



**A CASE STUDY
FOR PRESERVATION
PALATKA, FLORIDA**

ST. JOHNS RIVER

CONTENTS



INTRODUCTION

I SUMMARY

II THE CITY

III THE STUDY AREA

IV FINDINGS

V NEIGHBORHOOD RECOMMENDATIONS

VI CITY RECOMMENDATIONS

VII COMMUNITY IMPACT

VIII INVENTORY & SURVEY

IX HISTORY

APPENDIX

BIBLIOGRAPHY

A CASE STUDY FOR PRESERVATION PALATKA, FLORIDA

by Charles J. Quagliana

A terminal project presented to the graduate council of the University of Florida in partial fulfillment of the requirements for the degree of Master of Arts in Architecture.

College of Architecture
University of Florida
May 1978

Graduate Committee:

F.Blair Reeves, Professor of Architecture, Chairman

Carl Feiss, Professor of Planning

Phillip Wisley, Assistant Professor of Architecture

ACKNOWLEDGEMENTS

I would like to express my sincere appreciation to the following, for without their efforts this project would have never been realized.

CITY OF PALATKA

Robert H. Fisk, City Manager

Fred D. Fox, City Building Official

PUTNAM COUNTY

Brian E. Michaels, County Codes Administrator

Janice L. Smith, County Archives Assistant

FACULTY

F. Blair Reeves, Professor of Architecture, FAIA

Carl Feiss, Professor of Planning, FAIA, AIP

Phillip Wisley, Assistant Professor of Architecture

EDITORIAL SERVICE

Jo Anne Sturiale, Editorial Assistant

TABLE OF CONTENTS

| | |
|--------------------------------------|----|
| Title Page | I |
| Acknowledgements | II |
| Introduction | 1 |
| I Summary | 3 |
| II The City | 6 |
| III The Study Area | 16 |
| IV Findings | 21 |
| V Neighborhood Recommendations | 40 |
| VI City Recommendations | 48 |
| VII Community Impact | 53 |
| VIII Inventory & Survey | 55 |
| IX History | 63 |
| Appendix | 76 |
| Bibliography | 94 |

LIST OF FIGURES

| | |
|--|-------|
| 1884 View of Palatka, courtesy Forward House | Cover |
| 1. Early view of area | 2 |
| 2. Log cabin, Seminole War era | 7 |
| 3. Map of Palatka, 1851 | 8 |
| 4. St. Marks Episcopal Church, 1854 | 9 |
| 5. Bronson-Mulholland House, 1854 | 9 |
| 6. Putnam County Court House, 1855 | 10 |
| 7. Larkin House Hotel, 1870's | 10 |
| 8. Presbyterian Church, 1879 | 11 |
| 9. Tampa & Key West Railroad depot | 11 |
| 10. Palatka 1884 | 12 |
| 11. Putnam House Hotel, 1885 | 13 |
| 12. Putnam County Court House, 1909 | 13 |
| 13. Town center, about 1920 | 14 |
| 14. First Baptist Church, 1924 | 14 |
| 15. Ravine Gardens State Park, 1933 | 15 |
| 16. The study area | 18 |
| 17. Palatka showing position of study area | 19 |
| 18. Zoning and block numbers | 23 |
| 19. Development Factors | 24 |

| | |
|---|----|
| 20. Olive Street looking west from Third Street | 25 |
| 21. Madison Street looking east from Third Street | 25 |
| 22. Sidewalk along Third Street | 26 |
| 23. Corner of Third and Olive Streets | 26 |
| 24. Sidewalk along Madison Street | 27 |
| 25. Typical manhole cover | 27 |
| 26. Visual Elements | 29 |
| 27. Building Condition | 31 |
| 28. Land Use | 32 |
| 29. 417 Third Street | 33 |
| 30. 414 Olive Street | 33 |
| 31. Tower of St. Marks Church | 34 |
| 32. Entrance of Bronson House | 34 |
| 33. Architectural Quality | 36 |
| 34. Recommendations | 37 |
| 35. Potential District | 39 |
| 36. Development Zones | 44 |
| 37. State inventory forms | 57 |
| 38. Local inventory form | 59 |
| 39. Map of Palatka, 1851 | 65 |

| | |
|---|----|
| 40. St. Marks Episcopal Church, 1854 | 66 |
| 41. Bronson-Mulholland House, 1854 | 66 |
| 42. Speculative homes, about 1890 | 67 |
| 43. The Bullock Home, 1896 | 67 |
| 44. The Wycoff Home, about 1890 | 69 |
| 45. Map of the neighborhood, 1885 | 68 |
| 46. St. Marks Church and the Kennerly Home | 69 |
| 47. Southern Railroad Depot on Third Street | 70 |
| 48. Map of the neighborhood, 1897 | 71 |
| 49. Third Street about 1910 | 70 |
| 50. The Wilson House, 1916 | 72 |
| 51. Map of the neighborhood, 1930 | 73 |
| 52. Railroad bridge across the St. Johns River from Main Street | 72 |
| 53. Map of the neighborhood, 1978 | 75 |
| 54. Second Street looking North from Main Street | 74 |
| 55. Detail of the Bronson-Mulholland House | 74 |

INTRODUCTION

During the last few years, a growing interest in the preservation of valuable community resources has developed in Palatka. This interest has been stimulated by the restoration and adaptive use of the Bronson - Mulholland House in the northeast section. City officials and community members have expressed great interest in preserving the environment of Palatka's unique older neighborhoods. Although there is the beginning of a preservation movement in Palatka, few people are aware of the objects that are worth saving or of the methods by which they can be preserved. This case study for preservation was initiated through the efforts of city officials and interested citizens who are concerned with the preservation of Palatka's community resources.

This case study deals with the preservation of those objects of the present and past which should be retained and protected as an active part of Palatka's future. In particular, the preservation of one of Palatka's most notable neighborhoods, the northeast section.

The aim of this study is to examine the physical character of the neighborhood, to identify its assets and problems, and to formulate recommendations that will help preserve its unique combination of architectural, historical and landscape character.

The objectives of this study are threefold; it serves as an illustrative guide for preservation efforts, it is an academic and educational tool, and it may be used to stimulate an interest in preservation in Palatka.

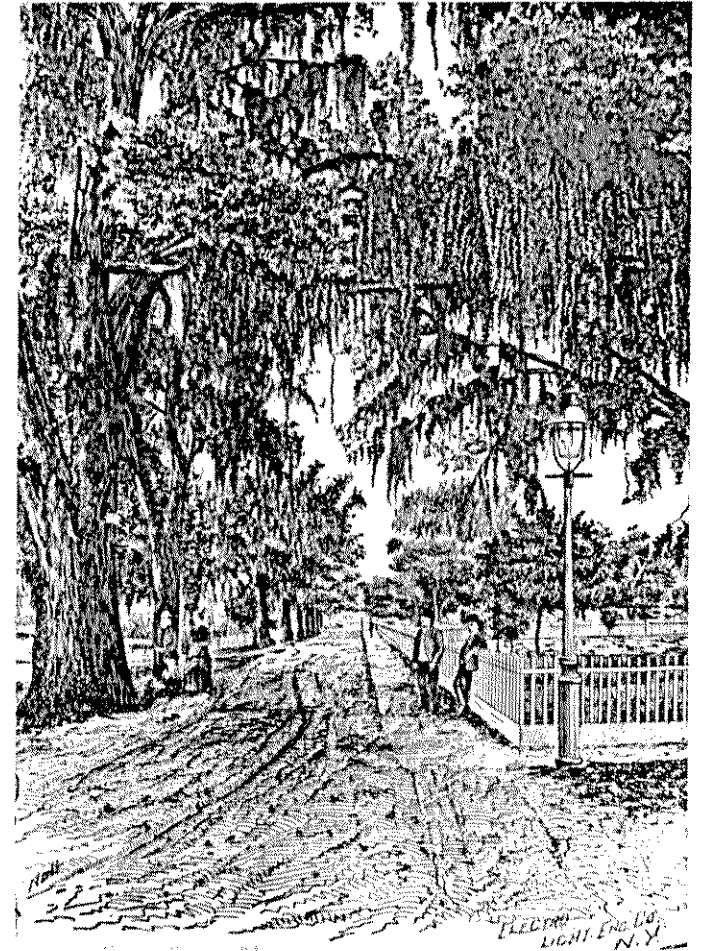


Fig. 1: Early view of area

SUMMARY

ESSENTIAL FEATURES OF THE STUDY

PRELIMINARY INVESTIGATION

A driving tour of the study area was conducted with the city building official. Observations of unique and typical aspects of the neighborhood were noted. A general concept of the character of the neighborhood was established and city officials expressed their views concerning the neighborhood.

AREA RESEARCH AND SURVEY

The study area was thoroughly researched and all available material concerning the neighborhood was collected. Street, zoning and block maps, aerial photos, development studies and historical data were acquired. Study maps of the area were drawn and then checked in a walking tour of the neighborhood. Noise, traffic, natural features and streetscape were studied in the field.

COMPREHENSIVE INVENTORY

Utilizing existing data about the neighborhood and a general knowledge of the character of the area, an inventory form was developed and tested. After successful testing and approval of the form by the city, a comprehensive inventory was conducted for the entire study area. Each building was evaluated for physical condition, architectural quality, and importance to the neighborhood. A record of building materials, notable elements and land use was also made.

HISTORICAL RESEARCH

To complete the inventory forms, historical research concerning building dates, builder, original owner, ect., was conducted. This information was provided through the work of the Putnam County Archives Assistant who researched the buildings through city and county records. A general history of the neighborhood was also put together. Development of the neighborhood was traced and mapped at periodic intervals.

INVESTIGATIVE RESEARCH

In this phase of the project, influential factors to the neighborhood were investigated. Political, social and economic characteristics and pressures on the area were correlated. This information was utilized in developing recommendations and also in understanding the existing policies and programs for the study area.

FINDINGS

All information from the inventory and research phases of the project was evaluated and correlated. The results were appropriately illustrated and documented with charts, maps, pictures and written information. Relationships, development factors, existing conditions and physical elements were translated into graphic form. The value of the study area was determined in terms of quality and quantity.

RECOMMENDATIONS

Specific proposals and recommendations were outlined and a comprehensive city program was proposed. This included ordinances, potential districts, criteria and guidelines. Improvement programs, preservation strategies and methods, as well as implementation of programs, were outlined. Examples of programs and regulations from other cities were included.

COMMUNITY IMPACT

The value of the preservation of cultural resources for Palatka was outlined. Benefits and advantages to the community and the integration of future development and preservation activities were discussed.

THE CITY

The original settlement of Palatka was one of the oldest in Florida. In 1820 a group of settlers established a trading post along the edge of the St. Johns river and the Bellamy Road was constructed through the small settlement in 1823. The coming of Bellamy Road initiated the towns importance as a major shipping and distribution center for the region. As a direct result of this the town was oriented to the river and it grew quickly until the time of the Civil War.

The architecture of this early period was influenced by the military which occupied the area during the Seminole Wars. Fort Shannon was established in the small town in 1838. It was composed of log structures which included; barracks, blockhouses, a hospital and several stables. Military operations stimulated trade and brought an influx of people to the area. Fort Shannon was deactivated in 1843 and this forced the small town to develop its own support facilities which it had depended upon the fort for.

The first known map of "Pilatka" was done in 1851. It showed the position of the town, with its grid street pattern, along the rivers edge. Commercial, shipping, and industrial interests were grouped along the docks with the residential areas expanding outward from the central core. Even with the many new buildings, the town was still basicly composed of old army structures.

Palatka was offcally chartered as a city in January of 1853. The small city was in the early stages of development with new construction underway and river traffic increasing.

During these early years, Palatka's economy was based upon the cypress milling industry and the smaller citrus interests. The town had less than 1000 residents proir to 1860.

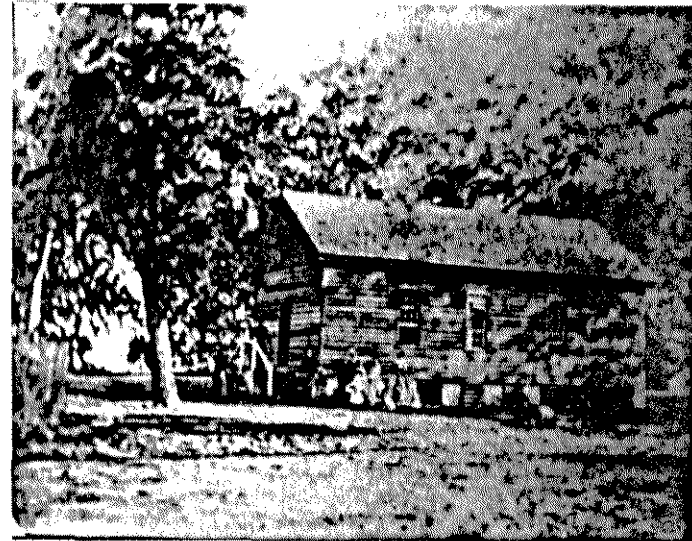


Fig. 2: Log cabin, Seminole War era

Construction began on St. Marks Episcopal Church in late 1853. It was designed by Architect Richard Upjohn and is one of Palatka's most significant buildings. The Carpenter Gothic style structure has been modified over the years but its original integrity remains intact. The construction of the church marked a milestone in local history since it was the first strictly religious building in Palatka. Many churches, such as St. James Methodist, built 1854, soon followed.

It is probable that with the importation of skilled carpenters to build the churches, a few were diverted to home construction. This is evidenced by the occurrence of fine homes also being built at the same time as the churches. Other significant buildings were also constructed concurrently. The Reid home on South Second Street, the Bronson House at Sunny Point, both built in 1854, and the new courthouse, built in 1855, are examples of this theory.

The Bronson House is a fine example of a river front plantation style home of the period. The two story porches on the east and south, commanded views of the St. Johns River. The wood frame house was constructed of lumber from a local mill. Local mills supplied detail pieces, custom work and fancy trim by this time. This gave the craftsmen a new vocabulary to utilize in building for the first time.

The county courthouse, constructed in 1855, was a handsome two story wood frame structure with a lookout platform on the roof. Offices were on the first floor and the courtroom on the second level. It also reflected the new vocabulary local craftsmen were experimenting with. The courthouse was demolished when a new classical revival courthouse was built in 1909.

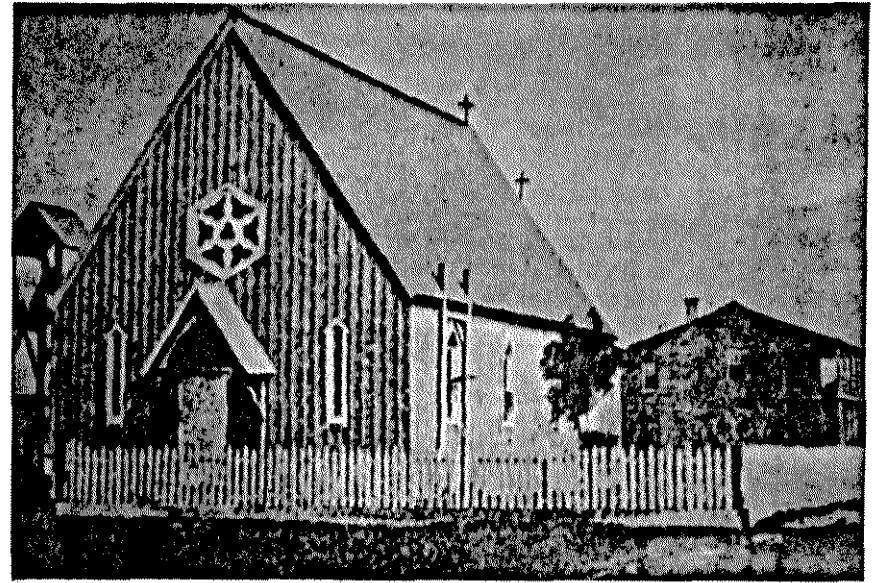


Fig. 4: St. Marks Church, 1854



Fig. 5: Bronson-Mulholland House, 1854

Steamboat, barge and stage lines all began operation in Palatka during the late 1850's. As development and growth continued, the last of the old army buildings disappeared. The town began to acquire a new architectural character derived from its own craftsmen working with local materials.

Palatka was almost totally deserted during the Civil War. Federal troops, knowing the importance of the town as a distribution center, occupied Palatka for most of the war.

Soon after the war Palatka again was a busy port town. Building and growth picked up where it had left off. The tourist trade began to develop into a major economic factor as tourists and business people traveled to the South. Large hotels were built to accommodate the winter visitors. The first hotel was the Putnam House built by Col. Hubbard Hart from New England. The hotel was a three story New England style building with a two story front porch and gable roof. Competition grew stiff as other hotels were built. The grandest of these was the Larkin House located on Water Street. It was a very modern New England style building and could accommodate 250 guests. Other large hotels including, the Carleton House, the Underwood House and the Eggleston House, reflected the influence of their Northern owners with the New England style architecture.

With the new economic boom, the central area of the city grew quickly. Businesses and hotels sprang up and new docks and warehouses were constructed. One of the first brick structures in the city, the Presbyterian Church, was constructed in 1879. Located at the corner of First and Second Streets, the building still stands today.

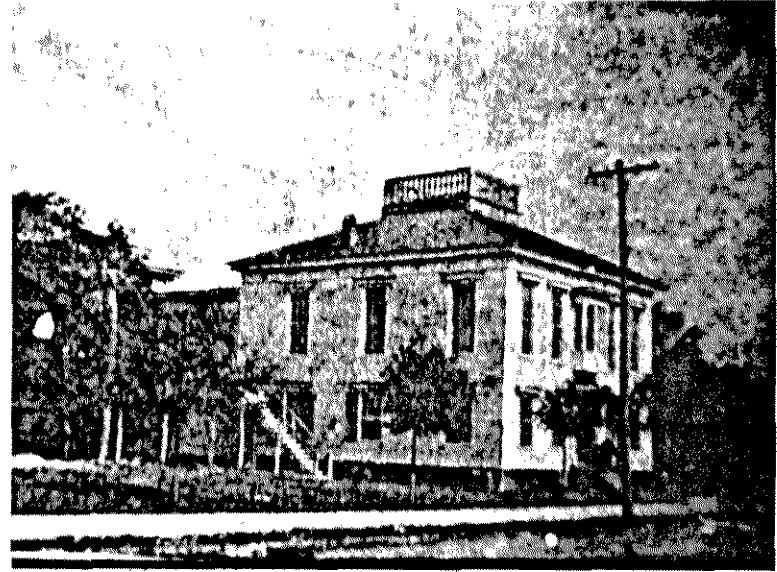


Fig. 6: Putnam County Court House, 1855

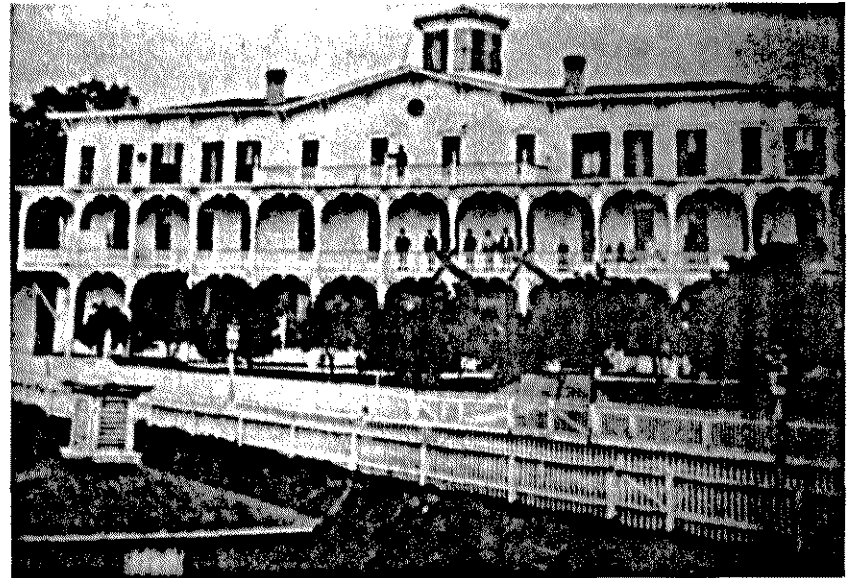


Fig. 7: The Larkin House Hotel, 1870's

The railroads came to Palatka in the early 1880's bringing a new dimension of transportation to the region. With the railroad goods could be shipped from as far away as Gainesville and Ocala to be transferred to cargo ships. Increased prosperity soon followed and the population doubled between 1870 and 1880. The railroads picked up on the New England style architecture and utilized it for their depots. A good example of this is the Tampa and Key West Railroad's depot built in the mid 1880's. Its gable roof, vertical siding and small tower reflect the architectural trends of the period in Palatka.

With the rapid growth in the early 1880's, developers began constructing speculative homes throughout the city. Most of these were built on the heights and in the areas adjacent to the central business district. Several types of vernacular and other styles were used. Some of the homes were very grand but most were modest. Examples of a similar designs can be found in several locations around the city and groups of similar homes are common.

November of 1884 saw a great fire destroy most of the commercial and hotel area of the city. This disaster had a profound effect on later architecture since after the fire a building code was adopted by the city. More permanent brick structures were constructed during the rebuilding process. The town quickly rebuilt and the economy recovered. By 1886 the entire core area had been rebuilt and business was booming again.

For the next ten years Palatka developed extremely fast. New industries were established, utility companies began operation and public transportation in the form of street cars was introduced. The citrus industry peaked producing increased activity in the port and on the river.



Fig. 8: Presbyterian Church, 1879



Fig. 9: Tampa & Key West Railway Depot, 1880's

The architecture of this rebuilding and growth period was characterized by the influence of the Northern developers and entrepreneurs who were active business men in the area. These included Henry Flagler, hotel and railroad magnate, and Hubbard Hart, hotel and steamship line operator. This influence is most obvious in Hart's new Putnam House built in 1885. It was an elegant 500 guest hotel located in the center of the business district. The hotel was three stories tall and covered an entire city block. It was equipped with an elevator and other up-to-date features. The architecture was a composite of stick style and Victorian influences brought from the Northeast where these styles had earlier occurred.

In the winter of 1894-95 a great freeze crippled the citrus and tourist industries, throwing Palatka into economic depression. The economy grew heavily dependent upon the cypress mills and related industries for stability. It was at this time that Palatka began to attract new industry. Several new plants from the North moved in and the railroads improved their facilities to serve the new industries. This trend towards industrialization would greatly change the architectural character of the city.

Steamboats crowded the river during the early 1900's. These years saw an increase in the building of industrial buildings, warehouses and commercial structures throughout the city. Many public improvement programs were also initiated. Brick streets were laid and sidewalks constructed. More electric and phone lines were installed and a new city hall was planned. Architectural firms from a variety of locations were producing some of the new buildings. The Putnam County Courthouse, built in 1909, is an example of this trend. It was designed by Architects Robinson and Reidy of Georgia. The building was a Classical revival style with a central dome.

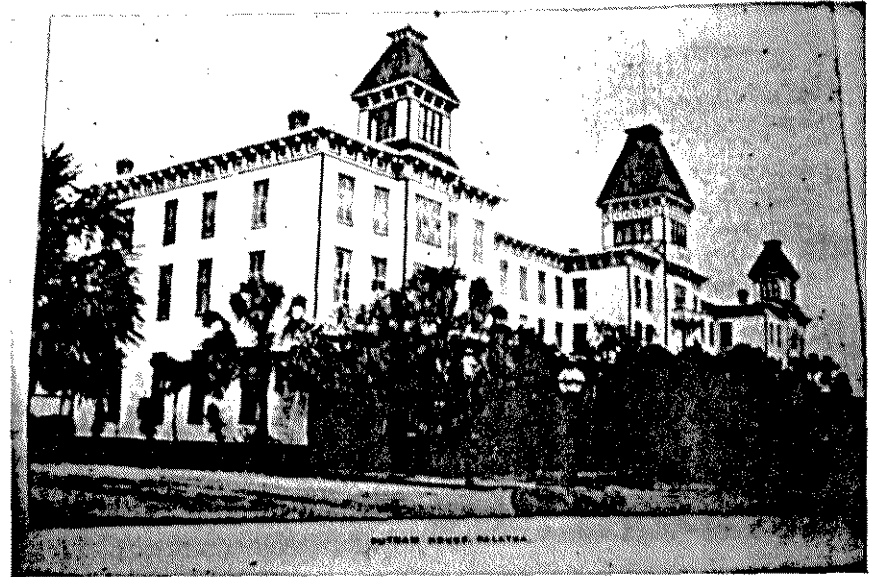


Fig. 11: Putnam House Hotel, 1885



Fig. 12: Putnam County Court House, 1909

In the 1920's the city experienced another boom as more industry moved in and civic improvements continued. Architects began doing an increasing amount of the design of new buildings. The James R. Mellon High School of 1921, the First Baptist Church, built 1924, and the Post Office, built 1916, are examples of architects work from the period. Most of the designs are of a revival style, such as the Baptist Church with its classical front facade. Many of the structures from this era still remain today.

