

AGENDA

Planning and Zoning Board
City of St. Augustine, Florida

Tuesday, June 4, 2019 at 2:00 p.m.

**Alcazar Room, City Hall
75 King Street**

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- 1. Roll Call**
 - 2. General Public Comments for Items Not on the Agenda**
 - 3. Approval of Minutes**
 - 4. Use by Exception**
 - (a) 2019-0038 Ark Youth Ministries - Applicant & Owner
[307 Anastasia Boulevard](#)
To approve a use by exception to allow for a private school.
 - 5. Other Business**
 - (a) Consideration and Recommendation to amend Section 28-29 Zoning exceptions, variances and appeals to include a requirement for separate applications for time period waivers; providing for a fee for a waiver application.
 - (b) Discussion regarding tree mitigation fund administration and fees.
 - (c) Discussion and public comment related to the draft Historic Preservation Element Goals, Objectives and Policies for the Comprehensive Plan
 - 6. 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.

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting April 2, 2019

The Planning and Zoning Board met in formal session Tuesday, April 2, 2019, at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Karen Zander, Vice Chairperson and the following were present:

1. Roll Call: Karen Zander, Vice Chairperson
Sarah Ryan
Carl Blow
Jon DePreter
Christina Opsahl
Maurice Morrisette

Absent: Grant Misterly, excused

City Staff: David Birchim, Director, Planning & Building Department
David Harrell, Senior Development Review Planner
Isabelle Lopez, City Attorney
Robin DiAngelis, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The Board heard comments from the following members of the public:

- B.J. Kalaidi

3. Approval of Minutes

Ms. Ryan asked that it be noted on page 3 of the March 7, 2019 minutes that the subject structure in item 5(a) was to be elevated on piers.

MOTION

Mr. Blow MOVED to APPROVE the March 5, 2019 and the March 7, 2019 minutes as amended. The motion was APPROVED BY UNANIMOUS VOICE VOTE.

Modifications to the Agenda

There was discussion regarding moving item 8(a) to a subsequent PZB workshop;

however, the Board determined to keep it on the agenda.

4. Use by Exception

4. (a) 2019-0012 – Gerald & Julie Ruling, Life's a Beach Auto – Applicant Vista Hotel IV Inc. – Owner 164 San Marco Avenue

To approve an exception to allow automobile rental and sales business on the premises.

Mr. Harrell read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an Exception to allow automobile rental and sales business on the premises.

Gerald Ruling was available for questions.

The Board provided their ex parte communications.

5 certified notices were sent, and 1 was returned in favor.

Public hearing was opened.

Melinda Rakoncay noted that the applicant would be renting recreational vehicles such as bicycles and scooters and not conventional vehicles. She felt the location was not appropriate for such rentals as there was heavy traffic and the new FDOT intersection was just north of the subject location. She was concerned about the potential for accidents.

Charles Pappis was concerned about safety and parking.

Public hearing was closed.

Mr. Ruling noted they had ample parking for the business and the business was moving only two blocks down the road from where it had been for ten years.

There was Board discussion regarding the following:

- Parking requirements which were calculated as multi-use space and did not account for spaces taken by rental vehicles
- Previous exception on the property was for sales and repair services and covered a larger part of the parcel than the current application
- Ingress and egress to the property
- Safety concerns
- Exception at previous location
- Types of vehicles to be rented
- Traffic concurrency could not be a factor in Board decision
- Business would generate more vehicles in the area
- Office indicated in red was only portion of property that applicant was leasing
- Original staff parking calculation was for all businesses operating on property

- Rental vehicle capacity
- Retail sales component of business
- Previous use primarily operated off of US1

MOTION

Ms. Ryan MOVED to DENY application 2019-0012, 162 San Marco Avenue, to approve an exception to allow automobile rental and sales business on the premises because there is another similar rental business a short distance down San Marco Avenue, the location and relationship of the business to the neighborhood would not promote the public health, safety, welfare, morals, order, comfort, or appearance of the neighborhood. The motion was SECONDED by Ms. Zander.

The Board discussed:

- Denial included both rental and sales uses
- Concern for the adequacy of parking for all businesses on the property

VOTE ON MOTION:

AYES: Ryan, Zander, Opsahl, DePreter, Blow

NAYES: Morrisette

MOTION CARRIED UNANIMOUSLY

4. (b) 2019-0030 – St. Augie's Pizza – Applicant

4 G Partners RLLP – Owner
113 1/2 King Street

To approve an exception to allow sale of alcoholic beverages of not more than fourteen (14%) alcohol.

Mr. Harrell read the staff report and said based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an exception to allow the sale of alcoholic beverage of not more than fourteen percent (14%) alcohol located at

112 ½ King Street with the following condition:

1. Based upon the applicant's timetable for alcohol sales and service, alcohol sales cannot occur between the hours of 11:00 P.M. and 7:00 A.M.

Amy Bulone reviewed the application.

The Board provided their ex parte communications.

12 certified notices were sent, 2 were returned in favor and 2 had comments.

Public hearing was opened.

B.J. Kalaidi spoke in opposition to the application.

Public hearing was closed.

The Board discussed:

- Alcohol sales licensing and State monitoring of alcohol sales
- Hours of operation
- Existing capacity of sixteen seats
- Current concerns from Commissioners and Police Chief regarding number of establishments with alcohol sales in the City
- No alcohol sales for off-site
- No way to enforce alcohol sales only with purchase of food
- Alcohol sales would help improve food sales at the business
- Possibility of a condition that would have the applicant return if there were three code enforcement complaints submitted against the business

MOTION

Ms. Opsahl MOVED to APPROVE Use by Exception application 2019-0030, to approve an exception to allow sale of alcoholic beverages of not more than fourteen (14%) alcohol with the

conditions that the alcohol sales on the premises be from 11:00a.m. to 9:00p.m. on weekdays and 11:00a.m. to 10:00p.m. on Fridays and Saturdays, that the exception run with the applicant and was not transferrable, and that if three Code Enforcement actions occur within twelve months the applicant must come back before the Board for re-hearing of the exception. The motion was SECONDED by Mr. Blow.

VOTE ON MOTION:

AYES: Opsahl, Blow, Morrisette,

DePreter, Ryan,

NAYES: Zander

MOTION CARRIED 5/1

5. Conservation Overlay Zone Development

5. (a) 2019-0028 – Dan & Cynthia McEvoy – Applicant

Pierre D Thompson Rev. Trust Etal, & Thompson Brothers Realty Inc. – Owner
PIN#:1585600000 (Dock connects to 207 Coquina Avenue)

To approve placement of an extended terminal platform on an existing dock in Conservation Overlay Zone 1.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** placement of an extended terminal platform on an existing dock in Conservation Overlay Zone 1 located at **PIN#: 1585600000.**

Dan and Cynthia McAvoy and Ryan Sparr reviewed the application.

The Board provided their ex parte communications.

100 certified notices were sent, 9 were returned in favor, 2 returned opposed and 2 had comments.

Public hearing was opened.

Martha Tica Walley was not opposed to the dock but was concerned about ownership of the subject property which she believed was owned by the City.

B.J. Kalaidi asked that the request be denied due to negative impact to environmental resources.

Christy Pepper asked for an explanation of what an extended terminal platform was and its uses.

Public hearing was closed.

The applicant explained that the terminal platform would be modified to allow for safer use.

Mr. Birchim explained that the terminal platform was simply the end of the dock which the applicant was proposing to widen.

Ms. Lopez addressed the concerns regarding ownership of the property noting that the Thompson family had been shown as owning and paying taxes on the subject parcel for decades.

The Board discussed that the applicant did not bring platform landward because they did not want to affect mangrove trees in the area.

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone 1 Development application 2019-0028 because it met objectives of conservation goals and based on staff analysis and recommendation. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Morrisette, Opsahl, Blow, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. (b) 2019-0029 – Shore Builders Inc. – Applicant **Mary & Walter Soha – Owner** **84 Water Street**

To approve placement of a new dock with associated boat lift in Conservation Overlay Zone 1.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** placement of a new dock with associated boat lift in Conservation Overlay Zone 1 at **84 Water Street**.

Nick Yankopolus and Mary Soha reviewed the application noting there was no boat lift included in the application, only a mooring dock.

Ex Parte Communication:

None

13 certified notices were sent, 1 were returned in favor, and 1 had comments.

Public hearing was opened.

Steve Hill spoke in support of the application.

Public hearing was closed.

The Board discussed:

- Application was well-presented
- Dock would not impede navigation along Hospital Creek as confirmed by Mr. Hill
- Proposed dock was slightly longer than previously existing dock

MOTION

Mr. DePreter MOVED to APPROVE Conservation Overlay Zone 1 Development application 2019-0029 as it meets the applicable codes and

ordinances specific to Conservation Overlay Zone 1 and including staff analysis and recommendation for approval. The motion was **SECONDED** by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Morrisette,
Opsahl, Blow, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY¹

5. (c) 2019-0026 – Coastal Living Home Builders – Applicant
Solano Avenue Land Trust – Owner
PIN#:2208800030 (Lot immediately north of 9 Solano Avenue)

To approve removal of more than fifty (50) percent of the tree canopy, including three (3) preserved trees (Cedars) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of more than fifty percent (50%) of the tree canopy, including three (3) preserved trees (Cedars) within Conservation Overlay Zone 3 with the following condition:

1. Permeable driveway pavers, grass pavers, or gravel to be used on the driveway construction and type/method shown on future building plans

Paul Hoffman reviewed the application.

The Board provided their ex parte communications.

12 certified notices were sent, 1 was returned in favor, 3 returned opposed and 3 had comments.

Public hearing was opened.

Bruce Norman felt that the Comcast utility pole located on the property should be moved rather than the nearby Cedar tree. He was concerned the addition of fill on the property would become a flooding hazard for neighboring properties.

Eric Smith spoke in opposition to the application citing concerns with removal of trees that add to the characteristics of the neighborhood and the construction of a project that would increase the risks of potential flooding in the area.

David Frizell he was against the application as presented and was concerned about the impact that the proposed two feet of fill dirt would have on the remaining trees on the lot.

Carolyn Smith was concerned with storm water run-off and felt the developer should provide an explanation of how the storm water would flow.

[inaudible] Antonatos spoke against the application.

Public hearing was closed.

Mr. Hoffman responded to public concerns noting that he had built 8 homes already in Davis Shores with no storm water run-off issues and he intended to be just as responsible with the subject property. He asked for further explanation as to why fill on the property was pertinent to his request for the removal of trees.

Mr. Birchim noted that part of the criteria for tree removal included the impact of tree removal on ground and surface water stabilization and water quality.

Mr. Hoffman explained that the proposed fill level was not as high as mentioned by the public. He stated that the maximum lot coverage of 29% under-roof with the staff recommendation for pervious pavers, and

¹ Brief recess from 3:38p.m. to 3:48p.m.

proper grading of the lot would help save as many of the trees as possible as well as mitigate the potential for storm water run-off.

The Board discussed:

- Storm water requirements reviewed by staff
- Tree numbered three (3) would be too impacted by fill to save
- Possibility of utilizing pier or stem wall construction, as well as changing the configuration of the house to help save trees
- Lot aggregation rule and whether there was a previous structure on the lots
- Previous applications where site plans were altered to save trees
- Whether the utility pole would be kept or removed
- Recommendation that applicant work with an arborist to ensure safety and health of trees remaining on the property during construction
- Continuing the application to allow the applicant to gather further information and reconsider construction methods
- Applicant needed to provide:
 - o Survey with utility pole and trees in the easement marked
 - o Arborist report that outlined whether stem wall construction could or could not be used to save additional trees
 - o Consideration of saving tree numbered one (1) in the rear of the property with site plan modification

Mr. Birchim noted that two surveys provided by the applicant showed tree numbered three (3) in different locations and asked that the applicant clarify whether the tree was along the property line or in the right-of-way.

MOTION

Ms. Ryan MOVED to CONTINUE Conservation Overlay Zone Development application 2019-0026, Solano Avenue Land Trust, to the May 7, 2019 meeting based on standards for review item (g): the ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees including the tree or trees proposed to be removed. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Ryan, Opsahl, Morrisette, DePreter, Blow, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

6. Comprehensive Plan Amendment & Rezoning

6. (a) 2019-0031 – St. Augustine Shipyard, LLC & Greenwood Property LLC – Applicant and Owner
PIN #'s: 1342300000, 1342300010, 1279100000, 1279200000, 1280900000, 1280900010, 1279300000, & 1342300020
(Area roughly bounded by Iroquois Ave., Arapaho Ave., Diesel Rd., & San Sebastian River)

To amend the Future Land Use Map designations from Marine Industrial to Residential Medium Density / Mixed Use & to approve a rezoning from Planned Unit Development (PUD) to Residential General Office (RGO).

Mr. Harrell read the staff report and said if the Board **CAN** find there is a need and justification for the Comprehensive Plan Amendment and Rezoning and it finds that the Comprehensive Plan Amendment and Rezoning **DOES** support the general planning program then the Board **CAN** recommend approval of the Comprehensive Plan Amendment and Rezoning; however, if the Board **CANNOT** find there is a need and

justification for the Comprehensive Plan Amendment and Rezoning and it finds that the Comprehensive Plan Amendment and Rezoning **DOES NOT** support the general planning program then the Board **CANNOT** recommend approval of the Comprehensive Plan Amendment and Rezoning.

James Whitehouse reviewed the application.

The Board provided their ex parte communications.

43 certified notices were sent, 1 was returned in favor, and 1 had comments.

Public hearing was opened.

BJ Kalaidi spoke in opposition of the application citing concerns for over-intensification of the property and negative impacts to the health, safety, and welfare of the neighborhood.

Public hearing was closed.

Mr. Whitehouse addressed public concerns stating that it was the property owners' intent to enhance the area and that plans were continuing as had been previously presented.

Mr. Whitehouse fielded questions and Board discussion ensued regarding the following:

- Ownership of the property was mixed
- Storm-surge map and property boundaries
- Need and justification for zoning and land-use changes which were described by the applicant as the ability to move forward with the project consistent with the approved zoning and land-use of the properties to the South
- Maintaining the working waterfront
- History of the existing PUD

- Definition of and uses that supported working waterfronts

MOTION

Ms. Opsahl MOVED to RECOMMEND APPROVAL to the City Commission of Future Land Use Map Designation Amendment application 2019-0031 to amend the Land Use from Marine Industrial to Residential Medium Density Mixed-Use and that the Board had determined there was a need and justification for the change, and the application aligned with the City's general planning program and was consistent with the Comprehensive Plan. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Opsahl, DePreter, Morrisette, Blow, Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

MOTION

Ms. Opsahl MOVED to RECOMMEND APPROVAL to the City Commission of Rezoning application 2019-0031 to Rezone from PUD to Residential General Office based on the application and determination that there was a need and justification for the change, and the application aligned with the City's general planning program and was consistent with the Comprehensive Plan. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION:

AYES: Opsahl, DePreter, Morrisette, Blow, Ryan, Zander

NAYES: NONE

MOTION CARRIED UNANIMOUSLY²

² Brief recess from 5:29p.m. to 5:36 P.m.

7. Other Business

7. (a) Discussion and recommendation to amend the text of Future Land Use Policy 1.3 related to the definition of the Public/Semi-Public Land Use Category

Mr. Birchim presented subject and outlined three options with which the Board could proceed:

1. The text amendment contained in the memo included in meeting packet
2. Change the underlying Land-Use for each individual private property currently designated Public/Semi-Public; however, this option had the potential to greatly increase the intensity of use or more heavily restrict land use for some properties and non-conformities would have to be identified as an asterisk on the Future Land Use Map
3. Create a new Future Land Use category for private institutions

The Board discussed the following:

- Similar situation to option two (2) which occurred at the Lighthouse property
- Option three (3) would not change zoning
- If option two (2) was not accepted by property owners voluntarily, and involuntary Land Use Amendment on the part of the City could result in legal action
- No criteria for amending Future Land Use categories, only a process
- Third option provided less liability
- How to assign uses and densities under Option three (3)
- Some properties that previously had semi-public uses had to be amended since those uses have ceased on the properties
- No hard deadline to make such changes

- History of the Land Use Designation and changes made in 2006

The Board provided their ex parte communications.

Public comment was opened and the Board heard comments from the following members of the public:

- Michelle Van Doren
- Melinda Rakoncay
- Steve Hill
- Guy Van Doren
- Greg McCarthy
- Ellen Avery Smith
- Emily Genovar
- Nancy Noloboff
- Andrew Schumacher
- Patrick Thomas
- B.J. Kalaidi
- Ann Bohon Flanagan
- George Miller

The public commented on the following:

- Why churches were included in Public/Semi-Public Land Use from the start and what changes to the code caused the current inconsistencies
- Recommendation that the Board not make a hasty decision regarding the matter
- Consideration of property and business owners rights
- Concern for whether existing religious structures could be built back as existing
- Consideration for the rights of property owners with current inconsistent land use
- Concern for lumping diverse properties into a single Land Use Designation
- Desire for further information and clarification

- Concerns that language change could allow for commercialization of church properties

Public Comment was closed.

Ms. Lopez, at the Board's request, described possible legal liabilities that could occur with the change in Future Land Use Designation Language, the City's response to similar, past litigation. She also outlined State and Federal laws which protected religious institutions.

The Board continued discussion regarding the following:

- A timeline for reviewing potential Land Use changes to potentially align with Comprehensive Plan update
- Possibility of additional workshops or portions of the regular meeting set aside or discussion

There was Board consensus to add discussion to the April 25, 2019 PZB workshop

7. (b) Discussion and recommendation of Ordinance 2019-06 amending Section 28-4 Compliance with Regulations regarding design standards for entry corridors

Ms. Lopez presented the subject.

Public comment was opened; however, there was no response.

MOTION

Mr. Blow **MOVED** to **RECOMMEND APPROVAL** to the City Commission of the amendment to the ordinance as presented. The motion was **SECONDED** by Mr. DePreter.

VOTE ON MOTION

AYES: Blow, DePreter, Morrisette, Opsahl, Ryan, Zander

NAYES: NONE
MOTION CARRIED UNANIMOUSLY

Board Comments

Ms. Ryan noted that there was a connection between one of her current clients and the owner of the property for item 4(a).

Ms. Lopez said she would check with the Commission on Ethics and see if she would be required to fill out a disclosure form for that application.

8. Adjournment

Having no further business, Ms. Zander adjourned the meeting at 7:05 P.M.³

Grant Misterly, Chairperson

³ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting April 25, 2019

The Planning and Zoning Board met in formal session Thursday, April 25, 2019, at 1:00 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
Karen Zander, Vice Chairperson
Carl Blow
Jon DePreter
Christina Opsahl

Absent: Sarah Ryan, excused
Maurice Morrisette, excused

City Staff: Amy Skinner, Deputy Director, Planning & Building Department
John Cary, City Attorney
Candice Seymour, Recording Secretary

Am, Skinner, Deputy Director, Planning and Building announced that there were technical difficulties with the audio visual equipment in the Alcazar room and noted that while the meeting could not be streamed, it would be available on the City's website.

2. General Public hearings for Items Not on the Agenda

The Board heard from the following members of the public:

- Jeffery Leibovitz
- Ed Slavin
- Susan Hill
- Jon Hodgkin

3. Discussion and Public Comment Related to the Draft Future Land Use Element of the Comprehensive Plan including Draft Goals, Objectives and Policies

Public comment was opened:

- B.J. Kalaidi
- Melinda Rakoncay
- Michele Van Doren
- B.J. Kalaidi

Public Comment was closed.

Ms. Skinner gave a brief introduction to the discussion regarding the Public/Semi-Public Land Use Category.

The Board discussed the following:

- Definition of Church
- Properties that were no longer Church uses but maintained Public/Semi-Public Land Use
- Housekeeping changes that would make the Future Land Use Map consistent with the current Zoning Map
- Options for fixing properties with inconsistent zoning in the Public/Semi-Public Land Use category

- o Consideration of a combination of Options 2 and 3 regarded on a case-by-case basis
 - o Nonconforming designation and its limitations
- Federal Laws that protected religious institutions from discrimination
- Possibility of staff generating and presenting a list of properties with inconsistent Land Use Designations for the Board's review

Ms. Skinner gave a presentation regarding the Future Land Use Element of the Comprehensive Plan.¹

The Board discussed the following:

- Mixed-use neighborhoods and the conflict of commercial uses servicing residents and visitors
- Visitor and population data
- Concern for loss of permanent residents
- Desire to connect information from the Visioning Statement and community workshops with the proposed changes to the Comprehensive Plan
- Incentivizing actions that achieve city goals such as increases in lot coverage to incentivize affordable housing or encouraging shuttle services funded by area hotels or visitors
- Tourism impacts on residents
- Considering big-picture ideas as well as detailed changes to the Plan
- Finding ways to streamline the Comprehensive Planning process
- Defining Planning and Zoning Board authority
- Impervious surfaces
- Third Open Land Use Category

Public comment was opened and the Board heard from the following:

- Ed Slavin
- Jon Benoit
- Melinda Rakoncay
- B.J. Kalaidi
- Susan Hill
- Guy Van Doren
- Vicki Sicuranza
- Steve Hill

Public comment was closed.

4. Discussion and Public Comment Related to the Draft Housing Element of the Comprehensive Plan including Draft Goals, Objectives and Policies

Amy Skinner gave a presentation regarding the subject.¹

The Board discussed:

- Population data and assumptions
- Creating broader language for the Plan that allows for the development of more detailed actions but still communicates the Cities objectives while limiting specifics
- Coordinating with the County on certain initiatives, particularly those near or heavily affecting the City
- Concerns with density changes and their effect on the Mobility element
- Concerns with charging fees for tourism that may or may not be utilized for what they were intended
- Affordable housing
- Concerns and issues with multi-residential units

Public comment was opened and the Board heard from the following:

- Ed Slavin
- B.J. Kalaidi
- Melinda Rakoncay

Public comment was closed.

¹ Attached to original minutes

Ms. Skinner gave an update regarding the Historic Preservation Element. She announced the last community workshop on Wednesday, May 15, 2019 at the St. Johns County Library from 6-8p.m. and the next PZB workshop May 21, 2019 at 9:00a.m.

There was a brief discussion regarding inclusion of local business owners into the Comprehensive Planning process.

5. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 4:00 P.M.²

Grant Misterly, Chairperson

² Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Regular Meeting May 7, 2019

The Planning and Zoning Board met in formal session Tuesday, May 7, 2019, 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
Karen Zander, Vice Chairperson
Sarah Ryan
Carl Blow
Jon DePreter
Christina Opsahl

Absent: Maurice Morrisette (excused)

City Staff: David Birchim, Director, Planning & Building Department
David Harrell, Senior Development Review Planner
John Cary, City Attorney
Candice Seymour, Recording Secretary

2. General Public Comment for Items Not on the Agenda

The Board heard from the following members of the public:

- B.J. Kalaidi
- Bruce Norman
- Kit Cooper

After Ms. Kalaidi's comments, there was discussion regarding the Fish Island application which had been withdrawn.

3. Approval of Minutes

(None)

4. Conservation Overlay Zone Development

4. (a) 2018-0167 – Ryan Carter, Carter Environmental Services, Inc. – Applicant
Fish Island Development, LLC – Owner
PIN#: 1622100016 (Area roughly bounded by Plantation Island Drive S.

projected to the Matanzas River, Matanzas River, State Road 312, then Plantation Island Drive S.)

To approve removal of significant trees (Oaks & Cedars) for a linear retention pond to serve the neighboring parcel locate at PIN#: 1622100021.

Application was withdrawn prior to the meeting.

4. (b) 2019-0026 – Coastal Living Home Builders – Applicant
Solano Avenue Land Trust – Owner
PIN#:2208800030 (Lot immediately north of 9 Solano Avenue)

To approve removal of more than fifty (50) percent of the tree canopy, including three (3) preserved (significant) trees (Cedars) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the

contrary, staff finds that the Board can **APPROVE** removal of one (1) significant tree (Cedar) within Conservation Overlay Zone 3 with the following conditions:

- Permeable driveway pavers, grass pavers, or gravel to be used on the driveway construction and type/method shown on future building plans.

Paul Hoffman reviewed the application with changes that included moving the Comcast pole and saving two out of the three trees originally requested for removal.

The Board provided their ex parte communications.

Public hearing was opened.

Eric Smith was only in favor of the application if the applicant utilized stem-wall construction rather than fill-dirt which would negatively impact neighboring properties.

Bruce Norman spoke in favor of the application, but expressed concern for the neighboring property owner who was elderly and disabled and would be negatively impacted if flooding should arise from fill dirt.

Effie Antonatos was also opposed to the use of fill dirt.

Public hearing was closed.

The Board discussed:

- Stem wall construction would be utilized on all three lots
- Tree root protection for the tree closest to the road
- No existing code limitations to types of slab construction
- Permeable pavement for the driveway
- Tree protection areas

- Making stem wall construction a condition of approval, connecting it to storm water and ground stabilization

MOTION

Ms. Ryan **MOVED** to **APPROVE** application 2019-0026 to approve removal of one significant tree (Cedar) within Conservation Overlay Zone 3, with the condition that the two trees which the applicant agreed to preserve are staying because there would be no fill and stem wall construction utilized to satisfy criteria (d) and (f), and that the applicant would comply with tree protection criteria.

There was discussion regarding whether a condition to utilize a specific type of construction was within the authority of the PZB. Staff advised that the PZB could not mandate the type of construction, but could condition that the trees proposed to be saved had to be preserved regardless of the type of construction used.

Ms. Ryan **MODIFIED** the motion to **APPROVE** application 2019-0026, 9 Solano Avenue, to remove Cedar tree numbered one with the condition that the applicant use a permeable driveway surface for the driveway construction per staff recommendation with the type/method shown on the building plan and also that the construction techniques used on the houses would save the existing trees on the property. The motion was **SECONDED** by Mr. Blow.

VOTE ON MOTION:

AYES: Ryan, Blow, Opsahl, DePreter, Zander, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

4. (c) 2019-0040 – Daniel C. Meissner – Applicant
Daniel & Gail Meissner – Owner

**PIN#:1590800000 & Lew Boulevard
Right-of- Way (Lot located at the SW
corner of Lew
Boulevard and Flamingo Drive)**

To approve removal of more than fifty (50) percent of the tree canopy, including one (1) significant tree (Cedar) within Conservation Overlay Zone 3.

Mr. Harrell read the staff report and said based on a review of Section 11-29 and without the support of evidence to the contrary, staff finds that the Board can **APPROVE** removal of more than fifty (50) percent of the tree canopy, including one (1) preserved tree (Cedar) within Conservation Overlay Zone 3 located at **PIN#1590800000 and Lew Boulevard right-of-way.**

Dan Meissner reviewed the application.

The Board provided their ex parte communications.

16 certified notices were sent, 1 was returned in favor.

Public hearing was opened.

James Farrell was concerned with unintentional destruction of trees on the property during construction.

Kristina Harvey asked that the trees being saved were protected during construction.

Public hearing was closed.
The Board discussed:

- Necessary installation of septic tank and drain field
- Tree number 72 in the right-of-way for potential preservation
- No intent from the applicant to bring in fill, but the need had not been determined
- Driveway sight-lines addressed further in the permitting process

- Plans to run sewer into the Lighthouse Park area were not in the near future
- Tree numbered 74 requested for removal based on the proximity of the driveway
- Efforts of applicant to save as many trees as possible
- Possibility of altering driveway to save a grove of trees

MOTION

Mr. Blow MOVED to APPROVE Conservation Overlay Zone Development application 2019-0040 with the condition that tree numbered 72 will be retained. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Blow, Opsahl, DePreter, Ryan, Zander, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

5. Variance

**5. (a) 2019-0037 – Peachtree Development of Atlanta LLC – Applicant and Owner
9 Rohde Avenue**

To approve a variance to decrease the minimum side yard building setback for a proposed single family home addition.

Mr. Harrell read the staff report and said based on a review of Section 28-29 and without the support of evidence to the contrary, staff finds that the Board may be able to **APPROVE** a Variance to decrease the side setback from ten (10) feet to one point six seven (1.67) feet for a single family home addition at **9 Rohde Avenue.**

The applicant was not present; however, a member of the public did say that the applicant did not realize that he needed to

be present for the meeting. There was discussion on how to proceed.

MOTION

Mr. DePreter MOVED to CONTINUE the Variance application 2019-0037 to the July 2, 2019 meeting to allow the applicant an opportunity to be present at the hearing. The motion was SECONDED by Ms. Ryan.

VOTE ON MOTION:

AYES: DePreter, Ryan, Opsahl, Blow, Misterly

NAYES: Zander

MOTION CARRIED 5/1¹

6. Use by Exception

**6. (a) 2019-0039– Columbia Care Florida – Applicant
J & BFLP Ltd. – Owner
160 King Street**

To waive the one (1) year waiting period to reapply for a use by exception; to approve a use by exception allowing a 3,500 square foot medical marijuana dispensary.

Mr. Birchim explained that the application was two-fold and the Board must first consider and vote upon waiver of the one year waiting period prior to considering the exception.

James Whitehouse, representing the applicant, reviewed the portion of the application regarding waiving the one year waiting period.

Public hearing was opened.

B.J. Kalaidi felt there was no injustice and the time-period should not be waived. She believed the next step should have been an appeal to the City Commission.

Charles Pappis did not feel that there was injustice at the last meeting to require the waiting period to be waived.

Public hearing was closed.

Mr. Whitehouse responded to public comment noting that the reason for the one year waiting period was to prevent applicants from continuously burdening meeting agendas with applications that could not be approved by the Board; however, he believed, in this case there was reason to believe that a single conditioning element could have changed the outcome of the last hearing.

The Board discussed:

- Lack of injustice at the previous hearing
- Desire that the applicant receive due process
- Concern for vacant state of the subject property as a hindrance to City Development
- Prior motion predicated on appearance and proximity to an already existing site with at least one member of the Board voicing concern for sales of legalized recreational marijuana if such a law were passed in the future
- Concern for setting a precedent of applicants asking for waivers

MOTION

Mr. Blow MOVED to WAIVE the one year waiting period and allow the applicant to present the exception again. The motion was SECONDED by Mr. DePreter.

VOTE ON MOTION

AYES: Blow, DePreter, Opsahl, Ryan

NAYES: Zander, Misterly

MOTION PASSED 4/2

Hearing for the Exception was opened.

¹ Brief recess from 3:18p.m. to 3:27p.m.

Mr. Harrell read the staff report and said based on a review of Section 28-19, if the Board **CAN** find there is a need and justification for the special exception due to the number, area, location, or relation to the neighborhood and that it would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare, then the Board **CAN APPROVE** of the Special Exception located at **160 King Street**; however, if the Board **CANNOT** find there is a need and justification for the special exception due to the number, area, location, or relation to the neighborhood and that it would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare, then the Board **CANNOT APPROVE** of the Special Exception located at **160 King Street**.

James Whitehouse reviewed the application regarding the exception with a presentation.²

The Board provided their ex parte communications.

7 certified notices were sent; however, none were returned.

Public hearing was opened.

B.J. Kalaidi felt that the applicant would come back for the sale of legal recreational marijuana if the application were approved. She spoke in opposition to the application and felt that the business would have a negative impact on the area.

Charles Pappis felt that the application was confusing and that the public may have misconstrued the application as one to waive the waiting period, with a secondary application and noticing for a subsequent meeting. He felt that the location was inconvenient and the use may be too intense for the property.

Public hearing was closed.

Mr. Whitehouse responded to public comment, providing the language for the new condition that medical marijuana only would be sold. He also referenced state statute that medical marijuana dispensaries were to be treated as a pharmacy use.

The Board discussed:

- Lack of enforceability for any condition relating to future marijuana legislation
- Continuing discussion regarding potential conditions to attach to the exception including:
 - o Sale of low THC products, which was infeasible for the business
 - o Complaint-driven condition to return for review as applied to other exceptions
 - o Hours of operation
- Summary of existing Medical Marijuana ordinance including:
 - o Requirement for direct public access to US1 to allow for police access
 - o Dispensaries as a Use by Exception
- Safety concerns at location
- Close proximity to existing dispensary
- Staff report which outlined the documents submitted to staff
- City Attorney's fiduciary duty to the Board
- Availability of medical marijuana cards and prescriptions
- Intensification of the site would trigger a return to the Board for approval
- High costs of owning a medical marijuana business
- Other uses allowed per code on the subject property that may be less appealing

² Attached to original minutes

MOTION

Mr. Misterly MOVED to DENY Use by Exception application 2019-0039 for a medical marijuana dispensary based upon the applicant's close proximity to the previously approved medical marijuana dispensary on US1. The motion was SECONDED by Ms. Zander.

VOTE ON MOTION:

AYES: Misterly, Zander

NAYES: Opsahl, DePreter, Blow, Ryan

MOTION FAILED 2/4

MOTION

Mr. Blow MOVED to APPROVE Use by Exception application 2019-0039 because it meets all the criteria for an exception and including the language supplied by the applicant: "This site is approved for the use by exception specifically for a facility for the sale and distribution for medical marijuana as approved by Florida Statute and the Board hereby conditions this approval upon the caveat that any other use on this property related to any future legalization of the recreational use of marijuana is not approved by this action and would have to come back to the Board for future review if such ever becomes applicable," and including a condition that if there were three or more written complaints found to be violations by Code Enforcement or Law Enforcement within one calendar year of opening, then the applicant would have to return before the Board for review of the exception. The motion was SECONDED by Mr. DePreter.

Mr. Misterly clarified that he was voting against the application based upon the location's close proximity to a previously approved similar use.

VOTE ON MOTION:

AYES: Blow, DePreter, Opsahl, Ryan

NAYES: Zander, Misterly

MOTION CARRIED 4/2

6. (b) 2019-0038 – McCrory's Sunny Hill Nursery LLC – Applicant
R & B Property V LLC – Owner
105 S. Ponce De Leon Boulevard

To approve a use by exception allowing a 5,400 square foot medical marijuana dispensary.

Mr. Harrell read the staff report and said based on a review of Section 28-19, if the Bard **CAN** find there is a need and justification for the special exception due to the number, area, location, or relation to the neighborhood and that it would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare, then the Board **CAN APPROVE** of the Special Exception located at **105 S. Ponce de Leon Boulevard**; however, if the Bard **CANNOT** find there is a need and justification for the special exception due to the number, area, location, or relation to the neighborhood and that it would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare, then the Board **CANNOT APPROVE** of the Special Exception located at **105 S. Ponce de Leon Boulevard**.

There was a brief discussion clarifying updated documentation provided by the applicant.

Lara Dietrich, Brian Gresha, Daniel Deets, and Matt Jurney reviewed the application.

There was discussion regarding close proximity of this application to the one previously approved by the Board.

The Board provided their ex parte communications.

8 certified notices were sent and 1 was returned opposed.

Public hearing was opened.

Charles Pappis felt that there was no legal way to say no to the application after approval of the previous application.

B.J. Kalaidi felt that the applicant did not care about the neighborhood. She spoke in opposition to the application citing that the application did not meet the criteria for approval.

Public hearing was closed.

The Board discussed:

- Vehicular ingress and egress to US1 and Lewis Boulevard addressed by Matt Journey
- Location too close in proximity to previously approved application
- Parking required cars to back up into right-of-ways on Lewis Boulevard and US1 and could cause safety concerns
- Nearby Sunshine bus-stop location, routes, and times
- Requested use was more intense than previous uses on the property and traffic was a concern³

The applicant responded to Board concerns regarding parking and traffic stating that the flow of traffic through the location would consist of approximately 3-6 patients per hour or 60 transactions a day with approximately 10 hours in operation per day.

Board discussion continued with the following additional topics:

- Limitation of the medical marijuana use to the US1 corridor may cause future conflict
- Traffic and parking safety concerns
- Recommendation of a location further south along US1
- Similar business in the area had higher patient traffic

³ Brief recess from 5:51p.m. to 5:55p.m.

MOTION

Ms. Zander MOVED to DENY Use by Exception application 2019-0038 for McCrory's Sunny Hill Nursery LLC at 105 S Ponce de Leon Boulevard for a Use by Exception allowing a 5,400 square foot medical marijuana dispensary based on the number of nearby medical marijuana dispensaries in the US1 corridor, area, location, and relation the neighborhood which would not promote the public safety and site ingress and egress and the negative effect of the comfort, safety, and convenience in relation to the adjacent neighborhood. The motion was SECONDED by Ms. Opsahl.

VOTE ON MOTION:

AYES: Zander, Opsahl, DePreter, Blow, Ryan, Misterly

NAYES: NONE

MOTION CARRIED UNANIMOUSLY

Other Business

Mr. Cary noted that Ms. Ryan had voted on an item at a previous meeting and later realized that she was indirectly tied to the applicant through a separate project she was working on. He explained that an informal recommendation from the Commission on Ethics advised that Ms. Ryan fill out a recusal form for the item which would be attached to the minutes for that item.

Ms. Ryan read the recusal form into the record.

There was brief discussion regarding splitting two-part agenda items either into separate applications on the same agenda to clarify the agenda for the public including charging a fee for the separate application of a conditional hearing. Staff agreed to develop language for the Board's review at a subsequent meeting.

7. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 6:09 P.M.⁴

Grant Misterly, Chairperson

⁴ Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

Planning and Zoning Board Special Meeting May 21, 2019

The Planning and Zoning Board met in formal session Tuesday, May 21, 2019, at 9:00 a.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
Karen Zander, Vice Chairperson
Sarah Ryan
Carl Blow
Jon DePreter
Christina Opsahl

Absent: Maurice Morrisette (excused)

City Staff: David Birchim, Director, Planning & Building Department
Amy Skinner, Deputy Director, Planning & Building Department
Reuben Franklin, Mobility Manager
Isabelle Lopez, City Attorney
Candice Seymour, Recording Secretary

2. General Public hearings for Items Not on the Agenda

The Board heard comments from the following member of the public:

- B.J. Kalaidi

3. Introduction and Discussion Related to Mobility Planning and Transportation Issues

Amy Skinner, Deputy Director of the Planning and Building Department, and Reuben Franklin, Mobility Manager gave an introduction to the subject.

Jonathan Paul, Consultant with Nue Urban Concepts gave a presentation and facilitated discussion on creating an integrated Mobility Plan.

Board discussion included the following topics:

- Multi-modal transportation
- Parking Alternatives
- Ways to make parking more accessible for residents and businesses
- Peripheral area parking facilities
- Reducing cut-through traffic and vehicle circulation within the
- Public-private partnerships to provide parking and transportation

Public comment was opened and the Board heard comments from the following:

- Gina Burrell
- Pam Linder
- Dan Cogley
- Susan Hill
- Charles Pappis

Public comment was closed. ¹

¹ Brief recess from 10:50a.m. to 10:58a.m.

**4. Discussion and Public Comment
Related to the Draft Conservation and
Coastal Management Element of the
Comprehensive Plan including Draft
Goals, Objectives and Policies**

Ms. Skinner gave an introduction regarding the subject.

The Board discussed:

- Having a representative from Public Works to facilitate future discussion on the subject
- Comments from Jen Lombert, the Matanzas River Keeper
- Infrastructure
- Protecting archeological resources
- Keeping History Above Water Conference
- Infeasibility of raising roadways
- Recommendation for broad policies and consideration of specific language tied to Conservation Overlay Zones
- Adaptation Plan and adaptation action areas
- Existing state bill that would allow individual property owners to remove trees that would harm persons or property
- Sea level rise
- Septic systems in Lighthouse Park

Public comment was opened and the Board heard from the following:

- Jimmy Hodgins
- Susan Hill
- B.J. Kalaidi
- Gina Burrell

Public comment was closed.

**5. Discussion and Public Comment
Related to the Draft Recreation and Open
Space Element of the Comprehensive
Plan including Draft Goals, Objectives
and Policies**

(Not discussed, Rescheduled for June 18, 2019)

6. Adjournment

Having no further business, Mr. Misterly adjourned the meeting at 11:58 A.M.²

Grant Misterly, Chairperson

² Transcribed by Candice Seymour

CITY OF ST. AUGUSTINE

STAFF REPORT & RECOMMENDATION

TO: Planning and Zoning Board

DATE: June 4, 2019

RE: **USE BY EXCEPTION #2019-0060**

AGENDA ITEM 4(a)

APPLICANT & OWNER Ark Youth Ministries

LOCATION 307 Anastasia Boulevard

REQUEST To approve a use by exception to allow for a private school.

PLANS DATED May 22, 2019

LAND USE Commercial Low Intensity

ZONING Commercial Low 2 (CL-2)

SURROUNDING USE

North, East, and West – Commercial; South – Residential

APPLICABLE CODES/ORDINANCES

Exception means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning district as exceptions, if specific provision for such exception is made in the district regulations of this chapter.

Sec. 28-29. Zoning exceptions, variances and appeals.

(a) Zoning exceptions:

(1) In general. In the granting of zoning exceptions, the planning and zoning board may provide such conditions and safeguards as may be appropriate of this chapter (see section 28-2, Exception).

(2) Written applications. All applications for an exception under this chapter shall be in writing in such form as may be prescribed by the board.

(3) Public hearing. 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 zoning exception 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 in section 28-59(a) and (b), and any party shall be heard in person or by agent or attorney.

(4) Violations of exceptions. The violation of the terms of an exception, including any conditions and safeguards which may be made a part thereof, shall be deemed a violation of this chapter and punishable as provided in this chapter.

Sec. 28-207. - Commercial low-two: CL-2.

(3) *Permissible uses by exception:*

- c. Child care center, home occupations or private school, all as provided in section 28-347.

STAFF SUMMARY AND ANALYSIS

The applicant requests an exception to allow for a private school. Site consists of one (1) two (2) story building for a total of 2,768 square feet with parking field. Initially the City approved a business license in 2007 for an office and it consisted of only the 1,354 square foot first (1st) floor (see attachment 5). According to the applicant, the original work associated with the ministry included crisis counseling, emergency runaway programs, pregnancy center, and outreach programs.

Since that time the applicant has enlarged to the second (2nd) floor and did not alter their business license with the City for the floor enlargement or add the private school use onto the license. A narrative provided by the applicant is within the packet.

In consultation with the applicants representative the private school has five (5) enrolled as elementary students and seven (7) enrolled as high school students attending in the daytime with an additional average capacity of ten (10) enrolled as college students and going only at night. Drop off/pick up occurs at the west side of the building within the parking area.

Colleges are only allowed in CM-2 & HP-4; the City Code does not define colleges. Webster's Collegiate Dictionary defines "college" as "a building used for an educational or religious purpose". Given the description of ARK Youth Ministries, the term "college" in this application appears to refer to religious teaching, referred to as a "bible institute" in their narrative. In this context, with ten (10) students, it does not appear that this applicant is operating a "college" in the academic sense of the definition.

Since the Department regards this as a new use it would need to meet its parking standards. A site plan drawn by the applicant has been provided which indicates eleven (11) parking spaces. The professional office use associated with the business license would require only six (6) parking spaces and the private school use would only require four (4) parking spaces for the elementary and high school students in daytime ($6 + 4 = 10$) and three (3) spaces for college students attending at night ($6 + 3 = 9$). Since the elementary/high school and the "college" are in use at different times, there is sufficient parking.

Based on the evidence provided within the staff report and packet, there would be no additional parking issues in granting the exception. Staff believes there is no deterrent to the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare by granting the exception.

The Board has the authority to place conditions on the approval of a use by exception in order to safeguard surrounding properties and the neighborhood.

STAFF RECOMMENDATION

Based on a review of Section 28-29, and without the support of evidence to the contrary, staff finds that the Board may **APPROVE** an exception to allow for a private school within the Commercial Low 2 (CL-2) zoning category located at 307 Anastasia Boulevard.

SUPPLIMENTS

Attachment 1 – Application
Attachment 2 – Property Appraiser Info. / Location Map
Attachment 3 – Originally Approved Business License
Attachment 4 – Staff Aerial Information
Attachment 5 – Applicant Site Plans & Floor Plans

David Harrell, AICP
Senior Development Review Planner
Planning & Building Department

Attachment 1
Application



CITY OF ST AUGUSTINE
APPLICATION TO PLANNING AND ZONING BOARD

RECEIVED
MAY 03 2019
Planning/Building Dept.

Application Fee: \$250 (plus advertising costs) Project Number: 2019-0060

Receipt Number: 1605417 Meeting Date: June 4, 2019

Advertising Costs: \$ _____ Paid On: _____ Receipt Number: _____

1. NAME OF APPLICANT: Ark Youth Ministries Contact Number: 904-814-2005
Business (if applicable): Caleb T. King
Address: 307 Anastasia Blvd City: St Aug State: FL Zip: 32080
E-Mail Address: tking@bmtpr.org

2. NAME OF PROPERTY OWNER: Ark Youth Ministries, INC Contact Number: 904-814-2886
Business (if applicable): _____
Address: Sumner City: _____ State: _____ Zip: _____
E-Mail Address: _____

3. LEGAL DESCRIPTION OF PROJECT PROPERTY:

Lot: _____ Block: _____
Subdivision: _____ Parcel Number: _____

4. PROJECT STREET ADDRESS: 307 Anastasia

5. SPECIFIC PROPOSED USE: School and Ministry

6. ACTION REQUESTED:

- ☐ Conservation Zone Development ☐ Appeal of Staff Determination
☒ Exception ☐ Land Use Plan Amendment
☐ Variance ☐ Rezoning
☐ Other: _____

7. DESCRIPTION OF ACTION REQUESTED: CL-2 Zoning Use by
Exception

8. JUSTIFICATION FOR ACTION REQUESTED: _____

9. IF APPLYING FOR A VARIANCE, PLEASE COMPLETE THE FOLLOW. AND EXPLAIN THE SITUATION FULLY ALONG WITH PROVIDING DOCUMENTATION:

- (a) Does the property because of size, shape, topography or other physical conditions, suffer singular disadvantage, which disadvantage does not apply to other properties in the vicinity: _____
- (b) Can you establish that this disadvantage causes the owner to be unable to make reasonable use of the affected property: _____
- (c) Can you establish that this disadvantage does not exist because of conditions created by the owner or applicant: _____
- (d) Can you establish that granting of the variance will not be contrary to the public interest; will not adversely affect other property in the vicinity; and will be in harmony with the spirit, intent and purpose of this Section: _____

10. PREVIOUS APPLICATIONS:

Has any application been submitted to the Planning & Zoning Board concerning any part of the subject property within the past year?

☐ Yes ☒ No If yes, please give date and final disposition below.

11. AGREEMENT:

In filing this application, I understand that it becomes a part of Public Record of the City of St. Augustine and hereby certify that all information contained herein is accurate to the best of my knowledge.

Application must be signed by both applicant and property owner if different. Letter of authorization must be submitted in absence of the property owner's signature or where an authorized agent signs in lieu of either property owner or applicant.

Florida Statute 286.0105 states that a person appealing any decision by this board at any meeting regarding this application may need a verbatim record of the proceedings which includes testimony and evidence upon which the appeal is to be based.

IMPORTANT NOTICE: When the hearing date has been set and a legal notice has been published or posted, the applicant must be prepared to present the request at the scheduled hearing date. If the applicant requests a continuance, the decision to grant or deny the request for continuance will be decided by a vote of the Board at the scheduled hearing date. The applicant, or a duly authorized representative with authority to bind, should be present at the scheduled hearing date to answer questions from the board regarding the application. If the board votes to deny the request for a continuance, the hearing on the application will go forward, whether or not the applicant is present, and could result in a denial of the application if the Board finds that the application and supporting documents submitted prior to the meeting do not meet the criteria of the Code.

Signature of Applicant

Date

Signature of Property Owner

Date

May 20, 2019

Mr. David Harrell, AICP
Senior Development Review Planner
Planning and Building Department
904.209.4331 Direct
ddharrell@citystaug.com

RECEIVED
MAY 22 2019
Planning/Building Dept.

RE: May 17, 2019 Letter requesting Zoning Comments for 307 Anastasia Blvd (2019-0060)

Mr. David Harrell,

In partial fulfillment of your request for information concerning 307 Anastasia Blvd, I submit the following:

1. Justification

During the planning stage, even prior to the purchase of 307 Anastasia Blvd, Mr. King worked with Planning/Building having several meetings submitting plans and revised plans in order to accommodate the guidelines to allow for the current programs conducted by Ark Youth Ministries. Programs included: Dayschool, Bible Institute, crisis counseling, emergency runaway program, pregnancy center and Christian outreach programs. Again, these programs were ongoing programs in operation at the time of the purchase of 307 Anastasia Blvd.

It is clear from the existing floorplans of record that "Classrooms" were identified and consequently the nature of the school programs was discussed as well.

Since receiving the Certificate of Occupancy, AYM has participated in annual inspections by the Health Department and Fire Marshalls office according to the standard of operating as a school.

Again, since occupying 307 Anastasia Blvd, two 4 foot by 8-foot signs approximately 20 feet in the air have been in place advertising AYM, the dayschool and Bible Institute.

Again, since opening at 307 Anastasia Blvd, everyday school kids are dropped off and picked up during the day and college student attend classes each evening. During the day, the dayschool kids can be seen playing in the field directly behind the property.

It appears the City mistakenly failed to include "School" in the original permit language for 307 Anastasia Blvd after all the work was done during the permitting process as instructed.

2. Calvin Terry King is the original incorporator and ongoing President of Ark Youth Ministries Inc. Please see attached original incorporation documentation as well as the current Sunbiz.org listing for AYM.
3. The ministry began in St. Augustine in 1997 as Ark Youth Ministries of Baptist Mission to Forgotten People Inc. located at 1400 Old Dixie Highway. In 1998, the ministry moved to 321

Anastasia Blvd. The original work included crisis counseling, emergency runaway program, pregnancy center and Christian outreach programs. In 2005, the dayschool program began and in 2006 Ark Bible Institute began.

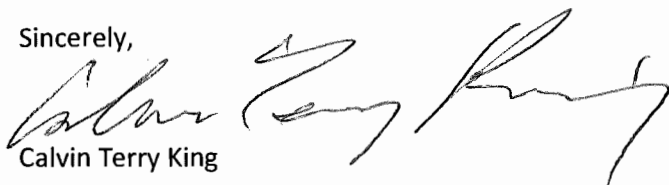
In 2007, Mr. King raised the necessary funds to purchase the property at 307 Anastasia Blvd, previously known as Alicias Pizza. Numerous meetings were held between Planning/Building and Mr. King both before and after the purchase of the property at 307 Anastasia Blvd in order to facilitate a smooth permitting process. Items discussed included the use of consultation rooms, classrooms, caretaker quarters, and all other programs conducted by AYM. Eventually, the City approved revised plans evidencing all the above as discussed.

The original Business Licensing for that of an Office continues to apply as a crisis pregnancy center has operated continuously at the site.

4. See attached.
5. See attached.
6. Repeat of question 4 above.

As previously discussed, AYM represents the life work of Mr. King and those who helped build the ministry programs over the past 20 years. AYM continues to provide much needed services and programs for our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin Terry King". The signature is fluid and cursive, with the first name "Calvin" being the most prominent part of the script.

Calvin Terry King



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Not For Profit Corporation
ARK YOUTH MINISTRIES INC.

Filing Information

Document Number N10000005014
FEI/EIN Number 37-1578133
Date Filed 05/21/2010
Effective Date 05/15/2010
State FL
Status ACTIVE

Principal Address

307 ANASTASIA BLVD
SAINT AUGUSTINE, FL 32080

Mailing Address

307 ANASTASIA BLVD
SAINT AUGUSTINE, FL 32080

Registered Agent Name & Address

KING, CALVIN T
307 ANASTASIA BLVD
SAINT AUGUSTINE, FL 32080

Officer/Director Detail

Name & Address

Title P

KING, CALVIN T
312 RIBAUT ST.
SAINT AUGUSTINE, FL 32080

Title DIR

HUISINGA, ROBERT J
3787 OLD MIDDLEBURG ROAD
JACKSONVILLE, FL 32210

Title DIR

KING, CAROLYN E
307 ANASTASIA BLVD

307 ANASTASIO BLVD.

SAINT AUGUSTINE, FL 32080

Title DIR

RUSO, ADAM H

317 JW COURT

SAINT AUGUSTINE, FL 32086

Annual Reports

Report Year	Filed Date
2017	04/25/2017
2018	02/20/2018
2019	01/14/2019

Document Images

01/14/2019 -- ANNUAL REPORT	View image in PDF format
02/20/2018 -- ANNUAL REPORT	View image in PDF format
04/25/2017 -- ANNUAL REPORT	View image in PDF format
03/29/2016 -- ANNUAL REPORT	View image in PDF format
01/09/2015 -- ANNUAL REPORT	View image in PDF format
01/13/2014 -- ANNUAL REPORT	View image in PDF format
03/26/2013 -- ANNUAL REPORT	View image in PDF format
01/05/2012 -- ANNUAL REPORT	View image in PDF format
03/15/2011 -- ANNUAL REPORT	View image in PDF format
05/21/2010 -- Domestic Non-Profit	View image in PDF format

FCCPSA

P.O. Box 5100
Deltona, FL 32728-5100
386-218-5310
July 21, 2018

RECEIVED

MAY 22 2019

Planning/Building Dev

Calvin Terry King
Ark Christian Academy
307 Anastasia Blvd
St. Augustine, FL 32080

Dear Mr. King:

It is with great pleasure for the Florida Coalition of Christian Private Schools Accreditation, Inc. (FCCPSA) to have Ark Christian Academy as being a fully accredited Academic Institution, with all the rights and privileges thereunto appertaining. Your annual Accreditation certificate is in effect and will expire on **August 1, 2019**.

Recently, the FCCPSA entered into an Integrative Partnership with AdvancEd/SACS! The Florida High School Athletic Association (FHSAA) lists only fifteen Not only is FCCPSA listed with the FHSAA (which lists only fifteen (15) accrediting agencies in the State of Florida), but in addition, the Committee of College Registrars of Florida has recently recognized and added FCCPSA as an acceptable accrediting body! Accreditation with FCCPSA has become even more important.

Ark Christian Academy is an outstanding academic institution whose quality program educational program deserves recognition. You are commended for your dedication and professional approach to the Private School Education Mission. Congratulations on a job well done.

In His service,

Joe Gibilisco
President, FCCPSA

Florida Coalition of Christian Private Schools Accreditation, Inc.

certifies that

Ark Christian Academy

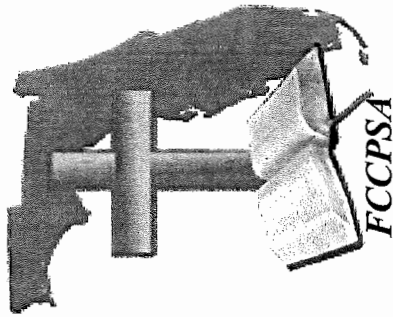
(Private School covering Grades K-12)

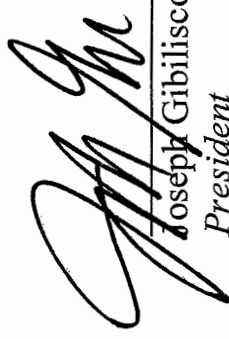
has completed the documentation and inspection requirements of
Florida Coalition of Christian Private Schools Accreditation, Inc.
and that, by reason of these attainments, is hereby granted this

Certificate of Accreditation

with all the rights, privileges, and responsibilities thereunto appertaining.

Beginning July 21, 2018 and concluding August 1, 2019




Joseph Gibilisco
President

Certificate expires: August 1, 2019

RECEIVED

MAY 22 2019

Planning/Building Dept.

Attachment 2

Property Appraiser Info. / Location Map



St. Johns County, FL

Quick Links

[My Tax Bill](#)
[Tax Estimator](#)

2018 TRIM Notice

[2018 TRIM Notice](#)

2017 TRIM Notice

[2017 TRIM Notice](#)

Summary

Parcel ID	2189900140
Location Address	307 ANASTASIA BLVD SAINT AUGUSTINE 32080-0000
Neighborhood	Anastasia Blvd (COM) (590.01)
Tax Description*	3-99 DAVIS SHORES BLK 37 LOTS 14 15 & 16 OR3025/1296 & 4339/518 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Non-Profit, Charitable & Orphanages (7500)
Subdivision	Davis Shores Ocean View Section
Sec/Twp/Rng	17-7-30
District	City of St Augustine (District 452)
Millage Rate	20.2171
Acreage	0.170
Homestead	N

Owner Information

Owner Name	Ark Youth Ministries Inc 100%
Mailing Address	307 ANASTASIA BLVD SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2019
Building Value	\$113,580
Extra Features Value	\$418
Total Land Value	\$187,500
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$301,498
Total Deferred	\$4,620
Assessed Value	\$296,878
Total Exemptions	\$296,878
Taxable Value	\$0

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2018	\$104,387	\$502	\$165,000	\$0	\$0	\$269,889	\$269,889	\$269,889	\$0
2017	\$104,910	\$701	\$150,000	\$0	\$0	\$255,611	\$255,611	\$255,611	\$0
2016	\$106,038	\$807	\$150,000	\$0	\$0	\$256,845	\$249,420	\$256,845	\$0
2015	\$107,165	\$912	\$150,000	\$0	\$0	\$258,077	\$226,745	\$258,077	\$0
2014	\$101,923	\$1,018	\$150,000	\$0	\$0	\$252,941	\$206,132	\$252,941	\$0
2013	\$101,923	\$1,010	\$84,375	\$0	\$0	\$187,308	\$187,308	\$187,308	\$0
2012	\$102,986	\$1,102	\$84,375	\$0	\$0	\$188,463	\$188,463	\$188,463	\$0
2011	\$104,047	\$1,194	\$93,750	\$0	\$0	\$198,991	\$198,991	\$198,991	\$0
2010	\$105,109	\$1,287	\$150,000	\$0	\$0	\$256,396	\$256,396	\$256,396	\$0

Exemption Information

Exemption Type	Amount
Non-Profit	\$296,878

Building Information

Building 1
 Actual Area 2768
 Conditioned Area 2538
 Actual Year Built 2008
 Use Office Buildings
 Style 04
 Class N
 Exterior Wall Concrete Siding, Concrete Stucco

Roof Structure Wood Truss
 Roof Cover Composite Shingle
 Interior Flooring Ceramic Tile
 Interior Wall Drywall
 Heating Type Air Duct
 Heating Fuel
 Air Conditioning Central
 Baths

Category	Type	Pct
Foundation	Concrete Perimeter Footing	100%
Floor System	Concrete Slab	100%
Frame	Masonry	100%
Exterior Wall	Concrete Siding	50%
Exterior Wall	Concrete Stucco	50%
Roofing Structure	Wood Truss	100%
Roofing Cover	Composite Shingle	100%
Interior Flooring	Ceramic Tile	100%
Interior Walls	Drywall	100%
Insulation	4" Fiberglass	100%
Electrical	Average	100%
Plumbing	10 Fixtures	100%
Heating Type	Air Duct	100%
Air Conditioning	Central	100%
Condition	Good	100%

Description	Conditioned Area	Actual Area
CANOPY (COMMERCIAL)	0	90
CANOPY (COMMERCIAL)	0	84
CANOPY (COMMERCIAL)	0	56
FINISHED UPPER STORY	1240	1240
BASE AREA	1298	1298
Total SqFt	2538	2768

Extra Feature Information

Code Description	BLD	Length	Width	Height	Units
Handicap Ramp	0	15	4	0	60

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Non-Profit, Charitable & Orphanages	75	100	7500	SF	\$187,500

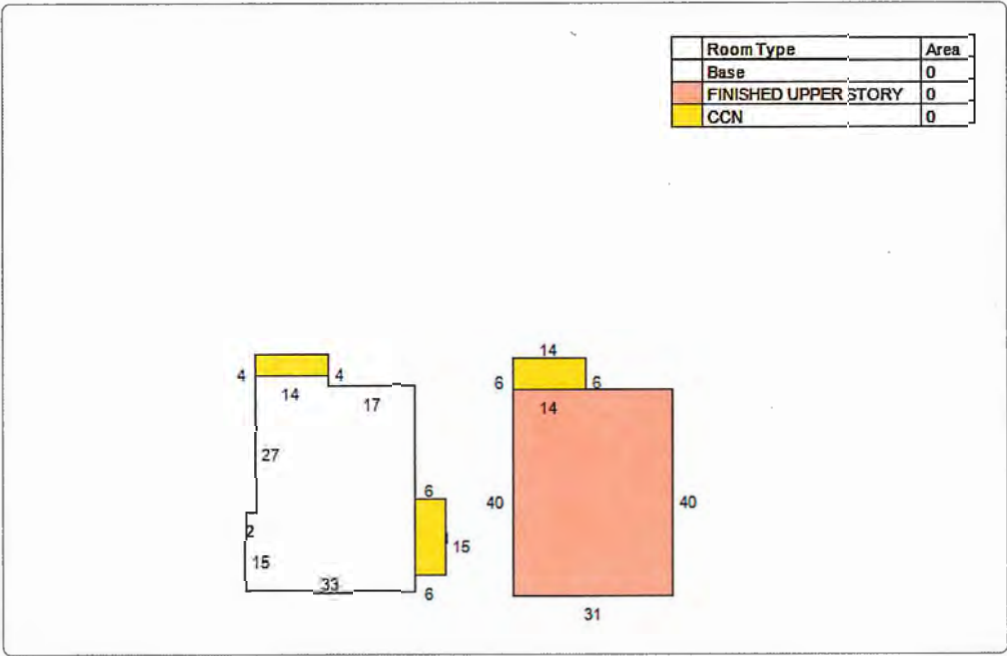
Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
3/2/2017	3/2/2017	\$297,000.00	WD	4339	518	U	I	BAPTIST MISSIONS TO FORGOTTEN PEOPLES INC	ARK YOUTH MINISTRIES INC
	12/7/2007	\$400,000.00	WD	3025	1296	U	I	ACCESS E HOLDINGS LLC	BAPTIST MISSIONS TO FORGOTTEN PEOPLES INC
	1/13/2006	\$335,000.00	WD	2626	748	Q	I	HARRISON TRIPP & KATHLEEN LLC	ACCESS E HOLDINGS LLC
	8/6/2004	\$225,000.00	WD	2261	1809	Q	I	WALTER MARC T	HARRISON TRIPP & KATHLEEN LLC
	7/25/1994	\$14,300.00	WD	1168	1752	U	I	WALTER ROBERT	WALTER MARC T
	6/1/1991	\$0.00		898	510	U	I		WALTER MARC T
	12/1/1988	\$120,000.00		803	1844	Q	I		

Area Sales Report

Recent Sales in Area

Sketch Information

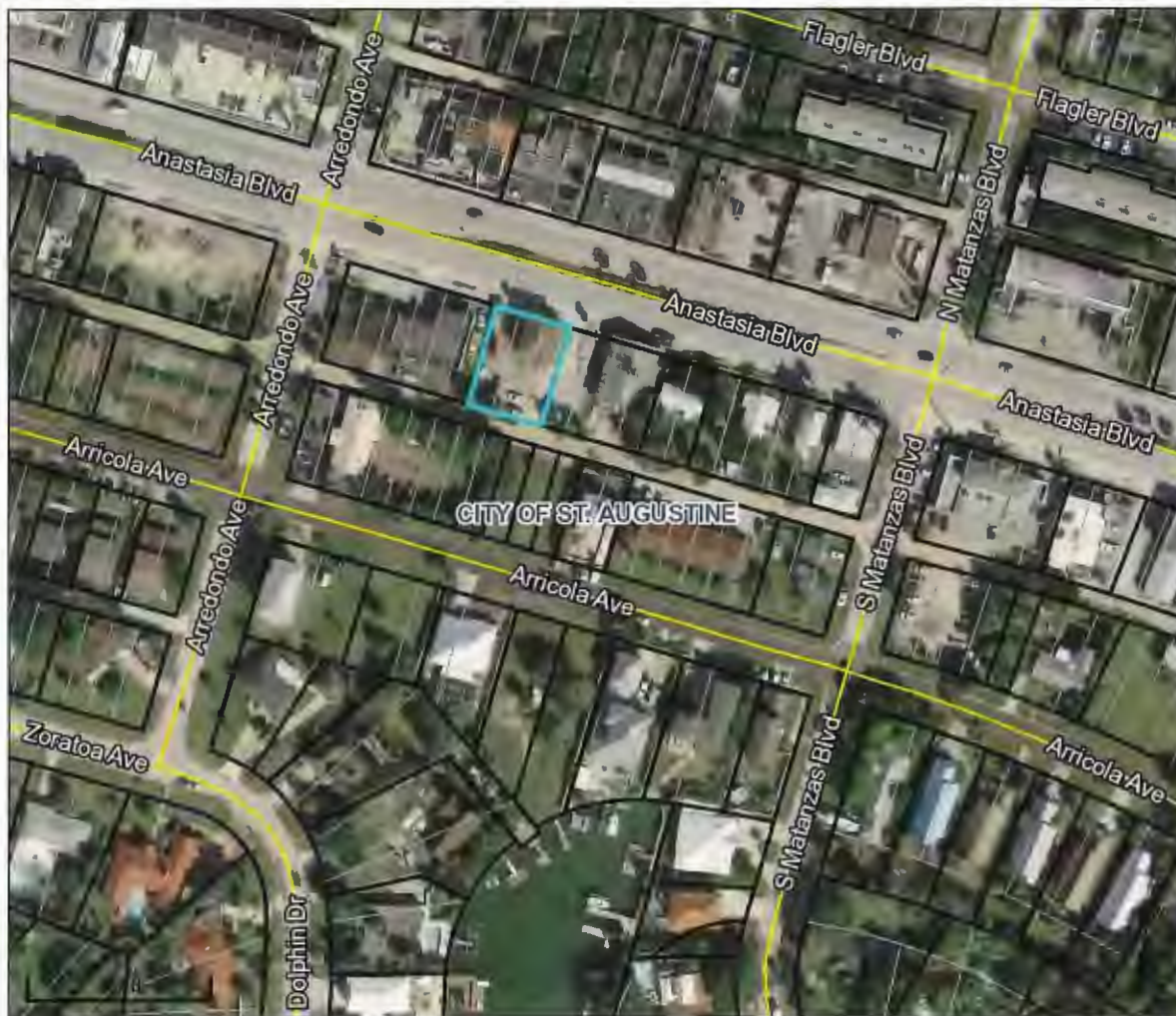


The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Last Data Upload: 5/8/2019, 11:59:46 PM

Version 2.2.17





Overview



Legend

- Parcels
- Cities

Parcel ID	2189900140	Physical Address	307 ANASTASIA BLVD	Building Value	\$113,580	Last 2 Sales			
Property Class	7500 - Non-Profit, Charitable & Orphanages	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	\$418	Date	Price	Reason	Qual
Taxing District	City of St Augustine		ARK YOUTH MINISTRIES INC			3/2/2017	\$297000	17	U
Acres	0.17		307 ANASTASIA BLVD	Total Land Value	\$187,500	12/7/2007	\$400000	11	U
			SAINT AUGUSTINE FL	Just Value	\$301,498				
			32080-0000	Total	\$4,620				
				Deferred Assessed Value	\$296,878				
				Total	\$296,878				
				Exemptions					
				Taxable Value	N/A				

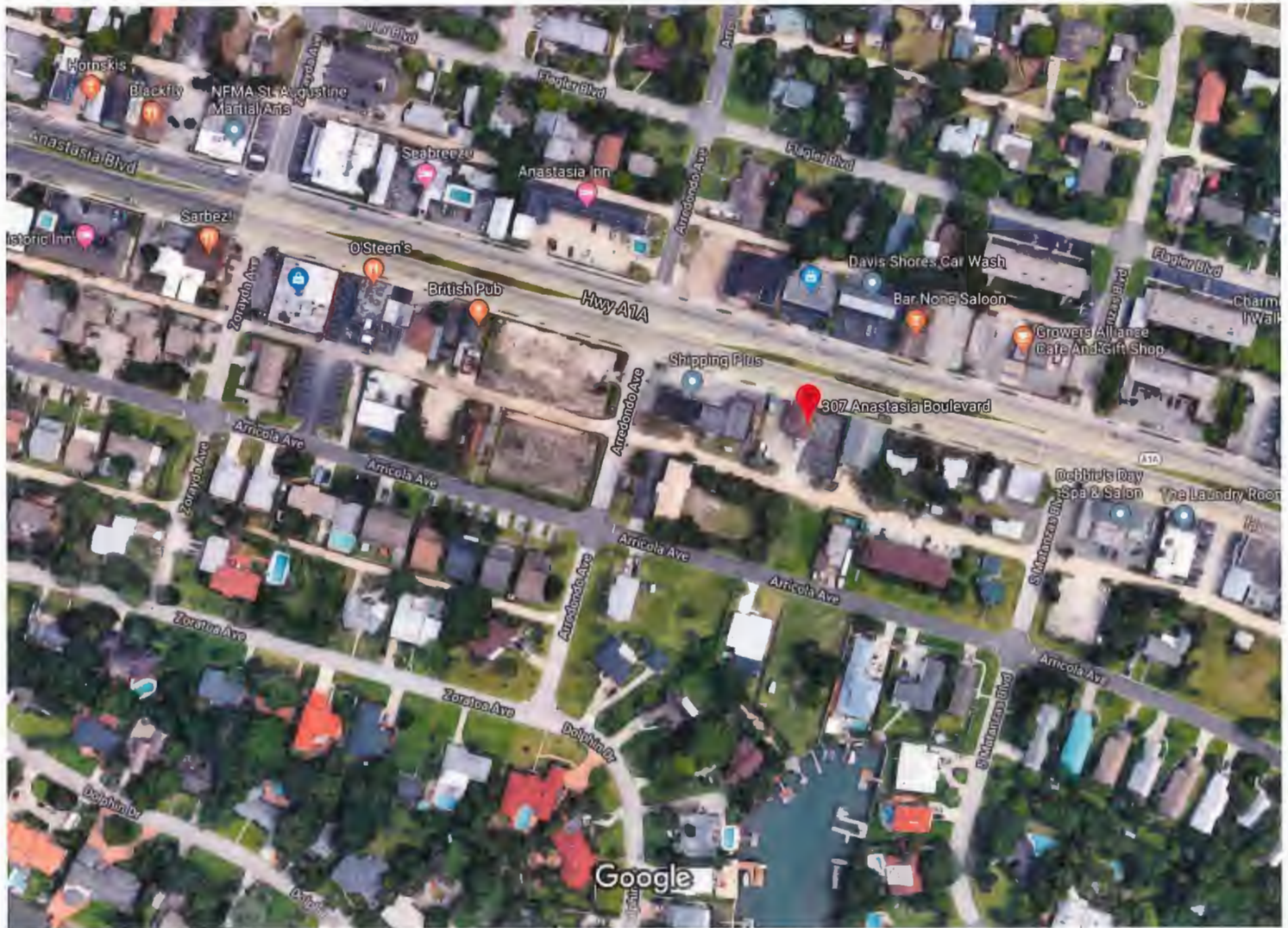
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Date created: 5/9/2019

Last Data Uploaded: 5/8/2019 11:59:46 PM

Developed by  **Schneider**
GEOSPATIAL

Google Maps 307 Anastasia Blvd



Imagery ©2019 Google, Map data ©2019 Google 100 ft



307 Anastasia Blvd

St. Augustine, FL 32080



Directions



Save



Nearby

Send to your
phone

Share

Attachment 3

Originally Approved Business License

#4556
12/16/08

#0.00 - Exempt \$3.00 chg of loc. R.C.U.D 12/12/08

CITY OF ST. AUGUSTINE

APPLICATION FOR USE PERMIT / CERTIFICATE OF OCCUPANCY

WDPH

White - Files Green - Contractor / Finance Department Canary - Property Appraiser / Tax Assessor Pink - Fire Department Gold - Owner / Tenant

Application Fee _____ RECEIVED After-the-fact (Date citation issued _____)

Receipt No. _____ Associated BDAC Project No. _____

Date Issued _____ JUL 19 2007

PLEASE PRINT OR TYPE

1. NAME OF BUSINESS OWNER ARK Youth Ministries of BMFP inc. DAYTIME TELEPHONE 904-810-2005
Business Mailing Address 321 Anastasia Blvd City St. Augustine State FL Zip 32080
2. NAME OF PROPERTY OWNER Access Holdings LLC
Mailing Address 24 Cathedral Pl. #612 City St. Aug State FL Zip 32084
3. LEGAL DESCRIPTION OF BUSINESS / PROJECT PROPERTY
Lot 14-15-16 Block 37
Subdivision Davis Shores Parcel Number 213990-0140
4. BUSINESS / PROJECT STREET ADDRESS 307 Anastasia Blvd
5. PROPOSED TYPE OF USE Office ~~Residence~~
☐ SQUARE FOOTAGE 1354 ☐ NUMBER OF EMPLOYEES 2
☐ Number of Seats _____ ☐ Other _____
6. NAME OF PROPOSED BUSINESS ARK Youth Ministries of BMFP inc.
7. TYPE OF APPLICATION
☒ Existing Business - Change of Location (Previous Location) 321-323 Anastasia Blvd
☐ New Business ☐ Home Office Private ☐ Existing Business - Change of Business Name
☐ Home Occupation ☐ Existing Business - Change of Business Owner ☐ Existing Business - Expired License
8. INSPECTION STATUS ☐ Ready ☐ Will call to schedule
9. AGREEMENT

In filing this application, I understand that it becomes a part of the Public Record of the City of St. Augustine, and hereby certify that all the information contained herein is accurate to the best of my knowledge. I further understand that a USE PERMIT, a CERTIFICATE OF OCCUPANCY and an OCCUPATIONAL LICENSE are required prior to occupying any building, structure or premises for business purposes. **I FURTHER UNDERSTAND THAT ALL REQUIRED BUILDING IMPROVEMENTS MUST BE PERMITTED, COMPLETED AND FINAL INSPECTIONS MADE PRIOR TO THE ISSUANCE OF THIS APPLICATION. SIGN PERMITS MAY BE OBTAINED FOLLOWING THE ISSUANCE OF THIS USE PERMIT / CERTIFICATE OF OCCUPANCY.**

Calvin Terry King 7/18/07
SIGNATURE OF APPLICANT DATE

STAFF USE ONLY

A. USE PERMIT

FUTURE LAND USE IC ZONING CL2 PROPERTY CODE 001100
PREVIOUS USE / NAME Vacant Building
CHANGE OF USE ☒ YES ☐ NO UTILITY REVIEW REQUIRED ☐ YES ☐ NO
PARKING SPACES REQUIRED 3 PROVIDED 5 LANDSCAPING ☐ REQUIRED ☒ PROVIDED
LAND USE / ZONING DETERMINATION ☒ APPROVED ☐ DENIED ZONING (INITIAL) DB DATE 11/4/08

B. CERTIFICATE OF OCCUPANCY

TYPE OF OCCUPANCY _____ OCCUPANT CONTENT _____
BUILDING PERMIT NUMBER _____ VALUATION \$ _____

UTILITIES

10/31/08
DATE

FIRE SAFETY
FOR INSPECTION
(INITIAL)

DATE

BUILDING INSPECTION
(INITIAL)

DATE

Ark Youth
Ministries



Crisis Pregnancy Center

A
place
of
refuge

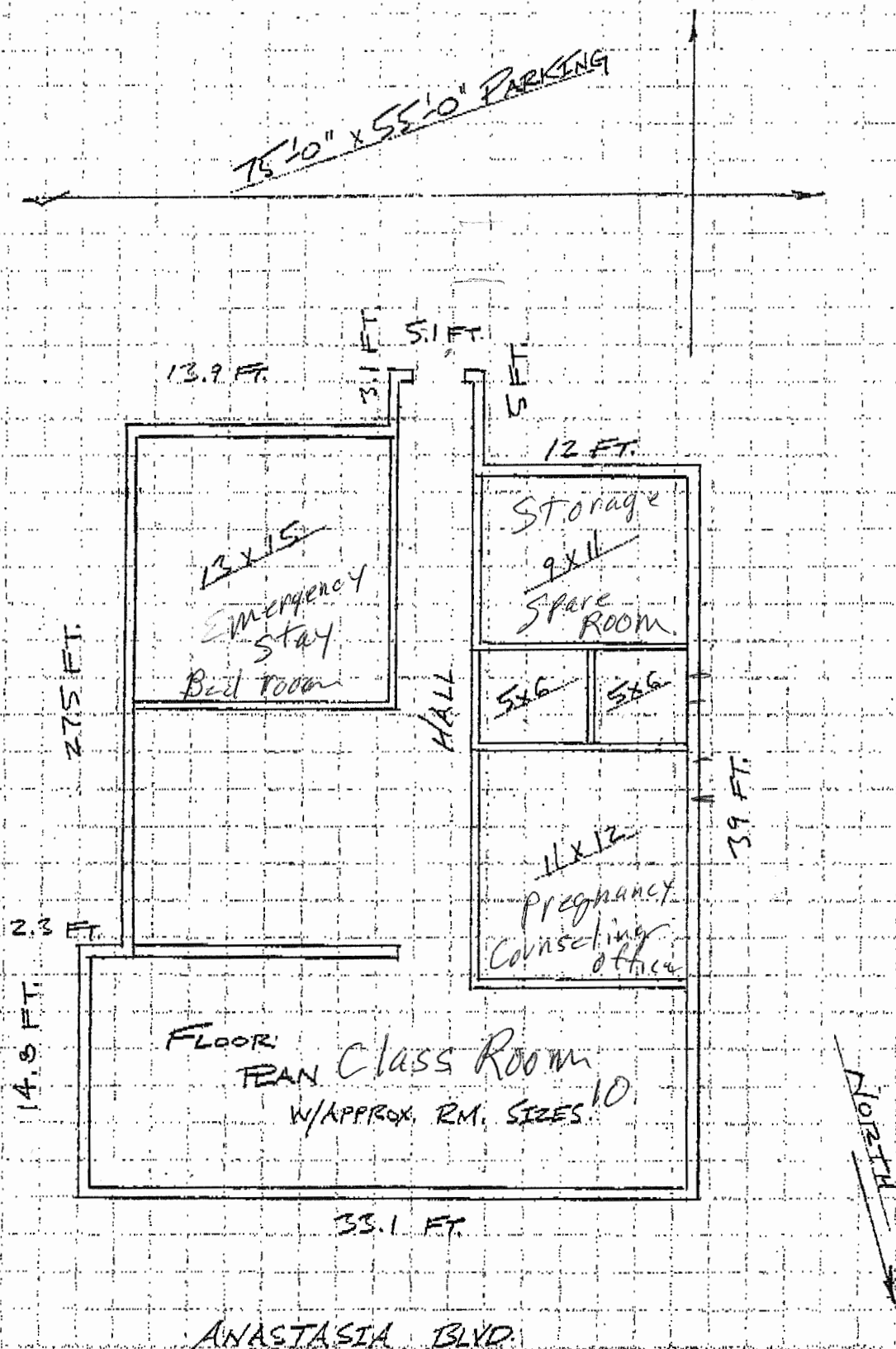
TEEN PREGNANCY CRISIS
CENTER

STD TESTING

RUNAWAY SHELTER

COUNSELING

CRISIS PREVENTION PROGRAMS



MAP SHOWING BOUNDARY SURVEY OF

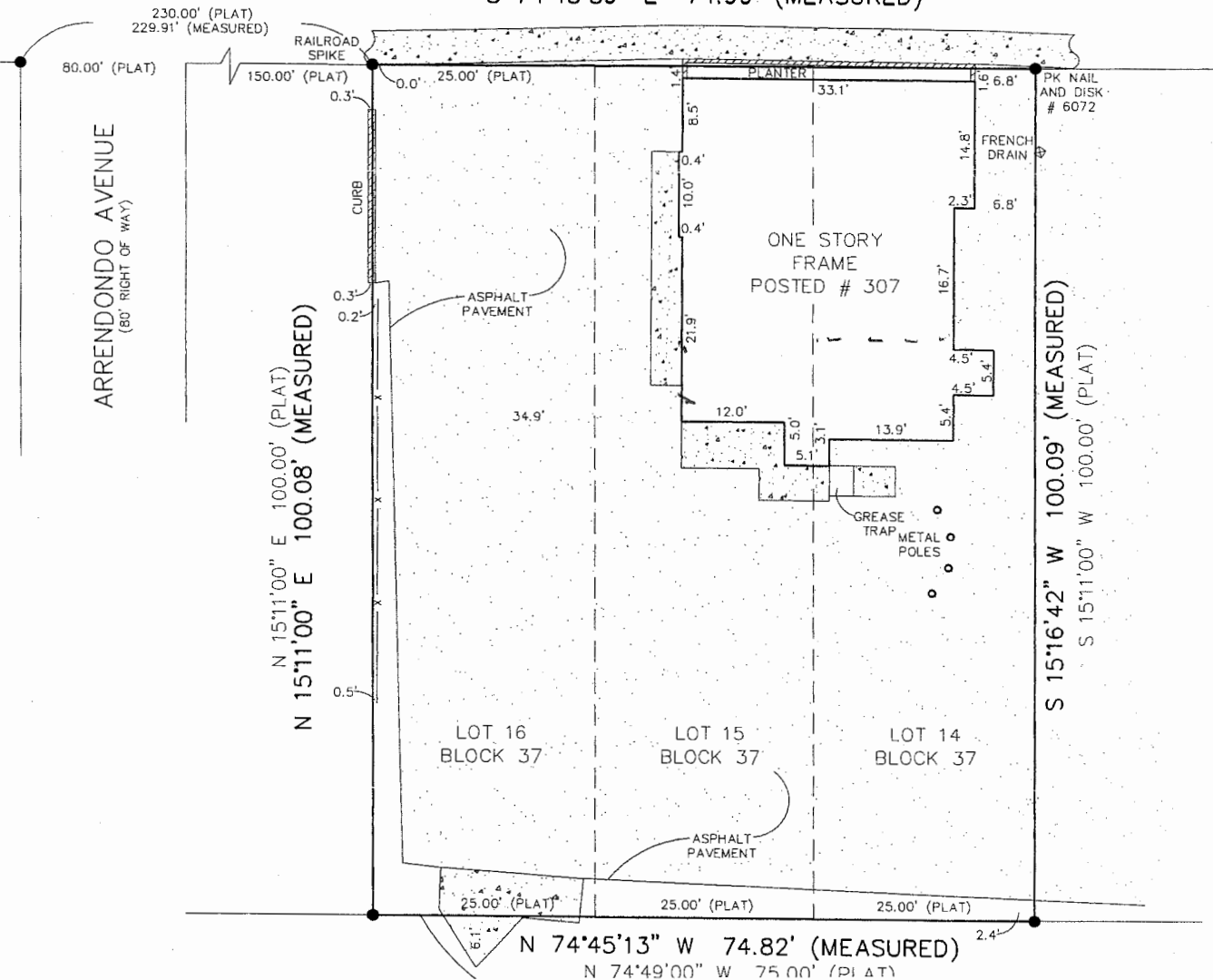
LOTS 14, 15 AND 16, BLOCK 37, DAVIS SHORES, AS RECORDED IN MAP BOOK 3,
PAGES 97 THROUGH 99 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

CERTIFIED TO:
WILLIAM SONNTAG AND KEITH RICHARDSON
NOBLE TITLE SERVICES
THE TALON GROUP

ANASTASIA BOULEVARD
(100' RIGHT OF WAY)



S 74°49'00" E 75.00' (PLAT)
S 74°45'59" E 74.99' (MEASURED)



Attachment 4
Staff Aerial Information





Attachment 5
Applicant Site Plans & Floor Plans

307 ANASTASIA BLVD

S 74° 45' 59" E 74.99'

RECEIVED

CONCRETE SIDEWALK

GRASS

MAY 22 2019

Planning/Building Dept.

SIGN
POLE

6'-8"

HANDICAP
RAMP

S 15° 16' 42" W 100.09'

N 15° 11' 00" E 100.08'

H C

SHED

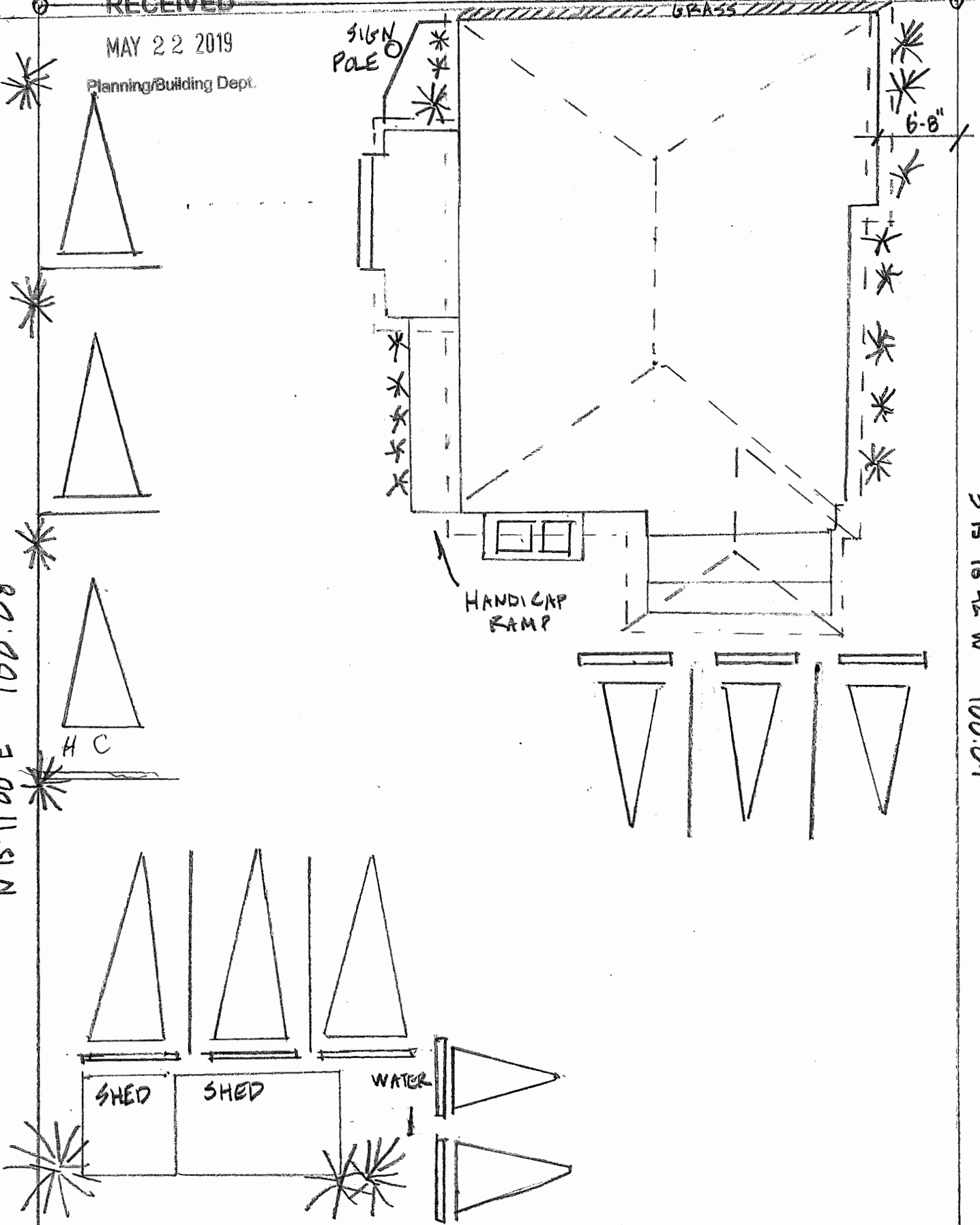
SHED

WATER

N 74° 45' 13" W 74.82'

20' ALLEY

ARK YOUTH
MINISTRIES



E: $0 \times 2^8 \times 2^8 \times 2^8 \times 2^8$

302-0125
328-3032
362-1378

1944. 50. Ft. --- H & AC
AS 100 N --- BALCON

- QUICK-TIE NOTES:**
1. 1 - QUICK-TIE @ EA. CORNER
 2. 1 - QUICK-TIE @ EA. END OF HEADERS
 3. 1 - QUICK-TIE @ 6'-0" o.c. THROUGH WALL SECTION.
 4. 1 - QUICK-TIE @ FA. END OF SHEAR WALL.
 5. CONTRACTOR SHOULD VERIFY QUICK-TIE LOCATIONS W/ WINDOW & DOOR HEADERS.



1204.5 sq. ft. ——— H & A
74.05 sq. ft. ——— FORCH

- NOTES:**
1. STOVE MUST HAVE AN EXHAUST SYSTEM AND AUTOMATIC EXTINGUISHING SYSTEM MEETING THE REQUIREMENTS OF NFPA 96.
 2. PORTABLE FIRE EXTINGUISHERS TO HAVE A MINIMUM RATING OF 2A AND BE TAGGED BY A FIRE PROTECTION CONTRACTOR.

MARK	NOMINAL SIZE	MFG.	MFG. NO.	TYPE	# REQ'D
A	3'-0"x3'-0"			SINGLE HANG	11
B	2'-0"x3'-0"			SINGLE HANG	1
C	2'-0"x3'-0"			SINGLE HANG	2
D	3'-0"x3'-0"			FIXED	2
E	4'-0"x3'-0"			SLIDING	1









THIS IS A EXISTING STRUCTURE
SIGNATURE AND SEAL BY DESIGN
PROFESSIONAL EXCLUDES ALL
COMPONENTS OF EXISTING STRUCTURE

CODE: UNFC-8
BUILDING TYPE: ENCLOSED
BASIC WIND SPEED: 120 MPH (3 SEC. GUST)
WIND IMPORTANCE FACTOR: 1.00
WIND EXPOSURE: C
INTERVAL PRESSURE COEFFICIENT: +0.18/-0.18
GIC DESIGN PRESSURES:
WALLS: 15.4 PSF
ROOF: 12 PSF
OPENINGS: AS TABULATED

THIS BUILDING MAY BE USED IN WIND BORNE DEBRIS
SITUATIONS ONLY IF GLAZED OPENINGS ARE PROTECTED
OR IMPACT RESISTANT; PROTECTION OF OPENINGS TO
BE IN ACCORDANCE WITH PARAGRAPH 1801.4.1, FBC 04.

CERTIFIED BY:

LAWRENCE A. PAINE, PE
FLORIDA LICENSE #21475

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 3, 2019

RE: **Ordinance 2019-11 - Amending Sec. 28-29(5) to Clarify the Application Process for Timeframe Waivers**

When the board denies an application for a use by exception or variance, the code does not allow for the same application to be considered for a period of one year, or in some cases, two years.

However, the code also provides the board the flexibility to waive this delay period if it “is deemed necessary to prevent injustice or to facilitate the property development of the city”. Unfortunately, the code does not give clear guidance on the administrative process for application of this time frame waiver.

On May 7, 2019, the Planning and Zoning Board was presented with an application for a use by exception that required a waiver of the one year time period. At that time the board directed staff to draft language that clarifies the waiver process.

Attached please find a draft of Ordinance 2019-11, which simply adds language to Sec. 28-29(5) which clarifies the application process for time frame waivers, for your consideration and recommendation to the City Commission.

If you have any questions, please let me know.



David Birchim, AICP
Director, Planning and Building

ORDINANCE NO. 2019 - 11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING SECTION 28-29(5) ZONING EXCEPTIONS, VARIANCES AND APPEALS; CLARIFYING THE APPLICATION PROCESS TO APPLY FOR TIME LIMIT WAIVERS FOR ZONING EXCEPTIONS AND VARIANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that Sec. 28-29(5) is amended to clarify the application process for time limit waivers for zoning exceptions and variances.

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

Section 1. Chapter 28, Section 28-29(5) is hereby amended, as follows:

Sec. 28-29. - Zoning exceptions, variances and appeals.

- (f) *Limitations on exceptions, variances and conservation zone developments.* Exceptions, variances and conservation zone developments shall be non-transferable and granted to the applicant only, and the exception, variance or development shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the chief building official may grant no more than two (2) ninety-day extensions for the commencement of construction pursuant to any exception or variance or conservation zone development approval granted by the planning and zoning board upon written application showing good cause for such extension of the variance or exception showing no changes to the proposed project or use have been made which will affect the variance or use to be extended; and provided, further, the board may adopt the following conditions to any exception or variance:
- (1) That the exception, variance or conservation zone development will be transferable and run with the land when the facts involved warrant same or where construction or land development is included as part of the exception or variance.

- (2) The time within which the exception, variance or conservation zone development shall be commenced may be extended for a period of time longer than one (1) year. Failure to exercise the exception, variance or conservation zone development by commencement of the use or action approved thereby within one (1) year, or such longer time as approved by the board, shall render the exception, variance or conservation zone development invalid and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the exception, variance or conservation zone development runs with the land, shall terminate the exception, variance or development.
- (3) Whenever the board has granted an exception or variance to the zoning code, it shall not then consider any petition for an exception or variance on any part or all of the same property for a period of one (1) year from the effective date of the order granting the exception or variance.
- (4) Whenever the board has denied an application for an exception or variance no further application shall be filed for the same exception or variance on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same exception or variance on any part or all of the same property has been denied, no further application shall be filed for the same exception or variance on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- (5) The time limits of subsections (3) and (4) may be waived by the affirmative votes of a majority of the board when such action is deemed necessary to prevent injustice or to facilitate the proper development of the city. An application for such waiver shall be a separate and distinct application, and must be approved by the board prior to the consideration of the new application for an exception or variance. Nothing herein shall prevent the board from considering the new application during the same meeting as the approval of the waiver.

Section 2. The City Planning and Building Director is hereby authorized and directed to amend Sec. 28-29(5) in the Code of the City of St. Augustine, Florida.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective ten (10) days after passage,
pursuant to Section 166.041(4) Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2019.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 4, 2019

RE: **Discussion - Tree Mitigation Fund Administration and Fees**

On April 13, 2004, the Code Enforcement, Adjustments and Appeals Board, with the support of the City Commission, created a tree mitigation fund with a fee of \$300 per tree as a mitigation cost. At that time, this was the cost to purchase, plant and warrantee for 3 years, a shade tree that was 1¼ inches diameter and 10 feet in height, which is the minimum size for a mitigation shade tree. A process was followed in which property owners would ask permission from the Code Enforcement Board to pay \$300 per replacement tree in lieu of replanting. This process was informal in nature and not widely used. The fees were deposited into the general fund, in an account that was used by the Public Works Department to plant trees in public spaces.

In an effort to re-establish this program, the City Commission passed Resolution 2018-46 on December 10, 2018, which formally established the city's Tree Mitigation Fund, which is a separate account in the general fund. This program allows for a fee to be paid when replanting a tree "is not possible or feasible", generally this is due to a lack of sufficient space for replanting.

On February 11, 2019, the City Commission passed Ordinance 2019-03, which updated the city tree code and made the Planning and Zoning Board responsible for the approving the removal of significant trees and eliminated the Code Enforcement Board's role in reviewing tree removal applications.

The city staff reviews, inspects and issues tree removal permits for all trees except "significant" trees, which is the category of trees which must be reviewed by the Planning and Zoning Board. The city staff can accept payment in lieu of replanting for trees that are not required to be approved by the board as part of this routine permitting process. When the removal of a significant tree is approved by the board, the applicant can provide the board with documentation that it is "not possible or feasible for replanting" as part of the required arborist report.

The fee for mitigation, prior to Resolution 2018-46, was \$300, which was the cost for a 1¼ inch caliper, 10 feet in height replacement shade tree. This fee would also apply to replacement understory and palm trees.

When large amounts of trees are removed, a credit/debit formula is used to establish the tree mitigation requirement. When tree replanting is required through this formula, the same method of a fee per caliper inch can be assigned if payment into the tree mitigation fund is used.

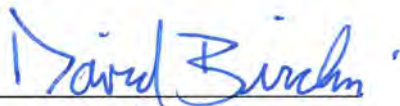
However, large developers do not pay the retail price per tree when they purchase large numbers of trees for landscaping and mitigation, they pay a lower rate per tree.

The City of Jacksonville has a tree mitigation fund and they update their fee schedule every year based on the current cost for replacement trees. They take the average of 3 quotes for a replacement tree from 3 licensed local nurseries and apply a fee per caliper inch from this average number.

The items for discussion are:

1. Is it acceptable to use the “per caliper inch” fee system, in which the applicant would pay a fee that would be similar to their costs for planting a replacement tree?
2. When large mitigation is proposed for a site and a developer wants to make a payment into the tree mitigation fund in lieu of replanting, could the developer present a written quote for their “wholesale” costs to the Planning and Zoning Board for their mitigation fee? And if so, would this cost need to be validated to make certain it is accurate?
3. Is there a different fee structure that is more favorable?
4. When staff is administratively collecting a tree mitigation fee, is an arborist report necessary to determine if the tree mitigation is not “possible or feasible” or can a formula for a minimum amount of open space and distance to structures be used?

Thank you for taking the time to consider these issues.

A handwritten signature in blue ink that reads "David Birchm".

David Birchm, Director
Planning and Building Department

RESOLUTION NO. 2018-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING A TREE MITIGATION FUND, THEREFORE HEREBY ADOPTING A PROGRAM TO ALLOW PAYMENT IN LIEU OF PLANTING REQUIRED TREES WITHIN THE CITY OF ST. AUGUSTINE.

WHEREAS, the City of St. Augustine is recognized by the National Arbor Day Foundation as a Tree City USA; and

WHEREAS, the City of St. Augustine has been designated a Tree City USA for 35 years; and

WHEREAS, the City of St. Augustine places a high priority on maintaining and planting trees, and monitoring the tree canopy throughout the City; and

WHEREAS, Chapter 11 *Environmental Protection* including Conservation Overlay Zone protection and Chapter 25 *Trees and Landscaping* regulate required landscaping, tree removal, and tree canopy requirements in the City Land Development Code; and

WHEREAS, given certain site conditions it may not be possible or feasible for a development to meet the tree planting landscape requirements or retain existing trees for conservation purposes on a site; and

WHEREAS, the City wishes to establish a program where a fee is paid into a Tree Mitigation Fund in lieu of planting the tree(s) on the site; and

WHEREAS, the City shall place the monies generated from fines collected from the unpermitted removal of trees into a Tree Mitigation Fund; and

WHEREAS, this Tree Mitigation Fund shall be used by the City to plant and maintain trees in appropriate locations and support the city's tree program within the City right-of-way or on City or other public property to promote street tree rehabilitation, maintain a diverse tree inventory and support tree canopy throughout the City; and

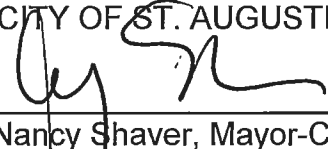
WHEREAS, the City Commission has determined that the City of St. Augustine Tree Mitigation Fund shall be adopted by reference to this Resolution;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, THAT

Section 1. Upon the effective date of this resolution the City of St. Augustine shall establish a tree mitigation fund, as promulgated from time to time, and incorporated herein by reference.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine,
Florida this 10th day of December, 2018.

CITY OF ST. AUGUSTINE, FLORIDA

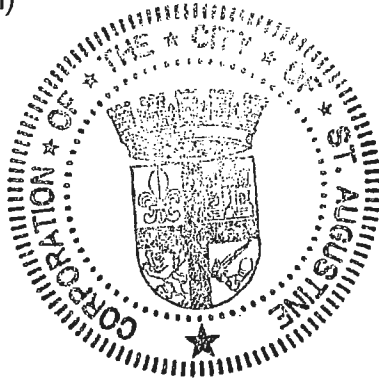


Nancy Shaver, Mayor-Commissioner

ATTEST



City Clerk, Darlene Galambos
(Corporate Seal)



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Planning and Zoning Board

DATE: June 4, 2019

RE: **Item 5(c)**
Discussion and Public Comment Related to the Draft Historic Preservation Element Goals, Objectives and Policies for the Comprehensive Plan

The Historic Preservation Element of the Comprehensive Plan is an optional element. The City included a complete Historic Preservation Element, as well as, summaries in the Future Land Use, Conservation and Coastal Management, Recreation and Open Space, and Transportation and Mobility Elements because preservation is the center of St. Augustine's identity. The element is the chapter of the Comprehensive Plan that establishes the overall plan and framework for the preservation program of the City, including archaeology, a vital component of the City's interesting, unique and legitimate place in history.

Attached is a set of Draft Goals, Objectives and Policies for the Historic Preservation Element of the Comprehensive Plan. These are presented for your review and comment, and to follow up with any discussion. The goals, objective and policies include an overall goal, and separate goals, objectives and policies that have been divided by subject matter:

- Cultural Resources Inventory
- Preserving Historic Structures
- Preserving Archaeological Resources
- Preserving Community Character
- Economic Incentives
- Community Awareness and Promotion
- Hazard Mitigation
- Administration of Programs and Policies

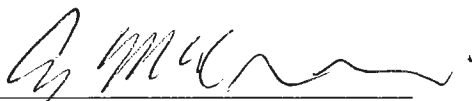
The Evaluation and Appraisal process in 2018 identified several issues outlined below related to the Historic Preservation Element. The update is an attempt to address these issues, as well as, update the element through 2040.

- Historic preservation is a core priority of the City
- Need to consider protecting specific historic items or characteristics of properties
- Need to consider archaeological record, and update the archaeology inventory

The Historic Architectural Review Board (HARB) reviewed this draft at their regular meeting on May 23, 2019, and recommended approval. This draft will also be reviewed by the City Attorney.

Staff would like a recommendation from the Planning and Zoning Board (PZB) regarding the Comprehensive Plan Historic Preservation Element Goals, Objectives and Policies.

If you have any questions or require additional information please contact myself or our Preservation staff at our office by calling (904) 825-1065 or by email at either askinner@citystaug.com or jwolfe@citystaug.com and/or awhite@citystaug.com.



Amy McClure Skinner
Deputy Director
Planning and Building Department

Historic Preservation Element

Introduction to the Historic Preservation Element

The Historic Preservation Element is an optional comprehensive plan element under Florida's Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Florida Statutes). The City is recognized as the oldest continuously occupied European settlement in the United States. Its colonial roots to Spain, and England are unique. The desire to protect, preserve, understand, and promote the unique cultural crossroads that St. Augustine represents prompted the City to include a Historic Preservation Element as part of the City's Comprehensive Plan. To this end, the Historic Preservation Element contains a historical outline, analysis of resources both built and archaeological, and a set of Goals, Objectives and Policies to establish preservation needs.

The Historic Preservation Element helps to serve as a guide for the development and use of land within the City of St. Augustine. This includes recognizing all the aspects of preservation of the city, and the very real threats to the remaining historic built environment, archaeological record, and its unique characteristics. The historic colonial Town Plan, and the surrounding historic residential neighborhoods, and commercial corridors need to be considered from a preservation perspective as time moves forward.

Key Issues and Assumptions

Expanding the perspective on preservation as a citywide issue is important.

Economic diversity, tourism growth, and growth impacts from St. Johns County may be the biggest issues to address for the future, along with the need to protect archaeological resources, and the surrounding historic neighborhoods.

These issues are also related to mobility and transportation issues, community resiliency and sustainability.

Historic Preservation Element

Overall HP Goal

The overall goal of the City's historic preservation program is to protect and preserve the historic resources of the city's built and archaeological environment, understand and enhance the City's historic integrity, and promote an authentic, livable community amid changing economic and environmental circumstances.

Cultural Resource Inventory

HP Goal 1

Update and maintain a cultural resource inventory of the city to evaluate the status of known cultural resources, identify undocumented cultural resources, identify threatened resources, and to prioritize documentation needs and designation recommendations.

HP Objective 1.1

Conduct a phased inventory of the city's cultural resources to include a historic structure survey, archaeology survey, and windshield survey to evaluate the status of existing resources and identify the potential significance of unrecorded cultural resources within the next five (5) years.

HP Policy 1.1.1

New historic structure surveys will include West Augustine, Oyster Creek, and neighborhoods in the Fort Mose area where there is little existing documentation while previous surveys in the National Register Historic Districts will be updated.

HP Policy 1.1.2

Identify locations of potential archaeological remains including submerged resources as an update to the existing archaeological resource survey in the city.

HP Policy 1.1.3

Complete a comprehensive windshield survey of the city to identify unrecorded cultural resources such as potential historic districts and landmarks, objects and scenic vistas and view sheds.

HP Policy 1.1.4

Resources formally surveyed will be documented in professional survey programs and geospatial databases.

HP Objective 1.2

Evaluate and prioritize resource designation, documentation, and preservation planning efforts in accordance with significance, threat, and institutional capacity.

HP Policy 1.2.1

Establish a method to identify historic resources as significant, contributing and non-contributing which can be applied to current local historic districts and future designations.

HP Policy 1.2.2

Develop and maintain an endangered properties list to include properties facing deterioration, properties within areas subject to greater development pressures, flooding and erosion hazards, properties transferred from a tax sale, and unique buildings which may have a historic use that is not viable in its current zoning designation. The list can be compiled from resource surveys, building inventories, demolition permits, and other inspections or citations.

HP Policy 1.2.3

Plan a strategy for prioritized documentation of the most significant and/or threatened resources which may include partnerships with the St. Augustine Historical Society, Florida Division of Historical Resources, the University of Florida Preservation Institute: St. Augustine, Florida Public Archaeology Network, and St. Augustine Neighborhood Associations. The types of resources may include the original Spanish Colonial structures, unique structures threatened from flooding such as the D.P. Davis buildings and architecturally significant mid-century modern buildings, and archaeological resources.

HP Policy 1.2.4

Prioritize national and local designation of historic districts and landmarks based upon physical or environmental threats and/or cultural significance which may include concentrations of post-WWII neighborhoods, structures associated with the Civil Rights Movement, and Native American and Spanish Colonial archaeological sites.

HP Goal 2

Promote the city's diverse history in a manner that is inclusive and accessible using information from the cultural resource inventory to increase local pride and community support of historic preservation activities.

HP Objective 2.1

Encourage community participation and broaden the documentation methods in user-friendly platforms to provide community members with information and tools to support preservation of the city's diverse cultural resources.

HP Policy 2.1.1

Provide survey inventories and related information to city staff and the public in an interactive geospatial web application which can be used in public and private planning projects, excluding specific locations of archaeological resources.

HP Policy 2.1.2

Efforts should be made to collect oral histories representing the wide range of St. Augustine's citizens and their impact on its development in partnership with the oral history program of the St. Augustine Historical Society.

HP Policy 2.1.3

Develop character studies for older and historic neighborhoods to build on the neighborhood workbooks that identify some of the important physical and historical development patterns of an area which can be presented to the public in a digital platform for user-friendly access.

HP Policy 2.1.4

Identify and document thematic surveys which can provide a means of documenting a part of the city's cultural history that is tied to more than one geographic location. Thematic surveys may include African-American cultural and development patterns, mid-century modern architecture, and the city's first major historic preservation movement.

Preserving Historic Structures

HP Goal 3

Preserve and protect the historic and authentic character of St. Augustine to minimize the demolition of older and historic buildings and structures.

HP Objective 3.1

Increase threshold requirements for certificate of demolition applications for buildings that meet the criteria for exceptional significance and supplement the review process for undue economic hardship.

HP Policy 3.1.1

Applications for demolition may require documentation that reasonable efforts were made to explore whether an alternate use exists that could support preservation of the structure that would not require substantial modification to the historic character of the property.

HP Policy 3.1.2

Applications for demolition may require documentation that the sale of the property or relocation of the structure is not technically or financially feasible to support preservation of the structure.

HP Policy 3.1.3

Applications for demolition may require documentation that an undue economic hardship exists with evidence supplied by the applicant and evaluated on its own merit.

HP Policy 3.1.4

For more complex projects, the city may conduct an independent assessment of a property proposed for demolition and seek reimbursement from the applicant(s). This assessment could evaluate overall condition and structural soundness, the potential costs associated with rehabilitation or adaptive reuse, and the evidence provided for the undue economic hardship.

HP Policy 3.1.5

To encourage preservation through rehabilitation and compatible additions, replacement new construction can be limited to a 10-15% increase in footprint or gross floor area of the existing structure.

HP Objective 3.2

Encourage compliance with the demolition review requirements with community awareness and limitations on after-the-fact demolition applications for all properties meeting the demolition review requirements.

HP Policy 3.2.1

Implement a process to provide notice to new business tenants and new property owners of the demolition review requirements and historic preservation incentives if they occupy buildings subject to the certificate of demolition requirement which can be informed with data collected when new utility accounts are opened.

HP Policy 3.2.2

An owner may be required to reconstruct the building envelope including its footprint, height (with possible adjustment for floodplain elevation), form, materials and details when demolition is undertaken prior to receiving approval for demolition that is subject to the certificate of demolition requirement. To be effective, this requirement would need to be tied to a property's deed and future additions will be limited to maintain compliance.

HP Policy 3.2.3

Create the authority to require a waiting period between the date of the demolition and the date that a building permit and/or a Certificate of Occupancy can be issued on the property when a demolition is undertaken prior to receiving approval for demolition that is subject to the certificate of demolition requirement. The delay period could be waived if the Building Department is satisfied that the demolished building posed a threat to public safety.

HP Objective 3.3

Reduce demolition by neglect which is typically associated with a building or structure that is determined to be in a hazardous condition which may be identified as the potential of a building or feature to fall and cause injury, structural elements that can no longer able to carry loads safely, or conditions which makes a building susceptible to water damage.

HP Policy 3.3.1

Apply provisions in the building code which require correction of unsafe conditions for older and historic structures and provide notice to property owners or business tenants as in Policy 3.2.1 of the demolition review requirements and historic preservation incentives.

HP Objective 3.4

Provide assistance for properties identified on the endangered properties list that are in distress due to deterioration.

HP Policy 3.4.1

Identify most severely deteriorated structures and attempt to contact the property owner to determine the obstacles that prevent maintenance and rehabilitation. Assistance may be provided and can include design and technical preservation recommendations, providing information regarding economic incentives and preservation funding programs, and zoning opportunities that can support the long-term preservation of the structure.

HP Objective 3.5

Evaluate financial mechanisms that could support the preservation and rehabilitation of privately owned older and historic properties which are culturally significant or are fifty-years old or older.

HP Policy 3.5.1

A mechanism, such as mitigation bank or historic preservation trust fund, should be created. Potential funding sources may include contributions from property owners seeking new construction on a parcel that adversely impacts historic buildings or archaeological features to offset the community loss by providing funds for the preservation of properties with equal value elsewhere in the city. Adverse impacts can include cases of demolition-by-neglect or an after-the-fact demolition application and will need to be officially recorded in the deed until satisfied.

HP Objective 3.6

Provide zoning opportunities to encourage adaptive reuse of a property that meets the criteria of exceptional significance to allow an alternate use than what is prescribed in the zoning designation. In these cases, there must be a balance between preservation of the building's historic integrity and the character of the surrounding context.

HP Policy 3.6.1

A process to request a historic preservation re-zoning application or variances can be created which requires the property owner to document that the building faces unique threats to its continued preservation within the current zoning requirements. There must be documentation that the new use provides a greater financial benefit and does not require substantial modification to the historic character of the property.

HP Policy 3.6.2

Properties which are not designated as historic within the criteria of exceptional significance may be required to seek designation as a local landmark or contributing to a local district which will designate the building as eligible for financial incentives and apply regulatory review of building alterations.

Preserving Archaeological Resources

HP Goal 4

Preserve and interpret archaeological resources which are St. Augustine's most unique and significant cultural resource by providing sufficient support to the Archaeology Program and enhancing mitigation opportunities to minimize or offset adverse impacts to archaeological resources.

HP Objective 4.1

Development activity requires a significant concentration of archaeology staff and volunteer time for field work while professional averages of field work is only about a quarter of time spent in the field for a single excavation project. To improve the staff's ability to meet the goals of the archaeology program, the city shall maintain the current staffing of two city archaeologists and seek future funding for curatorial management of the permanent and long-term collections in the city's archaeology laboratory while expanding human resources in other ways.

HP Policy 4.1.1

Sustain and grow the St. Augustine Archaeological Association volunteer program which is an essential volunteer organization that supports the city's responsibilities for fieldwork, processing of artifacts, and curation. Opportunities for training current volunteers on advanced skills and for acquiring new volunteers will be pursued.

HP Policy 4.1.2

Explore funding options and academic partnerships to supplement staff with internships, post-doctoral research candidates, and part-time staff that can be integrated within the existing field and laboratory work schedules.

HP Policy 4.1.3

Enhance artifact collections access, analysis, curation, and reporting procedures by including digital inventories, geospatial tools, and transferring previously excavated sites and materials into current professional documentation standards.

HP Objective 4.2

Implement opportunities to minimize the adverse impacts of development projects on archaeological resources which are best preserved in place.

HP Policy 4.2.1

Conduct archaeological assessments early in a project's planning phase to provide an opportunity for the City Archaeologist to comment on potential adverse impacts of the project that can be avoided with acceptable project alternatives.

HP Policy 4.2.2

Based upon information obtained from an updated archaeological survey (see HP Policy 1.1.2) an evaluation of the current archaeological zone map can be performed to determine whether the zone map needs to be updated to reflect current archaeological knowledge and historical information.

HP Policy 4.2.3

To minimize damage from new developments in Archaeological Zone 1 which is the city's oldest known area of below-ground resources, some types of below-grade construction should be prohibited. This includes underground garages, basements and overly destructive foundation systems. Consideration should also be provided to assess the impacts of underground stormwater retention on archaeological resources.

HP Policy 4.2.4

Provide notice to new business tenants and new property owners of the archaeology review requirements if they are located in archaeology zones so they are aware of requirements before planning a project that may be subject to the archaeology ordinance. Data collected from new utility accounts may be able to inform the need to send this notice.

HP Objective 4.3

Provide a financial mechanism to support the preservation and interpretation of archaeological resources.

HP Policy 4.3.1

A mechanism, such as mitigation bank or historic preservation trust fund, should be created. Potential funding sources may include contributions from property owners seeking new construction on a parcel that adversely impacts archaeological features to offset the community loss by providing funds for the preservation and interpretation of resources with equal value elsewhere in the city. Adverse impacts can include cases of an after-the-fact archaeology review applications.

Preserving Community Character

HP Goal 5

Preserve and enhance the authentic features of St. Augustine's heritage and scale of the built environment in the distinctive neighborhoods, districts, structures, buildings, and vistas to strengthen St. Augustine's ability to convey the heritage of the city's diversity and development patterns.

HP Objective 5.1

Encourage preservation of the overall character of historic areas by evaluating opportunities to designate each of the National Register of Historic Places neighborhoods as local historic preservation conservation districts and implement overlay or supplemental regulations designed to maintain the relationship of buildings along the streetscape and to each other. This approach can guide and encourage compatible new construction without requiring review by HARB to potentially address the form, mass and scale of buildings relative to adjacent properties and established patterns of the neighborhood.

HP Policy 5.1.1

The use of zoning tools is a community driven tool and requires neighborhood participation and input. If supported by each neighborhood through the public meeting process, the zoning requirements can be expanded to include basic design elements such as materials and fenestration patterns.

HP Policy 5.1.2

The boundaries of zoning overlay districts, and what is regulated, should be identified with support of the neighborhood and include support from property owners, HARB, the PZB and the City Commission.

HP Policy 5.1.3

Provide clearly illustrated design guidelines to assist property owners in understanding building terminology and the character-defining features of the neighborhoods to build on the neighborhood character study in HP Policy 2.1.3 when overlay or historic preservation conservation districts are established

HP Objective 5.2

Encourage the preservation and protection of the overall character of older and historic areas by maintaining visual continuity along streetscapes and scenic vistas.

HP Policy 5.2.1

Consideration should be given to incorporating vista and viewshed restrictions to mitigate the impact of new development on historic resources including districts, sites, and individually designated National Register historic properties.

HP Objective 5.3

Influence redevelopment patterns to be compatible with the scale of the surrounding built environment through zoning designations that promote consistency with the streetscape or district's existing character and use zoning to promote adaptive re-use of older and historic structures. See also HP Objective 3.6 regarding zoning incentives that preserves historic structures.

HP Policy 5.3.1

Use information gathered in the neighborhood character studies to identify buildings or areas with a distinct character and evaluate whether the current zoning designation promotes new construction that is consistent with that character in terms of building footprint, setbacks, and height to evaluate the potential for changes to the zoning designation.

HP Policy 5.3.2

Use information gathered in HP Policy 1.2.2 to identify properties that may have a historic use that is not viable in its current zoning designation based on the building character which contrasts with the surrounding character or building uses in the zoning district to provide a list of potential properties that may seek zoning incentives to support their long-term preservation.

HP Objective 5.4

Integrate preservation into the commercial thoroughfares and nodes which already includes King Street, San Marco Avenue and Anastasia Boulevard as important commercial and transportation thoroughfares through the city identified in the Design Standards for Entry Corridors.

HP Policy 5.4.1

Provide design and planning assistance to encourage revitalization of the major thoroughfares and other, smaller commercial connectors in a manner that recognizes the unique character of these areas to preserve broader aspects of the city's authentic heritage.

HP Policy 5.4.2

A variation on the Main Street program tailored to unique needs of the city could be developed to encourage façade improvements and supplement the Design Standards for Entry Corridors and Architectural Guidelines for Historic Preservation where they are already in place.

Economic Incentives

HP Goal 6

Provide financial tools and economic incentives to encourage more voluntary participation in preservation and rehabilitation of cultural resources.

HP Objective 6.1

Develop a strategy to establish a funding mechanism that promotes preservation and conservation of cultural resource activities that may include property acquisition or conservation, maintenance and rehabilitation of older or historic structures, and interpretation programs.

HP Policy 6.1.1

Pursue amendments to the Tourist Development Tax and Tourist Impact Tax programs that would allow municipal administration and authority within the collection area and to expand the allowable expenditures to include broader historic preservation and archaeological activities.

HP Policy 6.1.2

Develop the framework to allow implementation of a preservation mitigation bank where funds are contributed from required mitigation assessments and other allowable sources to enable financial support for rehabilitation of privately owned older and historic structures in HP Objective 3.5.

HP Policy 6.1.3

Determine whether a revolving fund or similar program that purchases endangered historic properties for resale to owners with preservation covenants can be developed and operated. This program could be supplemented with low-interest loans or grants to new owners for the costs of rehabilitation, as well as design assistance by volunteer architects and design professionals.

HP Objective 6.2

Property owners in St. Augustine have access to economic incentive programs including the Historic Preservation Property Tax Exemption (ad valorem) program, the Federal Rehabilitation Tax Credit program for commercial properties, and the 2013 Lincolnville Community Redevelopment Area (LCRA) for qualifying properties. The city will continue to support and promote these programs and will also continue to evaluate opportunities to provide additional incentives.

HP Policy 6.2.1

Reducing development and permit fees is an incentive that should be considered to encourage redevelopment of distressed historic properties or to simply reward compatible rehabilitation work. A fund may need to be established to offset building permit fees for projects that take advantage of the city's financial incentive programs.

HP Policy 6.2.2

The city should create preservation reinvestment opportunities and identify and promote other financial incentive programs that can benefit historic preservation, economic development, and neighborhood revitalization which can include strategically pairing funding available through the St. Johns County Housing and Community Development Division or other affordable housing programs with local funding incentives to encourage reinvestment.

HP Policy 6.2.3

Any new incentives should be focused to address specific areas so that they serve to generate private growth and investment in the surrounding area in a manner that fits the larger planning goals of the city.

HP Policy 6.2.4

Historic preservation incentive brochures should be made available that can be shared with new tenants and property owners, see also HP Policy 3.2.1.

HP Policy 6.2.6

An education session should be conducted annually or biannually on available incentive programs. HARB member participation should be encouraged and reported to the Florida Division of Historical Resources CLG division on the annual CLG report.

Community Awareness and Promotion

HP Goal 7

Increase community awareness of the city's historic preservation program and celebrate the value and diversity of the city's heritage with support from local institutions, organizations, groups and community members.

HP Objective 7.1

Improve the visible identity and documentary efforts of St. Augustine's cultural resources and increase access to the city's cultural resource inventory.

HP Policy 7.1.1

The installation of signage identifying each historic neighborhood or place should be expanded beyond the locally-designated Historic Districts and Lincolnville. This can include decorative street signs, directional signs, gateway signs, historical markers at significant sites, etc., and should be undertaken utilizing consistent graphics for clear visual identity. Descriptive information and labels will be based on documentary information to ensure its authentic representation of St. Augustine heritage.

HP Policy 7.1.2

Signage can be linked to digital media and supplemented by mobile access to the city's cultural resource inventory. Archaeological sites will be excluded to avoid unintended exposure that can pose risks to the site's preservation.

HP Policy 7.1.3

The City will use the cultural resource inventory as in HP Objective 1.1 and previous survey recommendations to support new nominations of significant archaeological sites, historic structures, objects and districts to be listed in the National Register of Historic Places which provides formal documentation of the city's cultural resources, enhances their appreciation and understanding as well as demolition review under local ordinance. The properties identified as eligible for potential National Register designation will be shared with the community to determine if property owners support moving forward with the formal designation process.

HP Policy 7.1.4

Given the enormity of the remaining archaeological resources in the city and particularly in the Town Plan Historic District, a prioritized list should be developed based upon clearly defined parameters including recognition of unique spatial and temporal boundaries. When appropriate, this task should include updating listed properties, specifically districts, to include contributing archaeological resources as well.

HP Objective 7.2

Improve existing print and multi-media materials and develop new materials and programming to share general historic preservation resources and information about the city's preservation program across multiple audiences.

HP Policy 7.2.1

Increase opportunities for public interpretation programs adjacent to current archaeological excavation sites which can include digital media accessible from remote mobile devices.

HP Policy 7.2.2

St. Augustine historic preservation division staff should work closely with organizations and educational institutions to expand resources for lecture topics such as neighborhood history and revitalization; available historic preservation incentive programs; flood and hazard preparedness; and what to do in the event of an archaeological find.

HP Policy 7.2.3

Provide training to educate realtors on the city's historic districts and neighborhoods, preservation procedures, preservation incentives and financial benefits. This can be implemented by the historic preservation staff as part of realtor board training.

HP Policy 7.2.4

Develop hands-on workshops focused on building preservation topics such as window restoration, masonry repointing, and architectural design. This can be completed in conjunction with professional consultants, contractors, and architects in coordination with local non-profits and filmed or streamed for web viewing.

HP Policy 7.2.5

Print materials should be made available to the general public and also provided directly to new tenants and property owners as in HP Policies 3.2.1, 3.3.1, and 4.2.4 that includes information about HARB, historic designation, preservation incentives, the Certificate of Appropriateness and Certificate of Demolition processes, hazard mitigation resources, as well as archaeological review requirements and the protocol for unexpected archaeological finds. A similar pamphlet can be developed for any adopted Historic Preservation Conservation Districts. These pamphlets could be distributed by realtors and the city to new property owners as part of a welcome package.

HP Policy 7.2.6

Walking tours and podcasts describing the Historic Districts and publicly accessible archaeological sites should be developed in cooperation with neighborhood associations. Location-based mapping could provide searchable links to the city's GIS-based, cultural resource inventory as indicated in HP Policy 7.1.2. This same information should be included in tour brochures made available at the Visitor's Center and City Hall.

HP Policy 7.2.7

Develop a social media presence with a Facebook page for historic preservation activities and provide Twitter posts of preservation accomplishments and archaeological findings and news. Solicit print and broadcast outlets for opportunities to share information on current events and activities in addition to their requests for comments on specific projects.

HP Policy 7.2.8

Improve the information and organization of the city's website and multi-media resources for the historic preservation division to include links for preservation-related activities and events, current excavations under the city's archaeology program, archaeological review procedures, preservation incentives, current development reviews under the HARB, helpful preservation resources such as the Florida Master Site File, National Park Service Preservation Briefs, and information on National Register listings, among others.

HP Objective 7.3

Increase awareness of how historic preservation positively affects the city and celebrate historic preservation achievements in the community.

HP Policy 7.3.1

Recognize the achievements of successful projects, individuals and groups that have had a positive impact on preserving the city's architectural, archaeological and cultural heritage through an annual or biennial awards ceremony.

HP Policy 7.3.2

Provide a recap of the city's historic preservation efforts. This can include a report on completed surveys, new Historic Districts, the number of applications processed, archaeological digs completed, artifacts conserved and other city-sponsored initiatives. This recap should be posted on the City website and shared in the opening remarks at a preservation themed event.

HP Policy 7.3.3

The city should continue applying for grant funds through the Florida Division of Historical Resources and awards from the Florida Trust for Historic Preservation while seeking to diversify and broaden these opportunities. There are also multiple national programs and designations beyond the National Register that could enhance the city's visibility and distinction which increases funding considerations. Wider promotion of the city's resources will help generate awareness of its significance and increase the opportunity to address potential threats facing the city with state and national leaders.

Hazard Mitigation

HP Goal 8

Prioritize the protection of cultural resources in the larger context of the city's disaster management and resiliency planning efforts to include hazard mitigation, preparedness, response, and recovery methods that support the long-term protection and preservation of the historic structures, objects, and sites in the city.

HP Objective 8.1

Continue to incorporate historic preservation as a priority into the city's disaster planning and resiliency strategies while accumulating data and analysis that can be used to develop a historic preservation hazard mitigation plan.

HP Policy 8.1.1

Expand the cultural resource inventory to identify cultural resources threatened by natural hazards including tropical cyclone events, flooding, erosion, and sea level rise based on previous studies, maps, and any new information that is developed. Prioritize documentation of the most severely threatened resources as indicated in HP Objective 1.2. Include identifying the key historical and physical attributes of a property or site and/or identification of area's sensitivity to potential hazards.

HP Policy 8.1.2

Evaluate the potential financial impacts of a disaster to the community's cultural resources including the potential impacts to the community's heritage tourism economy.

HP Policy 8.1.3

The historic preservation division staff should participate in the task force meetings of the St. Johns County Emergency Management Division and Local Mitigation Strategy development to identify the vulnerability of cultural resources to hazards and help prioritize mitigation projects that are eligible for funding.

HP Policy 8.1.4

Specific protection measures for cultural resources under stewardship of the City of St. Augustine will be developed to mitigate the impact of a potential hazard and provide leadership to encourage other property owners to follow suit. A specific plan should be undertaken for the archaeological laboratory which contains archival documentation and sensitive artifacts.

HP Policy 8.1.5

Update and maintain information that is readily available to communities and property owners to better understand their level of risk from the specific hazards that have a higher likelihood in St. Augustine, including flooding and storms to encourage community support and participation in disaster planning programs. Geospatial data can be an important tool to convey multiple layers of information.

HP Objective 8.2

Identify clear policies that address flood mitigation and historic preservation in the community to recognize the significant vulnerability of the city to flooding and sea level rise.

HP Policy 8.2.1

Prepare Design Guidelines for Flood Mitigation as a stand-alone document or a chapter in the AGHP. If incorporated into the existing AGHP, the AGHP should be reviewed and updated so its recommendations and requirements are consistent and do not conflict with flood and wind mitigation recommendations.

HP Policy 8.2.2

Define acceptable building elevation heights relative to the Base Flood Elevation (BFE) or Design Flood Elevation (DFE).

HP Policy 8.2.3

Identify appropriate materials and design considerations for higher foundations and extended stairs as well as acceptable water-resistant materials for flood prone areas.

HP Objective 8.3

Develop procedures to respond and recover from a disaster that preserves historic fabric and character.

HP Policy 8.3.1

Identify preservation partners from adjacent communities, volunteers and the county or state representatives who will be able to assist in the review of preservation issues and provide information regarding preservation assistance programs in the event of an impending disaster.

HP Policy 8.3.2

In the aftermath of a disaster, it is important to identify opportunities for historic preservation advocates and emergency management personnel responsible for recovery activities to protect historic resources. Sharing the cultural resource inventory and disaster mitigation techniques for historic structures can help inform recovery personnel of the city's preservation goals.

HP Policy 8.3.3

To better protect historic resources, building inspection staff will be familiar with historic preservation requirements and be able to access preservation representatives in an emergency in an effort to process expedited permit reviews.

HP Policy 8.3.4

Planning and Building Department staff can be authorized to approve minor repairs and stabilization measures without formal HARB review to expedite stabilization and provision of a weather-tight building enclosure and reduce the administrative burden on property owners. The AGHP or hazard mitigation design guidelines can provide specific examples of appropriate stabilization measures and repairs.

HP Policy 8.3.5

Establish a plan that promotes repair and re-use of historic materials and components vulnerable to high winds and flooding such as porches, railings, windows, shutters, fences, and decorative plaster and wood interior features, etc. This can also be promoted as a sustainable option to disposal. To be effective, training collection personnel and providing educational materials or programs will be a key component.

HP Policy 8.3.6

The City will develop information to guide property owners during the recovery phase including what they should and can do to protect their properties and return to normal. Websites, brochures and/or pamphlets should be readily available for distribution during preparation of an impending hazard and in the immediate aftermath of an event.

HP Policy 8.3.7

Recommended strategies for mitigation and repairs of historic resources should be provided as well as information regarding the availability of historic preservation technical and financial assistance to encourage property owners to conduct sensitive repairs and reduce the unnecessary loss of historic materials.

Administration of Programs and Policies

HP Goal 9

Preserve and enhance St. Augustine's cultural resources with continued leadership and stewardship within the city administration when evaluating future development.

HP Objective 9.1

Integrate preservation into all aspects of city planning initiatives that may impact cultural resources in older neighborhoods, historic districts, archaeological sites and heritage tourism programs and resources under city stewardship.

HP Policy 9.1.1

Include historic preservation staff in planning initiatives to help determine the potential impact of the city's proposed development activity on resources identified in the cultural resource inventory. Following an assessment of the proposed project and potential level of impact, it can then be brought to HARB for review as appropriate and/or further research by the archaeology staff to determine if any alternatives or mitigation actions can be considered.

HP Policy 9.1.2

Inter-departmental cooperation will be facilitated when structures or sites will be impacted from development activities to include Public Works Department permits with ground penetrating activity that requires coordination with the City Archaeologist.

HP Policy 9.1.3

The City of St. Augustine is a steward of many cultural resources including the archaeology laboratory, submerged sites, historic buildings and structures, objects, and landscape features. Historic preservation will continue to be a goal when considering the planning and design of public properties, facilities, spaces, and infrastructure including condition assessments, documentation measures, and management plans.

HP Policy 9.1.4

A restrictive covenant should be required on property sold by the City of St. Augustine to protect historical architectural and archaeological resources. Based upon the nature of the property, the covenant could include limiting construction areas to protect archaeological resources, requiring HARB review of exterior alterations and/or prohibition of demolition of significant features or elements.

HP Policy 9.1.5

Continue support of the four staff positions of the Historic Preservation Division and professional development opportunities to manage the responsibilities outlined herein while advancing their ability to implement programs and policies that meet or exceed professional standards in the cultural resource preservation field.

HP Policy 9.1.6

Financial resources to supplement the city's budget and staff will continue to be pursued including state and national grant programs, partnerships with educational institutions, and related cultural organizations.

HP Objective 9.2

Maintain designation as a Certified Local Government with the Florida Division of Historical Resources and the National Park Service under the Department of the Interior.

HP Policy 9.2.1

Perform responsibilities of the Certified Local Government guidelines and agreement and maintain a positive standing by submitting monthly and reports and meeting grant reporting requirements when applicable.

HP Goal 10

Facilitate a balance of economic growth and the preservation, continued use, and adaptive use of cultural resources with programs and policies that are user-friendly and responsive to the needs of the community.

HP Objective 10.1

Conduct a regular evaluation of the city's historic preservation program to include tasks in the Historic Preservation Master Plan as a means of identifying priorities and measuring the program's progress.

HP Policy 10.1.1

An annual report and work plan for the upcoming year will be developed by HARB and/or PZB in a public workshop. Tasks from the work plan and other identified needs can be assessed for human resources and budget needs while providing a public forum each year to ensure the priorities of the preservation program are achieved.

HP Objective 10.2

Promote preservation programs to encourage affordable housing in historic neighborhoods.

HP Policy 10.2.1

Partnerships should be developed with community housing organizations to encourage affordable and low-income housing in historic neighborhoods including possible incentive programs as may be identified in HP Policy 6.2.2.

HP Policy 10.2.2

Compliance with historic preservation standards can place an undue economic burden on low and moderate income households by requiring the installation of specific materials when there are less costly options available. Provide a means for HARB approval in instances where conformance would place a financial hardship to individuals meeting income standards when the basic form and rhythm can be preserved and the work will not irreversibly affect the building's historic character.

HP Objective 10.3

Continue administration of the municipal tax exemption for historic properties and seek other opportunities to encourage private investment in historic preservation.

HP Policy 10.3.1

See also HP Goal 6 for specific policies related to other opportunities for historic preservation investment and community revitalization and HP Policies 3.2.1, 7.2.4, and 7.2.7 for methods to increase awareness about historic preservation incentives.

HP Objective 10.4

Revise the Historic Architectural Review Board ordinance and zoning chapter definitions, historic preservation applications, demolition review procedures, and associated meeting procedures to incorporate proposed revisions of the Historic Preservation Master Plan as they are approved or implemented. Other updates generated from changes to the Architectural Guidelines for Historic Preservation or other new policies may be required.

HP Policy 10.4.1

Historic resources should be easily identified in a city-wide, geo-spatial database indicating the need for HARB and/or archaeological review as part of a permit or HARB application process.

HP Policy 10.4.2

Clarify preservation standards and definitions that are not clearly defined in the ordinance such as definitions, process of designation of local and national historic districts, designation and administration of local landmarks, demolition review thresholds, corresponding implications from other ordinances, documentation of undue economic hardship, and procedures for identifying and pursuing a case of demolition by neglect.

HP Policy 10.4.3

Provide clear explanations of review requirements and processes associated with a demolition application to include a worksheet with a submission checklist and requirements for a building condition assessment and economic hardship when required.

HP Policy 10.4.4

Provide clear details on the variety of requirements that may be attached as a condition to approval of a demolition application including instructions for the Florida Master Site File, measured archival drawings, photography. The level of required documentation may be adjusted based upon the significance of the historic resource.

HP Policy 10.4.5

The demolition review procedures may be modified for buildings that are not designated which may include a preliminary determination as whether or not a property that is 50 years old or older is potentially eligible for local Landmark listing prior to HARB review. If HARB concurs during the public meeting that the property is not eligible for local landmark or other designation, the building may be granted demolition approval with or without conditions. Alternatively, if the HARB determines the property may be eligible for designation the full demolition review will be required.

HP Policy 10.4.6

Design review by HARB may be required for designated local landmarks in order to balance the property's eligibility for zoning and financial incentives with historic preservation goals.

HP Policy 10.4.7

The administrative review authority of the historic preservation staff may be expanded for minor applications based on the type of alteration and its conformance with the AGHP, significance of the property, location of the property, and existing conditions with the provision that staff may determine that HARB review is required.

HP Policy 10.4.8

A requirement for applicants to provide both paper and digital photographs and application materials at the time of submission should be put in place to facilitate sharing of information with HARB members and the public, while minimizing staff time associated with scanning. For applicants who do not or are unable to comply, a scanning fee could be imposed or waived as appropriate.

HP Policy 10.4.9

HARB application materials should be posted online to allow neighbors to understand proposed property alterations and choose whether or not to attend and participate in the HARB meeting, voicing either support or opposition. This would increase the transparency associated with the HARB review process and, in cases in which HARB recommends design alterations, also serves to demonstrate the benefits of the process.

HP Policy 10.4.10

During HARB meetings, audience members do not typically have access to photographs and drawings of proposed work, making it difficult to follow discussions these items should be projected during meetings. In order for the audience to be more engaged in the process, it is recommended that the images from the application be projected on television screens during the meeting.

HP Policy 10.4.11

Consolidate ex-parte communications with HARB members and remove the appearance of a conflict by encouraging all communications related to ongoing applications under review be directed to the board in written form to the unified email correspondence.

HP Policy 10.4.12

A critical component of any approval process is compliance with the granted applications. To ensure compliance with the granted HARB application trained personnel should be available to review whether projects are completed meeting the requirements of HARB approval orders throughout the building permit process.

HP Policy 10.4.13

If hazard mitigation or flood mitigation design guidelines for historic preservation are adopted as in HP Objective 8.2 they will be incorporated into the zoning code.

HP Policy 10.4.14

Architectural style requirements may be removed for Historic Preservation Zone 1, 4, and 5 and not implemented in any future design overlay districts to conform with the Secretary of the Interior's Standard 9 which indicates that massing, size, scale, and architectural features can be used to distinguish new construction from historic structures while also promoting authenticity and the distinction of the historic character of the city.

HP Objective 10.5

Revise the Architectural Guidelines for Historic Preservation (AGHP) to include changes in materials and technology and additional design guidelines and requirements to incorporate proposed revisions of the Historic Preservation Master Plan as they are approved or implemented. Other updates generated from changes to the city ordinances or other new policies may be required.

HP Policy 10.5.1

The AGHP should provide property owners an expectation of what will and will not be approved by HARB as part of the review process by addressing the issues relevant to today's property owners. This is often best accomplished via numerous illustrations of appropriate and inappropriate alternatives, supplemented by descriptions in layman's language. Historic district guidelines written specifically for a district can often best address local character and issues and can be chapters added to the city-wide AGHP or a stand-alone document.

HP Policy 10.5.2

New building materials and technologies have either been introduced or gained in popularity increasing the likelihood that they will be considered by owners, design professionals, and contractors as they make improvements to properties. These include alternative wood and window products as well as technology such as generators. Although perhaps not appropriate in all locations, instances in which they might be appropriate should be identified in the AGHP.

HP Policy 10.5.3

The AGHP can provide review criteria using design principles in a manner consistent with the building and/or context area when architectural style is not prescribed as the method of regulating new construction. Using architectural style can promote a specific ambience within a district, however it can create imitations of historic buildings and a false sense of history in conflict with the Secretary of the Interior's Standards for Rehabilitation.

HP Policy 10.5.4

Hazard mitigation or flood mitigation design guidelines for historic preservation that may be adopted as in HP Objective 8.2 can be incorporated into the AGHP or as a stand-alone document.

HP Policy 10.5.5

Sustainable practices and design methods should be incorporated in the AGHP wherever possible to assist property owners in making educated decisions to improve their property's energy performance and reduce environmental impact.

HP Policy 10.5.6

The implementation of recommendations that promote the preservation of historic properties should be evaluated in tandem with the city's overall environmental conservation goals and approach to sea level rise (perils of flood).

HP Policy 10.5.7

The administrative review authority of the historic preservation staff may be expanded for minor applications and will need to be added to the AGHP to provide staff the detailed review criteria.