

Board of County Commissioners

Agenda Request

Date of Meeting: May 5, 2009

Date Submitted: April 17, 2009

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Lindsay Stevens, Assistant County Administrator
Melissa Coleman Corbett, Planner II

Subject: Request for Ratification of Board Actions from the April 7, 2009 Workshop on the Proposed Panacea Special Overlay District Ordinances and Code Language

Statement of Issue:

This agenda request is to ratify the Workshop held on April 7, 2009 (Attachment #1) which discussed the proposed Panacea Special Overlay District Ordinances and Code Language.

Background:

In July 2001, Panacea was designated as a Waterfronts Florida Community by the Florida Department of Community Affairs. This designation followed a two-year community visioning process, which resulted in the Panacea Vision 2020 Plan. It also resulted in a partnership arrangement among citizens, civic organizations, the business community, and local, state, and federal governments in assisting in the implementation of the vision plan and the revitalization of Panacea.

Through the Waterfronts Florida Program and previous Coastal Partnership Initiative Funds, the Panacea community has identified many strategies and objectives to revitalize and balance the economic development, environmental protection and community character of Panacea. In fiscal year 2005/06, funding was allocated through the Coastal Partnership Initiative to analyze and inventory the physical conditions of the Panacea Waterfront, conduct public workshops to present the data and preliminary findings to the community, and work with community volunteers, who are known as the Panacea Special Overlay Citizen's Advisory Committee or "Advisory Committee", to establish a Special Area Plan and Overlay District. The final proposed Special Area Plan and Overlay was presented to the community in a public workshop on June 25, 2007.

The Board held a workshop on February 4, 2008, which specifically discussed the language included in the Panacea Public Access Plan and Panacea Special Overlay District (The District) draft ordinances, which resulted from the previous years work. Several issues were identified at the Board Workshop, and it was determined that a public meeting should be scheduled with the Advisory Committee so that Board Members could discuss the necessity of a strong overlay with members of the public.

The public meeting occurred on February 20, 2008 at 6:30 P.M. at the Wakulla Welcome Center in Panacea. Several Commissioners attended the meeting in addition to the Advisory Committee members and County staff. Discussions at the meeting built upon the recommendations at the Board hearing, with a need to strengthen the language and incorporate specific architectural details coming forth from the Commissioners' present. Since that time, County staff has worked with the Advisory Committee members to incorporate these recommendations through the creation of a set of proposed Panacea Special Overlay District regulations in the Land Development Code.

The attached draft ordinances address the community's desire to establish a Panacea Public Access Plan and a Panacea Special Overlay District (Attachment #1). These drafts remain largely unchanged from those the Board previously reviewed, as the Advisory Committee was comfortable with their intent. If approved in the future, the Panacea Public Access Plan and Panacea Special Overlay District Ordinances would be incorporated into the Comprehensive Plan's Coastal Management Element and Future Land Use Element respectively. In addition, new sections of the Land Development Code have been drafted and are provided to implement the architectural provisions, review guidelines and incentives of the proposed Panacea Special Overlay District.

These proposed code sections will act as the nuts and bolts for daily implementation of the Panacea Special Overlay District. One important section to note is Sec. 5-62, which creates a Voluntary Review Board of citizens to review incoming applications for developments. The Voluntary Review Board can consist of some of the same members as the current Advisory Committee, so that local citizens will have a direct say in the development of their community. One of the main things this group will work towards is encouraging new developments and substantial redevelopments to incorporate an architectural look that preserves the fishing village nature of Panacea. The suggested guidelines to achieve this community character are contained in Sec. 5-64 of the proposed language. Also, an incentives section is included to draw development to the area. Potential rewards to be granted for businesses locating or redeveloping in the area include expedited review processes and fee reductions.

The Board agreed to schedule a workshop on the proposed documents at their March 3, 2009 public hearing. The workshop was advertised in the March 12, 2009 edition of The Wakulla News and was held on April 7, 2009 at 5 P.M. It allowed for the review and discussion of the components of the draft ordinances and codes and their potential effect on incoming developments to the Panacea area.

Analysis:

At the April 7, 2009 Workshop, several members of the Advisory Committee were present in addition to a few citizens from the Panacea area. These constituents provided important feedback to the proposal presented by staff. One member of the Advisory Committee noted that the downtown subdistrict of the Overlay should extend to Dickson Bay Road at its northernmost boundary, and this language has been altered appropriately.

Differing opinions emerged from the public regarding who should appoint members of the Voluntary Review Board and what the ratio of residential to commercial property owners should be on such a

Board. One suggestion regarding the ratio of the Voluntary Review Board members was that they should all be commercial property owners. Therefore, staff will meet again with the Advisory Committee to seek additional input on this issue. In addition, staff hopes to reach a consensus with the Advisory Committee on whether a height restriction should be incorporated into the architectural design guidelines as this issue created much discussion as well. A need for additional tree protection was also brought forth by the public and this will be considered.

Comments from the Board members echoed the sentiments of the public in regards to the need for incorporation of a height restriction. In addition, the inclusion of language regarding the use of public/private partnerships, grants and the benefits of the Enterprise Zone was suggested from the Board. It should be noted that a concern came forward regarding the commitments the County would adopt should the District be approved. Such commitments include the placement of signs in the District and the completion of a stormwater study, which represent significant monetary contributions on the part of the County. The inclusion of language regarding public/private partnerships and the investigation into grants to complete such tasks can be included in future drafts to help address this concern.

As staff continues to move the proposed District towards inclusion into the County regulations, Board direction is requested on what revisions should be included into the proposed documents. The issues listed below received attention during the workshop and therefore, Board direction on how to address these items is being sought from staff. Options are listed under each issue and staff requests that the Board specify which option should be followed as the documents are revised.

1) Voluntary Review Board Membership

- A) Maintain the current makeup of the Voluntary Review Board with 2 residential property owners from the District and 3 commercial property owners from the District.
- B) Direct staff to alter the ratio of residential to commercial property owners per Board direction.

2) Nomination of Voluntary Review Board Members

Nominations should come from the following entity:

- A) Panacea Waterfronts Florida Committee (currently listed as nominating entity)
- B) Wakulla County Board of County Commissioners
- C) Planning and Community Development Department
- D) Other

3) Height Restriction

Zoning districts within the Panacea Special Overlay District limit the maximum height of structures to between 25 and 35 feet, depending upon the zoning district. Variances to the height restrictions are possible through a 20 percent administrative variance and a 35 percent variance granted by the BOCC.

- A) Maintain the current language which does not include an additional height restriction for the District.
- B) Direct staff to include a maximum height restriction per Board direction.

- C) Direct staff to include a prohibition on administrative variances for height restrictions.
- D) Direct staff to include a prohibition on BOCC approved variances for height restrictions.

4) Additional Architectural Design Guidelines

Direct staff to include additional standards in the guidelines per Board direction, such as no parking spaces allowed in the front of commercial buildings.

5) Landscape Requirements

Direct staff to include supplemental landscaping requirements, per Board direction, in addition to what is required by the existing landscape ordinance, as described in Section 6-31 of the Land Development Code.

6) Other issues not specifically listed herein

Once a clear direction has been established for these outstanding issues, staff will progress the proposed Ordinances and Land Development Code text through a Comprehensive Plan Text Amendment and Land Development Code revision respectfully. The Comprehensive Plan Text Amendment will be included in the upcoming Evaluation and Appraisal Report (EAR) based Text Amendments to the Comprehensive Plan. Therefore, the Board can anticipate reviewing a revised set of District documents in the upcoming months as the EAR based Amendments move through the process.

Options:

1. Ratify the Board Actions from the Workshop and Direct Staff to Maintain the Standards Set Forth in the Existing Draft Ordinances and LDC Text.
2. Ratify the Board Actions from the Workshop and Direct Staff to Incorporate the Board Directed Options as Listed Herein in the Existing Draft Ordinances and LDC Text
3. Do Not Ratify the Board Actions from the Workshop.
4. Board Direction.

Recommendation:

Option #4 Staff recommends that the Board ratify the issues discussed at the workshop. In addition, staff would like to proceed with the refinement of the proposed ordinances and LDC text. The Board's direction in which revisions to include will ensure that the Board views the documents as sufficient in addressing the future growth of the Panacea area. Moving forward with the creation of a Panacea Special Overlay District will allow the citizens within Panacea to play a vital role in the preservation of the area's historic fishing village character.

Attachments:

1. April 7, 2009 Workshop materials