In 1928 the character of Palatka's central core was changed forever. A new automobile bridge was built from the foot of Reid Street across to East Palatka. This development caused the nature of the entire core area to be changed. It was no longer a compact core area. The highway forced the area to develop in a lineal pattern decentralizing the core. The buildings which followed reflected the new development trend to spread out.

The depression years saw little growth in Palatka, but several W.P.A. projects were undertaken. In 1933 development began of the Ravine Gardens. Its unique blend of natural forms and cultivated landscaping make it a nature lovers delight. Ravine Gardens is now a State Park and is a great asset to the community.

Hudson Pulp and Paper Company moved to Palatka in 1947 adding a great lift to the post war development of the area. With the increased growth of the 1950's and the 1960's came a building boom. New shopping centers, governmental buildings, residential subdivisions and recreational areas were constructed throughout the period. Most of this "urban sprawl" took place along the major highways west of the central city. This sprawl caused a movement of people out of the central city and into the surrounding areas.

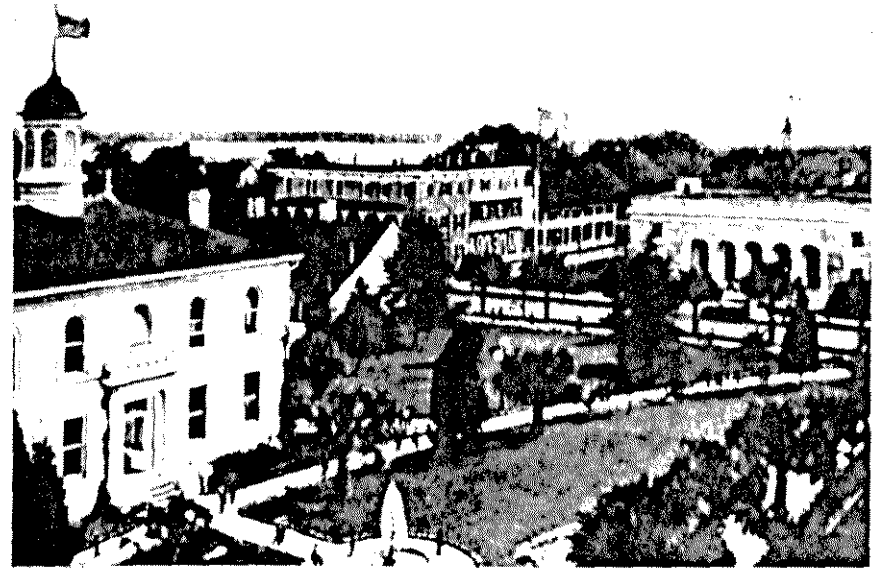


Fig. 13: Town Center, about 1920

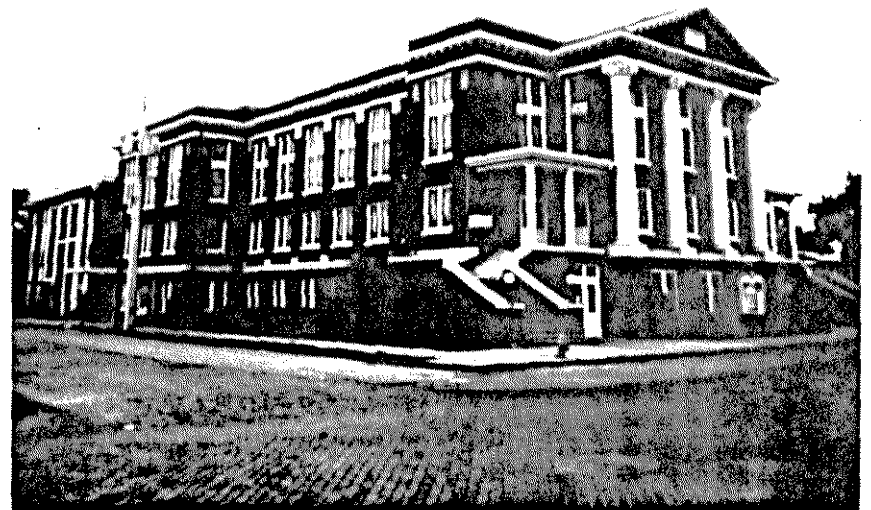


Fig. 14: First Baptist Church, 1924

The post war architecture in Palatka was typical 1950's modern found in any Florida city. It was encouraged by the uncontrolled sprawl of the city and the lax planning efforts of the era. The architecture was insensitive to the older portions of the city and in many cases good buildings were torn down to make way for modern structures or parking lots. The Mellon High School and many other downtown buildings suffered this fate.

The energy crisis of the early 1970's brought a slowdown to growth. Today, however, the city and surrounding area is growing again. Most of this new development is again taking place to the west, but the community has taken a new interest in the central city, especially the riverfront. A waterfront redevelopment project is currently underway. It includes an amphitheatre, a park and boardwalk along the river and a new hotel on the waters edge. A study for the redevelopment of the central business district is now in progress.

An interest in preservation has been sparked by the restoration and adaptive use of the Bronson - Mulholland House in the northeast section. City officials and local citizens are now interested in preserving the unique older areas of Palatka. The new awareness and interest in preservation has been the basis for this study aimed at preserving one of Palatka's oldest neighborhoods, the northeast section.

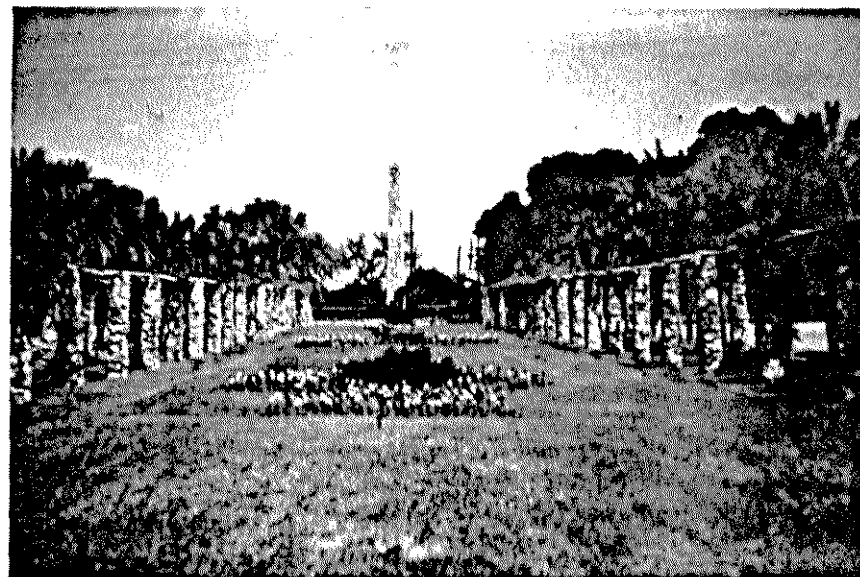


Fig. 15: Ravine Gardens, 1933

THE STUDY AREA

The 50 acres included in the northeast study area comprise one of Palatka's oldest and most stable neighborhoods. This neighborhood is north of and contiguous to the central business district. Figure 16 shows the exact boundaries of the study area.

The northern and eastern boundaries of the study area are defined by the St. Johns River. Main Street is the southern boundary with North Sixth Street being the western boundary.

Located adjacent to a less than attractive area to the west and a commercial district to the south, the neighborhood is currently threatened with infringements from both directions.

Within the study area there are 176 structures. Of these, 155 are single family dwellings, 9 are multi-family, 15 are commercial, 6 are religious and 1 is public. There are approximately 170 families that live within the study area with about 600 total residents. Of the 164 housing structures located in the study area, 90 percent are owner occupied. This is significant in comparison to some of Palatka's other older neighborhoods in which only 30 percent to 40 percent of the homes are owner occupied. The high percentage of owner occupancy is a good indication of a stable neighborhood.

Most of the neighborhood is zoned for one or two family residential units. This type of zoning has lessened the number of absentee landlords within the area. Only four blocks of the study area are zoned for high

density or apartment use, but few multifamily units presently exist in those areas. The commercial areas pose the greatest hazard to the neighborhood. The large dilapidated buildings in the light commercial area at the southwest corner of the study area are visually unattractive and detract from the areas adjacent to them. The commercial zone which is to the south of the study area serves as a buffer between the neighborhood and the central business district. It contains residential and commercial buildings of a modest scale.

There are five different zoning districts within the study area. They are;

- R1AA Single family residential
- R2 Medium density single family residential
- R3 High density residential and clubs, professional and medical offices
- C1 Limited commercial
- C2 General commercial

The neighborhood has a prime location within the city. The central business district is just one block south. It contains all of the city and county offices, the library, several banks, department and food stores and specialty shops. Within the neighborhood are located two recreational areas and two churches, with several other churches only a block away. The St. Johns River and the marsh land along the northeast border of the neighborhood provides a pleasant view and surrounding for the area.

The focal points of the neighborhood are the public spaces. These include Fred Green Park on Main Street and the Bronson-Mulholland Park on Madison Street. There is also a small green space along the river at

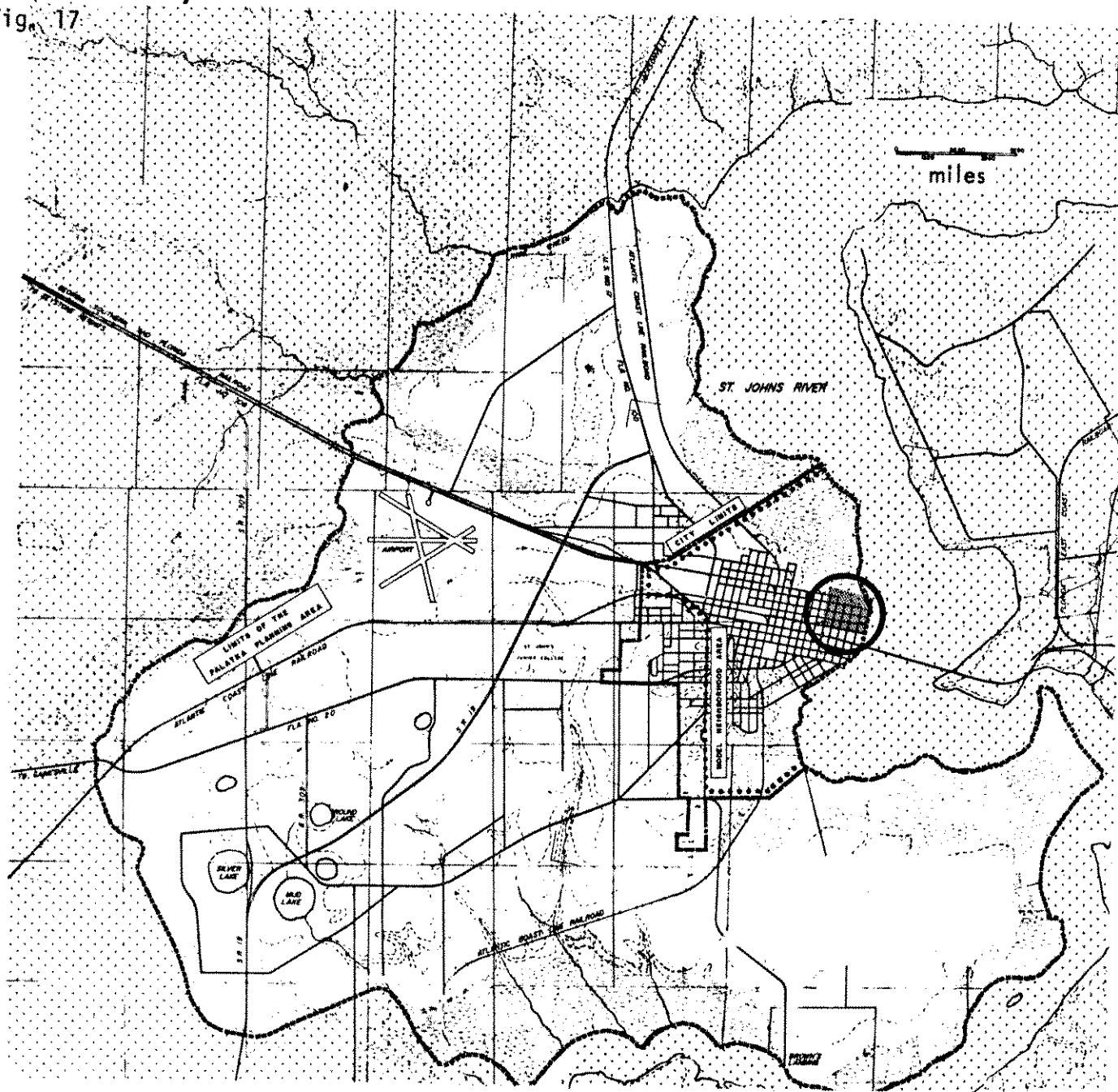
Study Area

Fig.16



The City

Fig. 17



the end of Madison Street.

Fred Green Park is utilized year-round for a variety of activities including softball, Little League baseball and football. There is also play space for the small children of the neighborhood.

The Bronson-Mulholland Park, of which the Bronson house is the focal point, was recently acquired by the city. The area was originally known as Sunny Point and today provides a quiet green setting for the Bronson House. The Bronson House is a historical landmark and is on the National Register of Historic Places. It is the meeting place of the local historical society and also serves as a house museum.

The open green space along the river at the end of Madison Street is under utilized but provides a fishing spot for local residents. The openness of the space is important to the view of the river from Madison Street.

Community development funds in the form of the block grant program are being utilized within the study area. Most of the rehabilitation work which has been done thus far has been on the small one story housing units along the western edge of the neighborhood. The entire neighborhood is eligible for the block grant funds in the form of either a grant or a low interest loan.

FINDINGS

From the beginning, the aim of this study has been to examine the physical, architectural and historical character of the neighborhood with the intent of identifying assets and problems and then formulating recommendations for preservation. As this study progressed, it became evident that the neighborhood has a very unique character. A review of the findings and historical research reveal this uniqueness.

After data from all phases of the study were correlated, a series of diagrams, maps and written essays were produced. This information illustrates the pertinent results of the study. These results are the basis for all future planning and recommendations for preservation activities in the neighborhood.

STUDY AREA

Figure 18 shows the existing zoning districts within the neighborhood. The zoning districts are regulated by the City of Palatka's zoning ordinance which establishes land use, site requirements and building limitations along with other regulations. The area is primarily single family residential with light commercial areas along its fringe. Block numbers are also indicated in figure 18. These numbers are used in identifying each block and ultimately each lot on the block. The information is on file with the tax assessor's office in the form of individual block maps which show block number, lot numbers and present owners.

DEVELOPMENT FACTORS

Factors affecting the integrity of the neighborhood are shown in figure 19. The marsh land north of and adjacent to the neighborhood provides a stable boundary for the area. Possible development of this marsh land poses a threat to the cohesiveness of the neighborhood. The less than attractive area along the western edge of the neighborhood is clearly detrimental to the stability of the entire area. The deteriorating force of the poor housing and commercial areas is already affecting adjacent homes and could spread further into the neighborhood.

The restoration of the Bronson House and the construction of a new Holliday Inn along the river are serving as regeneration forces for the entire neighborhood. These improvements will stimulate further activity within the area. This activity, however, must be controlled to avoid conflicts with the existing character of the area.

Major pedestrian and automobile movement occurs along Main Street with the major portion of the traffic flowing west. Other streets within the neighborhood are relatively quiet and are used primarily by local residents. Madison Street could be considered as a secondary street but the amount of traffic is much less than on Main Street.

Study Area

Fig. 18

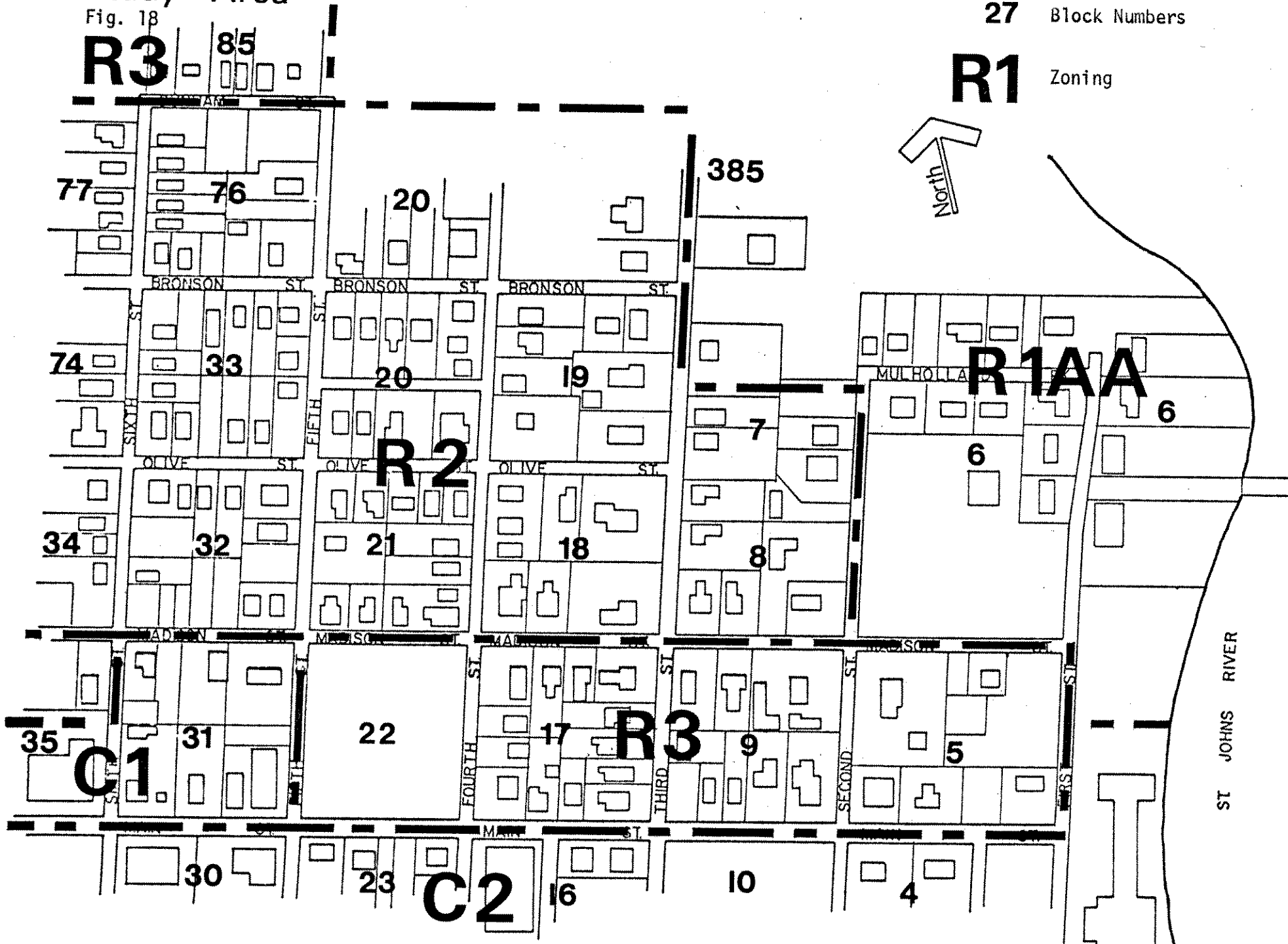
27 Block Numbers

R3

85

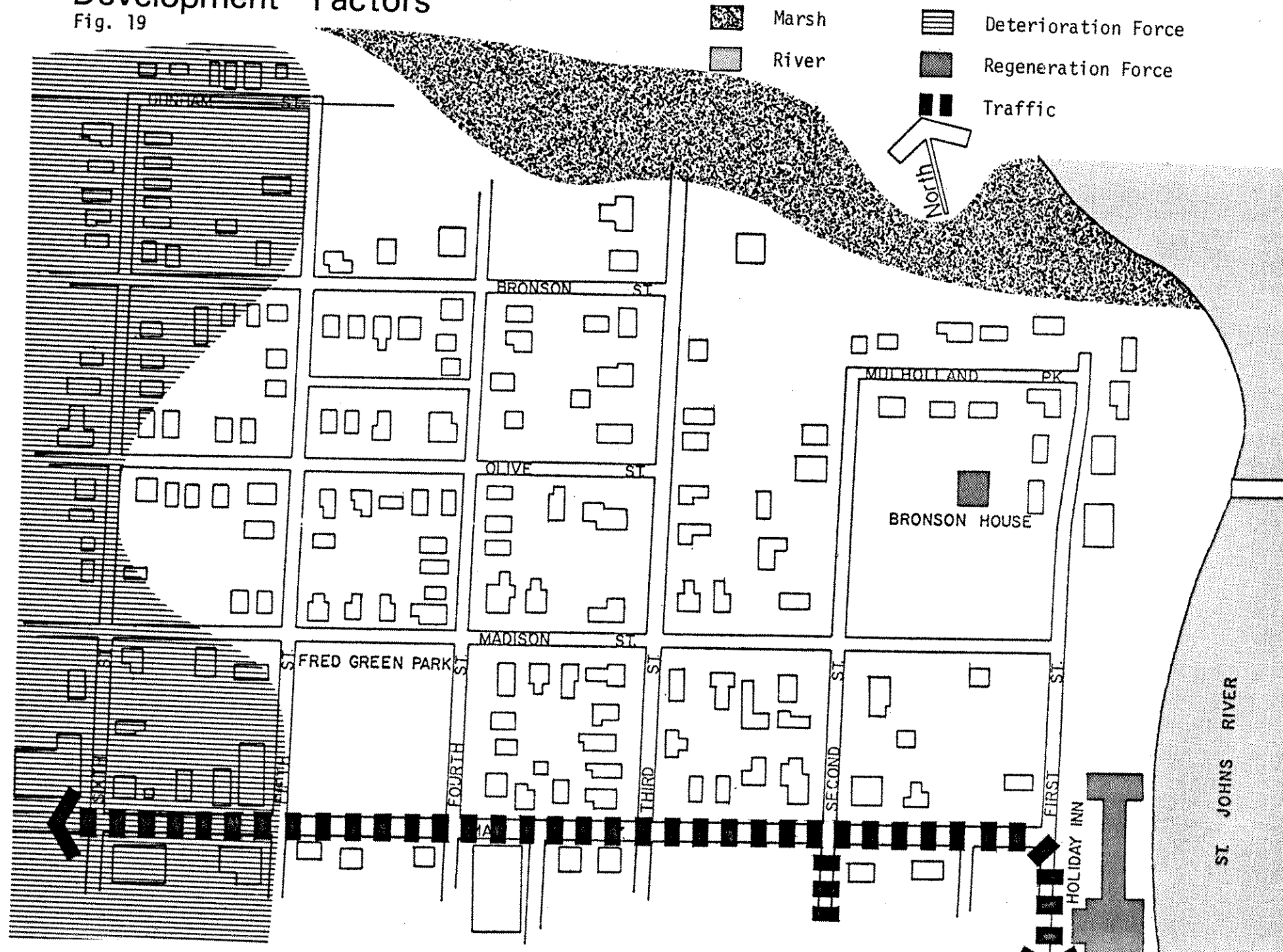
R1

Zoning



Development Factors

Fig. 19



STREETSCAPE

The most significant aspect of the streetscape in the neighborhood is the tree lined brick streets. The large Live Oak trees and the variety of Palms are a pleasing contribution to the overall appearance of the area. Individually landscaped yards serve to reinforce the streetscape with their shrubs and well kept lawns. The yard maintenance of most homes in the neighborhood is quite good. This adds to the quality of the area and shows the people care and take an interest in their surroundings.

The large lot sizes, the occurrence of open spaces and an occasional view to the river add visual interest and quality to the streetscape. Visual interest is also increased by the variety of building setbacks from the street. The marsh land to the north and the river to the east serve to reinforce the compact and quiet nature of the neighborhood.

Most of the street signs and utility lines are detrimental to the character of the area. Many signs are missing or damaged and utility poles are commonly in the worst possible location visually. Street corner markers, fire hydrants and the various paving textures definitely add to the visual quality of the streetscape. The hydrants are old but unique, the corner signs are appropriate and the variety of paving materials add interest but many are in poor condition.

