

**A Report Reviewing and Assessing  
Current Riverfront District Intent and Identified  
Principal and Special Exception Uses**

**Apalachicola Planning Department  
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# Introduction

Apalachicola is a small coastal community of significant historical value due to its role as a cotton shipping port at the turn of the century. Located at the mouth of Apalachicola River, the town overlooks Apalachicola Bay to the south, and is adjacent to the Apalachicola National Forest on the northeast. The town also borders the Apalachicola National Estuarine Research Reserve, a highly productive estuary which is a resource of both regional, state and national importance.

The Apalachicola River, which forms the Eastern boundary of the City, links the freshwater swamps and uplands of the drainage basin in Florida with the coastal lowlands and brackish bay adjoining the Gulf of Mexico. The river, in addition to being a commercial mainstay of the town, provides excellent recreational opportunities for fishermen, hunters, and campers. It also serves as the north-south commercial barge transportation route in the Panhandle.

The City has an estimated population of 2,799 (1990 figures). The City limits of Apalachicola cover an area of 1 3/4 square miles (978 acres). Highway 98 intersects the City east to west, and a small undeveloped airfield lies west of town. The City is generally considered divided into two sections: "Old" Apalachicola represents the original City limits and contains the City's historic district and central business district. "Greater" Apalachicola is the "newer" section of the City and comprises most of the City's low-to-moderate income and high density residential areas, as well as most of the City's undeveloped residential parcels. The climate is humid and sub-tropical with average monthly rainfall ranges from 2.99 to 7-8 inches. There are two dominant wet periods, one occurring in winter and the other in early spring.

Apalachicola's attributes are many. It is located adjacent to a pristine estuary, the lifestyle is slow paced, density rates are low, traffic congestion is minimal, recreational opportunities abound. Located within 77 miles of the state capitol, Apalachicola offers access to four barrier islands, and miles of scenic beach property, all of which are addressed in both the recreation/open space element and the conservation coastal management element.

Of greatest importance when considering future land use needs is the availability of developable land. With enclosed data and analysis indicating a minimum of natural and man-made limitations to land throughout the City, it is asserted in the comprehensive plan that most undeveloped acreage is acceptable for future development.

As is indicated by the Existing Land Use map 1, land use within the City of Apalachicola is predominately residential in nature, with commercial development limited primarily to the downtown area (Market, Commerce and Water Streets) and the U.S. Highway 98 (Avenue E) corridor. Conservation lands are limited to the river wetlands adjacent to Scipio Creek, in the northeast section of the City.

## Purpose

The purpose of this report is to identify principal and special exception uses within the City's Riverfront District and to begin the analysis of data to help a land use conflict in the riverfront district that has been identified as such in the City's 2007 EAR. This report will analyze the applicable Goals, Objectives and Policies of the existing City Comprehensive Plan as they relate to the Riverfront district standards - the purpose being to identify areas that need to be explored in terms of resolving conflicts in land use needs for that district.

The City's recent Waterfront Project Vision plan is also included as that group was instrumental in 2005 in formulating goals and objectives for the district through the Waterfronts Committee.

# Historical Overview

The Apalachicola Land Development Code was adopted in 1991, following on the heels of the City's adoption of its first comprehensive plan in 1990. Then as now, the City was designated an Area of Critical State Concern.

At the time of code adoption, the City's riverfront district was made up of primarily seafood processing or vacant land. The comprehensive plan, particularly the Coastal Management Element, placed emphasis on the preservation and accommodation of low intensity and seafood-related or water dependent business along the City's riverfront. Over the past 20 years, seafood processing businesses on the riverfront have dwindled and the overall emphasis of the downtown district business base has shifted toward the tourism type businesses, although it is important to note that the population numbers have not increased significantly over the past years. The City experiences growth mostly in its historic district through restoration and rehabilitation and the only annexation that has occurred in the past 20 years has occurred to accommodate a small charter school.

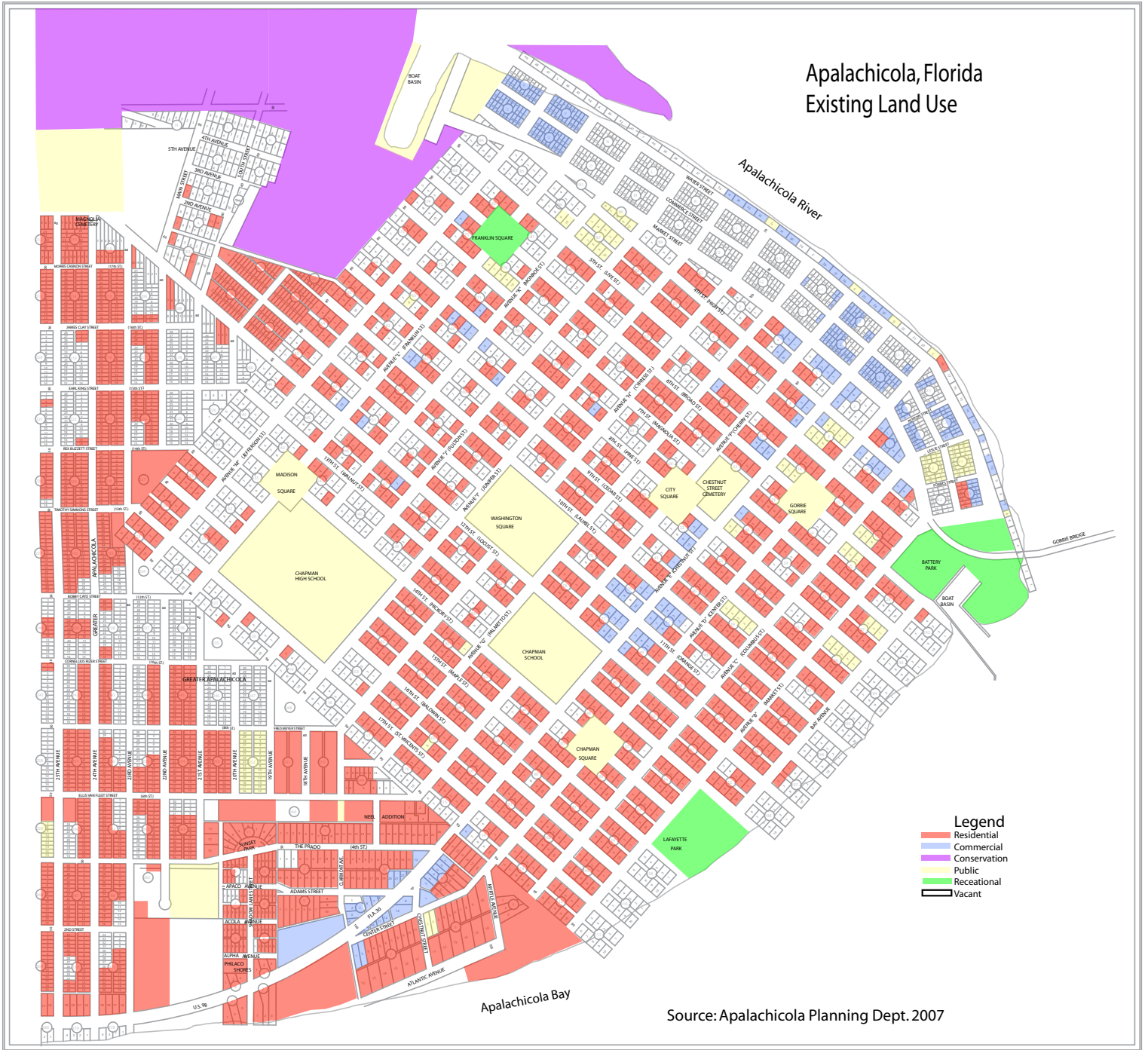
The County, on the other hand, continues to grow in terms of larger residential developments which cater to tourism and vacation and retirement homes. As a result, the City has felt the impact in terms of increased seasonal population as well. Citywide. It is becoming evident that the economy is shifting from a small town with only a seafood and resource-based economy to one that is growing increasingly dependent on tourism. Throughout the downtown district, retail, restaurant and accommodations businesses have been growing in numbers, catering to the increased walking traffic of downtown visitors.

More so, as land prices and taxes escalate in the County, there has been some general discussion about allowing more intense type development to occur along the riverfront.

This shift in economies has resulted in what the City has determined one of its major local issues in its 2007 Evaluation and Appraisal Report – the conflict between commercial land uses especially along the riverfront. There is an ongoing effort by commercial riverfront land owners to develop or at least to change the land use/zoning requirements which currently favor commercial seafood processing and water dependent to accommodate more intense type development.

The conflict is furthered in that much of the City's commercially designated riverfront land falls within the Coastal Area which requires lower densities and intensities than land off the riverfront – unless such activities are commercial seafood production related.

# Apalachicola, Florida Existing Land Use



Source: Apalachicola Planning Dept. 2007

# RF District Intent

## **Riverfront District Intent**

*“To provide for a variety of uses along the Apalachicola waterfront to meet the need for both water dependent activities such as seafood related and boating, with such water enhanced activities as tourism related and residential development. The area to be zoned as Riverfront shall be limited to that which has traditionally served as the center of the City’s economy. Futhermore, to guide the development in a manner consistent with the protection and conservation of the basic functions and productivity of the Apalachicola River/Bay systems.”*

# RF RIVERFRONT DISTRICT STANDARDS

## PERMITTED USES AND STRUCTURES

### PRINCIPAL

1. Retail and Wholesale Seafood
2. Ship Repair Yards and Drydock Facilities
3. Marine Supplies and bait Shops
4. Ice houses
5. Marinas
6. Restaurants
7. Motels/Hotels
8. Recreation Facilities
9. Boat Sales and Service

### ACCESSORY

Accessory uses and structures customarily incidental and subordinate to permitted uses and structures.

### SPECIAL EXCEPTIONS:

After public notice and hearing and appropriate conditions and safeguards the Planning and Zoning Board may permit, as special exceptions.

1. Fuel dispersing devices
2. Retail establishments such as, but not limited to, gift shops, boutiques, and souvenir shops.
3. Drinking establishments
4. Multi-Family Residential
5. Single Family Residential
6. Utilities Substations

## PROHIBITED USES AND STRUCTURES

1. All uses and structures not of a nature specifically or provisionally permitted

## DEVELOPMENT STANDARDS

### MINIMUM LOT OR SITE SIZE

Principal Uses other than Residential

Area: 3,500 sq ft platted

Width: 50 feet  
Depth: 70 ft. platted

#### Single Family

Area: 3,500 sq ft platted  
Width: 50 ft  
Depth: 70 ft. Platted

#### Multi-Family Residential

Area: 7,000 sq ft platted  
Width: 100 ft.  
Dept: 70 ft platted

### MINIMUM BUILDING SETBACKS

#### Residential Uses

Front: None

Side: Interior Lot: Any combination of setbacks on each side that equals at least 15 feet provided that no such setback shall be less than 5 feet.

Side - Corner Lot: Any combination of setbacks on each side that equals at least 15 feet provided that no such setback shall be less than 5 feet.

Rear: 10 feet from the river.

#### Other Principal Uses

Front : None

Side: - Interior Lot: 5 Feet. The minimum 5 foot interior setback on one side may be reduced to zero provided that at least a 10 foot setback is provided on the other side, the adjacent property owner agrees to build on the same interior lot line and to construct an adjoining wall, and both property owners file deed restrictions on the subject lots to ensure that development complies with this provision. The deed restriction shall be approved by the City Attorney and may be released only upon approval by both property owners and the City Commission.

Side - Corner Lot: 5 feet. The minimum 5 foot interior setback on one side may be reduced to zero provided that at least a 10 foot setback is provided on the other side, the adjacent property owner agrees to build on the same interior lot line and to construct an adjacent wall, and both property owners file deed restrictions on the subject lots to ensure that development complies with this provision. The deed restriction shall be approved by the City Attorney and may be released only upon approval by both property owners and the City Commission.

Rear – 10 feet from the river.

### MAXIMUM BUILDING RESTRICTIONS

Lot Coverage: 80% total lot coverage  
50% impervious lot coverage



## APPLICABLE REGULATIONS

### 1. Outdoor Storage of Waste and Materials

No outdoor storage of waste or materials, other than oyster shells, used in seafood processing, machine maintenance or solid waste shall occur within 50 feet of the Apalachicola River; and no discharge of such waste and materials shall occur into the river.

### 2. Stormwater Management

To ensure protection of the Apalachicola River/Bay system, all development in the RF District shall comply with the City Stormwater Management Plan and Site Plan Review, Section VII and Section VIII of this code. Stormwater shall be directed away from the river. All structures, with the exception of pile supported nonhabitable water dependent structures such as docks, shall be setback a minimum of 10 feet from the river and no impervious surfaces shall be placed within the setback.

In order to minimize stormwater contamination, all roof covering must be constructed of tin (metal) clay tile, slate, untreated wood, or a comparable material which will not contaminate runoff from the roof. No asbestos, asphalt or other petroleum-based material shall be used.

### 3. Residential Development

Residential development in the RF District shall be limited to a total of one unit per 50 linear feet of river frontage for single family and one unit per 25 linear feet of river frontage for multi-family. Motel/hotel development shall be restricted to one unit per 10 linear feet of river frontage. Conversion or use of hotel/motel units for permanent residences is prohibited.

### 4. Parking Requirements

See Section IV E (8) Parking Regulations

### 5. Seafood Dealer and Processors

Seafood dealers and seafood processors shall be exempt from the 10 foot setback from the river and shall also be exempt from the 50% maximum impervious surface requirement. Such developments are not exempt from State stormwater permitting or the provision of Section VII Site Plan Review and Section VIII, Stormwater Management Plan review.

### 6. Special Exceptions

Unless otherwise specified, special exceptions must comply with the development standards for principal uses. If deemed appropriate by the Planning and Zoning Commission in order to grant a special exception, certain more stringent standards may be imposed.

### 7. Supplemental Regulations

Provisions of Section VII, Site Plan Review, and Section VIII, Stormwater Management Plans, shall be applicable to certain lands within this district.

### 8. Standards for Marinas

- a. New enclosed boat basins shall be prohibited.
- b. Docks shall extend out to water no less than four feet deep at mean low tide.
- c. Dredging for new marinas shall be restricted to limited channels for launching boats.
- d. Marinas must provide vehicular parking according to the standards set forth in Section IV, E, 8 of this code.
- e. Fueling facilities shall be designed to contain spills from on-land equipment and shall be prepared to contain spills in the water.

- f. All parking, dry storage and non-water dependent facilities shall be built on existing uplands.
- g. Marinas must prepare by 1993 a hurricane plan which will describe measures to be taken to minimize damage to marina sites, neighboring properties, and the environment. The hurricane plans must be filed with an approved by the Emergency Management Director and City Building Inspector.
- h. All new marinas shall be required to have sewage pump out facilities. All existing marinas will be required to install sewage pump out facilities before Dec. 31, 1995.

# Consistency Review with Comprehensive Plan

*The following represents a review of the applicable Goals Objectives and Policies of the Apalachicola Comprehensive Plan for the purpose of determining consistency between the plan and the Riverfront District Standards.*

## INTENSITY USE STANDARDS

Point of Reference:

Land Use Element: Policy 2.2. This policy defines the density thresholds for residential and commercial. Low density commercial is defined as less than 60% lot coverage.

*Coastal Management Element: Policy 1.4:* Upland areas of native vegetation larger than 40 acres **and all wetlands impoundments are designated either the lowest density residential, conservation or low intensity commercial** on the future Land Use Map, All marine wetlands are designated as such on the map series. No development will be permitted in coastal wetlands.

*Coastal Management Element: Policy 2.2:* The City's land use regulations **shall prohibit high density development adjacent to sensitive wetlands areas**, and shall prohibit destruction of wetlands vegetation without mitigation.

*Coastal Management Element: Policy 14.1:* U.S. Highway 98 within the City, Water Street, and Bay Avenue shall be designated scenic roads.

*Coastal Management Element: Policy 14.3:* Site plan requirements for areas between designated scenic roads and wetlands or open water shall require the use of native vegetation in landscaping, **separation of buildings by at least 50 feet along the axis of the road, and the avoidance of fencing or landscaping that would obstruct views of wetlands or open water.**

*Coastal Management Element: Policy 14.2:* **Properties between designated scenic roads and wetlands or open water shall be zoned the lowest density allowed for their respective future land use categories.**

## INTENSITY USE STANDARDS SUMMARY

In areas adjacent to wetlands the land uses are required by the comp plan to be the lowest intensity for their category: ie: if it's commercial it is to be low intensity - less than 60% lot coverage. The current district regulations provide for 80% lot coverage district wide. The policy addressing scenic road roads standards requires separation of buildings by a least 50 feet along the axis of the road.

According to these policies, the existing code standards are inconsistent with the plan.

## POLICIES ADDRESSING PUBLIC ACCESS

*Coastal Management Element: Policy 7.3 (b)* non-public use marinas or multislip docking facilities shall be allowe only in medium density **residential** zoning districts and then only if docking facilities are limited to use by residents.

*Coastal Management Element: Objective 12.* The amount of public access to coastal resources shall be maintained and not decreased between 1990 and 2000.

Policy 12.1 Existing access for the public to the river and bay shall be maintained by new development. New riverfront develop shall show on their site plans existing riverfront access ways and the proposed development shall continue that access way, relocate it on the site, or donate it to the City.

## PUBLIC ACCESS SUMMARY

The riverfront district standards appear to be consistent with these standards.

# Apalachicola Waterfronts Vision Plan

First year Waterfronts Florida grant objectives for the Apalachicola Waterfronts program concentrated on 1) Forming a broad based group of citizens and establishing the Apalachicola Waterfronts Steering Committee. 2) Identifying our natural, cultural and historic resources, sources of environmental problems, and issues that impact the working waterfront. 3). Exploring zoning and comp plan issues. 4) Building staff and volunteer skills capacity, knowledge and studying other Waterfronts Florida communities, the things they accomplished, their successes and failures. 5) Researching resources and grants. 6) Holding a large inclusive public meeting and to gain additional input.

During the second year of the grant the committee will compile all of the ideas and issues generated by the Apalachicola Waterfronts Steering Committee meetings, the Waterfront Subcommittee meetings and the overall community visioning meeting into one vision document. Then we will evaluate and prioritize the projects and position the Committee to move toward implementation in the following areas:

## **Objective 1**

Compile all of the ideas and issues generated by the Apalachicola Waterfronts Steering Committee meetings, the Waterfront Subcommittee meetings and the overall community visioning meeting into one vision document. Then evaluate and prioritize the projects.

### **• Enhancement of the Viable Traditional Economy**

The addition of docks to Veteran's Park on the Apalachicola Riverfront was considered a high priority in all of the visioning meetings. Adding docking facilities for the working waterfront greatly increases the industry's capacity for unloading seafood from boats allowing them a better chance to stay in business on our waterfront. The docks will also make the area more attractive and safe to residents and tourists. The park will be a centerpiece for Apalachicola that will recognize the importance that the seafood industry has on the economy and the history of the town.

The Waterfronts Steering Committee will contract to have architectural drawings completed for park including docks, a landscape plan with educational kiosks, and a public restroom facility. We will also research mooring agreements for the use of the docks and seek funding for the completion of the docks and the park.

## **Objective 2 Enhancement of the Viable Traditional Economy**

-Contract to have architectural drawings completed for park including docks, a landscape plan with educational kiosks, and a public restroom facility.

-Research and draft mooring agreements for the use of the docks and seek funding for the completion of the park.

-Scipio Creek Boat Basin (Mill Pond) was originally conceived to be an area where the commercial seafood industry could expand and have support services. The Waterfronts Steering Committee will work toward getting a conceptual plan completed that includes the ideas generated during the visioning process. The Committee will also work with the Planning and Zoning Commission to explore zoning issues

### **Cultural Resource Protection and Public Access:**

• Preserving the historic integrity, unique character and small town atmosphere of Apalachicola are considered very important. To assist in the preservation of these assets the Waterfronts Committee will help city staff and the Planning and Zoning Committee prepare an historic architectural guidelines booklet that defines the city's land development regulations, the review procedures for renovation and new construction, and principles of design. Specifically the Waterfronts Steering Committee will contract with Florida Agricultural and Mechanical University (FAMU) to conduct an architectural materials survey of the focus area. This study will provide the factual background on which to base the historic architectural guidelines booklet.

üThe Waterfronts Steering Committee will also conduct research and gather data on increasing the walkability of the city and linking public spaces through out the waterfront district.

üDuring the first year the Waterfronts Steering Committee also helped to re-establish the Historic Apalachicola Merchants Association. They have agreed to address issues such as garbage, beautification, parking, safety and tourist facilities. The Waterfronts Steering Committee will assist in the stabilization of the association by attend their monthly meetings, assisting with clerical needs and promotion of special events.

üRe-establishment of a maritime museum. The new Apalachicola Maritime Heritage Center will be dedicated to educating the public about the community's maritime heritage and helping the residents to appreciate and use the waterfront.

### **Objective 3**

Preserve historic integrity and overall sense of place, enable merchants to clean up town and stage events, improve the linkages of public spaces

-Contract with Florida Agricultural and Mechanical University (FAMU) to conduct an architectural materials survey of the focus area. This study will provide the factual background on which to base the historic architectural guidelines booklet.

-Conduct research and gather data on increasing the walkability of the city, linking public spaces and enhancing public spaces through out the waterfront district.

-Support and assist the Historic Apalachicola Merchants Association by attend their monthly meetings, assisting with clerical needs and promotion of special events.

-Support and advocate for the re-establishment of a maritime heritage center.

-Research tax increment financing to help city get funds for waterfront area projects

-Coordinate with the Franklin County Scenic Byways group

### **• Environmental Resource Protection**

A high priority identified in the environmental arena was storm water management. The Waterfronts Steering Committee will address this issue by providing educational resources to city staff and the Planning & Zoning Committee on storm water holding facilities and storm water management. The Committee will also continue research funding methods to remove two sunken vessels in the waterfront area.

#### **Objective 4 Environmental Improvements**

-Provide support and information on storm water management to the Planning and Zoning Commission and city staff.

-Continue to research funding methods to remove two sunken vessels.

-Help city code enforcement staff get training on environmental and storm water issues.

### **• Hazard Mitigation**

Apalachicola has been chosen to be a part of a case study on Pre and Post Disaster Planning to the Local Level for Florida's for Historic Resources. The Apalachicola Waterfronts Steering Committee has arranged for the City of Apalachicola staff, representatives from the local historical society and the Franklin County Emergency Management staff to work with 1000 Friends of Florida to develop a disaster plan that will help protect our historic buildings. The Waterfronts Committee will assist the team in setting up meetings, locating information about our existing emergency management capabilities, locating information about our historic resources and communicating the finished plans.

#### **Objective 5 Hazard Mitigation**

-Create a team that includes city staff, a historical society representative, county emergency management staff and other interested parties to work with 1000 Friends of Florida to develop a disaster plan that will help protect our historic buildings.

-Set up meetings, locate information on existing emergency management capabilities, our historic resources

-Communicate finished plans to the City Commission, Planning and Zoning and area residents.

# Coordination of Data

## *Where Do We Go From Here*

In Spring of 2007, the City submitted a \$200,000 grant proposal to conduct an indepth visioning process which would culminate in the creation of a Riverfront Plan and set of Design Criteria. The grant request was not funded but the City continues to work toward obtaining funds to complete the project.

In the meantime, the City continues to work on a detailed riverfront district map to identify the type of development that currently exists in the Riverfront district. It is expected that a detailed inventory of businesses, along with appropriate presentation materials, will be helpful when the larger visioning funds become available.

The City is also proceeding with exploration of the riverfront issue through the EAR process and will collect data and analyse to formulate recommendations to the City Commission.

Below is an outline of proposed topics to be addressed in the proposed Vision Plan when funds become available.

### **Apalachicola Redevelopment Design Criteria, Development Standards, and Concept Plan**

#### **“A Program to Maintain and Enhance the Unique Character of the City of Apalachicola’s Riverfront District”**

#### I. Institutional Applications

##### A. Areas Included

1. Primary Access Corridors
2. Historic District
3. Commercial District
4. Old City
5. Waterfronts

##### B. Structures

1. External Design
2. Height and Footprint
3. Colors and Materials
4. Outbuildings and Fences
5. Structure Accessories

##### C. Non-structures

1. Landscaping and Trees
2. Sidewalks and Curbs
3. Street Lightin
4. Parking
5. Signage

##### D. Public Facilities

1. Parks and Greenspaces
2. Riverwalk

#### 3. Public Buildings

4. Streets & Alleys
5. Exhibits

#### E. Governance Assessment and Applications

1. Review Special Districts: Scope and Authority
2. Audit Codes & Ordinances for desired effectiveness
3. Evaluate desired level of code enforcement
4. New construction and restoration guidelines
5. Site Plan and Architectural Approval Process

#### F. Concept Plan Development, Adoption, and Implementation

#### II. New Facilities & Public Improvements

#### III. Revenues