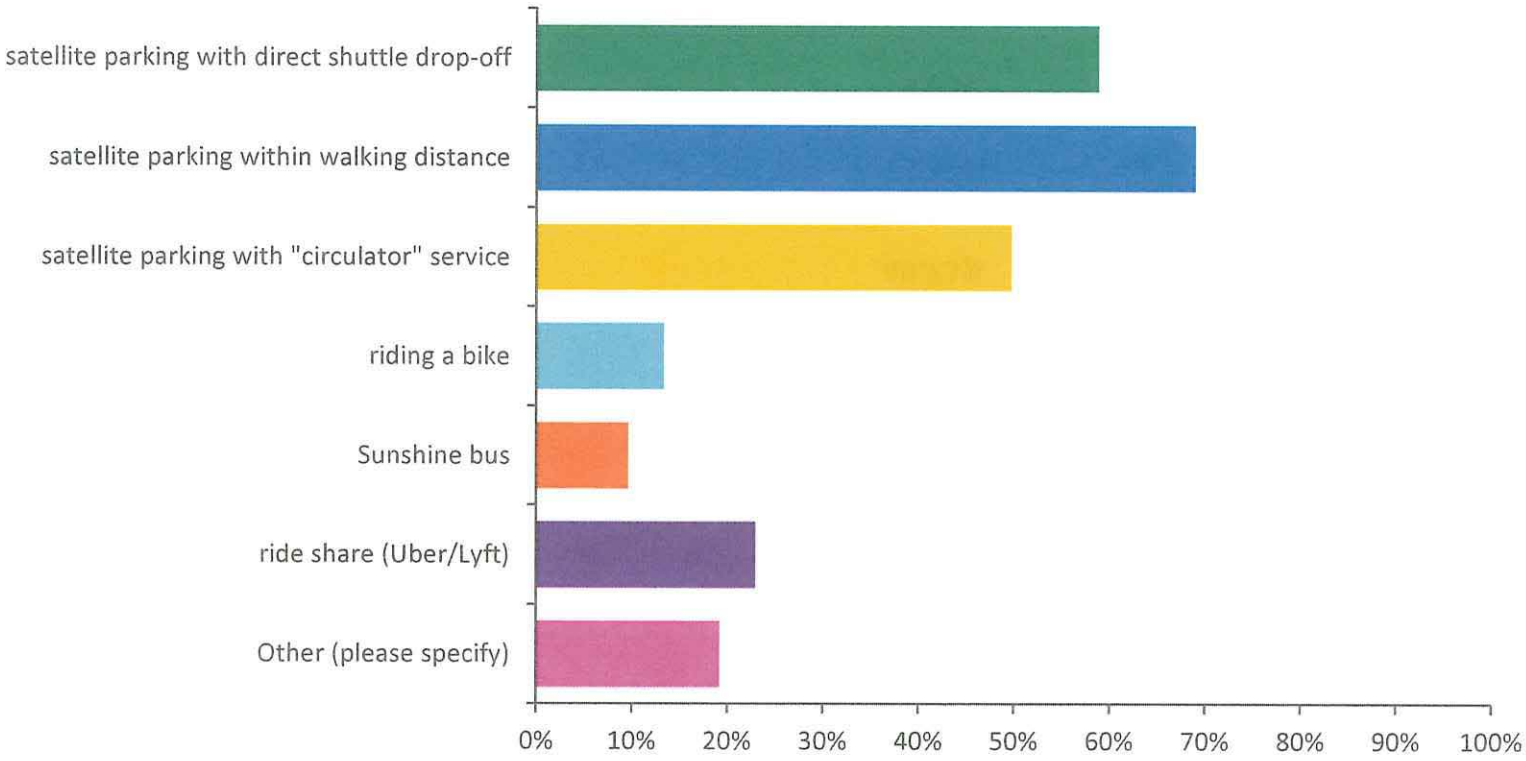
Q9: What alternatives to parking downtown would you be willing to use?

Answered: 187 Skipped: 79



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Q9: What alternatives to parking downtown would you be willing to use?

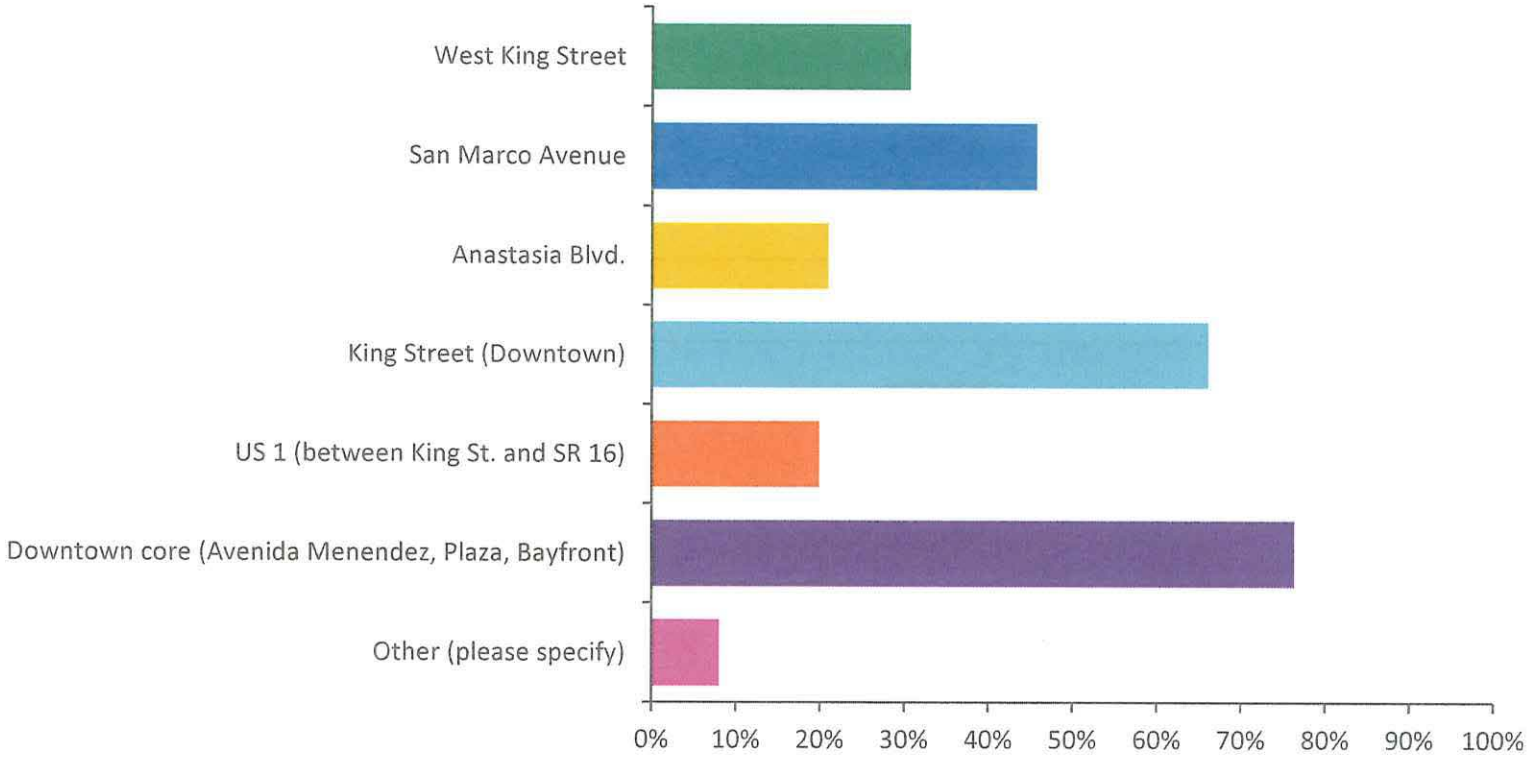
Answered: 187 Skipped: 79

ANSWER CHOICES	RESPONSES	
satellite parking with direct shuttle drop-off	58.82%	110
satellite parking within walking distance	68.98%	129
satellite parking with "circulator" service	49.73%	93
riding a bike	13.37%	25
Sunshine bus	9.63%	18
ride share (Uber/Lyft)	22.99%	43
Other (please specify)	19.25%	36
TOTAL		454

Powered by SurveyMonkey

Q10: In general, what areas of St. Augustine do you feel are lacking for parking?

Answered: 186 Skipped: 80



Powered by SurveyMonkey

Q10: In general, what areas of St. Augustine do you feel are lacking for parking?

Answered: 186 Skipped: 80

ANSWER CHOICES	RESPONSES	
West King Street	30.65%	57
San Marco Avenue	45.70%	85
Anastasia Blvd.	20.97%	39
King Street (Downtown)	66.13%	123
US 1 (between King St. and SR 16)	19.89%	37
Downtown core (Avenida Menendez, Plaza, Bayfront)	76.34%	142
Other (please specify)	8.06%	15
TOTAL		498

Powered by SurveyMonkey

Q2: Where do you live? Other (please specify)

1. Nassau County
2. St Augustine
3. St. Augustine Beach
4. Anastasia Island

Q7: For example, Toques Place Parking Lot could be considered "blight." If it were redeveloped, select from the following options what you would like to see in its place. Other (please specify)

1 Efforts could be made to make more attractive while retaining parking capacity

2 Efforts could be made to maintain existing downtown parking but make it more attractive - many towns (both smaller and larger) have greenscaped parking

3 Leave it alone

4 Keep parking but beautifying the area around the lot with a wall or fence making it look like it's part of the architectural design of the city

5 These small lots are essential to small businesses for the owners and management plus space for delivery trucks.

6 I would love to see additional parking for employees

7 redevelop into a bigger parking garage

8 Aestheticly improving "blight" parking lots while leaving the same number of spaces, such as landscaping & paving I feel would be a positive improvement

9 Attractive and functional for its purpose. Fundamental Roots of st.augustine is history and beauty.

10 Super nice having a lot there as it gives tourists and locals options

11 You could fit at least a two story garage here

12 This parking lot should be reserved for downtown employees/businesses by permit only and not used for tourists.

13 need more dog stations, maps and directional information

14 We need more parking options and should not remove existing parking options.

15 What a misleading set of questions and photo. It's obvious you want only one answer.

16 My complaint about the Toques lot is that it brings a lot of vehicle traffic onto Hypolita St and often times waiting at St George St for all of the pedestrians to cross can be a challenge.

17 Make more convent parking west of the city (broudy's area with transportation into town. Charge unless merchants stamp a ticket. Try to enlarge parking lots south of the Flagler gym

18 I do not think it is a blight. I think it should stay

19 "Central Park"

20 More parking is needed to access downtown stores and restaurants, not less.

Q9: What alternatives to parking downtown would you be willing to use?

1 HANDICAPPED so keep the damn parking lots/street spaces.

2 Another parking garage downtown. People with large families and small children it can be difficult for p

3 I would not be able to run my business if I couldn't drive my car to work

4 Parking garage

5 None

6 Park and Ride

7 None

8 Water taxi

9 Please build a parking garage behind the city building where it was supposed to be long ago.

10 Free shuttle travelling to the downtown area

11 Given the recent increase in homelessness and criminal activity, I would not feel comfortable recommending any satellite parking for employees

12 free trolley rides

13 Expand our garages

14 None

15 Another parking garage will limit "blight" and be the most efficient solution for parking in the city. It will also create revenue for the city.

16 None, I would not longer come to downtown to visit businesses. I refuse to take a shuttle as I can go south of town on US1 to shop, eat and park conveniently

17 We should not be looking to reduce or replace existing parking options

18 NONE - Further reducing Parking is a BAD IDEA

19 I do not agree with any of these options- they are truly only viable for visitors, not people who want to visit a downtown biz for a short time and live in the area but outside of downtown. You forget that not everyone is a tourist.

20 Street parking

21 No more parking lots or garages, please! More taxes to shuttling tourists in just adds to cost of living, which people can not afford

22 Electric trolly or gondolas.

23 add parking decks over existing parking lots

24 You have already harmed us by removing the parking we had and it appears you are going to ignore the residents and gouge the tourists with less parking and more fees. Way to promote visitors.

25 None

26 Park on the island and walk across the bridge

27 None

28 I seldom go in town,as I need no souvenirs, and am angry every time I see that house on San Marco with those banners. George k. Arnold an you guys need to address that.

29 water taxi if affordable

30 This question is madness. Where does this nonsense come from.

31 None

32 Please do not reduce parking lots downtown

33 None--I have to bring my inventory to my business--so this does not work for me

34 Walking

35 Please do not reduce downtown parking inventory

36 Walk

Q10: In general, what areas of St. Augustine do you feel are lacking for parking?

1 Avenida Menedez, Sevilla ST, Saragossa ST, Carrera ST, Mulvey ST, Riberia ST

2 Sevilla ST, Mulvey ST, Saragossa ST, Avenida Menedez, Carrera ST

3 The neighborhoods are congested with day parking. There needs to be a place that is either free or cheep for workers and make the neighborhoods residential only

4 I feel the parking behind the lightner would be a perfect location for a parking garage

5 Between Cordova Street and Bayfront

6 South of the square

7 Historic District south of King Street. My business has two full-time staff and lots of volunteers who need accessible parking within walking distance. If they have to navigate remote parking they won't volunteer and that will be the end of our ability to serve the community.

8 Do not remove any existing parking lots or street parking.

9 I would like to see more perimeter parking rather than encourage parking within the downtown area. Homeowners have too many vehicles to contend with when trying to navigate to and from their residence. I like the parking garage proposal for the Broudy's property.

10 Stop parking by the Bay Front and King Street to improve traffic flow

11 None

12 The paid parking now is for city employees, not residents. Thanks again.

13 None

14 holidays

15 Not an issue

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: **Consideration and Discussion Related to Updating the City's parking Code Regulations: *Option 1* The City of St. Augustine's Current Parking Code.**

Staff has provided a copy of the current parking code for the City of St. Augustine to be reviewed by the Board on June 27th, 2023. Below is an overview and summary of the current off-street parking requirements.

- Current ratios for calculating required off-street parking can be traced back to an update from 1988, and some are originally from 1974.
- Standard parking space sizes are required to be 9.5' by 19' in size; compact spaces must be 8' by 18' in size and are limited to 25% of total parking provided.
- Bicycle, scooter and micromobility racks are not mentioned.
- Relief from off-street parking requirements currently need Planning and Zoning Board approval as either a use by exception or variance.
- There are no reductions for "shared" parking agreements, the total number of parking spaces for all uses must be provided.
- No off-street parking requirements for properties within Historic Preservation Districts 1, 2, 3, and 4.

Thank you for your attention to this matter. If you have any questions or require additional information, please call me at (904) 209-4331 or email at jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Sec. 28-367. - Historic preservation districts requirements.

Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.

Sec. 28-368. - Design standards.

(a) *Approval of plans and specifications.* No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the engineering division. These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.

(b) *Drainage.* Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the engineering division.

(c) *Lighting.* Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to insure user safety and security. Lighting shall be designed and installed to minimize glare on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

(d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.

(e) *Separation from walkways and streets.* Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians or vehicles at entrances and exits.

(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.

(g) *Interior driving aisles and maneuverability.* The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24
45	13	24
60	18	24
90	24	24

(h) *Existing site constraints.* For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections (f) and (g) hereof, the city planning and building manager may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.

Sec. 28-369. - Compact space standards.

A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

(a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet of the premises may be allowed as a permitted use by exception.

(b) The planning and zoning board may grant an exception when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation.

Sec. 28-372. - Joint use of parking facilities.

Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.

Sec. 28-373. - Required off-street parking.

(a) *Intent.* The purpose of this section is to insure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.

(b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.

(1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.

(2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.

(3) *Change in use.* When the use of a building or portion thereof changes, the new use shall meet the off-street parking requirements of this section.

(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology

development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) *Minimum spaces required:*

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager
(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)

(11)	Community center	250			
(12)	Clinic				5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used	and as required for accessory uses

				for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirement	

				s for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				
	1 bedroom			1.5 per unit	
	2 bedrooms			2 per unit	
	3 or more bedrooms			2.25 per unit	
(26)	Office use medical/dental				3 per doctor
	Veterinary				3 per doctor
	Professional/business office	400			
	Real estate, property rental/management, employment office	300			
(27)	Restaurant	75 patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area

(28)	Restaurant, fast food or drive-through	75 patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school			1 per classroom, and 1 per 4 students at average capacity class attendance	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office
(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200			

(41)	Business, commercial, or service establishments	300			
(42)	Outdoor market	100 (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			1 per bed	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred	

				(200) square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.	

Sec. 28-374. - Off-street stacking requirements.

(a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:

(1) Drive-through uses. Three (3) stacking spaces per window.

(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.
(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
(4) Hotel/motel office. Two (2) stacking spaces.
(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.
(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.

(b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

(1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(3) In no case shall the required off-street loading space be less than the following:
a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.

(4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.

(5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.

(6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.

(7) A loading space or loading zone shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.

Secs. 28-376—28-399. - Reserved.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: **Consideration and Discussion Related to Updating the City's parking Code Regulations: *Option 2* Draft Parking Code Update Provided by NUE Urban Concepts, Drafted January 2021.**

Staff has provided documents for a parking code update based on findings from the consulting firm NUE Urban Concepts to be reviewed by the Board on June 27th, 2023. Below is an overview and summary of the proposed changes.

- Bicycle, scooter and micromobility racks are required for specific land uses.
- Provisions for conducting a shared parking analysis.
- Specific minimums established for uses within Historic Preservation Districts 1, 2, and 3.
- Increases for minimum off-street requirements for several uses citywide.
- Inclusion of disabled parking space requirements based on the 2017 edition of the Florida Building Code.
- Parking management strategies to encourage a park once environment and encourage the use of multimodal transit, shared parking, mobility hubs, valet parking, fee-in-lieu of, and new parking technologies.
- The ability for the Public Works Department to permit use of city street right-of-way to provide parallel parking.
- Setback requirements for parking facilities.
- Tandem parking for residential uses is now codified.
- Requirements for structured parking facilities that are constructed through a public private partnership.
- Parking space size requirements based on various configurations.
- Increase in compact spaces allowed from 25% to 50%.
- Introduction of mechanical parking lift requirements.
- Stacking requirements are now referred to as "queuing" requirements.
- Introduction of in-lieu of parking fees with specific authorization guidelines to be created through a future ordinance or resolution.

Thank you for your attention to this matter. If you have any questions or require additional information, please call me at (904) 209-4331 or email at jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - Purpose and intent. ~~In general.~~

The intent of this division is to ensure adequate and appropriately located off-street parking and loading, to avoid undue congestion on streets, to avoid unnecessary conflicts between vehicles and pedestrians, to preserve and enhance pedestrian activity within the city, and to facilitate safe vehicular access from public rights-of-way to off-street parking and loading.

~~All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.~~

Sec. 28-367. - Applicability.

Parking, loading and stacking for motor vehicles shall be provided in accordance with the requirements of this division. Bicycle, scooter and micromobility racks are required for specific land uses. Any new, restriped or repaved parking, loading and stacking shall be required to meet Federal American with Disability Act (ADA), Florida Accessibility Code and Fair Housing Act regulations. Driveways or surface parking areas for existing development, or development with approved final engineering plans, shall not be considered non-conforming as of the date of the adoption of this Code update.

~~Historic preservation districts requirements. Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.~~

(a) *New structures and uses.* Off-street parking and loading are required for all new structures and uses per the requirements in this division.

(b) *Expansion of existing structures and uses.* Any addition, alteration, enlargement, or improvement which increases the gross square footage, seating, capacity or land area of an existing structure or use shall be accompanied by a corresponding increase in the number of parking or loading spaces necessary for the expansion to conform to the requirements of this division. Where existing off-street parking and loading is proposed to be diminished to accommodate the expansion of an existing structure or use, such off-street parking and loading spaces must be replaced in full and shall be in addition to those spaces required for the enlargement of the existing structure or use.

(c) *Change of use.* If a portion or all of a structure or use is changed to a more intensive use that requires a greater number of off-street parking and loading spaces, then additional off-street parking and loading shall be provided for the change of use in accordance with this division. Additional off-street parking and loading is only required for the portion of the structure or use where the change of use is occurring and not for portions of the structure or use that are not changing.

(d) *Substantial Damage and Improvement.* If any structure is substantially damaged whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value or replacement cost of the structure before the damage occurred, or is substantially improved whereby any reconstruction, rehabilitation, addition, or other improvement of a structure where the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement shall be required to provide off-street parking and loading in accordance with this division.

(e) *Maintenance and repair.* Structures and uses may be altered, maintained, modernized, and/or repaired without providing additional facilities, providing there is no increase in gross square footage, land area, seats or capacity and the maintenance and repair is not considered a substantial improvement.

Sec. 28-368. - Required minimum off-street parking. ~~Design Standards~~

(a) *Number of spaces.* The minimum number of off-street parking spaces required for new structures and uses, expansion of structures and uses, change of use, or substantial damage and improvement shall be determined based upon the applicable unit of measure, use of land, and the geographic location of structures and uses.

(b) *Unit of measure.* The determination of the minimum number of off-street parking spaces required based on a unit of measure shall be consistent with the following:

(1) For uses where square footage (sq. ft.) is used, the gross sq. ft. of the structure under roof shall be used, including any permanent structure or improved surface that provided covered or uncovered areas for outdoor seating or service.

(2) For uses where seats are used, the total number of fixed and moveable seats shall be used in the determination. For benches, booths or other continuous seating, each 22 inches of linear surface shall be counted as one seat. Seating includes outdoor areas, with or without cover and seating on improved or unimproved surfaces.

(3) For uses where dwelling unit is used, the definition of dwelling or dwelling unit within this code shall be used.

(4) For uses where acreage is used, the area for off-street surface parking may be subtracted from the acreage calculations. For uses where area or acreage is used and a separate requirement for structures is also used, the sq. ft. of the structure may be subtracted from the acreage calculations.

(5) For other units of measure, such as rooms, beds or holes, the definition shall be based upon professionally accepted and recognized definitions of the unit of measure.

(c) *Fractions.* When the determination of the number of required parking spaces results in a requirement of a fractional space, any fraction shall be rounded to the nearest whole number.

Less than one-half space shall rounded down and one-half space or more shall be rounded up.

(d) *Determination of use.* The final determination of a use of land for a development order approval shall be made by the planning and building department. The type of non-residential or residential use shall be as defined within this code.

(e) *Uses not listed.* Any use of land, or use category, which is not specifically listed herein shall have its parking requirement established at the time of development order approval associated with the use by the planning and building department based upon the closest type of use and any applicable definitions within this code. The planning and building department may base the minimum required number of off-street parking spaces based on either the latest edition of the Institute of Transportation Engineers Parking Generation Manual or other professionally recognized sources such as the Urban Land Institute. For uses outside of historic preservation districts 1, 2 or 3, the minimum number of parking spaces required per applicable use and unit of measure shall be based on the 85% demand for parking, or the average rate, whichever is higher.

(f) *Multiple uses.* For developments with more than one use, the total number of spaces required shall be cumulative. This division provides a provision for conducting a shared parking analysis.

(g) *Common uses.* The following are the minimum number of required off-street parking spaces per applicable unit of measure. There are specific minimums established for uses within historic preservation districts 1, 2 and 3. The minimums for uses outside historic preservation districts 1, 2 and 3 shall be based on the citywide rates per applicable unit of measure. The minimums for some uses, such as hotels, are additive based on multiple units of measure and multiple use categories.

Minimum Off-Street Parking Requirements		
Use	Historic Preservation Districts 1, 2 & 3	Citywide
Single Family Residential		
Accessory Dwelling Units	1 per dwelling unit	1 per dwelling unit
Less than 3,500 sq. ft.	1 per dwelling unit	2 per dwelling unit
3,500 sq. ft. or greater	2 per dwelling unit	3 per dwelling unit
Visitors	1 per 10 dwelling units	1 per 5 dwelling units
Multi-Family Residential		
Studio / Micro-Unit	.5 per dwelling unit	1 per dwelling unit
One Bedroom	1 per dwelling unit	1.5 per dwelling unit
Two Bedroom	1.5 per dwelling unit	2 per dwelling unit
Three or More Bedroom	2 per dwelling unit	2.5 per dwelling unit
Visitors	1 per 10 dwelling units	1 per 5 dwelling units

Commercial		
Retail	.5 per 250 sq. ft.	1 per 250 sq. ft.
Restaurant, fast casual / fast food / quick serve	.5 per 75 sq. ft. or 1 per three seats, whichever is greater	1 per 75 sq. ft. or 1 per two seats, whichever is greater
Restaurant / Drinking Establishment, sit-down	.5 per 100 sq. ft. or 1 per four seats, whichever is greater	1 per 100 sq. ft. or 1 per three seats, whichever is greater
Office		
General / Government	.5 per 350 sq. ft.	1 per 350 sq. ft.
Medical / Dental / Clinic	.5 per 250 sq. ft.	1 per 250 sq. ft.
Lodging		
Hotel / Motel / Inn	.75 per room, plus 1 per 50 rooms for visitors, plus the general office rate for check-in, meeting and office space, plus the retail and/or restaurant rates per applicable unit	1 per room, plus 1 per 25 rooms for visitors, plus the general office rate for check-in, meeting and office space, plus the retail and/or restaurant rates
Bed & Breakfast	.75 per room, plus 2 for staff, plus 1 per 10 rooms for visitors	1 per room, plus 2 for staff, plus 1 per 5 rooms for visitors
Institutional		
Place of Worship	1 per 200 sq. ft.	2 per 200 sq. ft.
Place of Assembly / Civic	.5 per 250 sq. ft.	1 per 250 sq. ft.
Education	.25 per student, plus 20% of the total number of spaces for accessory uses and common areas	.5 per student, plus 20% the total number of spaces for accessory uses and common areas

(h) *Specific uses.* The following are the minimum number of required off-street parking spaces per applicable unit of measure. These uses are primarily located outside of historic preservation districts 1, 2 and 3. These minimums apply citywide per the applicable unit of measure. The minimums for some uses, such as marinas, are additive based on multiple units of measure and multiple use categories.

Minimum Off-Street Parking Requirements	
Use	Citywide

Amusement / Entertainment / Recreation	
Indoor Commercial Recreation / Nightclub	1 per 200 sq. ft.
Outdoor Commercial Recreation	5 per acre, plus 1 per 200 sq. ft. for buildings, plus 2 per court, plus 2 per hole
Gym / Fitness / Physical Activity Studio	1 per 100 sq. ft.
Gallery / Museum / Library / Artist Studio	1 per 400 sq. ft.
Marina	1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.
Community Recreation Center / Club / Lodge / Convention Center / Community Non-Profit / Residential Clubhouse	1 per 250 sq. ft.
Movie / Theater / Cinema / Performing Arts / Outdoor Performance Venues / Auditorium	.35 per seat, plus .35 per standing room capacity for outdoor venues
Recreation Vehicle Park / Campground	1 per space, plus 1 per 250 sq. ft. of buildings
Commercial	
Bank / Financial Institution	.5 per 200 sq. ft. plus 2 per ATM
Boarding and rooming houses, and hostels	1 per bed, plus 1 per 5 beds for staff / visitors

Brewery / Winery / Distillery	1 per 500 sq. ft. plus parking rate for restaurants where permanent food service is provided (food trucks / mobile food vendors do not require additional parking)
Convenience Market with Vehicle Fueling	.5 per 75 sq. ft.
Free Standing Automated Teller Machine (ATM)	2 per ATM
Furniture Store	.5 per 500 sq. ft.
Outdoor Markets / Sales	1 per 100 sq. ft. of sale / display area
Spa / Salon / Hair / Personal Services	1 per 250 sq. ft.
Vehicle Cleaning / Detail / Sales / Repair / Service / for Boats, Golf Carts, Motor Vehicles, RVs, Personal Transport	1 per 300 sq. ft.
Institutional / Office / Residential	
Animal Hospital / Veterinary	1 per 300 sq. ft.
Child / Day Care	1 per 300 sq. ft.
College Dormitory	.5 per bed, plus 20% of total parking for accessory uses and enclosed common areas
Hospital	1 per 300 sq. ft. for all buildings or 4 per bed, whichever is greater
Mobile Home / Tiny Home Residential Park	1 per unit, plus 20% of total parking for accessory uses and enclosed common areas
Nursing Home / Assisted Living / Congregate Care / Continuing Care	1 per 1,000 sq. ft.
Industrial	
General Industrial / Manufacturing	1 per 1,000 sq. ft.
Specialty Trade Contractors / Flex Space	1 per 500 sq. ft.
Warehousing	1 per 1,500 sq. ft.
Mini-Warehouse / Self-Storage / Vehicle Storage (Boat / RV / Vehicle)	1 per 50 units, plus 3 per office, and 1 per 25 spaces for vehicle storage
Special Uses	

Special Event Venue	One (1) parking space per ~~four (4)~~ three (3) seats, except for special event venue space in hotels and motels as below. If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of special event venue space, and one (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated
Unique Uses within Fully Enclosed Structures	1 per 50 sq. ft., or per a parking demand study, either of which is subject to approval by the city, or the total number of spaces required by the city
Unique Uses located outdoors or in open air venues	50 per acre, or per a parking demand study, either of which is subject to approval by the city, or the total number of spaces required by the city

(i) *Parking spaces for the disabled.* The number of required parking spaces for the disabled shall be consistent with the latest edition of the Florida Building Code. Per the 2017 edition, the following are the minimum number of required parking spaces for the disabled based on the total number of off-street parking spaces provided for a structure or a use:

Minimum Required Parking Spaces for the Disabled	
Total number of off-street parking spaces provided	Total number of disabled spaces required
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
201 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
Over 1,000	20 plus one for each 100 over 1,000

(j) *San Marco Avenue.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction in the minimum number of required off-street

parking spaces in order to maintain the appearance of a residential in nature front yard consistent with the intent of the San Marco Avenue Design Standards.

(k) *Parking management.* To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, valet parking, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.

(l) *Shared parking.* When property is occupied by two or more uses which typically do not experience peak parking demands at the same time, a shared parking study may be submitted by either a licensed engineer or certified planner with parking demand experience. The shared parking study shall be based on professionally accepted methodologies, such as those provide by the Institute of Transportation Engineers (ITE) or the Urban Land Institute, and subject to review and approval by the city engineer. The shared parking study shall include:

(1) A description of each use, a development plan, a trip generation report and the minimum parking for each use per the requirements of Section 28-368 (g) and (h).

(2) The share parking study shall include the characteristics of each use, peak parking demand, and peak hours of operation. The study shall provide the peak parking demand for multiple time periods based on the percentage of parking utilization. The total parking demand for each time period shall be summed. The minimum parking required shall be the highest sum of the time periods evaluated.

(3) Demonstration that shared parking does not exceed 25% of the minimum required parking spaces for all uses.

(4) An agreement and shared use parking easement between joint users, along with the shared parking study and site plan, shall be filed and recorded with the St. Johns County Clerk of the Circuit Court. The agreement shall include a guarantee for continued use of the off-street parking by each party. Any violation of such an agreement shall be a violation of this code.

(m) *Bicycle, scooter and micromobility device parking.* One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:

(1) One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.

(2) One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.

(n) *Motorcycle moped and motorized scooter parking.* One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

(o) *Golf cart parking.* Golf cart parking may be used to meet up to 10% of the required minimum parking so long as the off-street parking is accessible from a collector or arterial that allows golf cart use. While direct access to off-street parking may be from a local street that permits golf cart use, if a collector or arterial connecting to the local street does not allow golf cart use, then the utilization of off-street parking will be limited and not provide for a viable alternative that would allow for a reduction in the minimum required off-street parking.

(p) *Low speed vehicle parking.* Low speed vehicle (LSV) parking may be used to meet up to 10% of the required minimum parking so long as the off-street parking is accessible from a collector or arterial that allows LSV use. While direct access to off-street parking may be from a local street that permits LSV use, if a collector or arterial connecting to the local street does not allow LSV use, then the utilization of off-street parking will be limited and not provide for a viable alternative that would allow for a reduction in the minimum required off-street parking.

(q) *Shared micromobility.* For developments that sponsor the City's electric bicycle program, each bicycle sponsored shall replace one-required parking space, up-to a maximum of 10 spaces. If parking is provided for shared micromobility devices in designated areas separated from off-street parking, each shared micromobility space provided shall replace at a 1:1 ratio required off-street parking spaces, up-to a maximum of 10 required spaces. The property owner shall provide an agreement to the City that the sponsorship will be provided for a period of at least 10 years.

(r) *Car share.* For developments that sponsor a car share program and provide designated spaces for car share only, one (1) car share vehicle and one (1) car share space shall replace three (3) required off-street parking spaces. A maximum of five (5) car share spaces are permitted, along with five (5) car share vehicles. The property owner shall provide an agreement to the City that the car share service will be provided for a period of at least 10 years.

(s) *Curbside multimodal drop-off and pick-up.* For developments that provide a curbside pull-out area for drop-off and pick-up for trolley, transit, ride-hail, ride-share and delivery services, one (1) pull-out space shall replace three (3) parking spaces. The maximum number of pull-out areas for parking space off-sets shall be three (3) areas. Each pull-out is shall be a minimum of 10' wide by 25' long, are be constructed using pavers, bricks, or some other innovative semi-pervious surface treatment other than asphalt or concrete. The outside 2' of the pull-out area, shall be delineated from adjacent parking areas or streets through the use of pavers, bricks, drop-curb or other surface that differs in color or material from the pull-out area and the adjacent parking or street.

(t) *Maximum parking off-sets.* The maximum percentage of required off-street parking spaces that maybe off-set through the provision of multimodal transportation shall be 30%. Agreements shall be approved by the City and recorded with St Johns County Clerk of the Circuit Court. Should the service or sponsorship terminate prior to the 10-year provision period, the property owner shall be required to provide the total of number of spaces off-

set by the car share or pay a per in-lieu of parking fee to the City for each parking spaces offset.

(u) *Mobility hub.* A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and include:

(1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses. The covered facility shall feature either a green-roof to lower temperatures, solar panels to provide electricity to the facility, or some other form of green treatment to off-set emissions;

(2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;

(3) Parking spaces for car share, golf carts and low speed vehicles;

(4) Micromobility racks, corrals, charging or docking stations;

(5) Charging stations for electric vehicles and mobile devices;

(6) Sponsorship of the City's micromobility program;

(7) The mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;

(8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and

(9) The size, scale, amenities, and agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40%, subject to city review and approval. The 40% off-set would replace the offsets included in Section 28-368 (n) thru (s).

Sec. 28-369. - Parking requirements for less than three residential dwelling units. ~~Compact space standards.~~

(a) *Location.* Required off-street parking spaces for less than three residential dwelling units (on the same parcel) shall be provided on the property on which the units are located. Required parking may be located in a front yard; however, the lesser of 1,000 square feet or 75 percent of the front yard area shall be landscaped with living plant material (such as grass, ground cover, shrubs, hedges, vines or trees). Locations where off-street parking spaces, driveways, patios and/or walkways in the front yard exclusively consist of a permeable paver system, 60 percent of the front yard area shall be landscaped with living plant material (such as grass, ground cover, shrubs, hedges, vines or trees).

(b) *Configuration.* Required off-street parking areas shall consist of a parking bay, stall, driveway, garage, carport, or combination thereof. In limited instances due to historic structures, lot configuration, elevation, physical, stormwater, or utility constraints, or to avoid impact to trees, public works may permit use of city street right-of-way to provide parallel parking subject to the following requirements:

(1) The space shall be paved or use pavers and meet applicable city design standards;

(2) The property owner is responsible for maintenance of the space;

(3) The property owner is responsible for curb, sidewalk and utility relocation;

(4) The property owner provides an easement to the city for public access and provides an equivalent buffer between the edge of pavement and front of sidewalk, to the extent such a buffer currently exists;

(5) The parallel parking space shall be setback at least 20 feet from any street intersection, 10 feet from any alleyway, 15 feet from either side of a fire hydrant, 20 feet approaching and 10 feet departing a marked crosswalk, and five (5) feet from any exiting driveway apron; and

(6) The minimum dimensions are eight (8) feet in width and 22 feet in length, with a curb return radius between 15' and 25' depending upon the volume of traffic, distance to intersections and types of traffic. Terminating parallel parking spaces at 90-degree angles shall be prohibited.

(c) *Access.* Where accessible and available, access to parking shall be from alleyways or side streets for corner lots. Only one driveway shall be permitted per dwelling unit. Circular driveways are permitted for lots with a minimum of 100 feet of frontage along the street where the circular driveway is proposed. Direct access to a collector or arterial road shall be prohibited, except where no other means of access is available. An accessory dwelling unit shall share access with the principal dwelling unit, except where access to the accessory dwelling unit is available from a side street or alleyway. Backing onto adjacent streets, collectors and arterials is permitted.

(d) *Driveway surface.* All driveway aprons and right-of-way crossings shall be constructed with concrete per maintaining governmental entity driveway and access connection design requirements. On the residential lot, driveways may use pavers, asphalt, concrete, crushed shell, gravel or ribbon driveways. The use of crushed shell and gravel shall require approval by the public works department to ensure the shell or gravel stays on-site and does not impact the city's stormwater system or adjacent lots.

(e) *Driveway dimensions.* All driveways shall be a minimum of eight (8) feet wide and a maximum of twenty (20) feet in width with a minimum of a five (5) degree radius or two (2) foot flare on either side of the driveway intersection with adjacent city streets. Circular driveways shall be a minimum of 10 feet and a maximum of 20 feet in width with a minimum of a five (5) degree radius on either side of the driveway. Driveways shall provide a minimum of twenty (20) feet in length measured from the property line to ensure motor vehicles are not parked within public right-of-way or across sidewalks. All driveway connections to City, County or State maintained roads shall comply with the respective entities design requirements.

(f) *Retention of required off-street parking spaces.* Required off-street parking spaces shall not be replaced by any other on-site facility unless equal parking facilities are provided

elsewhere. Off-street parking spaces existing on the effective date of the division update shall not be reduced to an amount less than required.

(g) *Setback from property lines; repair and replacement.*

(1) Expansion of existing or new off-street parking spaces and driveways shall be setback a minimum of 25' from the intersection of a local street, 35' from the intersection of a collector and 50' from the intersection of an arterial and shall be three feet from all side and rear property lines, except for that portion of the driveway adjoining the apron.

(2) Existing off-street parking spaces and driveways which are not set back a minimum of 25' from the intersection of a local street, 35' from the intersection of a collector and 50' from the intersection of an arterial and are less than three feet from all side and rear property lines, except for that portion of the driveway adjoining the apron, may be repaired as part of normal maintenance or replaced in the exact location, but may not be expanded.

(3) Within historic preservation districts, new driveways maybe located within one (1) foot of side property lines. Existing driveways located on property lines maybe repaired or replaced.

(h) *Tandem Parking.* A dwelling unit located on a single parcel shall be permitted to utilize tandem parking to meet minimum parking requirements. Tandem parking shall be limited to two vehicles and shall be a minimum of nine (9) feet in width and 36 feet in length.

(i) *Residential garages.* For all enclosed residential garages, a minimum parking space size 10' wide by 20' long is required for parking spaces where the length of the space is next to a wall and 9' wide by 20' long for any additional spaces. The space(s) should be kept free from obstruction (i.e. water heater, laundry equipment, etc.).

Sec. 28-370. - Parking requirements for mixed-use, multifamily and non-residential uses. ~~Handicap parking space standards.~~

(a) *Location of parking and loading spaces.* Required off-street parking and loading for multiple family developments of three units or more (on one parcel), mixed-use projects and nonresidential uses shall be located on either the same property on which the use or structure exists or on an adjoining parcel under the same ownership subject to the following:

(1) The use of off-street parking and loading on an adjoining parcel shall be stipulated as an easement in a recorded deed; and

(2) The adjoining parcel shall either have the same zoning, or a less restrictive zoning, as the land on which the structure or use is proposed; or

(3) The planning and building department director allows for an alternative location on land of the same ownership and zoning for off-street parking facilities provided that:

a. The proposed arrangement will not cause any pedestrian or vehicular traffic hazards or congestion;

b. The proposed location will not require pedestrian movement across any arterial or major collector street;

c. The alternative location has the same zoning classification as the land on which the structure or use to which the parking is accessory, or a zoning classification which allows such principal structure or use as a permitted or conditional use;

d. The alternative location includes no more than 50 percent of the required off-street parking;

e. All spaces are within three hundred (300) feet of the principal entrance of the use they are intended to serve; and

f. A recorded easement stipulates the parking arrangement.

(b) *Ownership of parking and loading spaces.* The title of all property on which required parking and loading is provided shall be unified with the title of all property on which the uses served are located. Deed restrictions and other documents which provide for title unification shall be recorded with the county clerk of the circuit court prior to consideration of a site plan. Notwithstanding the provisions of this section, required parking for any structure or use may be located on property obtained on a lease, rental, or similar contractual basis when the city is a third part to such agreement. Contractual agreements of this nature must be approved by the city commission following approval by the planning and building department and prior to the issuance of any building permit or certificate of occupancy. If required parking is obtained in this manner, sufficient numbers of spaces shall be maintained at all times. If required parking is obtained on a contractual, non-unity of title basis, deed restrictions, or other documents which limit the use of property to the provision parking shall be recorded with the clerk of the circuit court, approved by the city attorney, and filed with the planning department prior to consideration of a site plan. Deed restrictions of this nature shall expire only after 25 years or upon the termination of the use requiring the provision of parking. Required documents shall be recorded with the clerk of the circuit court prior to issuance of any building permit.

(c) *Prohibited locations.* Parking spaces shall not be located in the following:

(1) In a drainage easement, unless allowed through an easement encroachment affidavit;

(2) In front of dumpsters;

(3) In pedestrian ways;

(4) In fire lanes;

(5) In a loading space;

(6) In a turning radius for a loading space;

(7) In a visibility triangle;

(8) In locations impeding proper traffic flow or maneuvering of other vehicles; or

(9) Within two (2) feet of a structure unless it is completely under the structure, an attached carport, or an enclosed garage.

(d) *Historic preservation districts 1, 2, and 3.* Off-street parking and loading within historic preservation districts 1, 2 and 3 with more than 20 surface off-street parking spaces shall not be located within twenty-five (25) feet of another off-street surface parking area with 20 or more spaces. All off-street parking and loading shall be screened by either a fence or wall along the perimeter of the parcel. Fences or walls screening off-street parking and loading that are located on the premises of a structure shall meet the height requirements established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Fences or walls screening off-street parking and loading that are located off the premises shall meet the height requirements for pre-1821 construction. Off-street parking and loading shall be prohibited on a corner lot, unless a conditional use is permitted, or an exception is granted by the city.

(e) *Circulation.* Provisions shall be made for safe and convenient pedestrian and vehicular traffic movements within and adjacent to the site, with particular emphasis on parking layout, off-street loading and unloading and on the movement of people, goods and vehicles upon access roads and drive aisles within the site, between structures and between structures and vehicles.

(f) *Separation from walkways and streets.* Off-street parking and loading ~~facilities~~ shall not encroach upon and shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians or vehicles at ingress and egress ~~entrances and exits~~.

(g) *Encroachments.* Required off-street parking spaces shall not be encroached upon by electrical or mechanical equipment, pipes, or similar obstructions. Required off-street parking and loading may be encroached upon by structural support columns; however, such encroachments shall not interfere with the normal opening and closing of vehicle doors. Encroachments of this nature shall be reviewed and approved by the city engineer prior to issuance of a building permit.

(h) *Access.* All off-street parking and loading shall be provided with safe and convenient access to a street. Spaces shall be so arranged that no maneuvering directly incidental to

entering or leaving a parking space shall be on any public or private street, alley, walkway, or landscaped area; and that all vehicles shall enter the street in forward manner. Backing onto a public or private travel lane shall be prohibited. Vehicles must be able to enter, park and exit the property without difficulty. Parking spaces shall be so arranged that backing of a vehicle from a parking space into the driveway access or egress is avoided to the maximum extent feasible.

(i) *Separation from right-of-way.* Provisions must be made for queuing and transition of incoming traffic from an adjacent street, such that traffic may not backup into the street system.

(1) The minimum distance between a right-of-way and the first parking space or aisleway in a parking lot shall be as outlined in the following table:

Number of spaces	Access Street Classification	Queuing Distance
Less than 20	Alleyway or Local	10 feet
20 to 50	Alleyway or Local	20 feet
Less than 20	Collector	20 feet
20 to 50	Collector	30 feet
More than 50	Local or Collector	50 feet
Less than 50	Arterial	50 feet
50 to 100	Arterial	100 feet
101 to 150	Arterial	150 feet
151 to 200	Arterial	200 feet
More than 200	Arterial	Traffic study

(2) For off-street parking with more than 50 spaces that has two or more access connections, a traffic study may be submitted by an applicant demonstrating the dispersion of traffic entering and exiting the off-street parking would justify shorter queue distances may be provided for access connections. The traffic study and request for shorter queue distances are subject to approval by the city.

(3) For off-street parking with more than 200 spaces, a traffic study may be required as part of development order reviews to determine the necessary queue length to be provided. The length of the queuing distance may be reduced when supported by a traffic study subject to approval by the city.

(4) A minimum of 100 feet for access from a local street and 150 feet for access from a collector or arterial in advance of all guardhouses or security gates. The distance shall be measured from the nearest right-of-way line from the access connection to the stopping point at the guardhouses or security gate.

(j) *Restriction on use of off-street parking and loading.* The storage of merchandise, materials or motor vehicles, or the repair of motor vehicles or any other equipment is prohibited in

all off-street and loading. This restriction does not apply to the sale of motor vehicles by a use that is permitted and allowed to sell motor vehicles.

(k) *Waste Storage Facilities Location.* The siting for waste storage facilities and dumpster pads shall not encroach upon a parking space, pedestrian walkway landscaped area, fire lane, driveway entrance, rights-of-way, visibility triangle, or easement. The turning radii for the waste hauler at the waste storage facility or dumpster pad shall not encroach upon a parking space, pedestrian walkway, landscape area, driveway entrance, or rights-of-way.

(l) *Structured parking facilities.* To foster a park once environment for visitors and employees, the mobility plan identified general locations at the periphery of the multimodal district where the construction of multimodal parking garages (structured parking facilities) through public private partnerships is encouraged. These structured parking facilities are intended to include provisions for multimodal transportation such as electric bikes, micromobility devices and transit circulators that will provide access to destinations within the multimodal district. New multimodal structured parking facilities with more than 250 parking spaces shall have access to a four-lane divided road or be part of a parking management plan within the multimodal district as required in the Comprehensive Plan.

(m) *Surfacing of parking and loading spaces.* Prior to issuance of a certificate of occupancy, all parking and loading spaces, access drives, and maneuvering lanes shall be paved with a nondusting surface in compliance with standards specified by the city. The city engineer may approve an alternative surface upon a finding that such other types are equivalent in appearance and durability. All ingress and egress connections to the adjacent street network shall be concrete or paved.

(n) *Maintenance.* It shall be the responsibility of the owner or operator of a specific use to ensure that off-street parking and loading are kept in good operating condition and are periodically swept and cleaned. All off-street parking and loading shall be maintained so as not to create a hazard, eyesore, or nuisance. This includes, but is not limited to, removing glass and litter; pruning, nourishing, and watering vegetation; resurfacing and restriping surface markings; re-anchoring or replacing loose and broken wheel stops; and replacing or painting signs.

Sec. 28-371. - Design standards. ~~Location~~

(a) *Approval of plans and specifications.* No permits shall be issued for any off-street parking or loading ~~facility~~ until the plans and specifications, including required landscaping, materials and stormwater management ~~storm drainage~~, have been submitted to and approved by the planning and building department and the engineering division. These plans and specifications shall include proper circulation, stormwater management ~~drainage and retention~~, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All ingress, egress and drive aisles ~~entrances, exits and aisles~~ shall be dimensioned, with the traffic pattern indicated on plans and in specifications.

(b)~~(f)~~ *Ingress and egress.* ~~Entrances and exits.~~ The location and design of ingress and egress ~~entrances and exits~~ shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along adjacent the streets. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define ingress and egress ~~entrances and exits~~. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic.

(c)~~(b)~~ *Stormwater management.* ~~*Drainage.*~~ Off-street parking and loading ~~facilities~~ shall meet city requirements for stormwater retention and discharge ~~drainage~~ to prevent damage to abutting property, the public right-of-way and the adjacent environment. Off-street parking and loading ~~All such facilities~~ shall be paved with erosion-resistant materials in accordance with city specifications. Stormwater discharge, either in an open or closed system, ~~Drainage~~ from off-street parking and loading ~~parking facilities~~ into the city stormwater ~~drainage~~ system ~~(either overground or direct underground)~~ shall require the approval of the engineering division.

(d)~~(c)~~ *Lighting.* Adequate lighting shall be provided for ~~if an~~ off-street parking or loading ~~facility is to be~~ used at night. Such lighting shall be provided to ensure ~~insure~~ user safety and security. Lighting shall be designed and installed to minimize glare ~~and overflow~~ onto adjacent property and streets. No source of illumination shall be directed into the windows of any residential building. A photometric plan with lighting details, specification, location and a photometric study demonstrating lighting does not spill onto adjacent properties and streets shall be submitted to the city for review along with plans for off-street parking and loading.

(e)~~(d)~~ *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.

(f) *Pedestrian Safety.* Pedestrians must be protected from exiting a building into vehicular traffic in an emergency. The applicant shall provide a walkway or a protected area for this purpose with a minimum width of the doorway plus five (5) feet beyond the swing of the door. All exit discharges from buildings shall be protected by permanent means to ensure pedestrian areas are protected from vehicular encroachment. Within off-street parking with over one hundred (100) spaces, paved pedestrian walkways at least six (6) feet in width shall be provided at two hundred (200) foot intervals. Such walkways may be interrupted by necessary drive aisles, so long as accessible ramps are provided.

(g) *Off-street parking dimensions.* ~~*Interior driving aisles and maneuverability.*~~ The following are the minimum widths for compact, standard and disabled parking spaces, drive aisles, and bay widths based on the presence of parking and angle of parking spaces: ~~of parking minimum width of interior driving aisles and maneuverability space within facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:~~

Off-Street Parking Dimensions							
A	B	C	D	E	F	G	H
Parking Angle	Space Width	Space Depth	Curb Length	Drive Aisle One-Way	Drive Aisle	Bay Width	Bay Width

					Two - Way	One-Way	Two-Way
Compact Aisle No Parking	--	--	--	10'	20'	10'	20'
Standard Aisle No Parking	--	--	--	12'	24'	12'	24'
Compact 0° (Parallel Parking)	7'	--	20'	12'	20'	26'	34'
Standard 0° (Parallel Parking)	8'	--	22'	14'	24'	30'	40'
Compact 30°	8'	15'	16'	12'	22'	42'	52'
Standard 30°	9'	16.5'	17'	14'	24'	47'	57'
Accessible 30°	12'	18'	22'	14'	24'	50'	60'
Compact 45°	8'	17'	11.5'	14'	22'	18'	56'
Standard 45°	9'	19'	12.5'	15'	24'	53'	62'
Accessible 45°	12'	21'	17'	15'	24'	57'	66'
Compact 60°	8'	18'	9.5'	16'	22'	52'	60'
Standard 60°	9'	20'	10.5'	17'	24'	57'	64'
Accessible 60°	12'	21.5'	14'	17'	24'	60'	67'
Compact 90°	8'	16'	--	22'	22'	54'	54'
Standard 90°	9'	18'	--	24'	24'	60'	60'
Accessible 90°	12'	18'	--	24'	24'	60'	60'

~~Parking Space Angle in Degrees~~	~~One-Way Traffic Aisle Width/Maneuverability Space in Feet~~	~~Two-Way Traffic Aisle Width/Maneuverability Space in Feet~~
~~0 (Parallel)~~	~~13~~	~~24~~
~~30~~	~~13~~	~~24~~
~~45~~	~~13~~	~~24~~
~~60~~	~~18~~	~~24~~
~~90~~	~~24~~	~~24~~

(h) *Design.* The engineer of record (EOR) shall demonstrate that adequate parking maneuvering, turning radii and vehicle circulation is provided based upon the intended end users of the off-street parking and that all off-street parking meets applicable fire accessibility codes. The EOR shall also ensure that access to any off-street loading areas

does not impede access and circulation to off-street parking adequately provides access to dumpsters and recycling for waste management vehicles servicing the intended uses.

(i) *Angled parking.* Drive aisles with angled parking on each side (30°, 45°, 60°) shall be limited to 24 spaces without intersecting drive aisles.

(j) *Drive-aisle terminus.* To the maximum extent feasible, drive-aisles shall not terminate at dead ends. Where continuous circulation for drive-aisles is not feasible due to ownership, physical, topographic, or utility constraints, a six (6) foot deep by a 22 foot wide turning area shall be provided beyond the last parking stall in any dead end drive aisle, to allow proper maneuvering of a vehicle backing out of the last parking stall.

(k) *Signage and markings.* All required parking areas shall be striped or marked to show parking spaces, driving aisles and circulation. Parking lot signage and marking shall conform with the Manual of Uniform Traffic Control Devices and the Americans with Disabilities Act and shall contain no commercial messages.

(l) *Compact spaces.* A maximum of 50% of off-street parking spaces provided within a parking area are permitted to be compact parking spaces. The EOR shall ensure proper circulation and access with the use of compact spaces and make professional design determinations that best meet the needs of the end users of the off-street parking. Pavement markings using either a capital "C" or the word compact shall be used for each parking space.

(m) *Accessible spaces.* The design of all off-street parking shall conform with current standards under the Americans with Disabilities Act (ADA) and the Florida Accessibility Code, including the required number of reserved spaces for person with disabilities and van accessible spaces. ADA compliant parking space details, signage and accessible routes shall be provided on plans to ensure compliance with all applicable standards, including the following:

(1) Accessible spaces shall be located nearest the building entrances;

(2) Ramps with a maximum slope of 12:1 are required for access into building from parking area;

(3) All accessible spaces shall also include a five (5) foot access aisle, which may be shared with two accessible parking spaces. The access aisle shall be part of the accessible route to the entrance of the structure or use;

(4) Each space shall be appropriate marked and signed per applicable requirements. Pavers maybe used to provide markings so long as they comply with applicable design requirements related to color, size and legibility; and

(5) All accessible parking spaces shall be maintained by the owner of the property upon which the space exists in accordance with the approved site plan for the property.

(n) *Motorcycle, moped and motorized scooter parking.* The minimum dimensions shall be four (4) feet wide by eight (8) feet long for 90° angle parking spaces. Pavement markings at the bottom of 90° spaces shall be provided that indicate Motorcycle / Moped. When parking at a 90° angle as part of a parallel parking space, striping maybe provided for individual spots or provided at either end of the parallel parking space with pavement markings indicating Motorcycle / Moped between the striping. Up to five (5) spaces at a 90° angle can be accommodated in a 20-foot-long parallel parking space. If a parallel parking space is provided and designed to allow for parallel parking, the minimum dimensions shall be five (5) feet wide by ten (10) feet long with a motorcycle symbol used for pavement markings.

(o) *Golf cart parking.* The minimum dimensions shall be five (5) feet wide by eight (8) feet long for 90° angle parking spaces. Pavement markings at the bottom of 90° spaces shall be provided that indicate Golf Cart or a golf cart symbol maybe used in the space. When provided at a 90° angle as part of a parallel parking space, striping maybe provided for individual spots or provided at either end of the parallel parking space with pavement markings indicating Golf Cart Parking between the striping. Up to four (4) spaces at a 90° angle can be accommodated in a 20-foot-long parallel parking space. If a parallel parking space is provided and designed to allow for parallel parking, the minimum dimensions shall be six (6) feet wide by ten (10) feet long with a golf cart symbol used for pavement markings.

(p) *Wheel Stops and curbing.* Wheel stops or continuous curbing are required in all parking lots to define the perimeter of the parking area and to protect landscaped areas, pedestrian walkways and structures from vehicle encroachment. Wheel stops shall be provided as follows:

(1) Wheel stops shall be constructed of concrete, continuous concrete curbing, or other durable material such as asphalt or timber, subject to approval by the city, not less than six (6) inches in width and four (4) inches in height. Wheel stops are to be securely installed and maintained as a safeguard against damage to adjoining vehicles, machinery or abutting property;

(2) Wheel stops or continuous curbing shall be located to provide two (2) feet of separation measured from the back of the stop or curbing to landscaped areas, pedestrian walkways;

(3) Where pedestrian walkways are six (6) feet in width and raised a minimum of four (4) inches in height, wheel stops are not required.

(4) The requirement for wheel stops may be waived by the city for grass parking, except where necessary for protection of natural resources, stormwater management facilities, structures, trees and walkways.

(q) *Bicycle and scooter parking.* Parking facilities, in the form of corrals, hubs, lockers, racks and stations shall meet the following standards:

(1) Bicycle and scooter facilities shall be designed to allow each device to be secured against theft and installed in a permanent manner to resist removal and damage by rust, corrosion, or vandalism;

(2) The type of bicycle and scooter facilities provided shall accommodate a range of bicycle shapes and sizes and allow easy locking without interfering with adjacent bicycles and scooters;

(3) All bicycle and scooter parking facilities shall be located to provide for convenient parking which shall be separated from automobile parking by a physical barrier or by a minimum of five (5) feet. Bicycle and scooter parking facilities shall be located on the same lot or parcel of land as the use for which such facilities are required and as close to the public and employee entrances as possible without interfering with the flow of pedestrian and vehicular traffic;

(4) The minimum parking area shall be provided with a hard-surface, all-weather pavement of asphalt or concrete, and shall be so graded and drained as to provide for the adequate runoff and disposal of surface water; and

(5) Convenient access to bicycle parking facilities shall be provided and shall minimize travel distances from adjoining sidewalks and pathways to the bicycle and scooter parking facilities. Where access is via a sidewalk or pathway, curb ramps shall be installed as appropriate.

(r~~h~~) *Existing site constraints.* For off-street parking and loading ~~parking facilities to be~~ used in conjunction with existing structures containing physical constraints, such as trees or buildings, ~~making it impractical to provide entrances, exits and interior aisles in accordance with subsections (f) and (g) hereof,~~ the city may allow for an alternative design that still meets the requirement to provide for safe and efficient vehicular and pedestrian circulation and minimize impacts to adjacent streets. ~~planning and building manager may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~

~~Sec. 28-369. - Compact space standards.~~

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.~~

~~Sec. 28-370. - Handicap parking space standards.~~

~~Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.~~

~~Sec. 28-371. - Location.~~

~~(a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within four hundred (400) feet of the premises may be allowed as a permitted use by exception.~~

~~(b) The planning and zoning board may grant an exception when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation.~~

~~(Code 1964, § 33-121)~~

Sec. 28-372. - Structured Parking Facilities ~~Joint use of parking facilities.~~

~~Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all uses or structures.~~

All freestanding structured parking facilities or facilities located underground, in podium space under buildings, on roofs of buildings, or otherwise within buildings are considered off-street parking facilities. Individual parking garages provided for a single-family residential unit is not considered a structured parking facility. A parking design plan and an architectural design proposal shall be submitted for all structured parking facilities. The plan should address, but not be limited to, the following:

(a) *Structure type.* The type of structure to be provide such as free standing, underground, or rooftop. The plan shall also note if the structured parking facility shall be self-parking, attendant parking, or gate controlled;

(b) *System provided.* The type of building system to be provide, such as poured-in-place steel-reinforced concrete, precast concrete, modular, clear-span, short-span;

(c) *Access.* Vehicular access design should enable vehicles to enter and leave the facility with minimum delay, and with minimum queuing across sidewalks and onto public streets. Design traffic volume, access servicing rates, number of access lanes and reservoir/storage requirements should be addressed;

(d) *Circulation.* Internal vehicle circulation systems should be presented including, but not limited to the types of ramps, entry and exit system, inter-floor circulation, widths, turning radii, ramp grades. Pedestrian circulation should address pedestrian-vehicular coordination, walkways, pedestrian elevators/ramps/stairs, weather protection, access from the street level, and any additional safety requirements of the city;

(e) *Design.* Planning and design details should address ceiling height, drainage, lighting, signage, floor markings and stall delineation, ventilation, etc;

(f) *Spaces.* Parking spaces shall meet parking dimension standards and accessible bicycle, and motorcycle requirements. Compact parking spaces are not permitted in structured parking facilities;

(f) *Life safety.* Public safety should address in detail emergency access, safety and security and fire access, control, protection and suppression; and

(g) *Architecture.* Architectural standards stress the importance of architectural compatibility in appearance, size, scale, bulk of the structure with its surroundings in the design. Any facility located within a historic district shall be subject to all historic district requirements. An architectural design proposal shall address but not be limited to the following:

(1) Minimizing blank concrete facades;

(2) Use of textured concrete, planter and trellises;

(3) Achieve architectural unity with the adjacent buildings; maintain a common architectural charter with the principal building;

(4) Incorporate at a minimum an equal portion of vertical and horizontal architectural elements;

(5) Replicate the regular window pattern and other architectural elements of adjacent buildings;

(6) Incorporate art into the structure's facade; and

(7) Address height, setbacks, visual screening of parked cars and landscape requirements.

Sec. 28-373. - Mechanical Parking Lifts.

Mechanical parking lifts provide an opportunity for development to meet minimum parking requirements where space is limited. A parking plan and either an architectural design proposal or landscape proposal shall be submitted for all mechanical parking lifts. The plan should address, but not be limited to, the following:

(a) *Structure or screening.* Mechanical parking lifts ("Lifts") shall be integrated into a structure for the uses they serve, constructed with at least three walls and a roof to provide adequate screening and containment of sound from operation of the Lifts for the benefit of adjacent land uses. For Lifts within non-residential land uses that are not directly adjacent to a residential land use or existing residential development, an alternative landscape plan may be submitted to demonstrate the Lift could be adequately screened and sounds contained for the benefit of adjacent land uses.

(b) *Allowable parking offset.* Lifts may be utilized to provide up to but not more than 50 percent of the required off-street parking.

(c) *Attendant required.* Lifts and the spaces below them must be operated by an attendant during all hours of operation. Upon closing, the parking attendant shall remove all vehicles from atop and beneath the Lifts and park them in an area where the customer may retrieve their vehicle. At no time shall the general public be permitted to operate the Lifts.

(d) *Queuing.* On-site queuing and staging spaces must be provided for the maneuvering of vehicles to facilitate the parking and retrieval of vehicles. At no time shall vehicles be staged within the adjacent public right-of-way. A minimum of two staging spaces shall be provided for the first 20 Lifts or less. One additional staging space shall be provided for every 20 additional Lifts or part thereof.

(e) *Lift panels.* Lifts must be manufactured with a full bottom panel to contain fluids which may be emitted from vehicles while parked (oil, condensation from air conditioners, etc.) No wheel or chassis lift mechanisms (historically used at service stations) are permitted.

(f) *Required parking.* The balance of the required non-residential spaces shall be provided as "self-park" spaces.

(g) *Landscape.* For each lift provided, a minimum of 100 square feet of landscaped area over and above the minimum required by code must be provided and shall be located to provide a view corridor for the general public. Lots of record having a width less than 50 feet shall be exempt from the requirement of this additional landscape space so long as the lift is located behind the principal use and not clearly visible from the street;

(h) *Maintenance.* The Lifts shall be regularly and routinely maintained to ensure safety and dependability of operation and minimization of operational noise levels. Maximum sound levels shall not exceed applicable thresholds as stipulated in the City Code of Ordinances.

(i) *Design.* Any Lifts to be provide with a structure shall be required to submit an architectural design proposal that demonstrates heights do not exceed allowable height limits and that the exterior of the structure is compatible with surrounding land uses and the principal use of the development. Any lifts within a historic district shall meet all applicable design requirements.

(j) *Agreement.* Any mechanical lift parking utilized to meet parking requirements shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land, binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which

satisfies the parking requirements for said use or the property owner agrees to pay a fee in lieu of to the City to meet minimum parking requirements.

Sec. 28-374. - Off-street queuing ~~stacking~~ requirements.

In addition to meeting the minimum parking and loading standards of this Division, whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, queuing ~~stacking~~ or off-loading lanes and spaces will be required on-site as follows:

(a) *Queuing requirements.* All uses shall provide at least the minimum queuing standards of this Section. The City shall have the right to request that additional queuing and/or a queuing analysis be provided showing the minimum number of required lanes, depending upon the location of a use and the type of street providing access to the use spaces. Queuing areas shall be designed so as to not create conflicts between pedestrian or vehicular circulation on the site, within the overall site for multi-use developments, on adjacent land uses, or on any abutting alleyway, circulation area or right-of-way. Queuing may not cross or back-up into any alleyway, circulation area or right-of-way.

(b) *Circulation Requirements.* A vehicle by-pass lane, a minimum of 10 feet in width, shall be constructed to provide for complete, unimpeded circulation throughout the site, separate from the queuing areas. A by-pass lane may not be required, subject to Planning Department approval, if the queuing area is adjacent to a vehicular circulation area which functions as a by-pass lane. The by-pass lane shall be clearly designated and distinct from the queuing area. Modification of existing site circulation patterns serving access or loading areas shall only be permitted if an applicant can demonstrate that conflicts are not created, that the circulation for pedestrians and vehicles can happen in a safe manner, and the queuing does not back up into existing off-street circulation areas or rights-of-way.

(c) *Point of service uses.* For land uses with a point of service window where ordered items are received or transactions are made, the following apply:

(1) A point of service space shall be provided for all drive-through establishments. The minimum dimensions for the point of service space and all queuing spaces shall be a minimum of 10 feet wide by 20 feet long; and

(2) Queuing shall be measured from the front of the stopped vehicle located at the point of service to the rear of the queuing area; and

(3) A minimum of one additional queuing space shall also be provided after the point of service for all uses, in addition to the following:

Drive-thru Use	Number of queuing spaces
Fast Casual / Fast Food / Restaurant	Ten (10) spaces per lane, with a minimum of five per lane before menu board / point of order
Drive-thru financial institution teller lane	Five (5) spaces per lane
Drive-thru automated teller machines	Five (4) spaces per atm
Drive-thru car wash (automatic)	Five (5) spaces per drive-thru wash

Car wash – self service	Three (2) spaces per stall, less than three stalls, One (1) space per stall with three or more stalls
Tunnel automated car wash	Six (6) spaces per lane before menu / section board / point of transaction and 5 spaces between tunnel entrance and point of transaction
Drive-thru dry cleaning or laundry	Three (3) spaces
Drive-thru oil change	Three (3) spaces per service bay
General retail or service drive-thru not listed	Four (4) spaces

(d) *Other vehicular use areas.* For land uses with drop-off / pick-up, the following apply:

(1) The minimum dimensions for all stacking areas shall be 10 feet wide by 20 feet long; and

(2) Stacking spaces shall be measured from the front of the stopped vehicle drop-off / pick-up to the rear of the stacking area; and

(3) The following stacking spaces are required:

a. One (1) stacking space per eight (8) students at childcare facilities, with a minimum of five (5) spaces.
b. One (1) stacking space per fifteen (15) students at all schools, Pre-K to 12th Grade, up to a minimum of ten (10) spaces.
c. Two (2) stacking spaces for overnight accommodations such as hotels and motels.
d. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.
e. One (1) stacking space per free-stranding automated teller machine.
f. One (1) stacking space per any land use not otherwise specified.

(e) *Safety.* The City shall have the right to require a development to address any safety related issues that arise due to circulation conflicts and queue backup that impedes circulation. The City may restrict any drive-thru operation that creates a safety related issue until such time as the safety related issue is adequately addressed. The City may deny circulation and queuing plans and request that do not provide for adequate access, circulation and queuing or that negatively impact the access or circulation of adjacent uses or rights-of-way. The City is not required to approve a use with a drive-thru that will create a safety related issue or negatively impact the access or circulation of an adjacent land use or right-of-way.

~~(a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:~~
~~(1) Drive-through uses. Three (3) stacking spaces per window.~~
~~(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.~~

~~(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.~~

~~(4) Hotel/motel office. Two (2) stacking spaces.~~

~~(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.~~

~~(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.~~

~~(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.~~

~~(b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.~~

Sec. 28-375. - Off-street loading requirements.

(a) *Requirement.* Space for accommodating off-street loading of merchandise, inventory, materials, supplies, and produce shall be provided on the site where a use which requires such items is located. Provisions for off-street loading areas shall be shown on site development plans.

(b) *Number of spaces.* The following table sets forth the required number of spaces for off-street loading. In circumstances where an applicant feels these requirements are not applicable or appropriate, the applicant may provide a "loading demand statement" prepared by a qualified professional in which the normal demands for loading are set forth along with any restrictions which may be appropriate.

USE OR USE CATEGORY	GROSS FLOOR AREA IN SQUARE FEET	LOADING SPACES
Amusement, assembly halls, auditoriums, entertainment, performing arts, recreation, stadiums, theater	4,000 to < 20,000 20,000 to 50,000 Each additional 50,000 or fraction thereof, add	One (1) space Two (2) spaces One (1) space
Office buildings, apartments, hotel, motel, hospital, nursing or convalescent facility	4,000 to < 40,000 40,000 to 100,000 Each additional 60,000 or fraction thereof, add	One (1) space Two (2) spaces One (1) space
Automotive sales or service, mini-warehouse, retail stores (including department stores, restaurants, consumer services), self-storage facilities, and wholesale establishments	2,000 to < 20,000 20,000 to 60,000 Each additional 40,000 or fraction thereof, add	One (1) space Two (2) spaces One (1) space

Industrial, manufacturing or processing, research and development, warehousing	Less than 15,00 15,000 to < 45,000 45,000 to 75,000 Each additional 30,000 or fraction thereof, add	One (1) space Two (2) spaces Three (3) spaces One (1) space

(c) *Minimum off-street loading.* In no instance shall the required off-street loading spaces be less than the following:

(1) Retail stores, restaurants and all other commercial uses shall have at least one (1) space.

(2) Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.

(d) *Separation from off-street parking.* In no case shall the required off-street loading spaces be part of the area used to satisfy the off-street parking requirements of this division. Off-street loading areas shall not be used to accommodate the required maneuvering area of any off-street parking.

(e) *Same lot or parcel.* The off-street loading spaces required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve. In limited instances, the planning and building department may allow for loading to occur from an alleyway or adjacent street. The hours of operation to load from an alleyway or adjacent street shall be restricted by the planning and building department and shall only occur during off-peak traffic periods.

(f) *Circulation.* A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading. A loading space or loading zone shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.

(g) *Location.* A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited. Loading spaces shall not interfere with access to dumpsters, recycling or waste management facilities.

(h) *Access.* Each off-street loading space shall be provided with safe and convenient access to a street, without the necessity, to the maximum extent physically feasible, of crossing or entering any other required loading space. Loading spaces shall be so arranged that no maneuvering, directly incidental to entering or leaving a loading space, shall be on any street, alley, walkway, fire lane, parking space, or landscaped area, accept as provided for within historic preservation districts 1, 2 and 3 or as approved by the planning and building department.

(i) *Marked spaces.* Loading spaces shall be painted with diagonal stripes and marked "Loading Only", except within the historic preservation districts 1, 2 and 3 where planning and building department may allow for loading to occur from an alleyway or street.

(j) *Loading space dimensions.* The dimensions for loading spaces shall be at least fifteen (15) feet wide, thirty-five (35) feet long, and fifteen (15) feet high, except that where one (1) such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than twelve (12) feet. All loading and maneuvering areas shall have a minimum vertical clearance of fifteen (15) feet.

(k) *Pedestrian safety.* Maneuvering and loading areas shall be arranged as to minimize hazards to pedestrian movement in the immediate area.

(l) *Historic preservation districts 1, 2 and 3.* In limited instances for uses and structures within historic preservation districts 1, 2 and 3, the planning and building department may allow for loading to occur from an alleyway or street. The hours of operation to load from an alleyway or adjacent street shall be restricted by the planning and building department and shall occur during off-peak traffic.

(m) *Residential impact.* Loading areas, including access and maneuvering, shall be designed to minimize lighting, noise and odor impact to adjacent residential dwelling units. Where loading areas are adjacent to residential dwelling units, walls at least twelve feet in height shall be provided, with a dense ten (10) foot wide landscape buffer between the adjacent residential dwelling units and the wall to screen the wall and minimize noise and odor impacts. The planning and building department may require additional mitigation measures or prohibit the locating of loading areas that may negatively impact adjacent residential dwelling units. For new residential development located adjacent to existing uses with loading areas, the requirement to screen and landscape loading areas, per the same requirements for non-residential uses, shall be required of the residential development. Loading areas serving residential dwelling units shall be screened from those dwelling units by architectural features, such as walls or building design, and may be required to provide landscaping by the planning and building department. Any architectural features or walls shall be all city design requirements and any historic district requirements.

~~Sec. 28-375. - Off-street loading requirements.~~

~~Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:~~

~~(1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.~~

~~(2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.~~

~~(3) In no case shall the required off-street loading space be less than the following:~~

~~a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.~~

~~b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.~~

~~(4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.~~

~~(5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.~~

~~(6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.~~

~~(7) A loading space or loading zone shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.~~

Sec. 28-376. – Valet Parking.

Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this Division provided the following requirements are complied with:

(a) *Agreement.* Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this Section shall be governed by an agreement with the City (in such form as may be approved by the City Attorney), and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee in lieu payment is made to the City.

(b) *On-site parking management.* A parking professional shall be available for the vehicle retrieval during business hours.

(c) *Parking space dimensions.* The dimensions for valet and tandem parking spaces shall be a minimum of eight feet wide by 16 feet deep with a maximum stacking of two vehicles along with a one-way drive aisle of 12 feet and a two-way drive-aisle of 22 feet.

(d) *Accessible parking.* Valet parking may be utilized to conform with the number of accessible parking spaces provided that:

(1) At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,

(2) The person's vehicle may be safely operated by aforementioned on-site parking management.

(e) *Queue.* The required queue is to be provided on private property as opposed to public rights-of-way. Valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or conditional use approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or transit route. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

Sec. 28-377. – In-Lieu of Parking Fees.

Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

(a) *Capital improvements program.* Prior to allowing payment in-lieu or parking, the City shall include one or more off-street parking facilities in the Capital Improvement Program.

(b) *Authorization.* The payment of an in-lieu of parking fee is authorized in the City as established by either an adopted ordinance or resolution authorizing a payment in-lieu of parking fee program.

(c) *Parking facilities.* To establish a payment of an in-lieu parking fee program requires the establishment of areas, districts or zones to provide either a structured or surface off-street parking facility. The service area for each facility is dependent upon the funding of a micromobility (electric scooters and / or electric bikes) program or a frequent transit circulator program offering frequencies of 10 minute or less or an on-demand program. The service areas for these facilities shall meet the following criteria:

(1) Off-street surface parking facility with-out a programmed micromobility or transit circulator program should not serve an area greater than a ¼ mile radius measured from each project access;

(2) Off-street surface parking facility with a programmed micromobility or transit circulator program should not serve an area greater than a 1-mile radius measured from each project access;

(3) Off-street structured parking facilities with 250 or less parking spaces and with-out a programmed micromobility or transit circulator program should not serve an area greater than a ½ mile radius measured from each project access;

(4) Off-street structured parking facilities with 250 or less parking spaces with a programmed micromobility or transit circulator program should not serve an area greater than a 1-mile radius measured from each project access; or

(5) Off-street structured parking facilities with more than 250 shall be required to have a programmed micromobility or transit circulator program and can serve an area up to a 2-mile radius measured from each project access,

(d) *Parking off-set.* Developments may elect to pay an in-lieu of parking fee for all or a portion of required off-street parking. The following uses shall be required to provide drop-off and

pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:

(1) Any use for over-night accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides over-night accommodations where the parking facility entrance is more than 600 feet from the front entrance of the use, valet service shall be provided.

(2) Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.

(3) Adequate queuing space shall be provided and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.

(4) The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces depending on the type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a bypass lane provided.

(e) *Use of funds.* All proceeds from such a fee shall be used for funding the parking facility and can be used to fund micromobility and transit circulator programs providing access to the facility.

(d) *Fee Payment.* For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit.

(f) *Installment Payment.* The in-lieu fee may also be paid in in installments. Applicants for an in-lieu fee which is not paid in full at time of permit, must enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit subject to the following:

(1) Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;

(2) The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;

(3) In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;

(4) If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and

(5) There shall be no interest due under this payment schedule for installment agreements of three years in length or less. For installment agreements greater than three years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.

(f) *Record of program utilization.* The Director of Planning or designee shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.

(g) *Operating hours.* The operating hours of the programmed public parking facility are at the sole discretion of the governmental entity that owns the facility and shall not be affected by parking spaces intended for commercial tenants of the development. The programmed public parking facility shall be accessible twenty-four hours if funds are collected from overnight accommodation or residential uses.

(h) *Biennial fee review.* The in-lieu or parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.

Sec. 28-377. – Parking and Storage of Recreational Vehicles and Trucks.

The parking and storage of recreational vehicles and trucks in a residential zoning district shall be in conformance with the following standards:

(a) *Recreational vehicles.* Recreational vehicles may be parked or stored on any lot or parcel of land within a residential zoning district in the City outside of historic districts, provided they conform to all the following standards:

(1) Recreational vehicles shall not be parked or stored in any required front yard or street side yard and a three (3) foot continuous fire access shall be maintained in interior side and rear yards.

(2) Recreational vehicles shall not be used for human habitation, except to accommodate occupants or visitors of the premises for periods of less than seven (7) days in any one (1) year period.

(b) *Trucks and truck trailers.* No truck or truck trailer with a gross vehicular weight rating over five (5) tons shall be parked or stored in any zoning district, except Industrial zoning districts. Trucks or truck trailers used for pickup or delivery service or used as part of the operation of a legally existing nonconforming use are exempt from this requirement. In no case shall such truck or truck trailer be parked at any location in any residential zoning district longer than required for such pickup or delivery service or service function, other than within the grounds of a legally existing nonconforming use located within the residential zoning district and of which operation the truck or truck trailer is a part.

~~Sec. 28-373. – Required off-street parking.~~

~~(a) *Intent.* The purpose of this section is to insure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.~~

~~(b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.~~

~~(1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.~~

~~(2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.~~

~~(3) *Change in use.* When the use of a building or portion thereof changes, the new use shall meet the off-street parking requirements of this section.~~

~~(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

~~(d) *Minimum spaces required:*~~

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	

~~(6)~~	~~Barber/hair salon~~				~~3 spaces per operator or chair~~
~~(7)~~	~~Bar, lounge, tavern, nightclub~~		~~3 patrons or seats~~		
~~(8)~~	~~Boarding and rooming houses, and hostels~~			~~1 per bed~~	~~and 2 per resident manager~~
~~(9)~~	~~Bus/transportation depot~~	~~300~~			
~~(10)~~	~~Church/funeral home~~			~~4 seats~~	~~(for churches based on largest group assembly room)~~
~~(11)~~	~~Community center~~	~~250~~			
~~(12)~~	~~Clinic~~				~~5 per doctor/ dentist~~
~~(13)~~	~~Clubs, lodges~~	~~250~~			~~(includes outside assembly/recreation)~~
~~(14)~~	~~Convention center~~	~~200~~			
~~(15)~~	~~Daycare, child care facility~~				~~1 per employee~~
~~(16)~~	~~Furniture, clothing, appliance store~~	~~500~~			
~~(17)~~	~~Garage, repair~~			~~3 per bay~~	
~~(18)~~	~~Gym, spa~~	~~200~~			
~~(19)~~	~~Hospital~~			~~1.5 per 3 beds~~	~~plus as required for accessory uses~~
~~(20)~~	~~Hotel/motel/inn~~		~~3 (for meeting or banquet~~	~~4 (for meeting or banquet rooms) and 1 per room~~	~~75% as required for accessory uses~~

			~~rooms) and~~		
~~(21)~~	~~Industrial manufacturing~~	~~1,000 devoted to manufacturing, shipping or receiving~~			~~and 1 per stored company vehicle and as required for office use~~
~~(22)~~	~~Shopping center~~	~~300 (nonstorage area)~~			
~~(23)~~	~~Marina~~			~~1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of~~	~~and as required for accessory uses~~

				~~passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private~~	

				~~clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.~~	
~~(24)~~	~~Mobile home~~			~~2 per unit~~	
~~(25)~~	~~Multifamily residential/apartments~~				
	~~1 bedroom~~			~~1.5 per unit~~	
	~~2 bedrooms~~			~~2 per unit~~	
	~~3 or more bedrooms~~			~~2.25 per unit~~	
~~(26)~~	~~Office use medical/dental~~				~~3 per doctor~~
	~~Veterinary~~				~~3 per doctor~~
	~~Professional/business office~~	~~400~~			
	~~Real estate, property rental/management, employment office~~	~~300~~			
~~(27)~~	~~Restaurant~~	~~75 patron area (nonfixed seating)~~	~~or 4 patrons (fixed seating)~~		~~and 1 per 200 sq. ft. nonpatron area~~

~~(28)~~	~~Restaurant, fast food or drive-through~~	~~75 patron area (nonfixed seating)~~	~~or 3 patrons (fixed seating)~~		~~and 1 per 100 sq. ft. nonpatron area~~
~~(29)~~	~~Schools~~				
	~~Elementary~~			~~2 per classroom, office and kitchen~~	
	~~Jr. high/high~~			~~2 per classroom, office and kitchen~~	~~and 1 per 6 auditorium or gym seats~~
	~~College/university/technical or vocational school~~			~~1 per classroom, and 1 per 4 students at average capacity class attendance~~	~~and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants~~
~~(30)~~	~~Single-family/duplex~~			~~2 per unit~~	
~~(31)~~	~~Recreational vehicle park/campground~~			~~1 per space~~	~~and as required for office use~~
~~(32)~~	~~Nursing home~~			~~1 per 6 beds~~	~~and 1 per employee~~
~~(33)~~	~~Retirement home/adult congregate living facility~~		~~2 patrons~~	~~or 1 per bedroom~~	
~~(34)~~	~~Service station~~	~~200 (buildings)~~			
~~(35)~~	~~Wholesale distribution~~	~~1,500~~			~~and as required for office~~
~~(36)~~	~~Warehouse storage~~	~~2,000~~			~~and as required for office~~

~~(37)~~	~~Mini-warehouse and self-storage facility~~			~~1 per 10 storage units~~	~~2 per office plus 2 per caretaker's unit~~
~~(38)~~	~~Convenience store~~	~~100~~			
~~(39)~~	~~Theatre~~		~~4 seats~~		
~~(40)~~	~~Grocery/supermarket~~	~~200~~			
~~(41)~~	~~Business, commercial, or service establishments~~	~~300~~			
~~(42)~~	~~Outdoor market~~	~~100 (sale/display area)~~			
~~(43)~~	~~Public service~~				~~1 per employee plus 1 per stored company vehicle~~
~~(44)~~	~~Winery~~	~~450~~			
~~(45)~~	~~Winery with restaurant~~				
	~~a. Winery area~~	~~450~~			
	~~b. Restaurant area~~				
	~~1. Patron area~~	~~75~~	~~or 4 patrons or seats~~		
	~~2. Non-patron area (kitchen, etc.)~~	~~100~~			
~~(46)~~	~~Bed and breakfast~~			~~1 per room~~	~~2 for owner/resident manager~~
~~(47)~~	~~College dormitory~~			~~1 per bed~~	~~and 10% as required for accessory uses provided as part of the dormitory~~

~~(48)~~	~~Special event venue~~			~~One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or~~	

				~~ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.~~	

Secs. 28-376—28-399. - Reserved.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: **Consideration and Discussion Related to Updating the City's parking Code Regulations: *Option 3* Draft Parking Code Update Provided by Staff Proposing Certain Changes to the Code.**

Staff has provided documents for a parking code update based on various elements of the City's Comprehensive Plan 2040, Mobility Fee and Mobility Plan dated February 2022, and a parking code update provided by NUE Urban Concepts to be reviewed by the Board on June 27th, 2023. Below is an overview and summary of the proposed changes.

- For properties within the Historic Preservation Districts 1, 2, 3, and 4 that wish to provide a parking facility there are now required multi-modal parking spaces.
- Bicycle, scooter, motorcycle and micromobility racks are required for specific land uses.
- Parking space size requirements for bicycles and motorcycles.
- Provisions for conducting a shared parking analysis.
- Modifications to off-site parking guidelines such as allowed distances and review that can be completed at the staff level.
- Decreases for minimum off-street requirements for several uses citywide based on the most recent Institute of Traffic Engineers (ITE) standards.
- Parking management strategies to encourage a park once environment and encourage the use of multimodal transit, shared parking, mobility hubs, valet parking, fee-in-lieu of, and new parking technologies.
- Shared parking requirements are now more comprehensive rather than the previous language of joint use parking facilities.
- Added flexibility for parking facility materials through the Public Works Department and potential language for including pedestrian friendly design standards.
- Parking space size requirements for structured public parking facilities.
- Requirements for parking facilities on non-conforming lots to be more relaxed.
- Using the residential typology development option under the San Marco Avenue Design Standards properties adjacent to King Street, Masters Drive, Palmer Street, Pellicer Lane, and S Dixie Highway are eligible for reductions.
- Increase in compact spaces allowed from 25% to 50%.
- Introduction of in-lieu of parking fees with specific authorization guidelines to be created through a future ordinance or resolution.

- Minor update to Sec. 28-347. – Supplementary regulations for certain uses regarding off-site parking options.

Thank you for your attention to this matter. If you have any questions or require additional information, please call me at (904) 209-4331 or email at jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.

Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City's Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of twenty (20) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.

Uses and structures located in historic preservation districts 1, 2, 3, and 4 that wish to provide on-site parking shall be required to meet the additional multi-modal parking requirement outlined in Sec. 28-372. – Parking reduction guidelines and additional requirements.

Sec. 28-368. - Design standards.

(a) *Approval of plans and specifications.* No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the ~~engineering division~~ public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.

(b) *Drainage.* Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy.

Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the ~~engineering division~~ public works/utilities department(s).

(c) *Lighting.* Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to insure user safety and security. Lighting shall be designed and installed to minimize glare on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

(d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.

(e) *Pedestrian Safety and ~~Separation~~ separation from walkways and streets.* Off-street parking and loading facilities shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, curbing, bollards, landscaping or other approved protective device. Such protective devices shall not impair the visibility of pedestrians or vehicles at entrances and exits.

(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping may be used to define entrances and exits. Landscaping, curbing or other protective devices may be provided to control access and to separate pedestrian and vehicular traffic. Entrances and exits should be designed with the highest priority given to the pedestrian.

(g) *Interior driving aisles and maneuverability.* The minimum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24
30	13	24
45	13	24
60	18	24
90	24	24
Drive aisles with no parking immediately adjacent	10	20

(h) *Existing site constraints.* For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections (f) and (g) hereof, the city planning and building ~~manager~~ director may grant a variance from such requirements~~;~~. ~~provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~

The city also recognizes that due to the unique layout and design of the existing commercially zoned areas of the city that the parking requirements of this section may not be able to be met based on the existing development or nonconforming lots. When the layout, design, deed restriction or unique condition of an existing lot or building in the existing commercially zoned areas of the city creates a hardship which affects the ability to meet the required number of parking spaces, the following may be allowed:

(1) The number of required spaces may be reduced by the variance process outlined in the land development code.

(2) A reduction of 50 percent for required parking spaces may be applied to changes of use or re-model projects to existing buildings within the existing commercially zoned areas of the city; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine. This reduction will not apply to new construction in the existing commercially zoned areas.

(3) New construction in the existing commercially zoned areas of the city may have the number of required parking spaces reduced by 25 percent if the lot is considered a nonconforming lot; provided that the site plan includes proposed bicycle and/or motorcycle parking for the equivalent of the reduced number of parking spaces, and provided that the proposed site plan includes meeting the current requirements of the landscaping code of the City of St. Augustine.

Sec. 28-369. – ~~Compact~~ Parking space standards.

(a) A standard parking space shall be at least nine and a half (9.5) feet wide by nineteen (19) feet in length.

(b) A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of ~~twenty-five (25)~~ fifty (50) percent of required parking spaces may be compact spaces.

(c) A public garage parking space shall be at least eight (8) feet wide by nineteen (19) feet in length.

(d) Bicycle parking facilities shall be designed, constructed, and maintained to include provisions for the secure storage and locking of bicycles on a hard surface at least seven (7) feet in length. Fixed objects which are intended to serve as bicycle parking facilities shall be clearly labeled as available for bicycle parking.

(e) Motorcycle spaces shall be a minimum of three (3) feet in width and at least ten (10) feet in length. Concrete, erosion resistant material, or other material that will not be damaged by the motorcycle kickstands is required for the motorcycle parking spaces. Motorcycle parking shall be labeled as such.

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

(a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within ~~four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises may be allowed as a permitted use by exception.

(b) The planning and zoning board may grant ~~an exception~~ a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, motorcycle parking, and/or a drop off valet service.

(c) The planning and building department director, or designee, may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for all uses or structures or meet the requirements of Sec. 28-372. – Parking management.

Sec. 28-372. – ~~Joint use of parking facilities~~ Parking reduction guidelines and additional requirements.

(a) *Parking management.* To encourage a park once environment and encourage the use of multimodal transportation, this division includes provisions for shared parking, mobility hubs, valet parking, fee-in-lieu of programs and introduction of new parking technologies to reduce the number of off-street parking spaces.

(b) Nothing in this chapter shall be construed to prevent the ~~joint~~ shared contractual use of off-street parking facilities by two (2) or more structures or uses ~~when such facilities provide the number of spaces required for all uses or structures.~~ with shared entrances, exits, driveways, and/or drive aisles that meet requirements based on an analysis submitted by the applicant and reviewed by city staff using the parking matrix below:

	Weekday			Weekend	
Use	Night Midnight to 6:00 a.m.	Day 6:00 a.m. to 6:00 p.m.	Evening 6:00 p.m. to Midnight.	Day 9:00 a.m. to 4:00 p.m.	Evening 6:00 p.m. to Midnight.
Residential	90%	50%	90%	70%	90%
Office	5%	90%	10%	5%	5%
Commercial/Retail	5%	50%	80%	80%	70%
Hotel	80%	60%	90%	80%	90%
Restaurant	10%	50%	80%	50%	90%
Entertainment/Recreational (theatres, bowling alleys, etc.)	10%	40%	80%	80%	90%
Other	80%	90%	50%	70%	70%

(c) *Mobility hub.* A new development, redevelopment, or change of use may propose the planning, design and construction of a mobility hub. Mobility hubs are intended to serve multimodal transportation and can include:

(1) A covered, ADA accessible facility that is amenitized, lighted, provides for air circulation and connectivity to adjacent multimodal facilities and land uses;
(2) Designated drop-off and pick-up areas for ride-share, ride-hail, transit, trolley, and deliveries;
(3) Parking spaces for car share and low speed vehicles;
(4) Micromobility racks, corrals, charging or docking stations;
(5) Charging stations for electric vehicles and mobile devices;
(6) Sponsorship of the City's micromobility program;
(7) If located in a Historic Preservation zoning district, the mobility hub facility shall meet historic district architectural requirements and be compatible with surrounding land uses;
(8) The City may consider allowing for the naming or branding of the facility after the development or an appropriate name. Any naming or signs shall conform to all requirements of the City code; and
(9) The size, scale, amenities, and any agreements with the City provided with the mobility hub shall be used to determine how many required parking spaces maybe off-set. The maximum off-set available would be 40%, subject to city review and approval.

(d) *Valet Parking.* Off-street parking with a valet service or operator, which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking, may be utilized in lieu of the requirements of this code provided the following requirements are complied with:

(1) *Agreement.* Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this code shall be governed by an agreement with the City (in such form as may be approved by the City Attorney) and recorded with the St Johns County Clerk of Circuit Court. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use or a fee-in-lieu payment is made to the City.

(2) *On-site parking management.* A parking professional shall be available for the vehicle retrieval during business hours.

(3) *Parking space dimensions.* The dimensions for valet and tandem parking spaces shall be a minimum of eight (8) feet wide by sixteen (16) feet deep with a maximum stacking of two vehicles along with a one-way drive aisle of twelve (12) feet and a two-way drive-aisle of twenty-four (24) feet.

(4) *Accessible parking.* Valet parking may be utilized to conform with the number of accessible parking spaces provided that:

a. At least two handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,

b. The person's vehicle may be safely operated by aforementioned on-site parking management.

(5) *Queue.* The required queue is to be provided on private property as opposed to public rights-of-way. Valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or use by exception approval based upon the intensity of the use and location. The length of the queuing area may be reduced when supported by a queuing analysis and where potential queue back up would not impact an arterial, collector or entry corridor. Any queuing analysis shall be based on a methodology agreeable to and is subject to approval by the City.

(e) *In-Lieu of Parking Fees.* Developments required to provide off-street parking shall have the option of providing spaces through payment to the City of an in-lieu parking fee. Payment of a fee in-lieu of required parking shall be pursuant to the following provisions:

(1) *Capital improvements program.* Prior to allowing payment in-lieu of parking, the City shall include one or more off-street parking facilities in the Capital Improvement Program.

(2) *Authorization.* The payment of an in-lieu of parking fee is authorized in the City as established by either an adopted ordinance or resolution authorizing a payment in-lieu of parking fee program.

(3) *Parking facilities*. To establish a payment of an in-lieu parking fee program requires the establishment of areas, districts or zones to provide either a structured or surface off-street parking facility. The service area for each facility is dependent upon the funding of a micromobility (electric scooters and/or electric bikes) program or a frequent transit circulator program offering frequencies of 10 minute or less or an on-demand program. The service areas for these facilities shall meet the following criteria:

a. Off-street surface parking facility with-out a programmed micromobility or transit circulator program should not serve an area greater than a one thousand three hundred and twenty (1,320) foot, or one quarter mile, radius measured from each project access;

b. Off-street surface parking facility with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eighty (5,280) foot, or one mile, radius measured from each project access;

c. Off-street structured parking facilities with 250 or less parking spaces and with-out a programmed micromobility or transit circulator program should not serve an area greater than a two thousand six hundred and forty (2,640) foot, or half mile, radius measured from each project access;

d. Off-street structured parking facilities with 250 or less parking spaces with a programmed micromobility or transit circulator program should not serve an area greater than a five thousand two hundred and eight (5,280) foot, or one mile, radius measured from each project access; or

e. Off-street structured parking facilities with more than 250 shall be required to have a programmed micromobility or transit circulator program and can serve an area up to a 2-mile radius measured from each project access,

(4) *Parking off-set*. Developments may elect to pay an in-lieu of parking fee for all or a portion of required off-street parking. The following uses shall be required to provide drop-off and pick-up areas or valet service for motor vehicles where the payment in-lieu of option is used for more than 10% of the required off-street parking:

a. Any use for over-night accommodations such as a hotel, motel or bed and breakfast shall provide space to accommodate at least two vehicles, plus one space per 50 rooms, for drop-off and pick-up. Any use that provides over-night accommodations where the parking facility entrance is more than four hundred (400) feet from the front entrance of the use, valet service shall be provided.

b. Any residential use shall provide space to accommodate at least two vehicles, plus one space per 50 units, for drop-off and pick-up.

c. Adequate queuing space shall be provided and the City may require a traffic analysis, depending on the type of use and location, to demonstrate that adequate queuing space is provided.

d. The dimensions for drop-off and pick-up areas shall be the same as those for parking spaces and required type of drive-aisle access provided. The drop-off and pick-up areas may be provided on a drive-aisle, so long as there is a drive aisle provided and required parking spaces are not blocked.

(5) *Use of funds.* All proceeds from such a fee shall be used for funding the parking facility and can be used to fund micromobility and transit circulator programs providing access to the facility.

(6) *Fee Payment.* For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit.

(7) *Installment Payment.* The in-lieu fee may also be paid in installments. Applicants for an in-lieu fee which is not paid in full at the time of permit issuance, must enter into an In-Lieu of Parking Fee Agreement with the City prior to or upon issuance of a building permit subject to the following:

a. Such agreement shall be recorded in public records with the St. Johns County Clerk of Circuit Court;

b. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The

restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs;

c. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property;

d. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a period not to exceed five (5) years with payments made at least twice a year. The first installment shall be 25 percent of the total fee and is to be paid upon signing the agreement. Additional installments shall be based upon the total number of years of the installment agreement and the required number of annual payments; and

e. There shall be no interest due under this payment schedule for installment agreements of three (3) years in length or less. For installment agreements greater than three (3) years, the interest shall be based on the annual maximum percentage on bond payments made by the City, or 5%, annually, whichever is less.

(8) *Record of program utilization.* The Director of the Planning and Building Department, or designee, shall maintain a record of the developments that utilize the in-lieu of parking fee program and the number of spaces allocated to the program for each programmed public parking facility.

(9) *Operating hours.* The operating hours of the programmed public parking facility are at the sole discretion of the governmental entity that owns the facility and shall not be affected by parking spaces intended for commercial tenants of the development. The programmed public parking facility shall be accessible twenty-four hours if funds are collected from overnight accommodation or residential uses.

(10) *Biennial fee review.* The in-lieu of parking fee shall be reviewed at a minimum every two years and the fee adjusted as warranted.

(f) *Additional requirements for uses and structures providing off-street parking*. In addition to any off-street parking provided for vehicles' the following requirements for multi-modal transportation must also be met.

(1) *Bicycle, scooter and micromobility device parking.* One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:

a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.

b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.

(2) *Motorcycle moped and motorized scooter parking.* One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

Sec. 28-373. - Required off-street parking.

(a) *Intent.* The purpose of this section is to insure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.
(b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.

(1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in area or capacity.

(2) *Enlargement.* When a building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, volume or seats, off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, capacity or seats so created or used.

(3) *Change in use.* When the use of a building or portion thereof changes, the new use shall meet the off-street parking requirements of this section.

(c) *Required parking ~~San Marco Avenue~~ and Design Standards.* Developments within the San Marco Avenue and King Street Design Standards entranceway corridor area, as well as properties adjacent to Masters Drive, Palmer Street, Pellicer Lane, and S Dixie Highway, utilizing the residential typology development option as laid out in the San Marco Avenue and King Street Design Standards, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.

(d) *Minimum spaces required:*

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	

(4)	Auto, boat, equipment sales, rentals	~~300~~ 500 (buildings)			
(5)	Banks and financial institutions	300		~~3 per automatic teller machine~~	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1 per bed	and 2 per resident manager
(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	~~250~~ 500			
(12)	Clinic	400			~~5 per doctor/ dentist~~
(13)	Clubs, lodges	250			(includes outside assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	~~4 (for meeting or banquet rooms)~~ and 1 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use

(22)	Shopping center	~~300~~ 500 (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding	and as required for accessory uses

				restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per unit	
(25)	Multifamily residential/apartments				
	1 bedroom			~~1.5~~ 1 per unit	
	2 bedrooms			~~2~~ 1.5 per unit	
	3 or more bedrooms			~~2.25~~ 2 per unit	
(26)	Office use medical/dental	400			~~3 per doctor~~
	Veterinary	400			~~3 per doctor~~
	Professional/business office	400			
	Real estate, property rental/management, employment office	~~300~~ 400			
(27)	Restaurant	~~75~~ 100 patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area
(28)	Restaurant, fast food or drive-through, coffee shop or café	~~75~~ 100 patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per ~~100~~ 200 sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school		2 for every 3	~~1 per classroom, and 1 per 4~~	and 10% as required for

			employees, and 1 for every 5 students not residing on campus	~~students at average capacity class attendance~~	accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			2 per unit	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office
(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	~~100~~ 200			
(39)	Theatre		4 seats		
(40)	Grocery/supermarket	~~200~~ 300			
(41)	Business, commercial, or service establishments	~~300~~ 500			
(42)	Outdoor market	~~100~~ 300 (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	~~75~~ 100	or 4 patrons or seats		

	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1 per room	2 for owner/resident manager
(47)	College dormitory			~~1 per bed~~ 2 per 3 residential students	~~and 10% as required for accessory uses provided as part of the dormitory~~
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking	

				for the special event venue use shall be provided on-site in addition to other required parking.	

Sec. 28-374. - Off-street stacking requirements.

(a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces will be required on-site as follows:

(1) Drive-through uses. Three (3) stacking spaces per window.

(2) Child care facilities. One (1) stacking space per eight (8) students up to a ~~minimum~~ maximum of five (5) spaces.

(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.

(4) Hotel/motel office. Two (2) stacking spaces.

(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.

(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.

(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.

(b) A stacking space shall be a minimum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

(1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(3) In no case shall the required off-street loading space be less than the following:

a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.

(4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.

(5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.

(6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.

(7) A loading space or loading zone shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces~~.~~, and shall be a minimum of twelve (12) feet by twenty-five (25) feet.

(8) A loading space or loading zone for ride share uses must be designed in a manner to ensure safety of pedestrians and convenience for users meaning they must located adjacent to a building or a sidewalk.

Secs. 28-376—28-399. - Reserved.

Other Sections in the Code of Ordinances with references to off-street parking.

Sec. 28-151. - Parking.

(i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.

(ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.

(iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the planning and zoning board for a use by exception for offsite parking. The application to the planning and zoning board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage, or, if on-street parking permits for vacation rentals are provided pursuant to city regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

(Ord. No. 19-50, § 1, 1-27-20)

Sec. 28-347. – Supplementary regulations for certain uses.

(3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises requiring off-street parking; those within four hundred (400) feet can be approved by staff as per Sec. 28-331(c). ~~such~~ Parking lots in residential districts shall also conform to the following:

a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
d. There shall be no sales or service activity of any kind on such lots.
e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 27, 2023

RE: **Consideration and Discussion Related to Updating the City's parking Code Regulations: *Option 4* Draft Parking Code Update Provided by Staff Proposing Certain Changes to the Code.**

Staff has provided documents for a parking code update based on various elements of the City's Comprehensive Plan 2040 and Mobility Fee and Mobility Plan dated February 2022 to be reviewed by the Board on June 27th, 2023. Below is an overview and summary of the proposed changes.

- Parking facilities within Historic Preservation Districts 1, 2, 3, and 4 are now limited to three (3) spaces instead of twenty (20).
- New parking facilities within Historic Preservation Districts 1, 2, 3, and 4 are also required to provide multimodal parking spaces and storage.
- Parking facilities are required to be set back 25 feet from all public rights-of-way, with an allowance of just an 8-foot setback with proper landscaping and protective devices installed.
- Drive aisle widths have been changed from minimum requirements to maximum allowed widths.
- Parking spaces now have a maximum size of 9.5' in width and 19' in length.
- Modifications to off-site parking regulations in terms of distance as well as staff ability to approve proposals.
- Non-residential, or non-residential components of mixed-use, development on lots equal to or less than 10,000 square feet in size and under three (3) stories in height are exempt from off-street parking requirements.
- Uses within buildings that are fifty (50) years old or older are also exempt from off-street parking requirements.
- Seventy-five (75) percent reduction in parking requirements for affordable housing developments.
- Previously required minimum off-street parking standards are now maximum allowable number of off-street parking spaces.
- Minimum parking requirements for bicycles and micromobility devices.
- Minimum off-street stacking requirements are now maximums.

Thank you for your attention to this matter. If you have any questions or require additional information, please call me at (904) 209-4331 or email at jfredriksson@citystaug.com.

Jacob Fredriksson
Senior Planner
Planning and Building Department

DIVISION 2. - OFF-STREET PARKING AND LOADING

Sec. 28-366. - In general.

All new and expanded uses and structures as well as all changes in use shall meet all requirements contained in this section for off-street parking and loading. ~~Where fractional spaces result from parking space requirement calculations, the parking space required shall be the nearest whole number.~~

This section of the City of St. Augustine's Code of Ordinances Off-street vehicle parking, including public parking facilities, must be designed, constructed and maintained in accordance with the requirements of this section as well as the goals, objectives, and policies of the City's Comprehensive Plan and Mobility Plan.

Sec. 28-367. - Historic preservation districts requirements.

Uses and structures located in historic preservation districts 1, 2, 3 and 4 are not required to provide off-street parking and loading. Any parking facilities within these districts shall meet the specific requirements contained in this section. Parking facilities within historic preservation districts 1, 2 and 3 shall not exceed a maximum of ~~twenty (20)~~ three (3) spaces and shall not be located within twenty-five (25) feet of another facility. All parking facilities shall have a fence or wall around the perimeter of the facility. Parking facilities located on the premises of a structure shall meet the height requirements for fences or walls established by the architectural guidelines for historic preservation as appropriate to the era of the structure. Parking facilities located off the premises shall meet the height requirements for pre-1821 construction. No parking garages shall be approved within historic preservation districts 1, 2 and 3, and any parking facility located on a corner lot shall be by exception only.

Uses and structures located in historic preservation districts 1, 2, 3, and 4 that wish to provide on-site parking shall be required to meet the additional multi-modal parking requirement outlined below:

(1) *Bicycle, scooter and micromobility device parking.* One rack accommodating two bicycles, scooters, micromobility devices or some combination thereof shall be provided per the following:
   a. One (1) rack for every ten (10) off-street parking spaces provided for non-residential uses.
   b. One (1) rack per dwelling unit for multifamily uses with three or more dwelling units and one (1) rack per every ten (10) off-street parking spaces provided for visitors. In addition, for common area structures, such as a clubhouse, or per every ten (10) off-street parking spaces provided or one for every 1,000 sq. ft. of common area structure, whichever is greater.

(2) *Motorcycle moped and motorized scooter parking.* One space for the parking of a motorcycle, moped, motorized scooter or similar vehicle that requires license and registration by Florida Statute shall be provided for every 20 off-street parking spaces provided.

Sec. 28-368. - Design standards.

(a) *Approval of plans and specifications.* No permits shall be issued for any parking facility until the plans and specifications, including required landscaping, materials and storm drainage, have been submitted to and approved by the planning and building department and the ~~engineering division~~ public works/utilities department(s). These plans and specifications shall include proper drainage and retention, surface materials, curbing and screening as required, clearly marked and dimensioned, with handicap and other special use spaces designated. All entrances, exits and aisles shall be dimensioned, with the traffic pattern indicated.

(b) *Drainage.* Off-street parking and loading facilities shall meet city requirements for stormwater retention and drainage to prevent damage to abutting property, the public right-of-way and the adjacent environment. All such facilities shall be paved with erosion-resistant materials in accordance with city specifications. These specifications may include alternative surfaces, pervious surfaces, drainage and retention systems that are sustainably designed according to best management practices and City policy. Drainage from parking facilities into the city drainage system (either overground or direct underground) shall require the approval of the ~~engineering division~~ public works/utilities department(s).

(c) *Lighting.* Adequate lighting shall be provided if an off-street parking or loading facility is to be used at night. Such lighting shall be provided to insure user safety and security. Lighting shall be designed and installed to minimize glare on adjacent property and streets. No source of illumination shall be directed into the windows of any residential building.

(d) *Landscaping.* Landscaping requirements for parking facilities shall be as required by Chapter 25.

(e) *Separation from walkways and streets.* Off-street parking and loading facilities shall be setback 25 feet from all public ROWs with the exception of alleys. This setback may be reduced to 8 feet in locations at least 50 feet from a block corner where ~~separated from walkways, sidewalks, streets or alleys by~~ a wall, fence, curbing, bollards, landscaping or other approved protective device is installed. Such protective devices shall not impair the visibility of pedestrians or vehicles at entrances and exits.

(f) *Entrances and exits.* The location and design of entrances and exits shall be in accordance with city specifications. The number of curb cuts shall be the minimum required to allow free and safe use of the facility without impairing traffic flow along the street. The use of shared or common curb cuts is encouraged where practical. Trees and appropriate landscaping ~~may~~ shall be used to define entrances and exits. Landscaping, curbing or other protective devices ~~may~~ shall be provided to control access and to separate pedestrian and vehicular traffic.

(g) *Interior driving aisles and maneuverability.* The ~~minimum~~ maximum width of interior driving aisles and maneuverability space within parking facilities shall be related to the angle of the parking spaces and the use of one-way or two-way traffic as follows:

Parking Space Angle in Degrees	One-Way Traffic Aisle Width/Maneuverability Space in Feet	Two-Way Traffic Aisle Width/Maneuverability Space in Feet
0 (Parallel)	13	24

30	13	24
45	13	24
60	18	24
90	24	24

~~(h) *Existing site constraints.* For parking facilities to be used in conjunction with existing structures containing physical constraints, such as trees or buildings, making it impractical to provide entrances, exits and interior aisles in accordance with subsections (f) and (g) hereof, the city planning and building manager may grant a variance from such requirements; provided, however, no variance shall be given by the planning and building manager to the required parking space requirements or required interior maneuverability space.~~

Sec. 28-369. – ~~Compact~~ Parking space standards.

A automobile parking space shall have a maximum size of nine and a half (9.5) feet wide by nineteen (19) feet in length.

~~A compact parking space shall be at least eight (8) feet wide by eighteen (18) feet in length. All compact spaces shall be indicated by signs. A maximum of twenty-five (25) percent of required parking spaces may be compact spaces.~~

Sec. 28-370. - Handicap parking space standards.

Handicap parking spaces shall conform to the standards of the most recently adopted Florida Building Code.

Sec. 28-371. - Location.

(a) A required off-street parking and loading facility shall be located on the same lot or parcel of land it is intended to serve. However, an off-street parking and loading facility within ~~four hundred (400)~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, ~~feet~~ of the premises may be allowed as a permitted use by exception.

(b) The planning and zoning board may grant ~~an exception~~ a permitted use by exception within one thousand three hundred and twenty (1,320) feet, or one quarter mile, when practical difficulties prevent the placing of all or part of the facility on the premises they are designated to serve. The board shall review the proposal for impact upon pedestrian and vehicular traffic patterns and user safety, impact upon surrounding properties from noise, glare, visual quality, nuisance and traffic generation. Exceptions reviewed by the planning and zoning board shall include provisions that promote the City's Mobility Plan. Such provisions may include, but are not limited to, on-site bicycle racks, scooter/motorcycle parking, and/or a drop off valet service.

(c) The planning and building department staff may permit off-site parking within four hundred (400) feet when such parking facilities provide the number of spaces required for residential uses or structures.

Sec. 28-372. - Joint use of parking facilities.

Nothing in this chapter shall be construed to prevent the joint contractual use of off-street parking facilities by two (2) or more structures or uses when such facilities provide the number of spaces required for all short term residential uses or structures.

Sec. 28-373. -- ~~Required off-street parking.~~ Off-street parking.

(a) *Intent.* The purpose of this section is to ~~insure the reasonable provision of off-street, on-site parking facilities. Any use not listed shall provide off-street parking facilities as required of the use listed which is most closely related to it, as determined by the planning and building department.~~ encourage mixed-use development and promote infill development that fosters a multi-modal transportation environment within the City of St. Augustine.

(b) *Continuation required.* Off-street parking or loading facilities shall be maintained and continued as long as the main use continues.

(1) *Repair.* Conforming buildings and uses existing at the time of adoption of this chapter (June 27, 1988) may be modernized, altered and/or repaired without providing additional facilities, providing there is no increase in residential area or capacity.

(2) *Enlargement.* When a residential building or use existing at the time of adoption of this chapter is enlarged or increased in area or capacity by adding floor area, ~~volume or seats,~~ off-street parking and loading as required by this chapter shall be provided for the additional floor area, volume, ~~capacity or seats~~ or capacity so created or used.

(3) *Change in use.* When the use of a building or portion thereof changes, the new use shall meet the off-street parking requirements of this section.

~~(c) *Required parking San Marco Avenue Design Standards.* Developments within the San Marco Avenue Design Standards entranceway corridor area, utilizing the residential typology development option, shall receive a twenty-five (25) percent reduction for the total calculated required parking based on (d) Minimum spaces required in order to maintain the appearance of a residential in nature front yard consistent with the intent of the design standards.~~

(c) *Exempt from off-street automobile parking*: The following conditions shall be exempt from the minimum parking requirements found in Sec. 28-373. – Required off-street parking to promote a mixed-use, walkable, and sustainable built environment. Parking shall be provided as necessary to meet the requirements of the Americans with Disabilities Act, which may be provided on site or within public parking lots or on-street spaces.

(1) Non-residential, or non-residential component of mixed-use, development on lots less than or equal to 10,000 square feet, and are less than three (3) stories in height or
(2) Non-residential uses within buildings that are over fifty (50) years old.

(d) *Reduction in parking for affordable housing*: Residential units that are deemed to be affordable may reduce their off-street parking requirement by seventy-five (75) percent. Definition of affordable housing may be found in Sec. 28-2. – Definitions.

~~(d) Minimum~~ (e) *Maximum on-site automobile spaces ~~required~~ allowed:*

	Use	1 Space Per Gross Floor Area (Sq. Ft.)	1 Space Per Rates Patron Capacity	Units, Seats, Rooms, Spaces	Special Requirements
(1)	Amusement/recreation				
	Skating rink	300			
	Indoor recreation		4 patrons or seats		
	Bowling			3 per lane	
	Miniature golf			2 per hole	
	Outdoor recreation		4 patrons or seats		
	Outdoor pool				1 per 75 ft. water area
	Racquet courts				3 per court
(2)	Art gallery, library and museum	400			
(3)	Auditorium			4 seats	
(4)	Auto, boat, equipment sales, rentals	300 (buildings)			
(5)	Banks and financial institutions	300		3 per automatic teller machine	
(6)	Barber/hair salon				3 spaces per operator or chair
(7)	Bar, lounge, tavern, nightclub		3 patrons or seats		
(8)	Boarding and rooming houses, and hostels			1.5 per bed	and 2 per resident manager
(9)	Bus/transportation depot	300			
(10)	Church/funeral home			4 seats	(for churches based on largest group assembly room)
(11)	Community center	250			
(12)	Clinic				5 per doctor/ dentist
(13)	Clubs, lodges	250			(includes outside

					assembly/recreation)
(14)	Convention center	200			
(15)	Daycare, child care facility				1 per employee
(16)	Furniture, clothing, appliance store	500			
(17)	Garage, repair			3 per bay	
(18)	Gym, spa	200			
(19)	Hospital			1.5 per 3 beds	plus as required for accessory uses
(20)	Hotel/motel/inn		3 (for meeting or banquet rooms) and	4 (for meeting or banquet rooms) and 1.5 per room	75% as required for accessory uses
(21)	Industrial manufacturing	1,000 devoted to manufacturing, shipping or receiving			and 1 per stored company vehicle and as required for office use
(22)	Shopping center	300 (nonstorage area)			
(23)	Marina			1 per 2 newly constructed wet boat slips, excluding those used for charter boats, plus 1 per 10 dry boat storage spaces. Wet slips used for charter boats (including those for fishing, shelling, diving, and sightseeing purposes) are computed at 1 per 3 boat passengers based on the maximum number of passengers, and charter boats used	and as required for accessory uses

				for dining are computed at 1 per 2 boat passengers based on the maximum number of passengers. Each parking space provided to meet the marina's boat slip or dry storage parking requirements may also be credited towards meeting 100 square feet of the parking requirements for the marina or permitted marina-related activities, excluding restaurants, lounges/bars and private clubs. Uses not receiving credit from parking provided for boat slips or dry storage spaces shall provide parking at the normal rate for those uses as required within this Code.	
(24)	Mobile home			2 per ~~unit~~ bedroom	
(25)	Multifamily residential/apartments			1.5 per bedroom	
	~~1 bedroom~~			~~1.5 per unit~~	
	~~2 bedrooms~~			~~2 per unit~~	
	~~3 or more bedrooms~~			~~2.25 per unit~~	
(26)	Office use medical/dental				3 per doctor
	Veterinary				3 per doctor

	Professional/business office	400			
	Real estate, property rental/management, employment office	300			
(27)	Restaurant	75 patron area (nonfixed seating)	or 4 patrons (fixed seating)		and 1 per 200 sq. ft. nonpatron area
(28)	Restaurant, fast food or drive-through	75 patron area (nonfixed seating)	or 3 patrons (fixed seating)		and 1 per 100 sq. ft. nonpatron area
(29)	Schools				
	Elementary			2 per classroom, office and kitchen	
	Jr. high/high			2 per classroom, office and kitchen	and 1 per 6 auditorium or gym seats
	College/university/technical or vocational school			1 per classroom, and 1 per 4 students at average capacity class attendance	and 10% as required for accessory uses including libraries, book stores, athletic facilities and cafeterias or restaurants
(30)	Single-family/duplex			~~2 per unit~~ 1.5 per bedroom	
(31)	Recreational vehicle park/campground			1 per space	and as required for office use
(32)	Nursing home			1 per 6 beds	and 1 per employee
(33)	Retirement home/adult congregate living facility		2 patrons	or 1 per bedroom	
(34)	Service station	200 (buildings)			
(35)	Wholesale distribution	1,500			and as required for office
(36)	Warehouse storage	2,000			and as required for office
(37)	Mini-warehouse and self-storage facility			1 per 10 storage units	2 per office plus 2 per caretaker's unit
(38)	Convenience store	100			

(39)	Theatre		4 seats		
(40)	Grocery/supermarket	200			
(41)	Business, commercial, or service establishments	300			
(42)	Outdoor market	100 (sale/display area)			
(43)	Public service				1 per employee plus 1 per stored company vehicle
(44)	Winery	450			
(45)	Winery with restaurant				
	a. Winery area	450			
	b. Restaurant area				
	1. Patron area	75	or 4 patrons or seats		
	2. Non-patron area (kitchen, etc.)	100			
(46)	Bed and breakfast			1.5 per room	2 for owner/resident manager
(47)	College dormitory			1.5 per bed	and 10% as required for accessory uses provided as part of the dormitory
(48)	Special event venue			One (1) parking space per four (4) seats, except for special event venue space in hotels and motels as below, and If the special event venue is an accessory or ancillary use to a hotel or motel one (1) parking space per two hundred (200) square feet of	

				special event venue space, and One (1) parking space per two hundred (200) square feet for designated special event venue outdoor standing patron areas and if accessory or ancillary to other uses (other than hotel and motel requirements above) 75% of calculated required parking for the special event venue use shall be provided on-site in addition to other required parking.	

(f) *Minimum on-site bicycle and micromobility device parking requirements.* The parking requirements established in this section are intended to encourage mobility by means other than automobile. By encouraging the use of bicycles and/or other micromobility devices, the public health, safety and welfare will be furthered through improved air quality, reduced energy consumption, and more efficient use of vehicular parking facilities. Bicycle and/or micromobility device parking facilities shall be installed and maintained by the property owner and are subject to the following provisions:

(a) *Location.* All bicycle and micromobility device parking facilities provided to satisfy the requirements of this section shall be located on the same lot or building site as the uses they serve. Bicycle and micromobility device parking shall be distributed evenly throughout the site and located as close as is practical to the entrance the parking is intended to serve, as determined by staff. Bicycle and/or micromobility device parking shall be situated so as not to obstruct the flow of pedestrians using the building entrance or sidewalk.

(b) *Design.*

a. All parking facilities shall be permanently fixed.

b. Covered parking facilities shall be encouraged where feasible.

(c) *Amount required.*

a. *Nonresidential:* Bicycle and/or micromobility device parking shall be provided at one space per five hundred (500) square feet of commercial area.

b. *Multi-family:* Bicycle and/or micromobility device parking shall be provided at one space per two (2) units.

(d) *Exemption.* When determined by that the proposed development is not conducive to bicycle or micromobility device parking, the developer/owner may seek an approval for a variance from the Planning and Zoning Board to the requirements of this section.

(e) *Fractional measurements.* When units or measurements determining number of required bicycle or micromobility device parking spaces result in requirement of fractional space, any fraction shall require a full bicycle or micromobility device space.

Sec. 28-374. - ~~Off-street~~ Maximum off-street stacking requirements.

(a) Whenever a structure or use requires the off-loading of passengers or allows for use without exiting the vehicle, stacking or off-loading lanes and spaces ~~will be required on-site as follows~~ shall not exceed the following:

(1) Drive-through uses. Three (3) stacking spaces per window.
(2) Child care facilities. One (1) stacking space per eight (8) students up to a minimum of five (5) spaces.
(3) Schools. One (1) stacking space per fifteen (15) students up to a maximum of ten (10) spaces.
(4) Hotel/motel office. Two (2) stacking spaces.
(5) Automatic/mechanical car wash. Three (3) stacking spaces per individual unit.
(6) Hand car wash/auto detailing. Two (2) stacking spaces per individual unit or work station.
(7) Dumpsters/trash receptacles. One (1) stacking space per dumpster or receptacle location, oriented to allow loading without requiring access or maneuvering through parking spaces.

(b) A stacking space shall be a ~~minimum~~ maximum of twelve (12) by twenty (20) feet and shall be located so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Stacking lanes shall be marked or separated to prevent use as access and to protect users while off-loading or waiting.

Sec. 28-375. - Off-street loading requirements.

Whenever a structure or use requires the loading or off-loading of supplies or materials, loading zones or spaces will be required on-site as follows:

(1) Multiple office building, motel, hotel, hospital, auditorium, theatre or similar use. One (1) space if aggregate floor area is over five thousand (5,000) square feet but not greater than forty thousand (40,000) square feet, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(2) Retail or service establishment, wholesale establishment, mini-warehouse and self-storage facilities, industrial uses and restaurant. One (1) space if the gross floor area is not greater than twenty thousand (20,000) square feet; two (2) spaces if the aggregate floor area is more than twenty thousand (20,000) square feet but not greater than sixty thousand (60,000) square feet; plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

(3) In no case shall the required off-street loading space be less than the following:

a. Auditoriums, theatres, hotels, motels, hospitals, industrial uses, warehouse uses, multiple office buildings or individual offices of greater than four thousand (4,000) square feet; retail stores, restaurants and all other commercial buildings shall have at least one (1) space.
b. Shopping centers or shopping plazas shall provide at least one (1) space for every two (2) stores or businesses located so as to service both locations.

(4) In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements of this chapter. The off-street loading space required for the uses mentioned in this section shall in all cases be on the same lot or parcel of land use as the structures or use it is intended to serve.

(5) A loading space shall be located so as to facilitate loading and off-loading and so as not to obstruct, endanger or interfere with either on-site or off-site access, maneuvering or traffic patterns. Loading spaces or loading zones shall be marked or located to prevent use as access or parking and to protect users while loading or off-loading.

(6) A loading space or loading zone may be located adjacent to a building to allow parallel parking when use of such space or zone is limited to fifteen (15) minutes or less, when this time limit is clearly indicated, and when other parking is prohibited.

(7) A loading space or loading zone shall be oriented so as to allow loading and off-loading without requiring access or maneuvering through parking spaces.

Secs. 28-376—28-399. - Reserved.

Other Sections in the Code of Ordinances with references to off-street parking.

Sec. 28-2. – Definitions.

Affordable means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated below:

1. "Extremely-low-income persons" means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.
2. "Low-income persons" means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
3. "Moderate-income persons" means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
4. "Very-low-income persons" means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

Sec. 28-151. - Parking.

(i) Each vacation rental, except as provided in subparagraph (iii) below, will provide at least one (1) stabilized parking space per bedroom offered for rent.

(ii) Stabilized parking for vacation rentals may not consist of unimproved dirt, sand, or grass. For the purposes of this division, stabilized parking shall be defined as a space that is covered and graded by semi-permeable or impervious materials such as asphalt, concrete, pavers, gravel, or a similar material.

(iii) Vacation rentals in all zoning districts that otherwise have on-site parking requirements will provide stabilized parking on the site of their rental property. If on-site parking is not feasible, the owner may make an application to the planning and zoning board for a use by exception for offsite parking. The application to the planning and zoning board for a use by exception for offsite parking may include in the alternative, parking permits to the municipal parking garage,

or, if on-street parking permits for vacation rentals are provided pursuant to city regulations, residential street parking permits. Issuance of the necessary permits will meet the required parking for the vacation rentals.

(Ord. No. 19-50, § 1, 1-27-20)

Sec. 28-347. – Supplementary regulations for certain uses.

(3) Parking lots. Off-street parking lots shall be a permissible use by exception in all districts where such lots are ~~within four hundred (400) feet~~ one thousand three hundred and twenty (1,320) feet, or one quarter mile, of the premises requiring off-street parking; those within four hundred (400) feet can be approved by staff as per Sec. 28-331(c). ~~such~~ Parking lots in residential districts shall also conform to the following:

a. A six-foot solid masonry wall or fence shall be erected along all property lines adjunct to residentially zoned property.
b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
c. There shall be no movement of any vehicles on such lots between the hours of 11:00 p.m. and 7:00 a.m.
d. There shall be no sales or service activity of any kind on such lots.
e. Vehicles prohibited from being parked in residential districts by section 28-336 shall not be permitted to be parked on such lot.
f. All parking lots shall be paved with erosion-resistant material in accordance with city specifications (see division 2 of this article).