The overall quality of the streetscape in the neighborhood is very good although it does break down along Madison Street between Third and Fifth Streets.



Fig. 20: Olive St. looking west from Third St.



Fig. 21: Madison St. looking east from Third St.

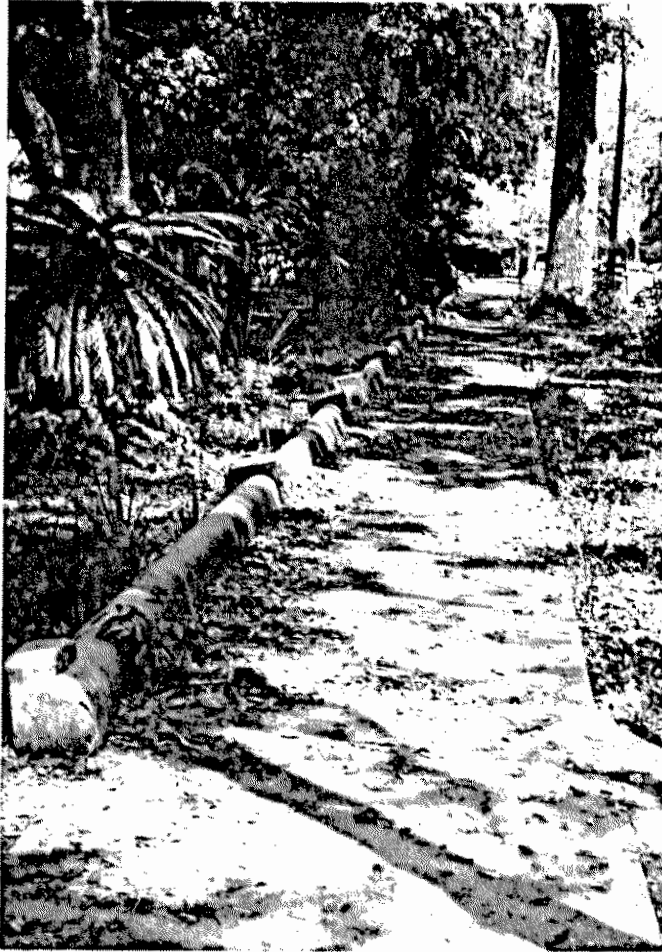


Fig. 22: Sidewalk along Third Street



Fig. 23: Corner of Third & Olive Streets



Fig. 24: Sidewalk along Madison Street

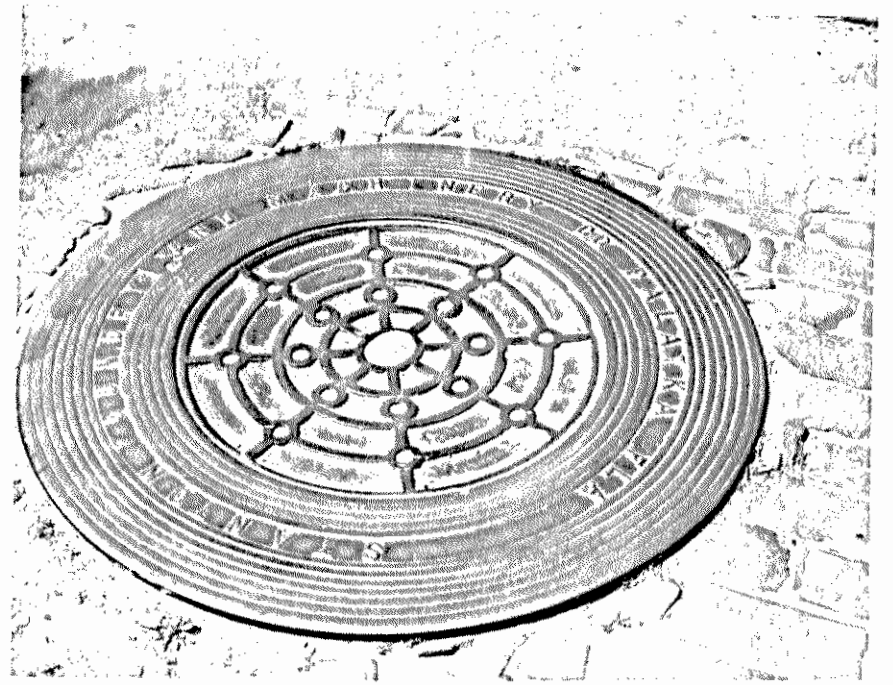


Fig. 25: Typical Manhole cover

FOCAL POINTS, VIEWS & VISUAL ELEMENTS

The northeast section is centered around three main focal points. These are illustrated in figure 26. The focal points are nodes of activity for the area. The major focal point in terms of resident use is the ball park. It is utilized throughout the year for a variety of activities both during the day and night.

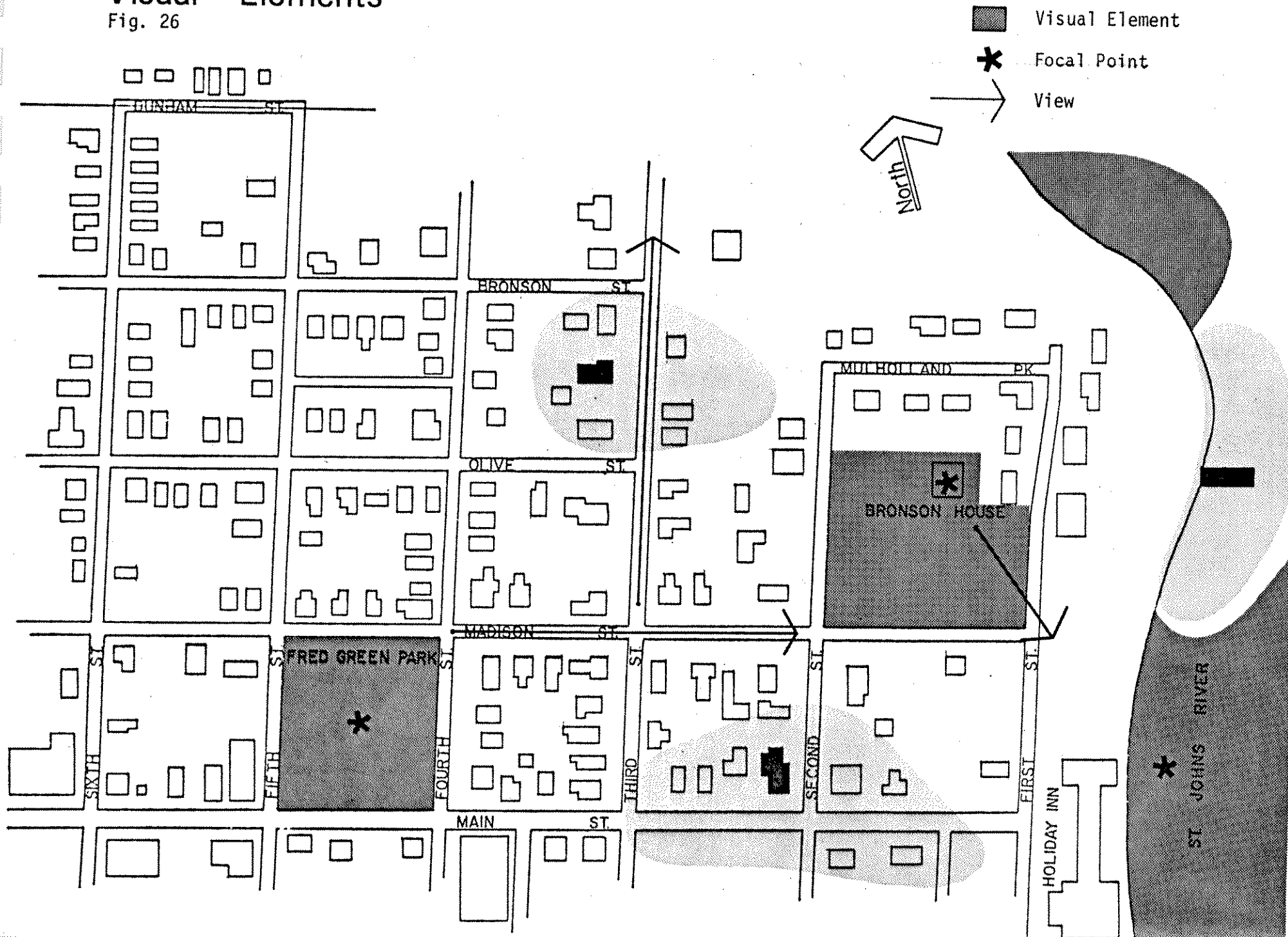
The river is of course a focus of recreational activity for residents, travelers and tourists. It not only serves as an activity focus, but also as a visual focus for portions of the neighborhood. Both Main and Madison Street have views to the river as does the entire Mulholland Park area. No actual long vista from a street to the river exists because of the amount of trees and other vegetation.

The Bronson House and surrounding property serve as the major visual node for the neighborhood. The large property is the largest open space in the area and acts as the visual key. The Bronson Historical House serves as a minor activity focus since it is a museum and the Historical Society's home. The property could be utilized to a greater extent to host city functions such as a community picnic. The two major landmarks of the neighborhood which are well known reference points to all community members are the Bronson House and St. Marks Church.

Other visual elements within the neighborhood include the boathouse, the Wycoff House and St. Marks Church. These elements are visible to isolated sections of the area and occur along major views. They serve as minor focal points.

Visual Elements

Fig. 26



BUILDING CONDITION

Figure 27 is a map of the study area which shows the physical condition of each building. Information from the inventory forms was transferred to map form to illustrate areas with buildings in good condition versus those in poor condition. A definite area of poor buildings does exist along the western edge of the study area. The greatest concentrations are in the northwest and southwest corners of the study area. The middle and eastern portions of the neighborhood have a very high concentration of excellent and good buildings. It is evident from the map which sections need to be rehabilitated or redeveloped.

Of the 176 buildings evaluated in the inventory;

| | |
|----|------------------------------|
| 47 | rated in excellent condition |
| 87 | " " good " |
| 29 | " " fair " |
| 13 | " " poor " |

This study revealed that 75 percent of the buildings in the neighborhood are in good or better condition.

LAND USE

Existing land use for the study area is illustrated in figure 28. The land use is fairly uniform in the central portion of the area. This area consists mostly of single family dwellings and a few scattered multifamily dwellings. Mixed use dominates the southeastern and southwestern sections of the study area. The two areas are characterized by light commercial type buildings. The map clearly indicates the single family nature of the neighborhood.

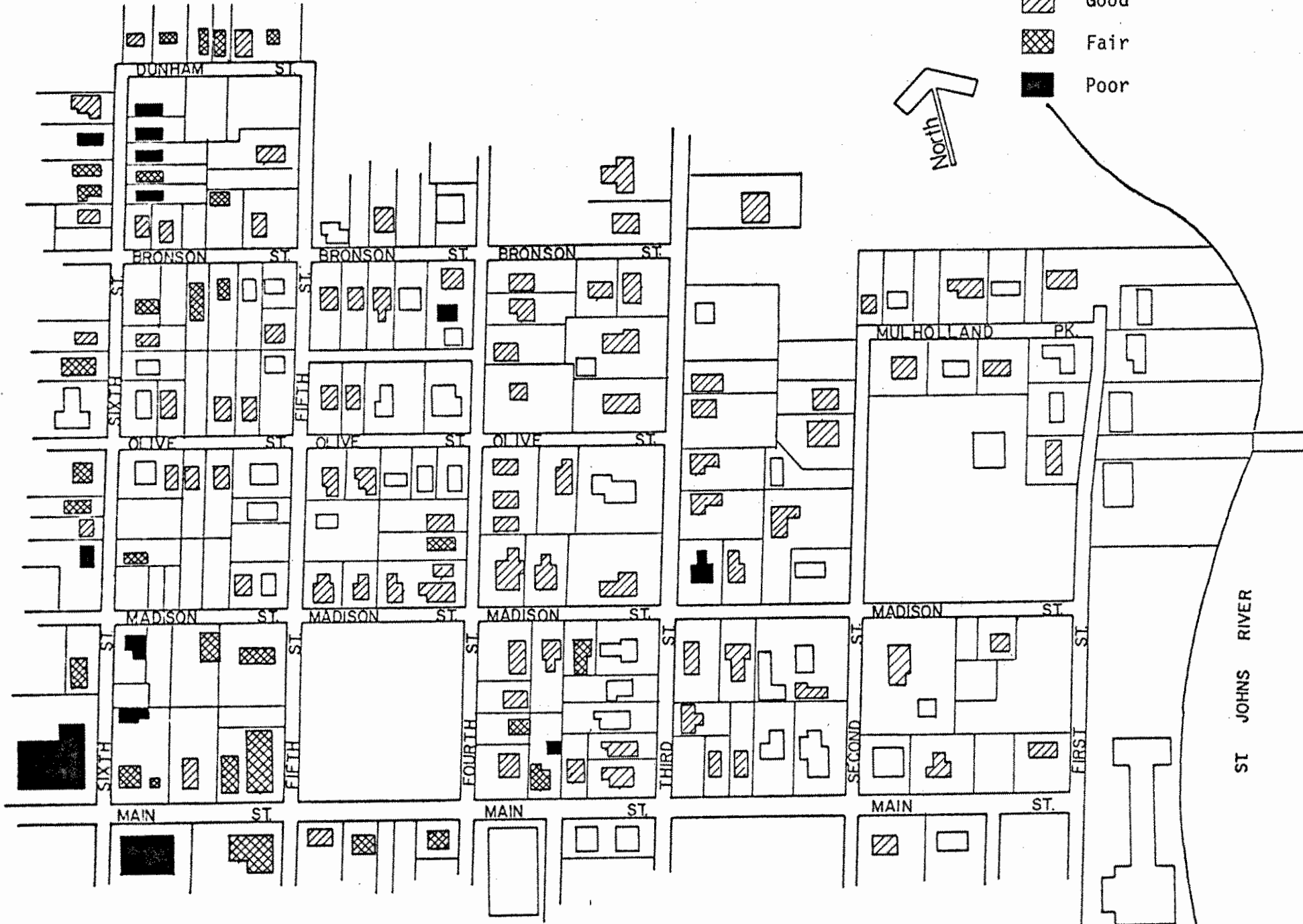
Of the 176 buildings in the study area;

| | |
|-----|-----------------------------|
| 155 | are single family dwellings |
| 9 | " multifamily " |
| 15 | " commercial structures |
| 5 | " religious " |
| 1 | is a public building |

Building Condition

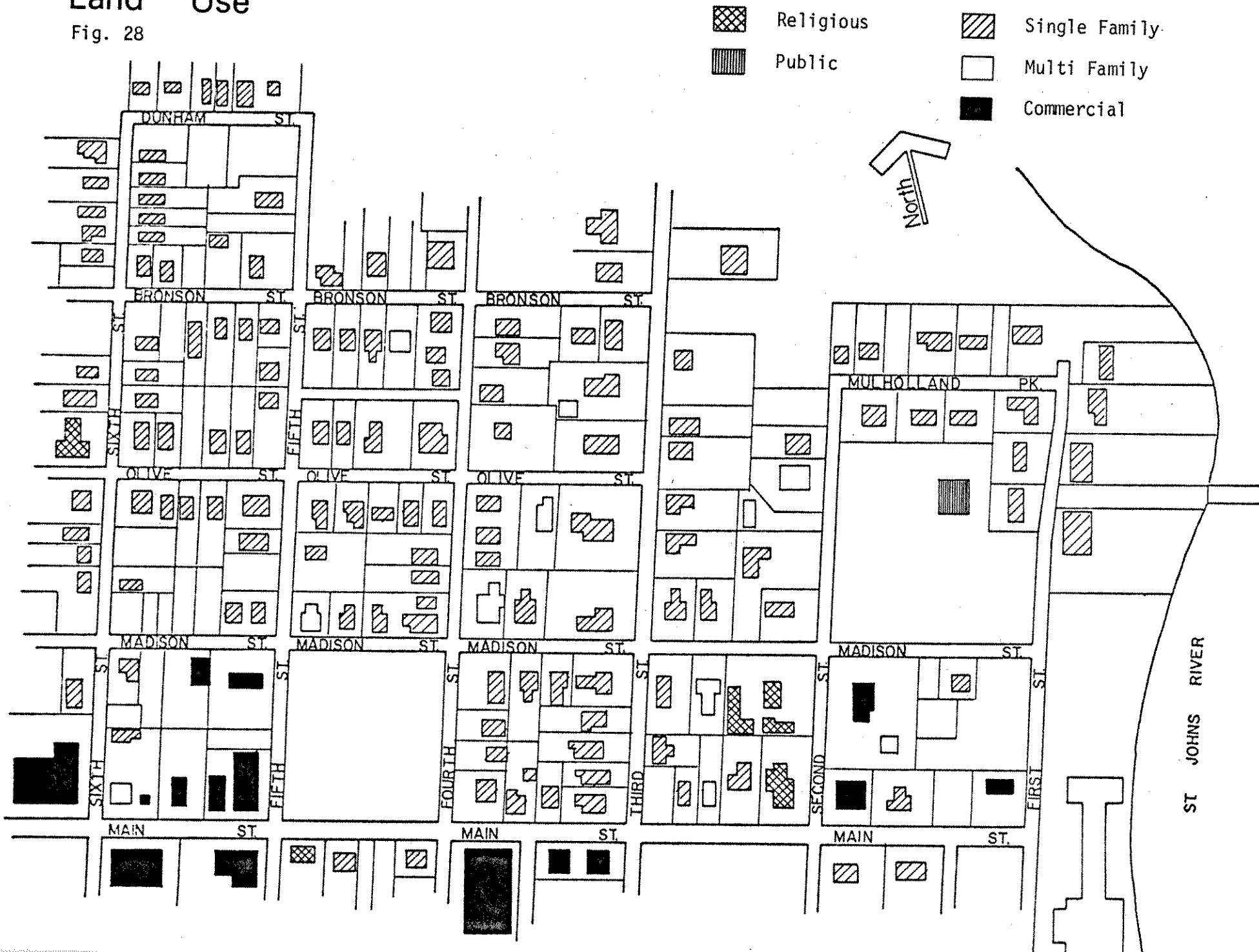
Fig. 27

- Excellent
- Good
- Fair
- Poor



Land Use

Fig. 28



ARCHITECTURE

The architectural integrity of the northeast section is a major asset which helps establish the neighborhoods unique character. The structures in the study area exhibit a variety of architectural styles and vernacular adaptations. Shingle, Stick and Victorian styles are the most common, but a great majority of the buildings are of a vernacular mode.

The structures reflect the time period in which they were built. It is easy to distinguish between the 19th and 20th century buildings. Although there are a substantial number of buildings with good decorative detail, the general character of the neighborhood is due mostly to the average homes of good architectural quality. They provide a continuous variation of interest, variety and rhythm.

Throughout the architectural variety, a common element to most of the 19th century buildings is a metal roof. Several groups of similar structures located adjacent to each other form unique pockets of architectural expression. These homes exhibit similar detailing and use of materials. Many of these homes were constructed as speculative houses by developers in the late 1800's.

The most outstanding structures architecturally are those of a particular mode or style. The detailing and design features of these few are unique to the city. These structures include several buildings, such as St. Marks Church and the Bronson House, which are on the National Register of Historic Places. Other homes within the neighborhood also have the potential for the state or national registers.



Fig. 29: 417 North Third Street



Fig. 30: 414 Olive Street

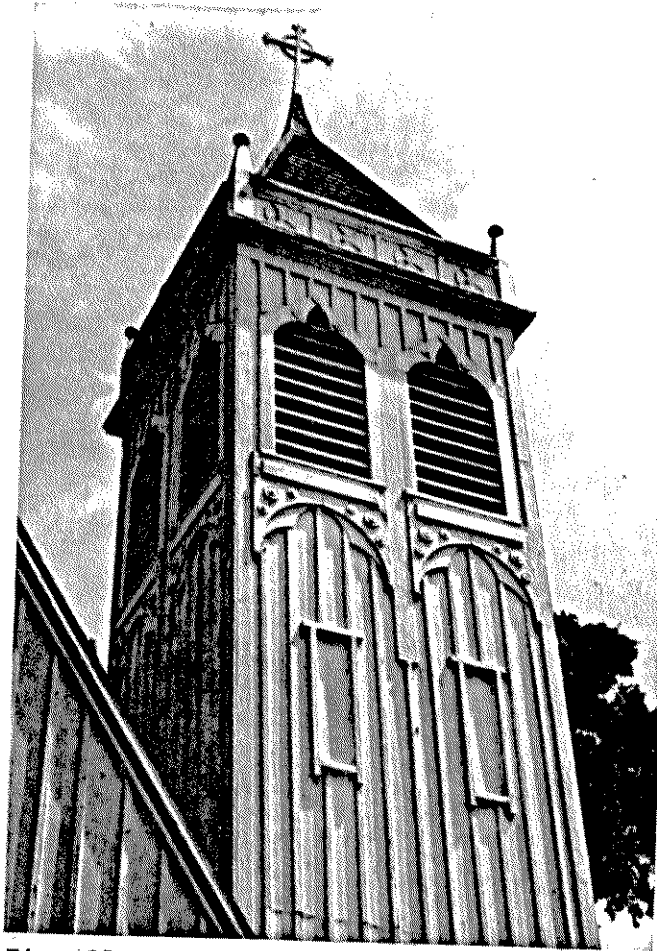


Fig. 31: Tower of St. Mark's Church



Fig. 32: Entrance to the Bronson House

ARCHITECTURAL QUALITY

The architectural quality of each building in the study area is shown in figure 33. Several factors were considered in rating architectural quality. Proportions, detailing, ornamentation and use of materials were judged. Alteration to original design, example of a style and overall character also were evaluated. This data was taken from the inventory forms and transferred to graphic form.

RECOMMENDATIONS

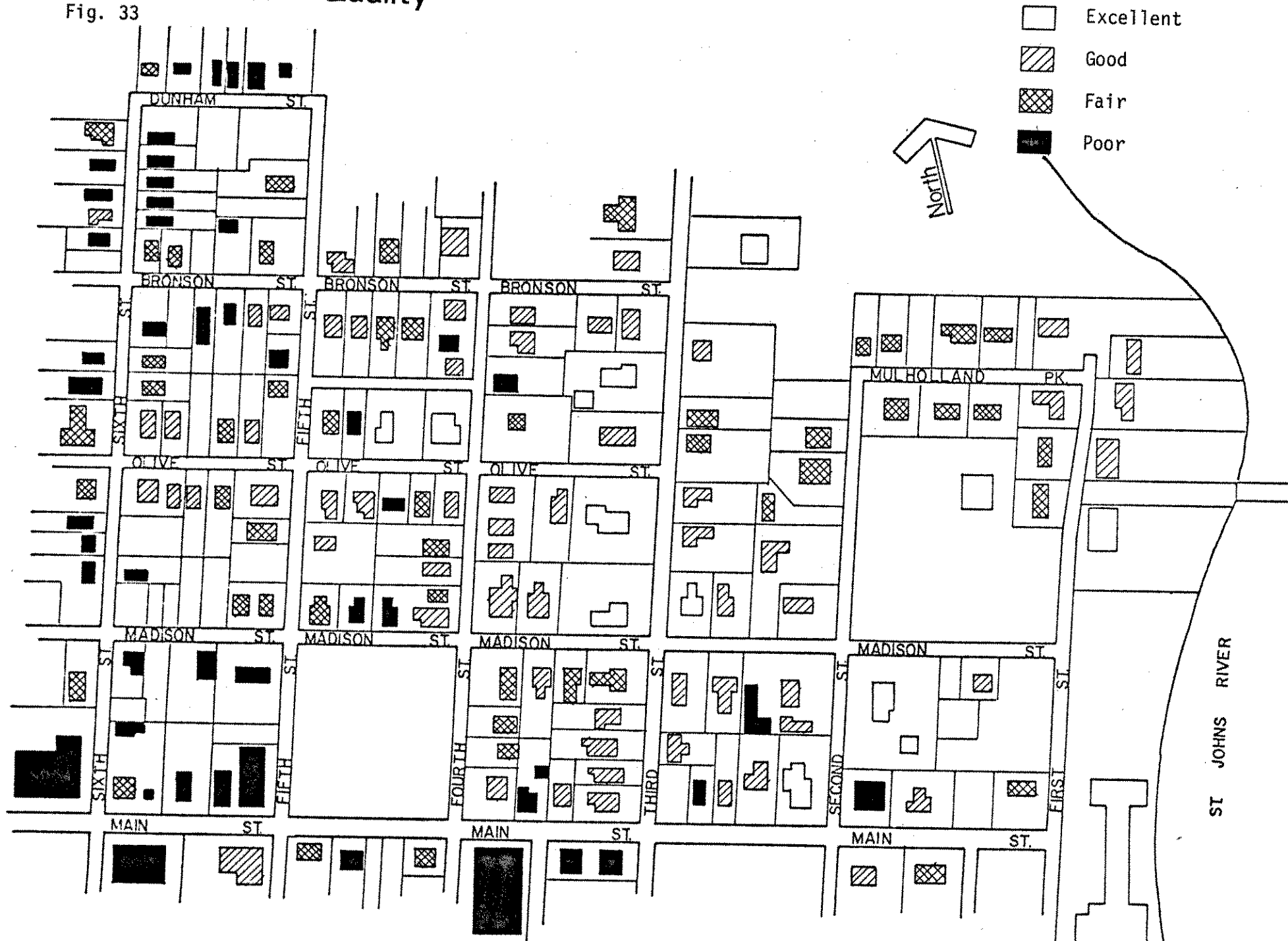
Final evaluation of the inventory forms revealed that of the 176 structures surveyed, eleven were found to be of particular value. These were given the highest priority for preservation. Secondary structures which have a valuable supportive function should also be protected and retained. Other supportive, deficient or deteriorating structures were also classified to be protected if possible unless they had no value to the context.

Figure 34 illustrates the recommendations for each building within the study area. The following set of recommendations was used for the study area.

- Preserve in place must be protected at all costs.
- Preserve if possible should be protected and retained.
- Preserve/move retain if possible and move if necessary.
- Remove has no value to context.

Architectural Quality

Fig. 33



Recommendations

Fig. 34



Preserve/ Move



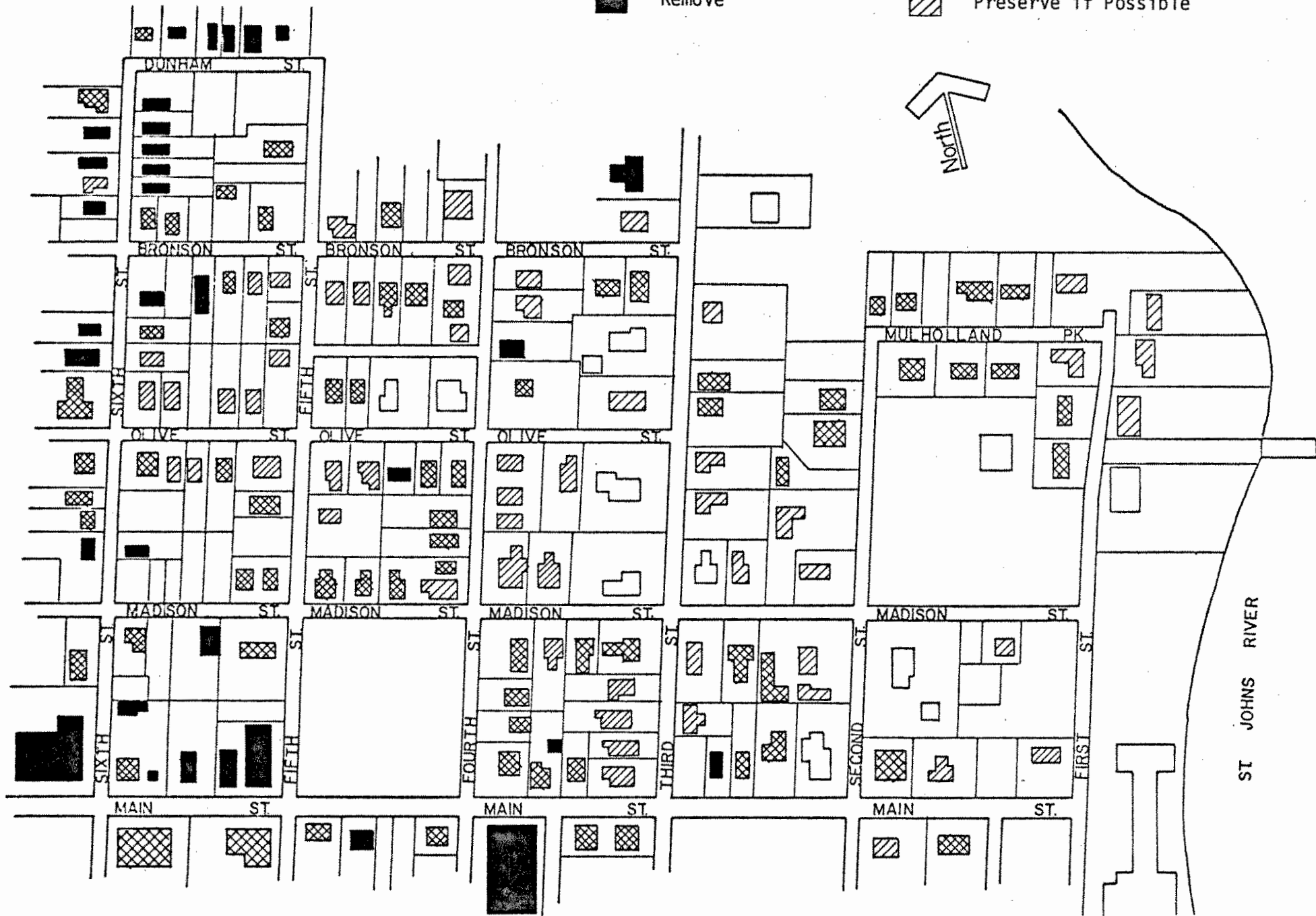
Remove



Preserve in Place



Preserve if Possible



POTENTIAL SPECIAL INTEREST DISTRICT

By reviewing and integrating the results of the study and inventory, the boundaries of a potential special interest district were delineated. This potential district is shown in figure 35.

The potential district has a genuine character of its own and should be protected and improved. Architectural, historical and landscape components distinguish it from other neighborhoods in the city. The residents concern for their neighborhood and its uniqueness make it a viable area for a preservation program.

A potential district would not only include the neighborhood but also the marsh land to the north to insure that it is not destroyed in the future. The marsh land could be protected by the special interest district or by a separate conservation district.

Some areas included within the potential district do not contribute to the character of the neighborhood but are necessary for their supportive role to the edges of the district.

BUILDING DATES

The history of the neighborhood was traced and illustrated. The time period of a particular building can be determined from the series of evolutionary maps of the neighborhood which appear in the neighborhood history section of this booklet. Some building dates are also shown on the inventory forms.

Potential District

Fig. 35



RECOMMENDATIONS

neighborhood

SUMMARY

1. Preserve and reinforce the uniqueness of the neighborhood.
2. Reevaluate present zoning of the neighborhood so that infringements from adjacent areas can be limited.
3. Conduct an official inventory and neighborhood study as part of a comprehensive city program.
4. Creation of a Special Public Interest District for the neighborhood.
5. Insure that future construction in the area is compatible with the character of the neighborhood.
6. Set guidelines for alterations and improvements to buildings and landscape within the area.
7. Protect views, open spaces and visual elements within the area.
8. Study alternative parking solutions for the neighborhood.
9. Establish a program of public improvements for the neighborhood.
10. Coordinate existing programs and planning with preservation activities.
11. Encourage establishment of a neighborhood preservation council.

RECOMMENDATIONS

neighborhood

OFFICIAL INVENTORY

Conduct an official inventory of the neighborhood as part of a comprehensive city wide program. Use both state and local inventory forms when possible. Have the completed inventory accepted as a legal document for the planning department. The inventory can be utilized by the building inspectors as well as the planning officials and the urban conservation commission. (see inventory section)

SPECIAL STUDY

Undertake an official neighborhood study to determine the quality and character of the neighborhood and to document the history and development of the area. This study will be used in conjunction with the inventory as the basis for an action program for the neighborhood. (see inventory section)

ZONING REVALUATION

A revaluation of existing zoning should be conducted with the intent of protecting the single family character of the neighborhood and reducing the blight within the area. Consider phasing out all commercial zones and relocating the commercial zones to a better suited areas. High density housing should also be phased out. Proper zoning changes would aid in the protection of the neighborhood and limit infringements from the edges of the area.

SPECIAL PUBLIC INTEREST DISTRICT

Create a Special Public Interest District for the neighborhood and the marsh land adjacent to the north. This special zoning district would protect the architectural, landscape and visual elements of the area through a series of regulations and criteria. An Urban Conservation Commission would be responsible for administering the district along with the city building officials. The district and the commission are established by city ordinances. (see district in city recommendations)

ALTERATIONS AND IMPROVEMENTS

The Special Public Interest District ordinance would include a set of guidelines for altering and improving buildings or sites within the district. These guidelines would take the form of an illustrative booklet which would be available to local residents. A good example of this type of booklet is, "Revitalizing Older Houses in Charlestown", by the Boston Redevelopment Authority. It is available from the U.S. Printing Office in Washington.

CRITERIA FOR NEW DESIGN

Develop a series of criteria for the design of new buildings in the Special Public Interest District. New buildings must be carefully designed so that they harmonize with the existing character of the neighborhood. Through the investigations of this study, a series of applicable criteria has become apparent. These criteria are specifically suited to the northeast neighborhood. They would be included in the Special Public Interest District regulations.

Since the northeast neighborhood does not have a predominate architectural mode, uniform lot size, or consistent zoning regulations, the relatedness of a new building to the area must be evaluated in terms of design components as compared with the adjacent structures within the district.

"Before the individual qualities which collectively constitute the general character of an area can be identified, a determination as to which of the surrounding adjacent structures would relate most directly to any new construction or remodeling, must be undertaken. The immediate vicinity of any such building, as defined below, will constitute its Development Zone." (see figure 36)

Development Zone for an interior lot

"The development Zone of any lot located on an interior lot shall include any lot fronting on the same street as the lot in question and within the same block, as well as those lots located on the opposite side of the street, except such properties of the zone which fall outside the boundary of the Special District."

Development Zone for a corner lot

"The Development Zone of any lot located on a corner lot shall include any lot fronting on the same streets as the lot in question and within the same block, as well as those lots located on the opposite side of the streets, including the opposite corner, except such portions of the zone which fall outside the boundary of the Special District."

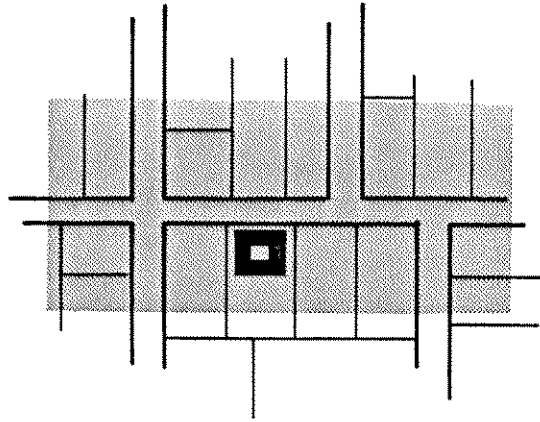
Development Zone for a boundary lot

"The Development Zone of any lot located adjacent to a Special Interest District boundary shall include all the lots located in the same block plus those lots located on the opposite side of any street adjoining that block, as well as those lots located on the opposite corners, except such portions of the zone which fall outside the boundary of the Special District." 1

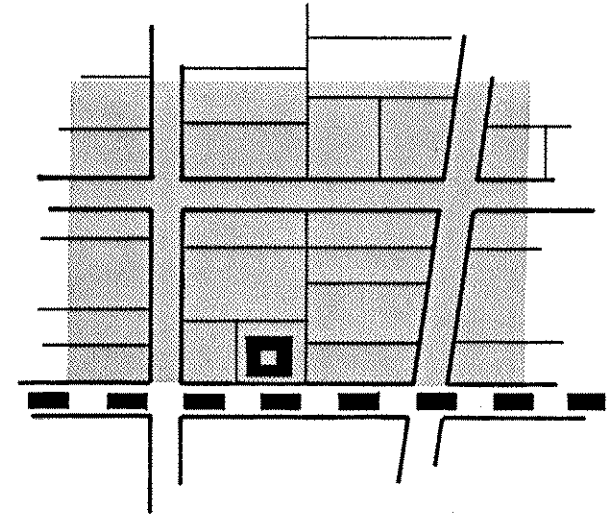
1. from Tucson's Historic Districts- Criteria for Preservation and Development. 1977

Development Zones

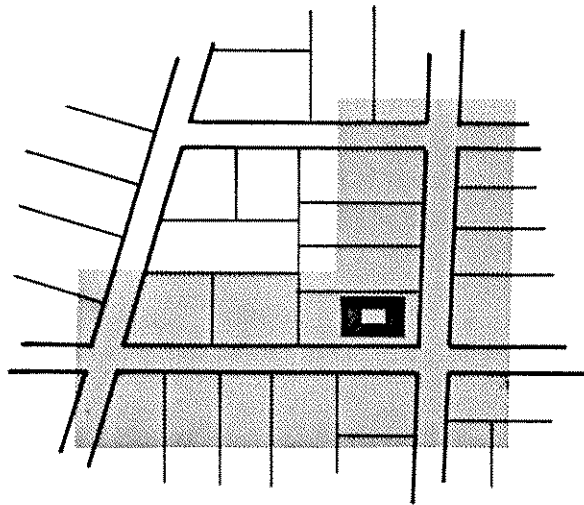
Fig. 36



Development Zone for an Interior Lot



Development Zone for a Boundary Lot



Development Zone for a Corner Lot

In order to obtain approval for the construction of a new building within the district, the proposed design must satisfy the requirements of the Design Criteria. This suitability is determined by the Urban Conservation Commission.

DESIGN CRITERIA

1. Existing city zoning regulations for the designated zone (R1AA, R2, R3,) must be satisfied. These include maximum height, required lot size and required floor space.
2. Height

New structures must conform to the average height of buildings within the related Development Zone. It can be no higher than the tallest and at least as tall as the lowest.
3. Setback

New structures must conform to the average setback of buildings within the related Development Zone. Minimum setback is 25 feet.
4. Lot Coverage

Lot coverage of new structures must be consistent with that of other buildings within the related Development Zone.

All of the above criteria may only be modified by the Urban Conservation Commission to meet existing non-conforming conditions or by specific reservation of deed restrictions or easements.

These design criteria, coupled with a designers sensitivity to the neighborhood, will allow the design of compatible contemporary structures within the neighborhood.

It is felt that the four criteria provide enough of a base for successful compatible design. It is not recommended to have a long list of specific criteria, such as material use, color, roof form, ect., be used. The restrictions of a long list of criteria would cause a more bland and "old looking" architecture. New construction should look contemporary but be compatible with the neighborhood.

OPEN SPACES AND VIEWS

Protect open spaces, parks, streetscapes and views. This protection can be obtained by regulations of the proposed Special Interest District ordinance. The regulations may require the retention of certain open spaces, landscape and trees.

Improve the ball park with landscaping, trees and a play area for small children. Utilize the open space at the end of Madison Street on the river. This area could become part of the waterfront park and offer boating and picnic facilities. The green space around the Bronson House could also be better utilized with improved parking for community activities.

LANDSCAPE

Establishment of regulations to protect trees and other landscape along the streets of the neighborhood. This would include a program of tree and landscape renewal and maintenance. Such a program could be part of the Special Public Interest District regulations.

CONSERVATION AREA

Establish a conservation area for the marsh land north of the neighborhood. A conservation district would protect the existing nature of the area and limit future development. The conservation protection could be provided by the special district zoning or by an independent conservation district such as that for wet land along the river. The protection of this area is important not only to the neighborhood, but also to the quality of the St. Johns River.

PARKING

Initiate a professional study to determine possible solutions to the neighborhood parking problems. Obtain the best possible advice on alternative parking proposals, screening of large parking lots and control of large parking areas along the fringe of the district.

BLOCK GRANT PROGRAM

Encourage continued use of the block grant program to upgrade the homes in the 6th street area. Improvement of this area will provide a stonger edge to the western portion of the district. Block grant funds should also be utilized in other areas of the neighborhood to rehabilitate and improve deteriorating homes. The

block grant funds may also be utilized to conduct neighborhood inventories, rehabilitation studies, historical investigations and pay for the related professional fees.

NEIGHBORHOOD COUNCIL

Encourage the establishment of a neighborhood council composed of interested citizens. The purpose of the council would be to inform other neighborhood residents of preservation activities, develop a sence of neighborhood pride through preservation and to work with city officials toward area improvement.

PUBLIC IMPROVEMENTS

Begin a program of public improvements in the neighborhood to improve streets, sidewalks and street fixtures such as signs and lighting. This kind of a program would initiate improvement of yards and homes by residents.

Streets

Retain and repair all brick streets. Strip blacktop from covered brick streets and repair brick. It is important to retain and repair the brick streets because they add to the compact scale and visual appeal of the neighborhood. The economics of properly maintained brick streets is also a factor. Improve curbs and gutters as necessary with similar materials.

Sidewalks

Repair and replace sidewalks as necessary using similar materials to existing conditions when possible. Introduce curb cuts at all street corners to aid the handicapped and bicyclists. Maintain planting and landscape between sidewalk and street and redevelop as necessary. Madison Street between Third and Fourth Streets requires extensive redevelopment. Encourage the replacement, installation and maintenance of fences and low walls inside the sidewalk.

Lighting

Replace existing street lighting with new free standing pole lights in the tree lawns. These new lamp posts would be attractive during the day and very functional at night. An old "Gas Lamp Style" fixture is recommended. This would be similar to fixtures which existed in the neighborhood when lights were first installed. The lamps should be staggered from one side of the street to the other with a maximum spacing of 100 feet. Lamps should be centered at corners for aesthetic as well as functional reasons.

Utility Lines

Study the possibility of placing all utility lines underground to improve the visual quality of the neighborhood. Cost factors and construction or legal problems might make this prohibitive. It is possible that providing underground services for the neighborhood be done in stages as part of a comprehensive project by the power and phone companies.

Signs

Coordinate street signs within the neighborhood. Stop signs, regulatory signs and other street signs should be updated and all of a coordinated design which is suitable to the neighborhood. Fire boxes, light poles and historical markers could also be part of the coordinated design effort.

FUTURE DEVELOPMENT

Develop a plan for the neighborhood which defines its role within the city for the future. Illustrate, how through preservation, the neighborhood could become a valuable asset to the city not only in the form of cultural value, but also of economic and tax dollar value. Incorporate this plan into the comprehensive development plan for Palatka.

RECOMMENDATIONS

city

COMMUNITY SUPPORT

A necessary prerequisite to a successful preservation program is community support. Since community support evolves from community awareness, it is essential that the citizens be informed from the very beginning of any preservation program. News coverage and communications with local civic groups are good starting points. Later, public displays and presentations will be necessary throughout the city. Other possibilities include walking tours, tour of homes and community festivals. Only through a continuing process of public relations efforts can the community be kept aware of the preservation activities around them.

A GUIDEBOOK

Use the information collected from city wide inventory and neighborhood research projects to produce a local guidebook to historical, architectural and other significant sites. Including maps, pictures and information about the sites. Sell the guidebook to local residents and tourists. Make it an inexpensive pocket size guidebook to the city and surrounding area. Local business and industry could provide sponsorship. This type of inexpensive book could be a key to bringing a greater number of visitors to Palatka and improving the local economy.

URBAN CONSERVATION COMMISSION

Initiate legal work to draft an Urban Conservation Commission ordinance. This ordinance would create an Urban Conservation Commission which would have the power to designate landmarks, create Special Public Interest Districts, conduct studies and administer the regulations involved with each. The commission would develop plans, policy and regulations for individual districts and landmarks.

The ordinance would contain the following provisions;

1. Statement of intent.
2. Regulations determining the make up and length of office of members of the commission.
3. Powers and duties of the commission.
4. Definitions of terms used in the ordinance.
5. Criteria and procedures for designating landmarks.
6. Provisions for recognition and marking of landmarks.
7. Procedures and criteria for designating of special districts.
8. Procedures and regulations for alterations to designated landmarks, sites, views and landscape.
9. Description of other duties and appeal and review procedures.
10. Enforcement methods and penalties.

FUNDS

Actively seek state, federal and private funds to undertake preservation activities. Government funds are available through a variety of sources and for all phases of preservation work. Private citizens and local organizations should also be approached concerning donations to local programs.

SAVING STRUCTURES

If the saving of a unique structure is not possible in its location it should be moved to a proper context. As a last resort before demolition, measured drawings and photographing should be done. Salvagable components may also be removed from the structure.

CIVIC GROUP

Organize a city wide council for preservation to take a strong role of supporting preservation activities in the city. The group would help carry on educational and informational programs as well as act as a local watch dog for preservation.

UNIVERSITY OF FLORIDA

Utilize the vast amount of resources and manpower at the university of Florida. Most important is the Architectural Preservation program in the college of architecture. The faculty and students of the program provide an excellent resource for all preservation activities. Library material, local inventories, case studies, technical data and research reports are available at the preservation office.

CITY PLAN

Incorporate preservation, restoration, rehabilitation and adaptive use in the development plans for the neighborhoods and downtown area. Encourage private rehabilitation and adaptive use projects within the city.

METHODS OF PRESERVATION

Adaptive Use

Adaptive contemporary use of a building is determined by the character of the structure, the character of the neighborhood in which it is located, and common sense. Adaptive uses may require zoning changes, remodeling, and, occasionally, the moving of the structure. But buildings can frequently be adapted with little difficulty.

Revolving Funds

Preservation organizations effectively employ revolving funds to preserve and rehabilitate worthwhile buildings. A revolving fund is a sum of money used specifically for the purchase and renovation of property when there is a realistic prospect for the sale of the restored property. The yield from the sale is then used to restore yet another building.

Restrictive Covenants

A restrictive covenant is a legal restriction on the use that can be made of a property. It is usually written into the deed.

Easements

An easement is a limited ownership in a piece of property, granted by the owner to another person or group. Easements in preservation allow for the protection of the appearance of a structure without substantially affecting its use.

Life Estates

By willing his property to a preservation organization, the owner can continue to occupy it during his lifetime and yet insure that it will be preserved.

Last-Ditch Efforts

When planning fails and a historic property is threatened, a number of avenues can be pursued. Sometimes a highly publicized struggle with the wrecking ball has generated public support and funds that would not have been forthcoming without the drama of the last-minute effort. Such a conflict can backfire however. It can be viewed as an effort to block progress and tends to make the preservationists look like fanatics. Planning, with government officials, property owners and members of the community, is much more likely to produce an effective long range program of preservation. When an important structure is threatened, however, various government agencies can delay the demolition by requiring a study of its impact on the environment. Sometimes during this time an alternative solution can be found.

*methods of preservation are from "Historic Preservation in Wisconsin"

RIVERFRONT

Develop the riverfront area as the prime environmental and recreational resource for the entire community. The community's roots lie along the river edge and this area should again be the focus of the city. Palatka has taken a major step towards this goal with its new riverfront development south of Reid Street. This type of development will greatly encourage the rehabilitation of the areas along the riverfront.

COMMUNITY IMPACT

With the establishment of Special Interest Districts, the rehabilitation of buildings and the general public improvement of the neighborhoods, the quality of the community will be enhanced.

Neighborhoods that had once been a liability to the community become instead an attractive asset to the city. As a neighborhood becomes more attractive and improves, the net cost of municipal services to it decline and the tax base increases. An additional benefit is that as higher income families replace lower income families, the income tax and excise tax from the residents of the neighborhood increases.

Preservation activities within the city will also stimulate community spirit. It will give residents a chance to become directly involved with improving their city. The studies, projects and public events will promote awareness of preservation, architectural significance, environmental quality and local history. It is important for the people of the community to have a means of understanding and retaining their cultural and physical roots. A preservation movement can play a major role in satisfying this need to the community.

Related preservation activities, such as the production of a guide book to Palatka's unique architectural, historical and landscape sites, can help bring an economic lift, in the form of tourist dollars, to the city. Other spin offs from preservation, such as river tours by steam boat, could attract tourists and sightseers to Palatka.

SURVEY & INVENTORY

The most essential component of a workable and successful preservation program is the neighborhood inventory and survey. It points out to the community which buildings and neighborhoods should be protected and why. The inventory is a means through which historical, architectural and other important data are collected for individual buildings and the entire fabric of a neighborhood is analyzed.

Such an inventory also serves the purpose of making the community aware of the importance of preserving a unique neighborhood because of its historical, visual and/or architectural character.

It is recommended that a preliminary survey be conducted for the entire community in order to identify all potential areas for preservation and to obtain a view of the general character of the city. To conduct an inventory for only a small portion of a city may be detrimental to future preservation activities in other neighborhoods.

When planning the city inventory, local officials should contact the State Historic Preservation Office, Division of Archives, History and Records Management of the Department of State in Tallahassee. The Bureau of Historic Sites and Properties is responsible for state wide historic sites inventories. This program conducts inventories of single buildings or possibly entire neighborhoods with state financial assistance combined with local funds. The State Historic Preservation Office also has contact with Federal preservation programs and with other branches of state government.

The Division has developed standard inventory forms which are used so that data collected is uniform and can be integrated into the various state programs. A manual is available which explains the use of the forms, illustrates how they are completed and explains the technical details of the inventory. It is, Technical Manual number one, A Guide to Completing the Florida Master Site File Forms.

The state inventory forms were not used in this study because of time limitations and manpower restrictions, but they are strongly recommended.

In addition to the inventory on state forms, a city inventory should also be conducted. This is probably more important to the local preservation activities than is the state inventory. It is definitely more useful because of the value judgements it contains versus the factual and statistical state form. The building inspectors and Urban Conservation Commission will make direct use of the city inventory.

Publicity and newspaper coverage are essential to this and all phases of a preservation program. The community should be constantly aware of what is taking place. This public relations is important in obtaining and retaining the citizens interest in preservation.

The beginning step in the inventory for the northeast section was to obtain up to date maps of the area and then make a driving or windshield survey of the area with city officials. This survey provided a view of the general character of the neighborhood.

State Forms

Fig. 37

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Archives, History
and Records Management
DS-HSP-3AA Rev. 8-78

FLORIDA MASTER SITE FILE HISTORIC SITE DATA SHEET

FDHRM 802==
Site No. 1009==
Site Name 830==
Other Name(s) for Site 930==
Other Nos. for Site 906==
NR Classification Category: 916==
County 808==
Instruction for locating (or address) _____
_____ 813==
Location: _____ 868==
subdivision name block no. lot no.
Owner of Site: Name: _____ ;
Address: _____ 902==
_____ 902==
Occupant, Tenant, or Manager:
Name: _____ ;
Address: _____ 904==
Reporter (or local contact):
Name: _____ ;
Address: _____ 816==
Recorder:
Name & Title: _____ ;
Address: _____ 818==
Survey Date 820== Type of Ownership 848==
Inventory Status 914==
Previous Survey(s): (enter activity/title of survey/name/date/repository)

_____ 839==
Recording Station 804==
Specimens (Inventory Numbers) 870==
Date of Visit to Site 828== Recording Date 832==
Photographic Record Numbers _____ 860==

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Archives, History
and Records Management
DS-HSP-38B Rev. 8-78

HISTORIC SITE DATA SUPPLEMENT

Site No. _____
Site Name _____

Present Use (check one or more as appropriate)

| | | | |
|--|---|--|---|
| <input type="checkbox"/> Agricultural 850== | <input type="checkbox"/> Government 850== | <input type="checkbox"/> Park 850== | <input type="checkbox"/> Transportation 850== |
| <input type="checkbox"/> Commercial 850== | <input type="checkbox"/> Industrial 850== | <input type="checkbox"/> Private Residence 850== | Other (Specify): _____ 850== |
| <input type="checkbox"/> Educational 850== | <input type="checkbox"/> Military 850== | <input type="checkbox"/> Religious 850== | _____ 850== |
| <input type="checkbox"/> Entertainment 850== | <input type="checkbox"/> Museum 850== | <input type="checkbox"/> Scientific 850== | _____ 850== |

Original Use (check one or more as appropriate)

| | | | |
|--|---|--|---|
| <input type="checkbox"/> Agricultural 838== | <input type="checkbox"/> Government 838== | <input type="checkbox"/> Park 838== | <input type="checkbox"/> Transportation 838== |
| <input type="checkbox"/> Commercial 838== | <input type="checkbox"/> Industrial 838== | <input type="checkbox"/> Private Residence 838== | Other (Specify): _____ 838== |
| <input type="checkbox"/> Educational 838== | <input type="checkbox"/> Military 838== | <input type="checkbox"/> Religious 838== | _____ 838== |
| <input type="checkbox"/> Entertainment 838== | <input type="checkbox"/> Museum 838== | <input type="checkbox"/> Scientific 838== | _____ 838== |

Cultural Classification: _____ Specific Dates: Beginning _____ 844==

Culture/Phase _____ 840==

Developmental Stage _____ 842==

Period (check one or more as appropriate)

| | | | |
|--|---|---|---|
| <input type="checkbox"/> Pre-Columbian 845== | <input type="checkbox"/> 16th Century 845== | <input type="checkbox"/> 18th Century 845== | <input type="checkbox"/> 20th Century 845== |
| <input type="checkbox"/> 15th Century 845== | <input type="checkbox"/> 17th Century 845== | <input type="checkbox"/> 19th Century 845== | |

Areas of Significance (check one or more as appropriate)

| | | | |
|---|---|---|--|
| <input type="checkbox"/> Aboriginal 910== | <input type="checkbox"/> Community Planning 910== | <input type="checkbox"/> Landscape Architecture 910== | <input type="checkbox"/> Sculpture 910== |
| <input type="checkbox"/> Archaeology | <input type="checkbox"/> Conservation 910== | <input type="checkbox"/> Law 910== | <input type="checkbox"/> Social/Humanitarian 910== |
| <input type="checkbox"/> Prehistoric 910== | <input type="checkbox"/> Economics 910== | <input type="checkbox"/> Literature 910== | <input type="checkbox"/> Theater 910== |
| <input type="checkbox"/> Archaeology | <input type="checkbox"/> Education 910== | <input type="checkbox"/> Military 910== | <input type="checkbox"/> Transportation 910== |
| <input type="checkbox"/> Historic 910== | <input type="checkbox"/> Engineering 910== | <input type="checkbox"/> Music 910== | Other (Specify): _____ 910== |
| <input type="checkbox"/> Agriculture 910== | <input type="checkbox"/> Exploration & Settlement 910== | <input type="checkbox"/> Philosophy 910== | _____ 910== |
| <input type="checkbox"/> Architecture 910== | <input type="checkbox"/> Industry 910== | <input type="checkbox"/> Politics/Govt. 910== | _____ 910== |
| <input type="checkbox"/> Art 910== | <input type="checkbox"/> Invention 910== | <input type="checkbox"/> Religion 910== | _____ 910== |
| <input type="checkbox"/> Commerce 910== | | <input type="checkbox"/> Science 910== | _____ 910== |
| <input type="checkbox"/> Communications 910== | | | |

Remarks & Recommendations:

_____ 892==

Working with city officials and preservation experts, a form for a city wide inventory was developed. After reviewing several types of inventory forms which were used in other areas of the state, a new inventory data sheet was conceived. It was designed to be workable throughout the entire city and many revisions were necessary before the form was brought to its final configuration. Several test runs were conducted with the form to insure it would be workable in the field. (see figure 38)

A short explanatory booklet was put together to illustrate how the form should be completed and to explain all criteria for evaluation. This booklet was utilized by the survey teams in the field throughout the inventory process.

Tax assessor's maps and aerial photo maps were used to plot building locations on a master map of the study area. This master was also field checked for accuracy. Existing property identification numbers, block numbers and lot numbers were also used as identification for locating all properties and buildings. A form was prepared for each building within the study area.

Other maps and documents were also reviewed during this phase. Early tour guides and town directories, town plans and Sanborn maps were reviewed. Old photos, newspaper articles and brochures also contained valuable information. Local historians also contributed to the collection of information.

The first phase of this inventory involved two days of field work in the neighborhood. Each building was evaluated and an inventory form completed, including a photograph. Photos of notable street features were also taken.

Prior to the field work, a newspaper release was prepared explaining the inventory project and giving the date it was to be conducted. The news story appeared in the local paper several days before the inventory took place and it alerted residents of the neighborhood that survey teams would be around.

After all photographs and completed forms were in hand, the entire set of forms was reevaluated against each other. Minor changes and adjustments were made and missed information added. Comparisons between buildings were made and rating of each was accomplished.

Of the 176 buildings evaluated, eleven were found to be of exceptional value in relation to the entire community. Two of the eleven are already on the National Register of Historic Places. An outline of a potential Special Public Interest District was established for an area of concentrated historic, architectural and landscape resources.

It should be noted that addition and corrections to the inventory forms is a normal part of the total process and should be expected. The architectural inventory is never actually complete. New information is always brought to the surface and buildings are destroyed and information on the forms is up dated. It is the responsibility of the city to keep the forms up to date and correct. To make future changes easy, all the forms were filled out in pencil and photos were stapled to the forms for easy removal. The set of completed forms was placed in a loose leaf binder so that they could be taken out and rearranged as necessary. The originals were placed in the Putnam County Archives. Copies were provided for the city building official and the city manager.

Local Form

Fig. 38

| ARCHITECTURAL INVENTORY City of Palatka, Florida | | Northeast Area | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|---------|---------------|---|---|--------------|---|---|--------|---|---|-----------|---|---|------------|---|---|------------|---|---|-------|---|---|------------|---|---|--|-----------------------|-----------------------------------|------------------------|----------------------------------|----------------------------|----------------------------------|-----------|------------------------------|--|
| Assessors File # _____ Block # _____ Lot # _____ Zoning _____ Street & Number _____ Present Owner _____ Address _____ Original Owner _____ Address _____ Date of Construction _____ Builder/Architect _____ | CONDITION RATE: EXCELLENT/GOOD/FAIR/POOR Structural Soundness _____ Maintenance of Exterior _____ Maintenance of Accessory Buildings _____ Maintenance of Site _____ Maintenance of Adjacent Properties _____ General Condition of Neighborhood _____ | Roll # _____ Negative # _____ Picture Taken Facing _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">USE</th> <th style="text-align: center;">Original</th> <th style="text-align: center;">Present</th> </tr> </thead> <tbody> <tr> <td>Single Family</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Multi Family</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Public</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Religious</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Commercial</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Industrial</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Mixed</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> <tr> <td>Vacant Lot</td> <td style="text-align: center;">—</td> <td style="text-align: center;">—</td> </tr> </tbody> </table> | USE | Original | Present | Single Family | — | — | Multi Family | — | — | Public | — | — | Religious | — | — | Commercial | — | — | Industrial | — | — | Mixed | — | — | Vacant Lot | — | — | <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="padding: 2px;">Architectural Quality</td> <td style="padding: 2px;">Excellent Good Fair Poor</td> </tr> <tr> <td style="padding: 2px;">Alteration to Original</td> <td style="padding: 2px;">Great Moderate Little/None</td> </tr> <tr> <td style="padding: 2px;">Importance to Neighborhood</td> <td style="padding: 2px;">Great Moderate Little/None</td> </tr> <tr> <td style="padding: 2px;">Character</td> <td style="padding: 2px;">Unique Moderate Common</td> </tr> </tbody> </table> | Architectural Quality | Excellent Good Fair Poor | Alteration to Original | Great Moderate Little/None | Importance to Neighborhood | Great Moderate Little/None | Character | Unique Moderate Common | |
| USE | Original | Present | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single Family | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multi Family | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Public | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Religious | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Industrial | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mixed | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Vacant Lot | — | — | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Architectural Quality | Excellent Good Fair Poor | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Alteration to Original | Great Moderate Little/None | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Importance to Neighborhood | Great Moderate Little/None | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Character | Unique Moderate Common | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Building Materials _____ _____ Notable Elements _____ _____ Significant Site Features _____ _____ | RECOMMENDATIONS Preserve in Place _____ Preserve if Possible _____ Preserve/Moved _____ Remove _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Comments on Back _____ | Prepared By _____ | Date _____ Page _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

CRITERIA

STREET & NUMBER:

fill in the street name and building number.

BUILDING MATERIALS:

list materials used; Walls: shingles, clapboards, brick, stone, block, stucco, ect.

Roof; wood shingles, asphalt shingles, slate, tile, metal, roll roofing, ect.

NOTABLE ELEMENTS:

list and describe; Examples; columns, towers, porches, decorative detail, hardware, ect.

SIGNIFICANT SITE FEATURES:

list and describe; Examples; tree cover, landscaping, open space, pavement patterns, view to outside, fencing, ect.

CONDITION:

rate; excellent/good/fair/poor

excellent = best possible condition.
good = minor cosmetic repair is necessary.
fair = minor structural and major cosmetic repair is necessary.
poor = major structural repair needed.

ARCHITECTURAL QUALITY:

looking at; proportions, detailing, ornamentation, use of materials, ect.

excellent = outstanding example
good = regional, vernacular
fair = no particular value except as a position holder
poor = no value to context, inconsistant

ALTERATION TO ORIGINAL DESIGN:

looking at; change to original design, amount of change, detriment to design.

great
moderate
little/none

IMPORTANCE TO NEIGHBORHOOD:

looking at; scale, setback, bulk, visual, rhythm, orientation, streetscape, ect.

great = integral part of the scene
moderate = important to the scene, some bad points
little/none = intrusion to the scene

CHARACTER:

looking at; distinguishing features and overall appearance

unique = one of a kind
moderate = a few very similar
common = many similar

RECOMMENDATIONS:

preserve in place = must be protected at all costs.
preserve if possible = should be protected and retained.
preserve/ move = retain if possible, move if necessary.
remove = has no value to context.

PICTURE:

record the roll number and the negative number of each photograph taken.
picture taken facing; fill in north, east, ect.

MAP:

on the map shade in the building for which the form is being completed.

COMMENTS:

comments and additional information may be placed on the back of the form.

Phase two of the inventory/survey involved research and documentation of the entire neighborhood. The inventory forms for the eleven exceptional buildings were turned over to the Putnam County Archives Assistant for a more detailed investigation of historical aspects. Other interesting and good buildings should also have been investigated, but time limitations did not permit this. City records were reviewed for dates of street construction and other civic improvements. Economic, social and legal influences upon the neighborhood were also studied. The comprehensive development plan from 1968 was used. This is somewhat out dated but did provide some data. Local historians were consulted and they provided old photographs as well as historical information.

Accurate and authoritative information is of utmost importance. Unsubstantiated claims must be clearly identified. Credibility of the study could be lost if improper information is utilized.

With both phases of the inventory/survey completed, a series of maps, charts and written essays were produced illustrating the results of the investigations. The results of the inventory/survey, combined with the historical investigations, were the basis for formulating recommendations and guidelines for the preservation of the neighborhood.

In a future survey/inventory, a professional team or firm should be retained to undertake the venture. The results of this kind of work will be of a high quality and may be used as a legal document which would be respected by lawyers, planners, city officials and the community itself. This type of inventory/survey is very expensive but necessary funds for such detailed projects are usually secured with matching grants from the state. Local funds for inventory/survey

work are necessary so that other funds may be obtained from outside sources. The local funds are an indication of community support. The National Trust for Historic Preservation and the Community Development Block Grant Program may also provide funds for such projects.

NEIGHBORHOOD HISTORY

The first white settlement of Palatka was located in what is now the northeast neighborhood. In 1820 three traders established a trading post along the St. Johns river at the foot of what is now Main Street. Several log cabins and a warehouse were built along the river. Activity and trading were brisk and in 1823, with the coming of the Bellamy Road and a ferry across the river, a small outpost began to take shape.

At the beginning of the Seminole Wars the outpost was deserted. The army later established a camp where the outpost had been to protect the ferry crossing for the Bellamy Road. Fort Shannon was constructed in 1838 just west of the river bank. The exact location of the fort has never been determined, but it was probably positioned around what is now the corner of First and Reid Streets. The fort was quite large and possibly extended north past what is now Main Street and as far west as Third Street. The facilities of the fort included a hospital, powder magazines, barracks, blockhouses and stables for more than 400 horses.

By 1843, when Fort Shannon was deactivated, a small town had been established. With the military gone, the town began to develop its own support facilities which the fort had provided.

In 1851 the earliest known map of "Pilatka" was done. This map showed the grid street pattern of the little town along the river. A portion of the northeast neighborhood had already been laid out with some of the properties utilized. (see figure 39)

Also in 1851, Judge Isaac Bronson moved to Palatka and purchased ten acres of land on the north side of town along the river. This area was known as Sunny Point and today it is Mulholland Park. It is in the northeastern portion of the study area.

St. Marks Episcopal Church was constructed in 1853 on the corner of what is now Second and Main Streets. The Church was designed by New York Architect Richard Upjohn. The church, which has been altered slightly, is on the National Register of Historic Places.

Judge Bronson built a home for his family at Sunny Point in 1854. The wood frame plantation style home with its two level porches on the east and south, was constructed with lumber from the Palatka Saw Mill, of which Bronson was part owner. The house complex included several out buildings and a small dock at the river.

Judge Bronson died in 1855 and by the time of the Civil War his wife had moved back to New York leaving the mansion unoccupied.

The ownership of Sunny Point by the Bronson family caused further home construction to take place several blocks to the west instead of along the riverfront. The area became an ideal location for large prestigious homes because of the large Bronson estate and the areas proximity to the central business district.

The years following the Civil War saw Palatka grow quickly. The cypress industry and a new tourist boom caused rapid growth. Expansion of the commercial and residential areas follows. The commercial area of Palatka grew towards the southwest along the river since it could not grow further north. This enabled the area west of the Bronson estate to remain residential in nature.

It was not until the coming of the railroads in the early 1880's that the northeast area began to grow. When the railway was brought down Main Street and a station built at the rivers edge, the neighborhood became a prime location for merchant class homes.



Fig. 40: St. Marks Episcopal Church, 1854



Fig. 41: Bronson-Mulholland House, 1854

During the 1880's and 1890's, contractors built many speculative homes throughout the northeast neighborhood. Several groups of these homes still exist in the area. Many different types were built, from small single story homes with minimal detailing to elaborate two story residences. Slight variations in plan and exterior treatment are evident throughout the speculative type homes. Figure 42 shows three such homes on Fourth Street.

Many large custom homes were also built during the same period. Two examples of these custom homes are; the Bullock House, figure 43, built in 1896, and the Wycoff House, figure 44, built in the 1890's.

A train yard for the Florida Southern Railway was constructed on the block between Main and Madison Streets and Fourth and Fifth Streets during the late 1800's. Hotels sprang up south of Main Street a few blocks from the river to serve the rail stations.

November 7th, of 1884 saw a great fire destroy most of the downtown area of Palatka. Only a few buildings were left standing in the central business area along the river. The fire was not able to spread into the northeast neighborhood because of the fire break Main Street provided. The downtown area was quickly rebuilt and within a year the town was back to normal.

By 1887 the Florida Southern Railroad had constructed a depot at the foot of Main Street and a rail bridge across the St. Johns River to East Palatka.



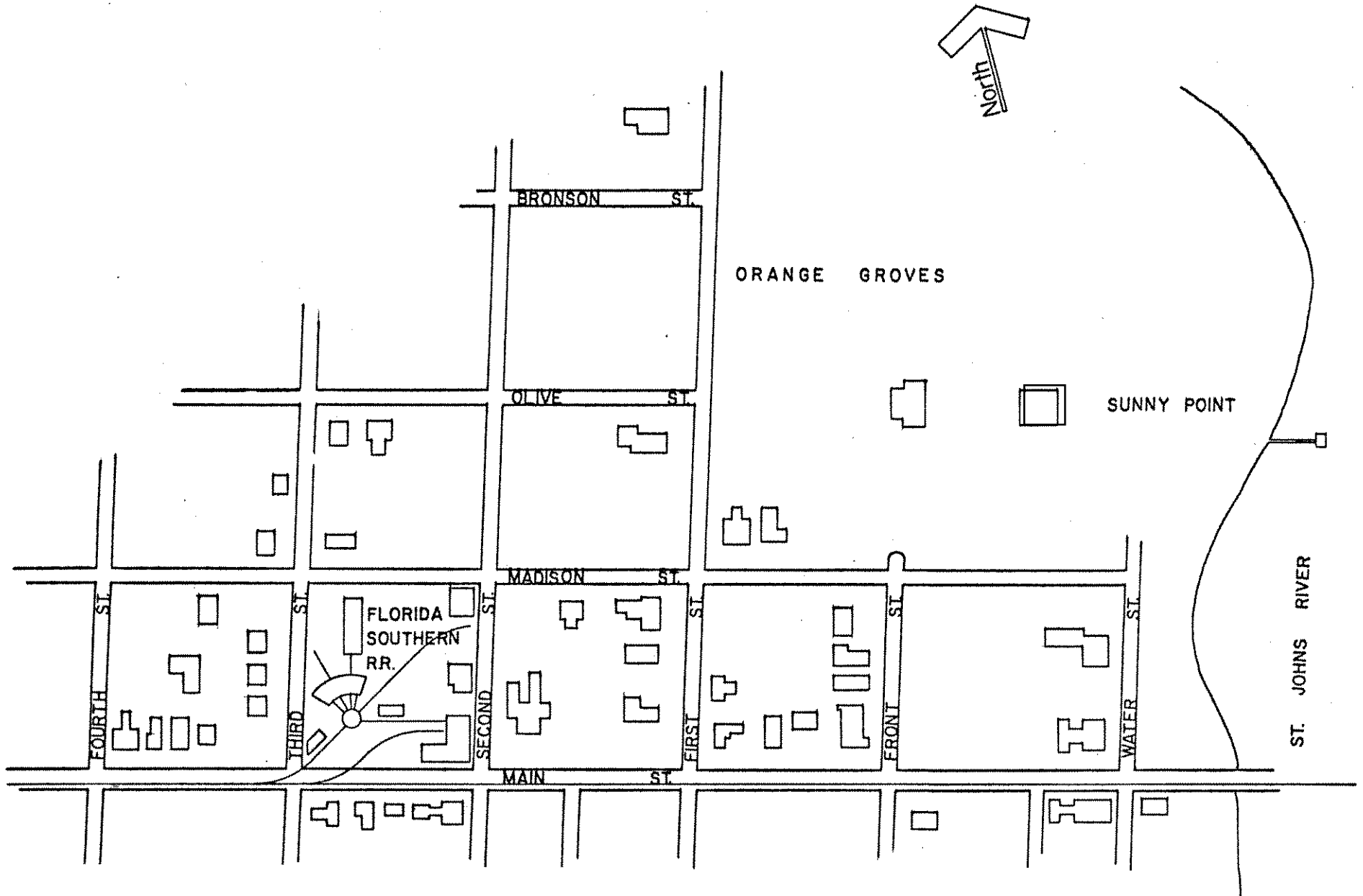
Fig. 42: Speculative homes from the 1890's



Fig. 43: Bullock House, 1896

Neighborhood 1885

Fig. 45



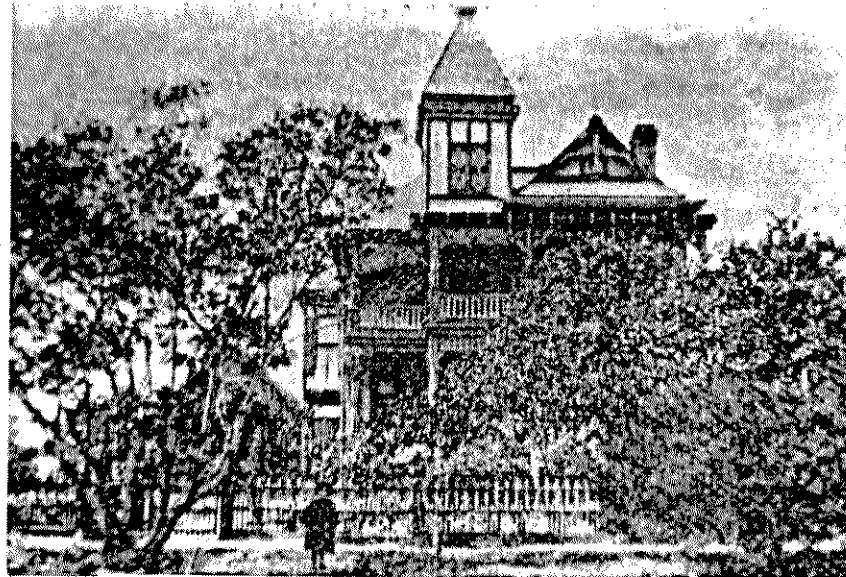


Fig. 44: Wycoff House, 1890's

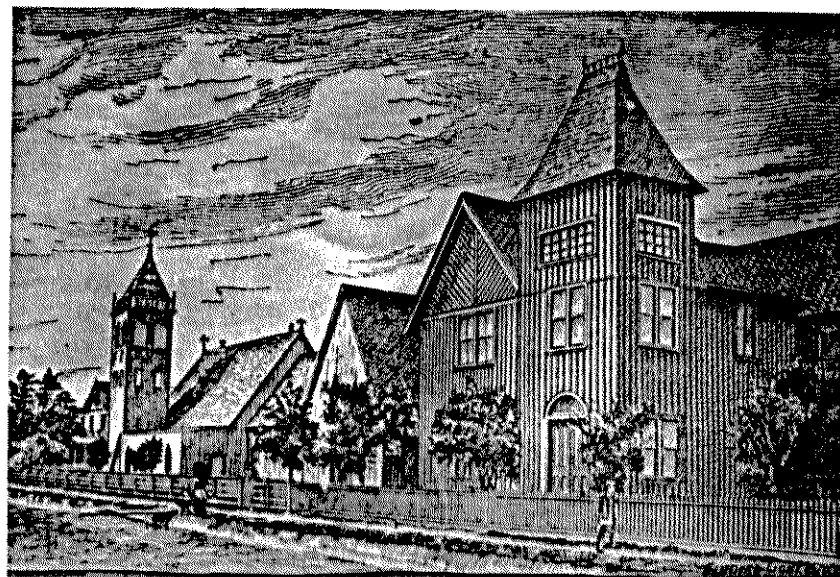


Fig. 46: View of St. Marks Church & Kennerly House,
about 1900

The decade following the great fire was one of the greatest development periods in Palatka's history. The business district continued to grow and developers constructed many new homes. Soon the port was busy again. The hotels were full of guests and the town was booming. Palatka continued to grow to the southwest avoiding the residential area to the north and the "quarters" to the northwest.

In 1890 Southern Railways opened its new terminal at the corner of North Third and Dunham Streets. This development changed North Third Street into a thoroughfare. More prominent homes were built and the orange groves were replaced with live oak trees along the streets. Continued removal of the orange groves, which had earlier covered most of the northeast area, was spurred by the great freeze of 1894-95. This freeze wiped out a major portion of the citrus crop and the result devastated the local economy.

The cypress mills and the tourist industries held Palatka together during this critical era. By the early 1900's the town had recovered. Several new industries brought a renewed prosperity to the city.

In 1907 the city began a public improvements program. The brick paving of certain streets, construction of sidewalks and the installation of more water lines, took place.

The streets in the northeast neighborhood were paved between 1910 and 1920. A gravel and asphalt surface was first applied then some years later brick was laid in. Figure 49 shows how North Third Street looked just after the street was bricked.



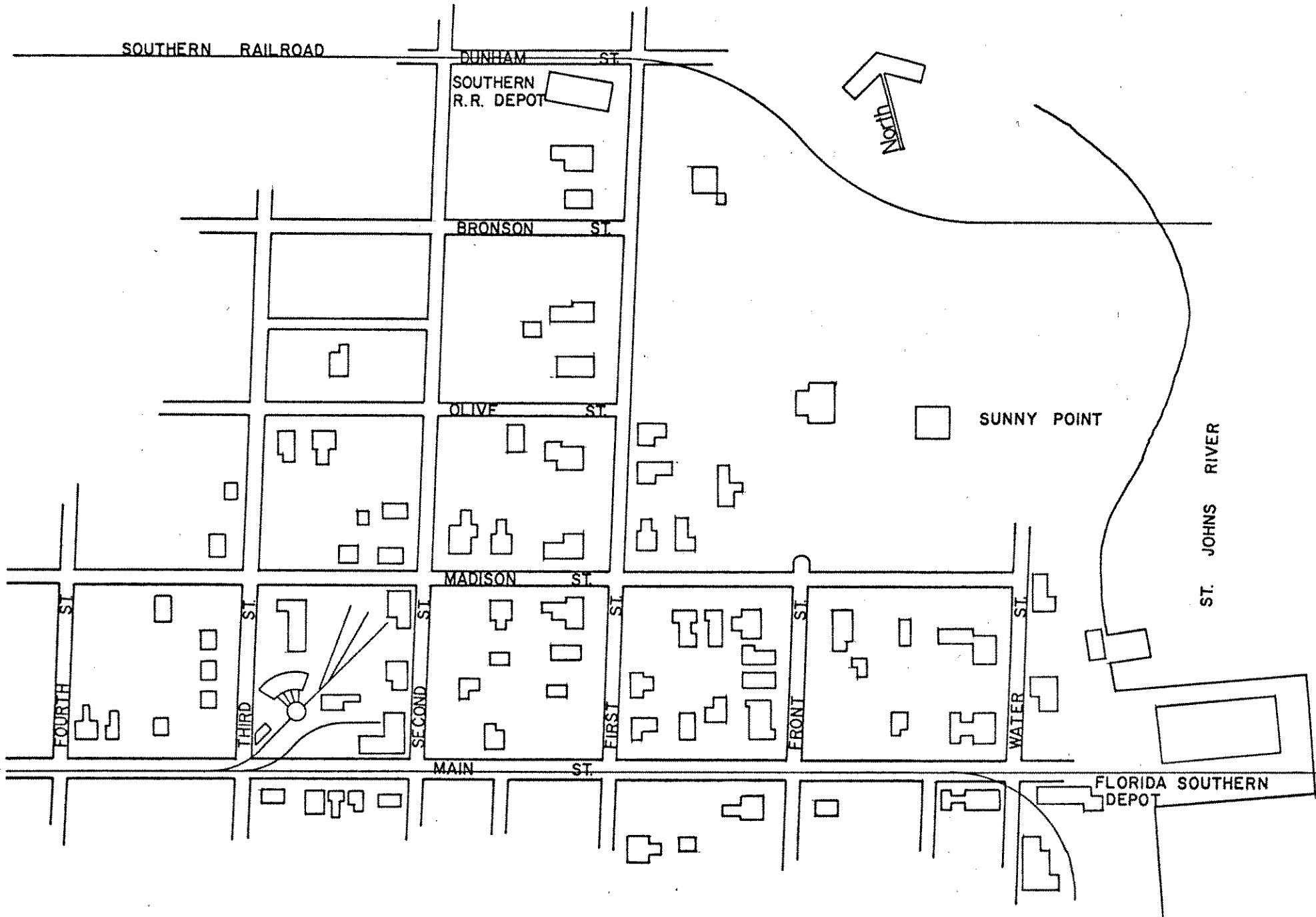
Fig. 47: Southern Railroad Depot, 1890



Fig. 49: Third Street about 1910

Neighborhood 1897

Fig. 48



Sometime in the early 1900's Sunny Point was parcelled off. With the large Bronson Estate subdivided and sold off, several new homes were built along the river. The largest of these was the Wilson Home, built in 1916. It was designed by an architect named Kamp. The house has not been altered since it was built. (see figure 50) Across Madison Street from the Bronson House a large shingle style home was built and today it is the Glendale Clinic. At about the same time the Palatka Ice Company built their plant on the corner of Main and Sixth Streets along the railroad. The Southern Utilities Company built a gas plant directly across Main Street to the north in 1924.

By the mid 1920's the northeast neighborhood had achieved the basic form in which it exists today.

Prior to 1930, Southern Coast Line Railroad relinquished ownership of its rail yard on Main Street and the property was taken over by the Gem City Building Materials Company.

Little change took place in the neighborhood between the 1930's and the 1970's. The only major changes have been the establishment of a ball park on the site of the old Gem City Building Materials Company and the demolition of the railway bridge across the river from the end of Main Street. The bridge is shown in figure 52.

The restoration and adaptive use of the Bronson House by the city has been a major boost towards the improvement of the neighborhood. Recent developments have caused several buildings within the neighborhood to be removed. The glendale clinic was raised and a small house at the corner of Main and Fourth Streets was moved. The loss of the Glendale Clinic was tragic.



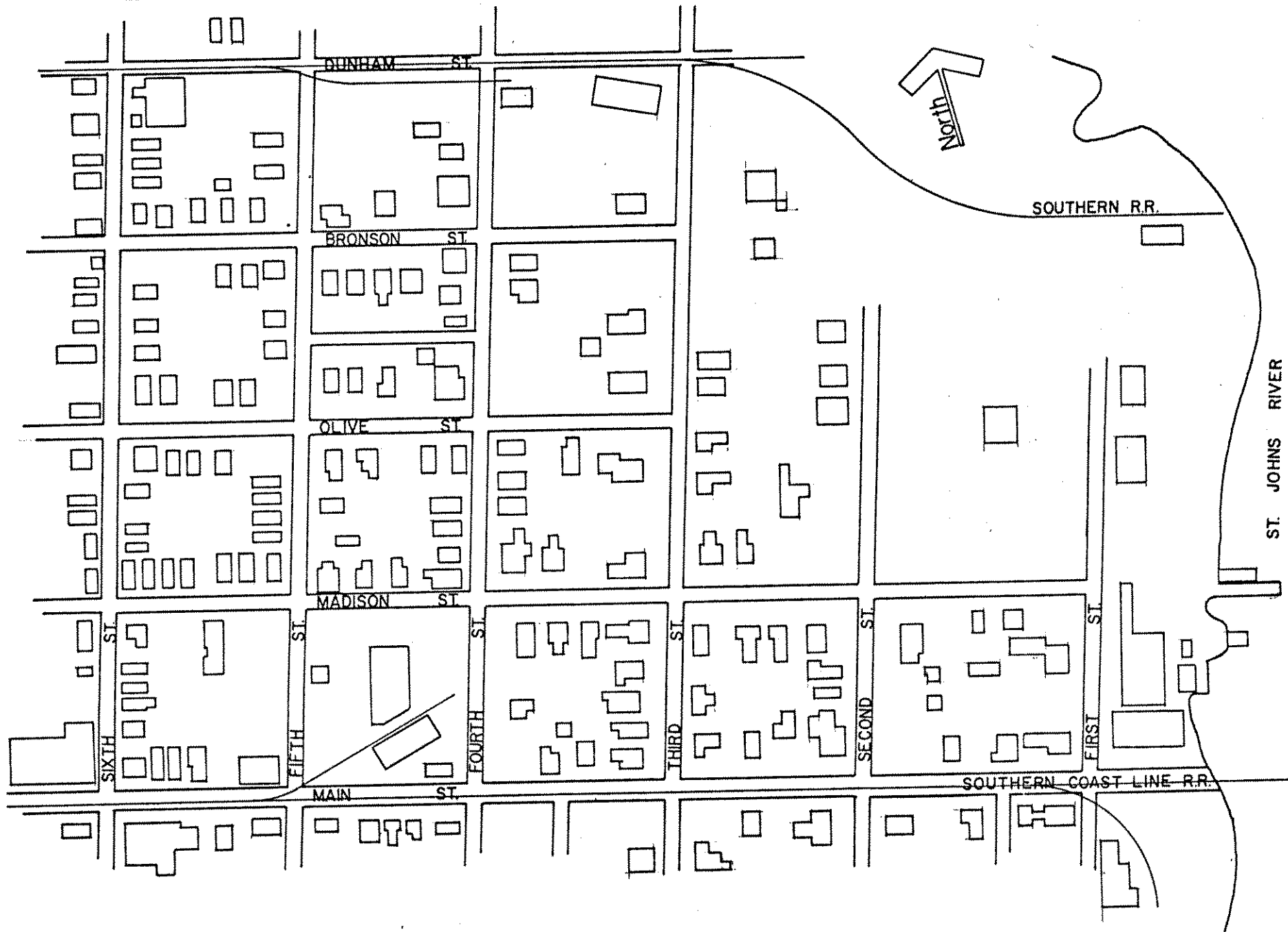
Fig. 50: Wilson House, 1916



Fig. 52: Railroad bridge at Main St., about 1900

Neighborhood 1930

Fig. 51



Presently the neighborhood maintains its unique blend of architectural, historical and visual character. Most of the small gardens and fences along the streets have disappeared but the large lots and tree lined brick streets have remained. The compactness and quiet nature of the neighborhood remains intact since the area is not faced with the development pressures as the city grows toward the west.

Figure 53 shows the neighborhood as it exists today.



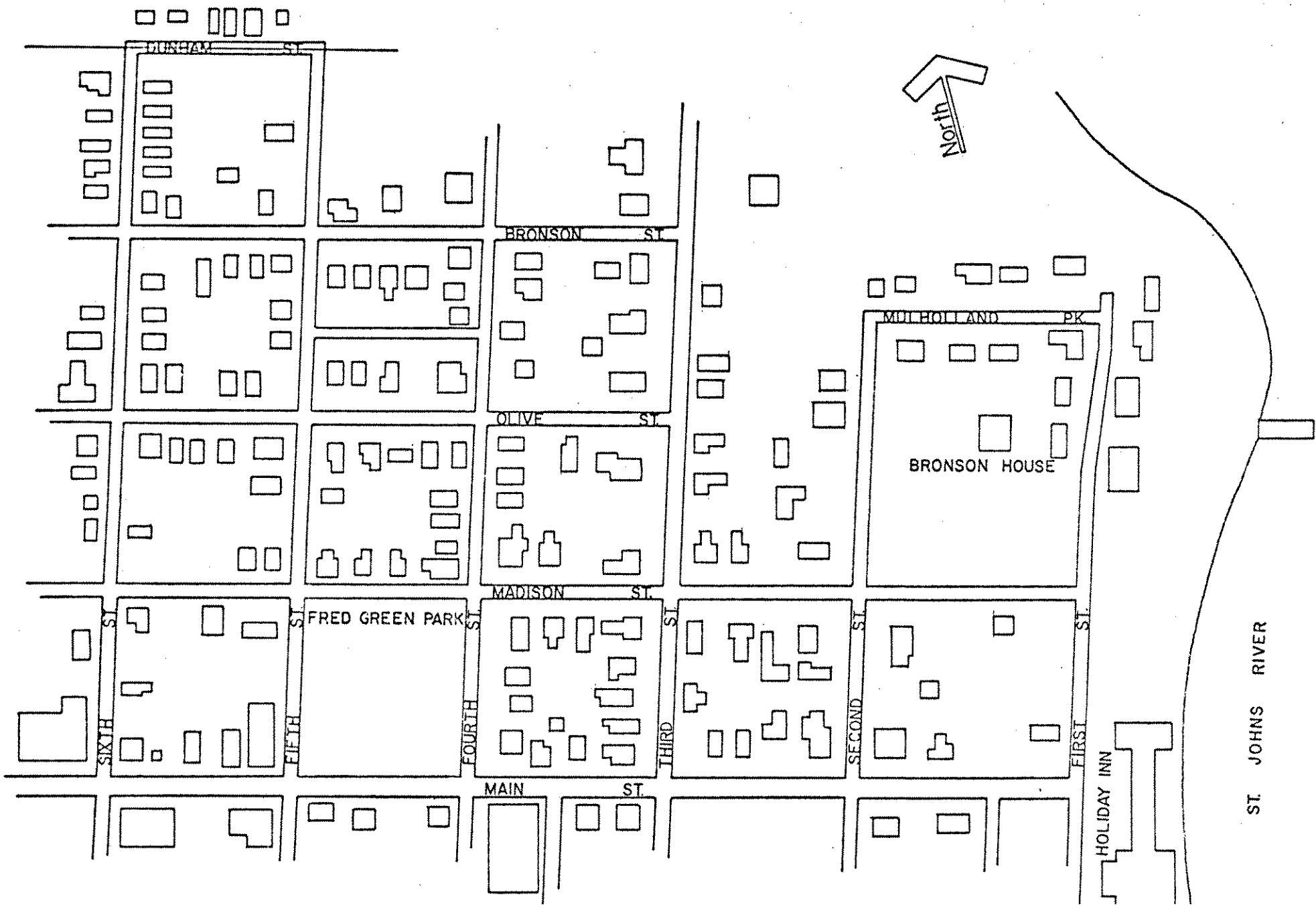
Fig. 54: Second St. looking north from Main Street



Fig. 55: Detail of the Bronson House porch

Neighborhood 1978

Fig. 53



**SPECIAL PUBLIC INTEREST DISTRICTS:
A MULTIPURPOSE ZONING DEVICE**

By Frederick H. Bair, Jr.

Introduction

Zoning, red-haired stepchild of planning, is neglected, overworked, and scolded for not doing better. Ever-broadening planning concerns push new priorities ahead of zoning improvement, but load zoning with new and unfamiliar tasks—esthetic controls, assurance of low-income housing in upper-income suburbs, ecological preservation, provision of common open space, timing of growth, and protection of historic districts, to name a few.

For more effective service of expanding public objectives, zoning needs extensive and systematic improvement. In most jurisdictions, it isn't getting it. Instead, ad hoc amendments hastily contrived to deal with pressing public or private crises (real or imagined) focus narrowly on immediate problems. In time, these makeshifts amass into conglomerate verbiage rich in "provided however's" but lacking in intelligibility, coordination, equity, or apparent relation to real public purposes.

Dealing piecemeal with recurrent disasters leaves little time for devising broad regulatory improvements which would avert many of them. In addition, there is often legislative and administrative disinclination toward overhaul which might lead to doing things in unaccustomed ways.

As a matter of strategy, earnest zoning reformers sometimes find it advantageous to proceed from minor crisis to major innovation without appearing revolutionary. The rule here is to seek a solution to the immediate problem which remedies as many regulatory defects as possible and has the broadest possible application. This is how the proposal for special interest districts evolved.

In a seaport city, a billboard was erected in a location where it had every right to be. Extensive urban renewal activities around the CBD had removed most of the old warehouses, ship supply stores, and plants, leaving a few properties in private ownership. The old industrial zoning remained unchanged, pending completion of plans for redevelopment. It was foreseeable that something unfortunate might happen, but until it did nothing was done to prevent it. Thus a permit was issued for erection of a

billboard on privately owned property in what appeared on the zoning map as a heavy industrial district. No eyebrow was raised in the zoning administrator's office. The use was perfectly legal, along with manufacturing plants, gas stations, repair garages, building materials yards, car washes, drive-ins, truck terminals, and the like.

The billboard was erected between the newly completed showpiece waterfront drive and the harbor view it was intended to command, in an area destined (although the plans still were not final) for public uses, high-rise apartments, hotel and office buildings, and fashionable shops.

A front-page picture and story lit the fire. Television, radio, and the press fanned extensive and expansive public outrage. At its next meeting, City Council was reminded of previous appeals for sign controls, particularly in scenic areas, along major traffic arteries, and around important public buildings. The governing body ordered a separate sign ordinance, and one councilman went the extra mile, calling for controls which would require a special permit from City Council for any sign except notices advertising real estate for sale or rent, wherever erected. The idea was shelved on discovery that about ten thousand actions per year would be needed.

Here was an unfortunately typical reaction to a crisis which could have been averted by an earlier change in zoning. The billboard precipitated a crash program for sign control. Had the offense taken the form of any other use permitted in the heavy industrial district, there would have been similar pressures for action against drive-ins, car washes, or whatever else might have been built in this location. The piecemeal remedy proposed dealt with only a fraction of the problem. The solution suggested in the heat of the moment would have compounded regulatory complexity by placing outside the zoning ordinance controls referring to zoning districts.

In this atmosphere of concerned confusion, there was a fortunately typical opportunity to make major improvements in the zoning ordinance, increasing capability to deal effectively with a wide range of planning interests.

Why Special Public Interest (SPI) Districts?

In slow response to long-felt need, a variety of control measures have evolved in recent years. Historic preservation districts provide for conservation of structures and protection of their surroundings.¹ Planned development controls govern unified residential, commercial, office, industrial, or mixed-use planned developments. Flood plain zoning protects life and property and may help maintain ecological balance.² Preservation districts protect watersheds and other resources.

The special public interest district, as such, complements these and fills gaps where other controls are ineffective. It is a broad and flexible device, legally grounded in the requirement that zoning regulations shall have a substantial relation to the public interest. Where there is expressed and demonstrated a special and substantial public interest, and where otherwise lawful zoning controls are used to promote and defend it, there should be little to fear from court tests.

The requirement for substantial relation to public interest and the public welfare has been treated extensively in zoning texts, and hundreds of court cases have hinged on whether or not regulations achieve a substantial public purpose. As a succinct expression, *Corpus Juris Secundum* states: "... Zoning laws and regulations find, or must find, their justification in some aspect of the police power asserted for the public health or in the public interest, or must be justified by the fact that they have some tendency to promote the public health, public safety, or public welfare, or, as otherwise expressed, must have a direct, substantial, or reasonable relation thereto, or to the police power."³

¹ See Ralph W. Miner, *Conservation of Historic and Cultural Resources* (Chicago: ASPO, 1969), 36 pp., \$5.

² Jon A. Kusler and Thomas M. Lee, *Regulations for Flood Plains*, PAS Report No. 277 (Chicago: ASPO, 1972), 68 pp., \$5.

³ Francis J. Ludes, Editor-in-chief, *Corpus Juris Secundum, A Complete Restatement of the Entire American Law as Developed by All Reported Cases* (Brooklyn: American Law Book Co., 1958, with cumulative pocket supplements to 1972), Vol. 101, *Zoning*, §7, pp. 684-686.

The statement above runs across the tops of three pages. Below are fine-print citations of court cases up to 1958, buttressed by another two pages in the 1972 pocket supplement.

Variations on the Special Public Interest District Theme

Use of the special public interest device involves a number of variables which provide flexibility in adapting to particular regulatory needs. In summary, these are as follows:

1. *The statement of intent*, setting forth the nature of the special and substantial public interest to be served by the regulations.

2. *The effect of the regulations*. SPI controls can either substitute completely for previous zoning in the area affected, or can modify existing zoning by adding or subtracting permitted uses or increasing or decreasing requirements within the area. In the first case, the map amendment would be in the form of a completely new district indication. In the second, the boundaries of the district would be indicated by an overlay (usually of a distinctive pattern) showing where the SPI modifications apply to existing zoning. As a further refinement, there may be subdistricts within an SPI district.

3. *Procedures*. Administrative procedures can vary widely. Determinations on applications for permits in some areas might involve a planning staff determination only; staff plus the planning commission; or staff, commission, and the governing body, with or without the full panoply of public notice and hearing. In other cases, the matter might be handled by regular special exception proceedings by the board of adjustment. There can be referrals to special officially appointed boards or to appointed officials of the jurisdiction not usually involved in routine zoning matters. At the simplest level, no extraordinary procedures may be needed, and the zoning administrator handles applications for permits in the usual way.

The choice among these devices will depend on the nature of the special public interest. Examples of varying treatments are given later.

Illustrative Draft Language for Establishing Special Public Interest Districts

In the following illustrative draft, Article V in the ordinance deals with special districts, including such things as historic conservation districts, flood plain districts, and the like.

As in the case of certain other kinds of special district regulations, if there are to be several classifications within the general category, it is desirable to begin with a general section indicating intent in establishing the controls, to state procedures for preparation and adoption of individual SPI district amendments, and to provide any other general guidelines and limitations. This may help to eliminate redundant language as individual district regulations are prepared.

Special Public Interest Districts Generally

An example of draft language for such a general section follows.

500. *SPI: Special Public Interest District*

501. *Intent.* It is the intent of these regulations to permit creation of *Special Public Interest (SPI)* districts:

- (a) In general areas officially designated as having special and substantial public interest in protection of existing or proposed character, or of principal views of, from, or through the areas;
- (b) Surrounding individual buildings or grounds where there is special and substantial public interest in protecting such buildings and their visual environment; or
- (c) In other cases where special and substantial public interest requires modification of existing zoning regulations, or repeal and replacement of such regulations, for the accomplishment of the special public purposes for which the district was established.

It is further intended that such districts and the regulations established therein shall be in accord with and promote the purposes set forth in the Comprehensive Plan and other officially adopted plans of the city in

accordance with it, and shall encourage land use and development in substantial accord with the physical design set forth therein.

502. *Effect of SPI District Designation.* Such SPI districts either:

- (a) May supplant districts or portions of districts existing at the time of creation of a particular SPI district, or
- (b) May have the effect of modifying requirements, regulations, and procedures applying in existing districts or districts hereafter created and remaining after SPI districts are superimposed, to the extent indicated in the particular SPI amendment.

Commentary

In laying groundwork for unknown, as well as known, future applications, it is well to allow broad latitude. Section 501 does this with respect to circumstances under which SPI districts may be created, Section 502 with regard to the effects of SPI designation.

Without the restriction below, an epidemic of privately proposed amendments might result. It seems reasonable to limit preparation of proposed amendments to the planning commission, which is at least theoretically in a position to judge competently whether or not SPI treatment is deserved and to recommend appropriate regulations. In the absence of planning commission initiative, proponents of worthy causes might induce action through the governing body.

503. *Preparation of Recommendations for Specific SPI Zoning.* Recommendations for specific SPI zoning shall be prepared by the Planning Commission on its own initiative or at the direction of City Council. Each recommendation shall identify the proposed zoning by the SPI prefix and a number identifying the particular district, as for example SPI-1, and shall contain information and recommendations as indicated below concerning the areas, buildings, and/or premises proposed for such regulation.

503.1. *Statement of Intent.* The application shall include a statement of intent, specifying the nature of the special and substantial public interest involved and the objectives to be promoted by special regulations and/or procedures, within the district as a whole, or within subareas of the district, if division into such subareas is reasonably necessary for achievement of regulatory purposes.

503.2. *Proposed District Boundaries.* The recommendation shall include a map or maps indicating:

- (a) The boundaries of the SPI district and any subareas established within the district for purposes of SPI regulations.
- (b) The zoning designations of all portions of underlying districts, if any, which will remain after SPI zoning is superimposed and the general regulations of which will be affected by the superimposed SPI zoning. Where it is proposed to change the boundaries or zoning designation of remaining underlying districts affected in the same action by which SPI zoning is applied, the map shall show the nature and location of such change.
- (c) The location and zoning designation of districts or portions of districts, if any, to be supplanted by SPI zoning.

Commentary

One of the advantages of the SPI district approach is that it allows a fitting of district boundaries to the particular public-interest problem without being bound by conventional considerations of land use or traditions as to drawing district lines to coincide with rear property boundaries or to include all four corners of an intersection in one zone if reasonably possible. If the purpose is to prevent the new civic center complex from being besieged by billboards, gas stations, and drive-in eateries in its visual environs, the visual environs are delineated on the map and the prohibitions applied to the portions of underlying districts involved, leaving other underlying regulations undisturbed.

503.3. *Proposed Regulations.* The Planning Commission's recommendations shall include regulations designed to promote the special purposes of the district, as set forth in the statement of intent. In particular, such regulations may require submission of detailed site plans, building plans and elevations, and maps indicating the relation of proposed development to surrounding or otherwise affected property in terms of location, amount, character, and continuity of open space; protection of desirable principal views; convenience of access through and between buildings or in other locations where appropriate for public purposes and where such access will reduce pedestrian congestion on public streets; separation of pedestrian and vehicular traffic; signs; lighting; mixtures of proposed uses; and other matters as appropriate to determinations related to the special public interest of the district and the objectives to be promoted.

The regulations may require special approval of such plans by the Planning Department, Planning Commission, City Council, or other officials or agencies of the city, generally within the SPI district or in designated portions of the district, and generally for all development or for specified classes of development. Where the Board of Adjustment is involved in such approvals, they shall be termed special exceptions and processed as such.

Where such special approval is required, no building permit or certificate of occupancy shall be issued until after written approval, or for development other than in accord with approved plans and instruments.

Commentary

Amendments creating SPI districts would be handled by the governing body in the same manner as other amendments, with the usual requirement that if substantial changes are made in the planning commission's recommendations, they shall be referred to the commission for further comment.

As a mechanical detail, where the amendment section of the ordinance indicates broadly that amendments may be initiated by the governing body, the planning commission, or by petition of the property owner, and where it is proposed, as in the language above, to limit initiation of SPI amendments to the planning commission or the governing body, it may be necessary to change the section on initiation of amendments to begin: "*Except where initiation is otherwise limited in these regulations, amendments to the zoning ordinance may be initiated by. . .*"

At this point, the form taken by what amounts to local "enabling legislation" will depend on what is already in the ordinance and how it is anticipated SPI districts will be used. In the present basic controls and in the examples of their application, it is assumed that some major developments will be under the SPI district umbrella and that relatively sophisticated regulatory techniques will be used, involving among other things transfer of development rights, air rights, requirements concerning pedestrian open space, variation in lot coverage limitation at different heights, and the like.

Where certain of these elements will be applicable to several anticipated districts, consolidated material placed in the basic section saves space. Where a device is used in only one district, it is probably preferable to have all the details in the specific controls for that district.

The example here assumes that transfer of development rights is not already provided for in the ordinance; that the jurisdiction believes that some solutions proposed may be desirable even though not precisely fitting regulations; that floor area ratios are being used for the first time in control of lot-by-lot development; that dealing with air rights is something new in the locality; and that building spacing other than by crude yard requirements is a relatively new idea. The example further assumes that these devices will be used in several districts and so inserts material of general application at this point.

In adapting such controls, it will be necessary to tailor to local circumstances, in which there will be two principal considerations. The first is the condition of the existing ordinance. If it already contains adequate general provisions

on matters like those discussed above, it will not be necessary to repeat them in the general SPI section. If it does not, a judgment must be made as to how much innovation should be attempted at once.

The climate for innovation is probably best when major development in unfamiliar forms is foreseen, when there is acute discomfort about the ability of existing regulations to handle it properly, and when there will be opportunity for extensive participation in the experiment. Where the governing body, the planning commission, the planning staff and other officials and agencies of government will all have parts in the action, and where the governing body and the planning commission, at least, will have a chance to sound out public opinion formally or informally before making their decision, there is likely to be less hesitation about venturing into locally unknown territory. When it proposed to delegate strange new powers, however carefully defined and limited, to a single official or agency in the bureaucracy, the reluctance grows.

504. Transfer of Development Rights. In SPI districts hereafter created, transfer of development rights between adjoining lots in separate ownership may be permitted on application by City Council, either by separate use permit proceedings or in connection with actions on applications for building permits in SPI districts in which Council review and decision is required. In either case, recommendations from the Planning Commission shall be required, as provided in Section _____.

Commentary

Here the reference should be to the section of the ordinance setting forth requirements for planning commission recommendations on certain classes of actions. The requirement for public hearings before the commission may be waived for this type of recommendation.

The following considerations shall govern decisions in this class of case:

- (a) The lots shall be so related to each other as to make the transfer logical in terms of the performance of the functions proposed.
- (b) As appropriate to the circumstances of the case, for purposes of transfer of development rights, lots may be considered to adjoin even though they are separated by streets or alleys if buildings on such lots are connected by pedestrian or vehicular ways (depending on the needs of the uses involved) which eliminate conflicts with vehicular traffic on such streets or alleys.
- (c) Development on such lots may be permitted as though they were a parcel in single ownership.
- (d) Such development shall not alter the effect of the regulations applicable to the area under agreement as a whole, but may alter the effect on individual lots within said area, provided, however, that at the edges of such area the relation to adjoining property shall be the same as where regulation is applied on a lot-by-lot basis.

504.1. Application for Transfer of Development Rights. Whether separate or as part of applications for building

permits, applications for transfer of development rights shall include:

- (a) A plan demonstrating that the development as a whole conforms to the regulations for the district in such a manner that light, air, view, privacy, access, density or land use intensity, height, bulk, off-street parking and loading, and other objectives of public control are satisfied to an equivalent or higher degree than if regulated on a lot-by-lot basis under separate ownerships. The plan shall also indicate that the effect on adjoining lots will be the same or that adverse effects will be less than if lot-by-lot regulations were applied.
- (b) In addition, the application shall include an agreement binding the applicants and their successors in title, individually and collectively, to maintain the pattern of development proposed in such a way as to conform with applicable regulations. The right to enforce such agreement shall also be granted to the City.

504.2. Findings Required. If City Council finds that the area involved is logical in relation to the form of development proposed, that the proposed development as a whole conforms to the intent and requirements set forth above and in general provisions concerning use permits, and that the proposed agreement has the approval of the City Attorney and other affected officials and agencies of the City and assures future protection of the public interest and the achievement of public objectives to the same or a higher degree than would application of regulations to the individual properties, the transfer of development rights shall be approved and any permits depending thereon may be issued, in accordance with general requirements relating thereto.

504.3. Recording Transfer of Development Rights. Notation concerning the transfer of development rights, indicating number, date, and property involved, shall be made on the official zoning map. A copy of the plan and agreement shall be filed in the office of the zoning administrator for future guidance on administration and as a public record. The plan and agreement shall also be recorded with the clerk of the court. (Note: The reference here should be to the official or office in charge of recording plats.)

Commentary

The essence of the transfer of development rights principle is that in zoning matters the jurisdiction is concerned with the pattern of development, not the pattern of ownership. Where property owners agree among themselves, anything can be done on the property which could be done if it were in one ownership.

Thus, where there is a row of lots, density (or floor area) can be siphoned off from some to allow concentration on others. Under height regulations using light planes, this could be used to encourage spaced towers, since the planes would incline inward from the outer boundaries of the

farthest lots included in the agreement. Or in a complex involving offices, hotels or apartments, and parking garages on lots across the street from each other and connected by pedestrian or vehicular bridges or tunnels, floor area might be transferred across the street from one lot or set of lots to the other, and parking requirements for the whole complex met on one group of lots. The floor-area transfer involved here should not result in inordinate building bulk concentration if height planes and lot coverage limitations are used judiciously, since the effect on properties adjoining the outer lots in the transfer combination is required to remain the same as though they were individually developed.

505. *Variations from General Regulations Applying in SPI District.* As part of general action when plans require approval by City Council, or by special permit proceedings, Council may authorize variations from regulations generally applying in an SPI district upon making findings that:

- (a) A plan proposed by an applicant, while not strictly in accord with regulations applying generally within the district, meets public purposes and provides public protection to an equivalent or greater degree; or
- (b) In the particular circumstances of the case, strict application of a particular regulation or regulations is not necessary for the accomplishment of public purposes or the provision of public protection, at the time or in the future.

No such variation shall increase the population density or the maximum floor area generally permitted in the district.

Notation concerning the existence of such variation shall be made on the official zoning map, by appropriate identification and date, and a copy of the variation shall be filed in the office of the zoning administrator for future guidance and as a public record. As appropriate to the circumstances of the case, a copy may also be recorded with the clerk of the court. (*Note:* The reference should be to the official or office in charge of recording plats.)

Commentary

The term *variation* is used here to make some distinction from *variance*, an action involving findings of unnecessary hardship and action before the board of adjustment. No hardship is necessarily involved here, and the action is before the governing body, to remove some of the onus of administrative discretion. In effect, the findings are that in the particular circumstances of the case strict application of the regulations would not bear substantial relation to public interests and might in fact result in a solution less desirable from the public's point of view than the one proposed.

As an example, where regulations on height or yards are related to protection of light and air on streets and an applicant has a lot running between a street and a broad waterway, it might be preferable to allow less yard width and greater height toward the waterway than permitted under strict application of controls, in exchange for a wider

yard or lesser height than required at the street frontage.

Obviously, the controls should have been framed with the waterway in mind. Equally obviously, many of our regulations overlook acceptable possibilities, and there should be some prompt remedy available when it can be demonstrated that they have done so.

Provisions like those set forth above (and earlier language on transfer of development rights) should at this stage of regulatory evolution appear in general zoning, rather than in specialized sections of the ordinance. Since they are as yet relatively uncommon, they have been included here for the sake of complete treatment.

One other refinement is tempting but should be treated with great caution if used. Complementing the arrangement for *loosening* controls when they are unnecessary or inefficient might be a device for *tightening* them when unusual circumstances warrant it. If such a device is used, there should be fair warning about it in regulations for particular districts. If language along the following lines is to be included, it should be inserted in the above provisions just ahead of the requirements concerning notations on the zoning map.

As part of general action when plans require approval by City Council, or upon recommendations of the Planning Department, the Planning Commission, or other officials or agencies of the city charged with approval responsibilities under SPI procedures, Council may require variations from a regulation or regulations applying generally within the district upon making findings in a particular case that such variations are necessary to achieve the public purposes set forth for the district, or for public protection or protection of the environs of particular buildings and premises of special and substantial public interest, or to ease the transition from one district to another. Such variations may require relocation or increase in yards or other open space generally required, reduction in height generally permitted, additional limitations on uses, and buffering and screening, among other things.

Commentary

If such language is included, the "fair warning" in a particular set of SPI controls might take the form used later in illustrative language at Section 538:

"Height Limitations: There shall be no general height limitations within this district, but height limits may be set for particular developments in the vicinity of the Cabot House, the Lodge House, and Episcopalian Academy and the Customs House, as provided in Section 505. *Variations from General Regulations Applying in SPI Districts.*"

506. *Floor-Area Limitations; Gross Lot Area for FAR Application.* Maximum floor area permissible shall be determined by floor-area ratios applied to gross lot area. Gross lot area shall be computed as area within lot boundaries plus one-half of adjacent permanent open space, up to a maximum established by regulations for individual districts. In the case of corner lots or other lots involving adjacent space along more than one boundary, the area remaining after computation of areas

alleviation of parking problems. Permissible exclusion of floor area in malls and arcades is a form of reward for private provision of public access. And the final provision avoids a floor-area penalty for interior spaces more than one story high.

506.1. Air Rights as Base for Floor-Area Limitations. Where air rights are involved, the area of the net area of a lot, with additions for permanent open space adjacent as for lots. Where the space below such air rights is occupied in whole or in part by buildings, the maximum floor area permissible shall include the countable floor area of such buildings.

507. Pedestrian Open Space, Defined: General Requirements for System. The term pedestrian open space shall be construed to mean walkways, plazas, and the like, designed, improved, and maintained for use by pedestrians, and open to general use by occupants of the premises or the public. Such space shall not be open to vehicular use except for public transit, servicing, and maintenance. Its area shall be computed to include related landscaping.

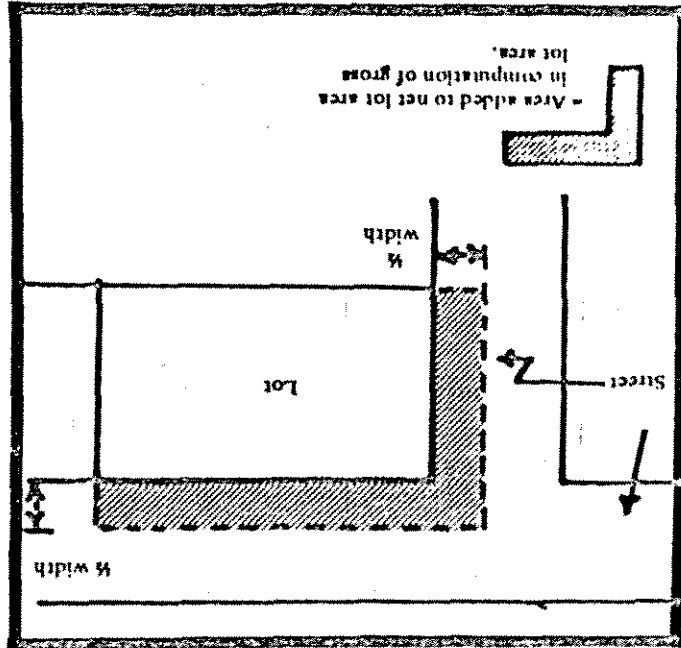
Pedestrian open space need not be at ground level and may include pedestrian ways which are sheltered by independent roofs or by projections from or of buildings above them. Where feasible, pedestrian open space shall be so oriented, proportioned, and improved as to serve as part of a coordinated general pedestrian system connecting principal origins and destinations supplementing public sidewalks along streets.

Commentary

In the metropolitan center special public-interest regulations which appear later, the pedestrian open space system is a key element in several districts. For this reason, the term is defined here, to avoid repetition in the individual districts. The next provisions, dealing with building spacing, set the stage for a form of regulation which relates function to control in a somewhat more effective manner than is often the case.

508. Spacing Between Buildings; Methods for Computation. Spacing between buildings and portions of buildings shall be a minimum of the combined requirements for affected individual walls of the buildings involved and shall govern spacings of buildings or portions thereof on the same or adjoining properties. Space between buildings or portions of buildings shall be measured in a horizontal plane at right angles to the face involved, or radially in the case of curved surfaces. Such distance as is not otherwise provided by public streets or other permanent open spaces shall be provided on the individual lots, except that if owners of adjacent or abutting property agree, through transfer of development rights as provided at Section 504, to an arrangement of buildings on their respective lots which accom-

adjacent to the sides shall be computed as the portion enclosed by excision of the boundaries, as indicated by A in the diagram below.



For purposes of computation of maximum permitted floor area, the following shall be excluded: all floor areas six feet or more below the average graded surface of the lot; off-street parking and loading areas above this elevation not to exceed one-third of the total permissible floor area; floor area in malls and arcades forming a continuous part of the pedestrian system for the district; and floor areas other than at the base in interior spaces more than one story high.

Commentary

The system used here recognizes the performance of permanent open space outside lot boundaries in providing light and air and, in the case of corner lots, in providing improved access to the building. FHA uses this principle in establishing base land area for floor-area ratio computations. The maximum of such open space to be added to net lot area will vary according to location within the urban pattern, highest in downtown areas and lowest in outlying sectors. Here again, FHA's land-use intensity approach provides some guidance. The limit for downtown metropolitan centers might run as high as 80 to 100 feet, with suburban locations as low as 30 to 40 feet. Obviously some limit is essential—otherwise bayfront locations or those adjacent to major parks would achieve astronomical bonuses.

Treatment of air rights is of growing importance. The first provision below deals with this. The second deals with exclusions from floor area and can be tailored to fit local objectives. The exclusion of underground space recognizes that it does not contribute to the apparent bulk of the building. Exclusion of off-street parking and loading floor area in buildings recognizes the contribution of such space to

plishes the same or greater separation, and construct and maintain such buildings and spacing in accordance with such agreement, the purposes of these requirements for building separation shall be considered to have been met.

Nothing herein contained shall be deemed to prohibit the connection of buildings by covered malls or covered, enclosed, or unenclosed walkways, at or above ground level.

Where portions of buildings are at different elevations, spacing shall be as required by the wall of the building nearest the lot line or building site line where two or more buildings are constructed on one lot, except where spacing for portions farther from the lot line or building site line is greater, in which case the distance so established shall be the required spacing distance for the higher portion. In such cases, lower portions of buildings may extend into areas required for lot line or site line clearance by upper portions, but such lower portions shall provide the clearance required by them.

Commentary

The language above provides general introduction and sets the ground rules for controls in the set of SPI district regulations which follow. In other circumstances, the introductory portion might be more or less lengthy and detailed. But unless there are to be only one or two special public interest districts, it will usually be more effective to combine general procedures, definitions, and requirements in an introductory section than to become embroiled in repetitive language.

At this point, all the "local enabling act" language necessary in the case being used for the present illustration has been inserted. More or less might be needed in other cases, depending on the sophistication of the ordinance involved.

To save space, let it be assumed that the maximum bonus for adjacent permanent open space for all of the specific SPI districts in this illustration is 70 feet. (See Section 506, above, for the implications of this.) Given corner lots or through lots, particularly with exposure to substantial open area and with relatively low net area, the bonus can make very substantial contributions to the gross lot area, with the result that the floor-area ratios used in this illustration may produce substantially greater floor-area maximums than if applied to net lot area. Thus, using the illustration which appears in Section 506, if the lot involved is 100 by 200 feet, with 100 feet of frontage on a 60-foot street and 200 feet of frontage on a street with a wide park on the other side, net lot area would be only 20,000 square feet. Applying a 3.5 floor-area ratio to this would give a maximum of 70,000 square feet. But if bonuses are applied (100 feet x 30 feet, half the width of the 60-foot street, = 3,000 square feet) plus 230 feet x 70 feet (the length of the lot plus half the width of the street on the 100-foot frontage) times the maximum 70 feet credit allowed in the district = 16,100 square feet, the sum of the credits would equal 19,100 square feet, virtually doubling the gross area of the lot, which becomes 20,000 + 19,100 = 39,100 square feet. Applying the 3.5 floor-area ratio to this, the maximum floor area permitted rises to 136,850 feet. This amounts to a floor-area ratio for the net area of the lot of a little over

6.8. Considering the location, the bonus seems eminently justified and indicates the advantage of using gross land area, computed as indicated, over net area as a base for application of floor-area ratios.

For further space-saving, let it be assumed that maps identify the boundaries of the particular SPI districts involved. With these assumptions, the following are samples of specific public interest (SPI) districts in the downtown of a metropolitan seaport, with extensive urban renewal areas available for private redevelopment.

Detailed SPI District Regulations—Example I

510. SPI-1: *Downtown Riverfront District*

511. *Intent.* The Downtown Riverfront District is of special and substantial public interest because of its location between the broad and scenic Squantum River and the newly completed Riverfront Drive and its close proximity to the Civic Center, the Convention Center, the financial district, and the Old Main Street Central Business District. Urban renewal in this area has created potential for high-intensity development in a compatible arrangement of commercial, office, residential, and hotel uses in a unique setting. What happens in this and related downtown areas determines the future of the central city and the influence of the city as a whole in its metropolitan complex.

It is the intent of these regulations to promote a superior level of convenience, comfort, and amenity within the district; to encourage safe and pleasant pedestrian circulation, including access to adjoining districts; and to assure beneficial visual relationships within the districts, with adjoining districts, and from principal viewpoints.

To these ends, development shall be designed to establish an open character, with higher portions of buildings well spaced and oriented with respect to principal views of the river from within the district and from adjoining districts. Pedestrian circulation systems shall form a convenient and coordinated network through buildings and landscaped open spaces, supplementing sidewalks along streets; and, where extensive areas of the shoreline are in such configuration as to allow it conveniently, walkways shall be provided along the waterfront on both public and private property.

Since hotels complement other activities in this and related districts without creating excessive automotive traffic, it is intended to permit higher floor-area ratios for hotel uses than for other uses within the district.

Since the district is separated from major parking facilities in adjoining areas, it is intended that off-street parking requirements shall apply within its boundaries. It is further intended in view of the unusual visual exposure of this gateway to the downtown area, that adverse visual influences such as excessive signs, inappropriate lighting, and open storage shall be prohibited.

512. *Permitted Principal Uses and Structures.*

1. Amusement and recreational enterprises.
2. Clubs and lodges.

3. Commercial or trade schools, other than those of an industrial character.
4. Eating and drinking establishments, including those with dancing and entertainment, but excluding drive-in establishments where persons are served in automobiles.
5. Financial institutions, including banks, savings and loan institutions, brokerage and investment companies, and the like.
6. Hotels.
7. Marinas, cruise piers, and the like, with facilities for fueling and minor servicing, but not including major repair or construction facilities.
8. Multifamily dwellings; attached dwellings.
9. Offices, including studios, clinics, and laboratories.
10. Parking garages; parking lots.
11. Retail establishments, except service stations; new or used automotive, trailer, mobile home, or motorcycle sales and service; or establishments dealing primarily with secondhand merchandise other than antiques.
12. Service establishments, including personal and repair services other than repair services for automotive and heavy equipment.
13. Structures and uses required for the operation of a public utility or performance of a governmental function, except uses involving storage as a primary purpose.
14. Other uses of the same general character as those above, provided that, except for parking lots, outdoor restaurant plazas, marinas, cruise piers, and the like, and areas approved by City Council in general plans or by use permit action, all commercial, office, or service activities shall be conducted within fully enclosed buildings and that there shall be no unenclosed storage or display of merchandise or unenclosed storage of trash or other materials.

513. Permitted Accessory Uses and Structures. Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures shall be permitted in this district, subject to the general restrictions on permitted principal uses and structures. Service stations shall be permitted only within, and as accessory to, parking garages containing 250 or more parking spaces, and with signs visible from off the premises limited to not more than two. Maximum surface area of any such sign shall not exceed 60 square feet, and combined surface area shall not exceed 100 square feet.

Commentary

The requirement that service stations be accessory uses to parking garages in areas where parking facilities are needed and independent stations would be out of place is a relatively new development. For the public, it has the advantage that it adds an inducement to provision of needed parking facilities. For major oil companies or garage operators, it provides the inducement of a captive market for gas and servicing for cars parked, and the privilege of conducting general service station business in an area where

service stations would not otherwise be allowed. The limitation on signs is a control on one of the most objectionable features of service stations, and the requirement that the use be accessory only reduces one of the other adverse impacts in intensive business areas—the interruption of the flow of pedestrian traffic by a use not oriented to pedestrians.

514. Floor Area Ratio. Gross floor area of buildings, with the exceptions noted at Section 506, shall not exceed 1.6 times gross lot area, except that for hotels and residential uses the maximum floor-area ratio shall not exceed 2.4. Where there are combinations of hotels and other uses, combined floor area shall not exceed the total of pro rata shares based on such total lot area.

Commentary

The greater floor-area ratio permissible for hotels and residential uses recognizes their importance to sustained downtown activity and the fact that a substantial proportion of occupants will not be adding to downtown traffic congestion.

Combined with limitations on lot sizes and building spacing, these floor-area ratios would tend to produce buildings in the 12-18 story range (plus any stories for internal parking). Transfer of development rights might result in higher buildings in some locations, balanced by lower buildings in others. In multifamily use, dwelling units per acre would run from 80-120, depending on size of units. In other metropolitan centers, the floor-area ratios might be greater or less.

In the present context, the general configuration of buildings and open space above the lower levels, as limited below, seems appropriate for the location adjacent to a broad river, combining a spacious, uncrowded appearance and intensive use, and protecting views from upper portions of buildings in the district and in adjoining districts.

Basing lot coverage on gross lot area, as defined at Section 506, is a simple and direct method of recognizing the function of permanent open space adjoining the lot in providing light, air, and view protection.

515. Lot Coverage. Lot coverage by portions of buildings exceeding 40 feet in height shall not exceed 25 per cent of gross lot area.

516. Pedestrian Open Space. Pedestrian open space shall be provided in an amount equal to at least 25 per cent of net lot area, except in the case of parking lots and parking garages, for which the minimum shall be 10 per cent. Where property immediately abuts or adjoins the river, the pedestrian system shall include a waterfront walkway at least 12 feet in width.

517. Spacing Between Buildings. Spacing between buildings and portions of buildings shall be as generally established at Section 508. In particular, buildings on the same or adjoining properties may be built to common walls. When not so constructed, minimum separation cumulating from each wall shall be as follows:

- (a) *Solid walls containing no openings* (except as required for fire protection); *parking garage decks*: to 15 feet above ground level, 3 feet; from 15-40 feet above ground level, 5 feet; over 40 feet above ground level, 10 feet.
- (b) *Buildings or portions of buildings containing dwelling units* shall be spaced as provided in "Minimum Property Standards for Multifamily Housing" (FHA #2600), provided that any living room or bedroom window in any dwelling or lodging unit at or below the third story above the level of an adjacent street with right-of-way width exceeding 30 feet shall be a minimum of 25 feet from the right-of-way line, as measured horizontally from its vertical projection.
- (c) *Other walls*: to 15 feet above ground level, 5 feet; 15-40 feet, 10 feet; over 40 feet, 20 feet.

518. *Height Limitations.* There shall be no general height limitation in this district, but height limits may be set for particular developments in the vicinity of the Squantum Street historic area, as provided in Section 505, *Variations from General Regulations.*

519. *Sign Limitations.* No sign intended to be read from any public street shall be permitted except as provided below. These limitations shall not apply to pedestrian ways open to the public through buildings and grounds or to sign structures erected or authorized by the city for the display of temporary public or private notices.

519.1. *Off-site signs, billboards, and poster panels* shall be prohibited.

519.2. *Mounting of signs* shall be only upon buildings, and no sign shall project more than three feet beyond the wall on which mounted, or four feet above the roof of the building. No sign shall project over any public way.

519.3. *Number and area limitations.*

- (a) *For signs erected with their highest portions below a height of 20 feet above curb level*, minimum sign allotment shall be one sign and not to exceed 30 square feet of surface area for each 20 feet (or remaining portion of 10 feet or more) of lot line adjacent to a public street. Such sign area may be used in a lesser number of signs than the maximum permitted. Signs permitted shall be erected only on the exposure of the property from which the allotment is computed. In addition to the sign allotment above, signs may be erected in accordance with Section 513, relating to service stations as accessory uses.
- (b) *Signs erected with their lowest portions at or above a height of 20 feet above curb level* on buildings or portions of buildings shall be only general identification signs designating the name of the building and/or the name and nature of establishments therein. Only one such sign shall be permitted for each exposed face of the building, except that where the length of the building face exceeds 150 feet, a second sign shall be permitted. Minimum area allotment for any such

signs shall be 100 square feet or 2 per cent of the surface area of the building involved, up to a maximum of 300 square feet.

Commentary

In the more intimate streetscape, signs which are visually effective are those which are fairly low and can be seen in the near distance through the windshield or from the sidewalk without tilting the head back. A second class of signs identify major buildings from a distance.

In the regulations above, a distinction is made between the two classes. Without such a distinction, allowance for sufficient area to cover major identification signs might result in use of excessive area at the street level.

520. *Off-Street Parking and Loading Requirements.* Off-street parking and loading shall be in accordance with general parking and loading requirements applying in limited commercial districts. In the course of plan approval on development involving multiple uses with different peak hours for parking requirements, reduction of total requirements may be permitted, subject to appropriate conditions and safeguards assuring adequate parking for all uses involved at peak demand periods.

521. *Applications; Plan Review and Approval.* Before a permit is issued for the construction of any building or reconstruction or lateration resulting in enlargement of any building, detailed site plans, building plans and elevations, and maps or plans indicating the relation of the proposed development to surrounding or otherwise affected property in terms of location, amount, character, and continuity of open space; protection of desirable principal views; convenience of access through and between buildings or in other locations where appropriate for public purposes and where such access will reduce pedestrian congestion on public streets; separation of pedestrian and vehicular traffic; signs; lighting; and such other matters as are appropriate to determinations in the circumstances of the case shall be submitted to the Planning Commission for its recommendations. After due consideration, the Commission shall transmit its recommendations and the application to City Council for its approval.

No such permit shall be issued without such approval. Approval may be granted for the plans as submitted, or conditionally, subject to stated modifications, or may be denied, with written reasons for the denial supplied to the applicant.

Public hearings may be held in connection with such plan review process, with such public or other notice as is deemed appropriate, but shall not be required.

Determinations on such applications shall be based on compliance with the intent of the *Comprehensive Plan* and other officially adopted plans or ordinances of the city in accordance therewith, and in particular shall involve consideration of the intent of the district, regulations for the district, and the necessity for variations in the circumstances of the particular case, as provided at Section 505, *Variations from General Regulations Applying in SPI District.*

530. *SPI-2: Convention Center District*

531. *Intent.* The Convention Center District is of special and substantial public interest because of the existence of the cultural and convention center complex and a number of buildings of historic interest. The area has strong potential for complementary development, attracting both residents and visitors downtown and promoting the vitality of the entire downtown area.

It is the intent of these regulations to preserve existing attractions in this district and to encourage new cultural and recreational facilities and hotel, restaurant, commercial, office, and service uses. In view of the compact nature of the district, its principal functions, its relationship to adjoining districts to the south and west, and the high concentrations of pedestrian traffic anticipated, it is intended that there shall be ample, safe, and convenient pedestrian circulation both within the district and to principal destinations in nearby districts, forming a coordinated pedestrian network through buildings and landscaped open spaces and avoiding conflicts with automotive traffic to the maximum extent reasonably feasible.

Since hotels are an essential element in this district, it is intended to permit higher floor-area ratios for hotel uses than apply generally. Because of the availability of major parking facilities at present and the probability of increase in future supply as a result of public and private actions, plus the fact that many visitors will be without automobiles, it is intended that off-street parking requirements shall not apply within the district.

Because of the anticipated character of the district and the nature of its principal functions, and in consideration of anticipated availability of multifamily residences in the Downtown Riverfront District and other close-in areas, it is not intended to permit residential uses in this district except as accessory to principal permitted uses.

532. *Permitted Principal Uses and Structures.*

1. Amusement and recreational enterprises.
2. Churches.
3. Clubs and lodges.
4. Eating and drinking establishments, including those with dancing and entertainment, but excluding drive-in establishments.
5. Financial institutions, including banks, savings and loan institutions, brokerage and investment companies, and the like.
6. Hotels.
7. Offices, including studios, clinics, and laboratories.
8. Parking garages; parking lots.
9. Retail establishments, except service stations; new or used automotive, trailer, or motorcycle sales or service; or establishments dealing primarily with secondhand merchandise other than antiques.
10. Service establishments, including personal and repair services other than those for automotive or heavy equipment.
11. Structures and uses required for the operation of a public utility or performance of a governmental

function, except uses involving extensive storage or with storage as a primary purpose.

12. Other uses of the same general character as those above.

Outdoor amusement and recreational enterprises, eating and drinking establishments, commercial or non-commercial displays, and appropriate service activities shall be permitted in this district in areas approved on plans for such use; but there shall be no unenclosed storage of merchandise, trash, or other materials.

533. *Permitted Accessory Uses and Structures.* As for SPI-1, provided that dwelling or lodging units shall be permitted only as accessory uses and only for employees, officers, or owners whose functions or duties on the premises reasonably require such facilities.

534. *Floor Area Ratio.* Gross floor area of buildings, with the exceptions noted at Section 506, *Floor Area Limitations*, shall not exceed 4.5 times gross lot area for hotel uses or 3.0 times gross lot area for other uses. Where there are combinations of hotel and other permitted principal uses, combined floor area shall not exceed the total of pro rata shares based on the total lot area.

535. *Lot Coverage.* Lot coverage by portions of buildings exceeding 60 feet in height shall not exceed 60 per cent.

Commentary

The combination of lot coverage and height specifications provides a relatively simple and flexible device which protects light and air at the ground level and allows for views from higher portions of buildings. In combination with building spacing requirements, maximum development would be in the form of towers rising from relatively low platforms or higher towers springing direct from the ground. In either case, the towers would be spaced.

Provision for the platform increases the potential for pedestrian interconnection above the street level and may be a means for reducing adverse wind effects at the base of high buildings.

In the SPI-1 district, at 40 feet for the maximum platform height and 25 per cent as the limitation on coverage above it, the effect would be considerably more open than in SPI-2, in keeping with the intent to protect views from within and through the Riverfront District and with the lower floor-area ratios there. In SPI-2, the 60-foot maximum on platform height, and the 60 per cent coverage above that height, recognize the greater mass allowed by the floor-area ratio and the lesser importance of view protection.

As a refinement of the provisions in the example above, desirable in locations where floor-area ratios are high and streets are narrow, it is possible to give further protection to light and air for streets. The problem here is that if the tower is allowed to run across the front of the lot, it may create a dark canyon effect. A number of variations on this device are possible, but the basic formula would be as follows:

"Above the maximum height permitted for full lot coverage, and within 25 feet of the lot line as projected vertically, adjacent to any permanent open space more than 40 feet and less than 200 feet in width, not more than 25 per cent of the lot frontage involved in gross lot area determinations shall be occupied by buildings or portions of buildings. This limitation shall not apply where the block length involved is 200 feet or less."

Variables involved are the setback area of the tower portion from adjacent open space, minimum and maximum width of the open space, per cent of the setback area which may be occupied by the building, and block length exemptions.

Minimum width of permanent open space calling for tower setbacks should be established to avoid requiring the setback next to alleys or very narrow ways, where it is least likely to be needed. Maximum width is established to remove the restriction where the extent of the open space itself is sufficient to perform the light and air function. Short blocks are exempted from the setback requirements because light and air coming through at their ends perform the function. Use of the frontage involved in gross lot-area determinations gives some credit for open space adjoining corner lots. (See diagram at Section 506.)

536. Pedestrian Open Space. Pedestrian-open space shall be provided in an amount equal to at least 20 per cent of net lot area, except in the case of parking lots and parking garages, for which the minimum shall be 10 per cent.

537. Spacing Between Buildings. Spacing between buildings and portions of buildings shall be as required in SPI-1, at Section 517.

538. Height Limitation. There shall be no general height limitations in this district, but height limits may be set for particular developments in the vicinity of the Cabot House, the Lodge House, the Episcopalean Academy, and the Customs House, as provided in Section 505, *Variations from General Regulations Applying in SPI Districts.*

Commentary

Sign limitations, off-street loading requirements, and provisions for content of applications and plan review and approval are the same as for the SPI-1 district.

550. SPI-3: Financial District

551. Intent. There is special and substantial public interest in this district because it has been partially redeveloped as a major financial and office center with a system of landscaped pedestrian malls, excellent views of the waterfront, and good access from Riverfront Drive and Academy Boulevard. It contains the Peabody Memorial, a building of historic interest in its own right, and adjoins St. Swithin's Church and the new governmental center complex.

It is intended to limit uses in this district primarily to financial institutions and offices, with limited supporting

commercial and service facilities, excluding major retailing, apartments, and hotels, for which provision has been made elsewhere in the downtown area.

Convenient pedestrian systems provide safe, pleasant, and efficient access within the district and to principal destinations in adjoining districts; and the location and character of these malls, plazas, and other open spaces, together with ease of vehicular access, appear to justify high density on private lands, continuing the pattern established.

It is therefore intended to preserve and enhance the existing character of the district, to protect principal views from it, and to preserve an appropriate environment for Peabody Memorial, St. Swithin's Church, and the governmental center complex.

In view of the existence of major parking facilities within and near the district, it is not proposed to require off-street parking; and in order to preserve the limited land available for development for primary uses, it is intended to limit parking garages to those which are publicly constructed or are accessory to other uses within the district.

552. Permitted Principal Uses and Structures.

1. Financial institutions, including banks, savings and loan institutions, brokerage and investment companies, and the like.
2. Offices, including studios, clinics, and laboratories.
3. Structures and uses required for the operation of a public utility or performance of a governmental function, except uses involving extensive storage or with storage as a principal purpose.
4. The following, only when found to be supporting uses in the district and scaled to the needs of this district and the adjoining governmental center complex:
 - (a) Eating and drinking establishments, except those with dancing and live entertainment and drive-in eating and drinking establishments.
 - (b) Retail and service establishments.
5. The following, but only when occupying individually not more than 10 per cent of the total floor area of the building in which located:
 - (a) Clubs and lodges
 - (b) Commercial or trade schools, other than those of an industrial character.

553. Permitted Accessory Uses and Structures. Uses and structures which are customarily accessory and clearly incidental to permitted principal uses and structures shall be permitted in this district, subject to the general restrictions on principal uses and structures.

Dwelling or lodging units shall be permitted only as accessory uses, and only for employees, officers, or owners whose functions or duties on the premises reasonably require such facilities.

Parking garages other than those which are publicly constructed shall be permitted only as accessory uses in this district and shall be on the same lot as the principal use or within 100 feet thereof.

554. *Floor Area Ratio.* Gross floor area of buildings, with the exceptions noted at Section 506, *Floor Area Limitations*, shall not exceed 5.0 times gross lot area.

555. *Lot Coverage.* Lot coverage by portions of buildings exceeding 60 feet in height shall not exceed 60 per cent.

Commentary

Height limitations do not apply generally within this district, but may be set for particular developments in the vicinity of the historic buildings. Sign limitations, off-street loading requirements, and provisions concerning applications and processing are the same as for SPI-1.

570. SPI-4: Old Main Street Retail and Service District

571. *Intent.* The Old Main Street Retail and Service District, historically the business core of the city and comprising the structural spine of the downtown area, is of special and substantial public interest because of anticipated revitalization as a result of developments which have occurred and are expected to occur in surrounding special public interest districts and public and private improvements within the district.

It is the intent of these regulations to provide for continuation and strengthening of existing functions within the district, to encourage improved pedestrian linkage with the Convention Center and other downtown districts, and to establish sign controls to protect and improve the appearance of the district.

To maintain compactness and continuity of prime retail, service, and related frontage and to reduce automotive congestion, residential uses are generally excluded from the district and major parking facilities and certain other uses are restricted in location.

In recognition of the existing character of use and pattern of structural development, no off-street parking or loading, building spacing, or pedestrian open space requirements are established.

572. *Permitted Principal Uses and Structures.* The following uses and structures are permitted generally within the district:

1. Amusement and recreational enterprises.
2. Clubs and lodges.
3. Commercial or trade schools.
4. Eating and drinking establishments, including those with dancing and live entertainment, but excluding drive-in establishments.
5. Financial institutions, including banks, savings and loan institutions, brokerage and investment companies, and the like.
6. Hotels.
7. Offices, including studios, clinics, and laboratories.
8. Retail establishments, except service stations; new or used automotive, trailer, or motorcycle sales and service; or establishments dealing in secondhand merchandise other than antiques.
9. Service establishments, including personal and repair services other than those for automotive or heavy equipment.
10. Structures and uses required for the operation of a

public utility or performance of a governmental function, except uses involving extensive storage or with storage as a primary purposes.

The following structures and uses are permitted only in that portion of the district lying south of Earragut Street, or, in the remainder of the district, on land lying within 240 feet to the east of the eastern right-of-way line of Tripoli Street:

11. Churches, including temporary revival, rescue missions, and wedding chapels.

Remaining portions of regulations for this district are along the lines indicated in previous district regulations.

Detailed SPI District Regulations—Example II

In another instance, SPI regulations were adopted by a small city for the purpose of maintaining the character of an old business district adjacent to a university campus. In this example, there is again an intent to use the SPI device for a variety of purposes; and provisions for general application are made in a preceding Section 4A, which runs along the same general lines as Sections 500 to 508 of the previous example.

Here controls involve a form of historic preservation, and the city has a special Appearance Commission charged with handling details of aesthetics and design. Pressure for regulatory action in this case came when a new building was proposed which was entirely in accord with existing regulations. Unfortunately, existing regulations had been drafted on the assumption that nothing much was really likely to happen downtown, but with the apparent hope that if it did it would be on a large scale. To avoid any impediment to progress, the height allowed (90 feet) was excessive in terms of the traditional and revered low profile. The multistory tower proposed was within the limits set by existing controls, but the existing controls did not say what the public meant.

Performance of the major retailing function had shifted to outlying shopping centers, leaving the old district as a collection of small restaurants, book stores, boutiques, and clothing and specialty shops not of major significance in supplying local trade and service needs, but very important as a local symbol and as a social center. The proposal for a high-rise bank and office building in the midst of this touched off vast controversy.

Public pressure resulted in modification of the plans to something more in keeping with the character of the district, and town officials were stirred to belated regulatory action.

4B. SPI-1: Central Business District

1. *Intent.* The Central Business District is of special and substantial public interest as the historic town center, rich in tradition and charm, but threatened by changes in function and by growth pressures in the area which it serves.

It is the intent of these regulations to preserve and enhance the best elements of this traditional village center character by architectural and other controls; to protect against destruction of or undesirable encroachments upon the area; to encourage uses which will lead

to its continuance, conservation, and improvement in a manner appropriate to the preservation of this unique cultural and historic heritage of the town; to prevent creation of environmental influence adverse to such purposes; and to assure that new structures and uses within the district will be in keeping with the character to be preserved and enhanced.

In recognition of the changing function of the district and its growing dependence on and orientation to the University, it is also intended that the district shall maintain and increase its old function as an informal gathering place. To this end, and to increase economic viability of commercial and service enterprises, it is intended that pedestrian convenience, safety, and comfort shall be maximized and adverse effects of automotive traffic strictly controlled. It is further intended that those uses be encouraged which extend activity into the evening hours, beyond the normal business day, and to this end these regulations promote dwelling and lodging units with increase population within the district, subject to limitations on location designed to prevent interruption of commercial and service frontages at the level of pedestrian ways.

In view of desired character, it is intended that adverse influences such as excessive signs, inappropriate lighting, and open storage shall be prohibited.

2. Map Amendment: Effect of SPI-1 Designation. The boundaries of the SPI-1 Central Business District and its subdistricts are indicated on the attached map and shall be shown as indicated therein on the official zoning map. Within such boundaries, SPI-1 zoning regulations, as set forth herein, shall supplant previously existing regulations for districts or portions of districts affected.

Commentary

In the previous example, since variations between subdistricts were minor, they were reflected in references to particular streets or distance from streets, with height and uses limited differently according to this type of designation of location. In the present instance, the map indicates the subdistricts as SPI-1A, SPI-1B, etc.

It is noteworthy that in the listing below nothing is permitted by right. Uses may be permitted if they are found to fit the objectives stated. Other unusual features are the provisions on handicrafts, limitation on locations of dwellings and lodgings and on width of entrances which might otherwise interrupt commercial and service frontage, and permission of outdoor sales and exhibits.

3. Permissible and Prohibited Uses; Considerations. In the SPI-1A subarea, the following principal uses, with customary accessory uses, may be permitted if the Town Board, in special approval proceedings as required herein, finds that the use, as proposed to be located and operated, would contribute to the purposes set forth in Section 4B1, *Intent*.

(a) *Uses permissible in buildings* shall be as follows:

- Banks; savings and loan institutions.
- Churches; clubs and lodges.

Eating and drinking establishments.

Offices, including governmental, and studios, clinics, and laboratories.

Retail stores, except furniture stores or stores dealing primarily in major appliances, such as stoves, refrigerators, washing machines, or driers.

Service establishments, including personal and professional, but excluding automotive or major appliance repair and service stations.

Uses involving the making or processing of goods for sale primarily at retail and on the premises, including bakeries, delicatessens, laundries and dry cleaning establishments, and arts and crafts shops, provided that no such use (except in the case of food preparation) shall involve more than five persons in any one shift in such making or processing of goods on the premises; and that arts and crafts shops shall be limited to production requiring special artistic skills or skills of a handicraft nature and shall not include mass manufacture of identical articles or processes which because of operational characteristics would be inappropriate to the character of the district.

In general, it is intended that uses of the character indicated above shall be intensive in terms of employment per unit of floor area and/or in terms of attraction of persons to the CBD area, and that such uses shall be permitted at any floor level within the SPI-1A subarea.

In addition, located only behind such uses at the street floor level, or at other than the street floor level: Dwellings and lodgings, provided that entries from the principal pedestrian frontage along Warren Street shall not exceed eight feet in width.

(b) *Outdoor uses permissible on either public or private property* shall be as follows:

Arts and crafts exhibits, including demonstrations and performances.

Restaurants.

Sales of flowers, objects of art, or handicrafts, but not mass-produced items.

(c) *Prohibited uses* shall include those excepted from permissible uses above, and in addition parking lots or parking garages and driveways or entries thereto, and similar uses of a nature not in keeping with the intent concerning this district that it be pedestrian oriented and that pedestrian flows along the major frontage shall not be interrupted by uses with limited pedestrian attraction.

Billboards and poster panels erected by the outdoor advertising industry in the conduct of the outdoor advertising business shall not be permitted in the SPI-1A subarea.

Commentary

At this point in the regulations, permissible and prohibited uses and considerations concerning such uses are itemized for other SPI-1 subareas. Little would be added by detailing them here.

Miscellaneous Minor Applications

In the examples given above, SPI approaches involving complex procedures and reviews have included action by the governing body. Obviously, this need not always be the case. A review of Section 502, *Effect of SPI District Designation*, as contained in the first example, will make it clear that there are a great many applications of the principle which would not involve such elaborate action. Section 503.3, *Proposed Regulations*, expands on the possible combinations.

As a simple example, a church and a school, with a number of large residences, are in a residential district along the edge of a major street. The church, the cemetery and its grounds, and two of the dwellings are of major historical significance. The land across the street is zoned for the full range of strip commercial uses. Nearby is an industrial district in which substantial numbers of women work.

In this case, the overlay SPI district would embrace the parts of the residential and commercial districts involved. The statement of intent would establish special and substantial public interest in protecting the environs of the historic structures, in limiting commercial uses which have been found to be attractive nuisances or likely to create

extraordinary traffic hazards near schools, and in providing for day nurseries and child care centers near the plants.

Use limitations on the portion of the residential district involved might be expanded to permit day nurseries and child care centers, not generally allowed in the district. In the commercial portion, billboards and other off-site advertising would be prohibited; more stringent controls would be applied to on-site signs; and eating and drinking establishments, service stations, and groceries would be barred.

Here administration would be handled in a routine manner, with the administrative official issuing or denying permits on the basis of the uses proposed.

Similarly, if it is intended to protect the vicinity of important public or quasi-public buildings or historic sites located in districts which have liberal sign controls or none, the SPI district boundaries would include the visual approaches to be protected; the intent section would indicate the reasons for special treatment; and the only element of underlying district regulations affected would be the sign controls.

Here again, only routine administrative action would be required once the regulations took effect.

BIBLIOGRAPHY

- Emanuel Berk, Downtown Improvement Manual. Chicago: American Society of Planning Officials Press; 1976.
- Boston Redevelopment Authority, Revitalizing Older Houses in Charlestown. Washington: Housing and Urban Development - U.S. Government Printing Office, 1973.
- James H. Gibbs, East Greenwich, Rhode Island, State Wide Preservation Report. Providence: Rhode Island Historical Preservation Commission, 1974.
- Marshall Historical Society, Marshall: A Plan for Preservation. Marshall: The John Henry Co., 1973.
- National Trust for Historic Preservation, A Guide to Delineating Edges of Historic Districts. Washington: The Preservation Press, 1976.
- National Trust for Historic Preservation. Historic Preservation Law- An Annotated Bibliography. Washington: The Preservation Press, 1976.
- The New Bedford Redevelopment Authority, Preservation of A Historic Commercial Area. New Bedford: Reynolds Dewalt Printing, Inc., 1976
- The Old West Side Association, Inc. Old West Side- Ann Arbor, Michigan. Ann Arbor: The Old West Side Association, Inc., 1971.
- Providence City Plan Commission, College Hill- A Demonstration Study of Historic Area Renewal. Providence: College Hill Press, 1967.
- The Providence Partnership and Russell Wright. The Urban Design Plan, Historic Hill, Newport, Rhode Island. