



Planning & Zoning Adjustment Board - Workshop

Tuesday, August 9, 2022 at 6:00 pm

**34 Forbes Street, COURTHOUSE ANNEX, COMMISSION
MEETING ROOM**

Meeting Information

Although the general public is allowed in the meeting room for this meeting, the use of Zoom is still encouraged as an option to participate in this meeting. Those wanting to view or participate virtually during the meeting should use the Zoom log-in/call-in information provided below. There is a link to a list of videos and Getting Started Resources on the main "Agenda and Minutes" webpage for those unfamiliar with Zoom. To join Zoom via computer, use the link <https://us06web.zoom.us/j/86101420184> on the meeting date and time. If you do not have speakers or a microphone on your computer or prefer to call, you can dial in for audio. Call (301) 715-8592 or (312) 626- 6799 or (929) 205-6099 and enter ID number 861 0142 0184#. All attendees are muted by default.

You may address the Commission on an agenda action item for up to three minutes (which may change based on the number of speakers waiting to comment) during the meeting after a motion has been seconded and you are recognized by the Chairman. Once recognized by the Chairman, if you are on Zoom with a computer or smart device select the 'raise hand' icon. If you have dialed in to the meeting by phone press *9 to raise your hand, then *6 to unmute.

Public engagement is important to us and use of Zoom for public participation

1. Call To Order

2. Public Comments

This is an opportunity for the public to comment on the special meeting agenda item. When you are recognized to be heard by the Chairman, please adhere to the 3-minute time limit.

3. Eastpoint Overlay Discussion

4. Overlay Definition/Information

Attachments:

- **Overlay District** (FCBCC.PZBOA.Overlay.pdf)

5. Adjournment

In accordance with Section 286.0105, Florida Statutes, any person who wishes to appeal a decision made by the Franklin County Board of County Commissioners, with respect to any matter considered at the meeting, must have a record of the proceedings. He or she may need to ensure that a verbatim record of the proceedings is made.

Contact: Michael Morón (michael@franklincountyflorida.com 8506535373) | Agenda published on 08/06/2022 at 10:44 AM

FROM THE AMERICAN PLANNING ASSOCIATION:

OVERLAY ZONES

Basics — An overlay zone is a zoning district which is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. Communities often use overlay zones to protect special features such as historic buildings, wetlands, steep slopes, and waterfronts. Overlay zones can also be used to promote specific development projects, such as mixed-used developments, waterfront developments, housing along transit corridors, or affordable housing.

Historical and Legal Implications — As with traditional zoning, uses that can be justified as contributing to the health, safety, and welfare of the population are generally allowed to be regulated via overlay zoning. Common regulations include those for historic districts, natural resource protection, and economic development, though local governments are given broad authority to determine what regulation is in their community's best interest. As with zoning, however, communities must be careful not to violate the "uniformity clause" of the Standard State Zoning Enabling Act by ensuring that all similar properties are treated similarly. For further court opinions on the legality of overlay zoning, see *Jachimek v. Superior Court*, 169 Ariz. 317 (Ariz. 1991) and *A- S- P Associates v. City of Raleigh*, 258 S.E.2d 444 (N.C. 1979).

Discussion — Overlay zones have the potential to be very effective governmental regulatory tools. Since they tailor regulations to specific properties and districts to meet specific community goals, they can be more politically feasible to implement and can help communities meet stated goals or address specific inequities. On the other hand, they can create inefficiencies and inequities by applying regulations and restrictions to some properties and not others. Moreover, additional regulations may increase time and expense both for developers and for the public bodies involved in the development approval process.

What geographic area is to be considered?

What potential additional or stricter standards and criteria for development do you want considered?

Are there historic buildings to be considered?

Are there wetlands area features to be considered?

Are there waterfront features to be considered?

Are there specific development projects to be considered?

Are there specific community goals to be considered?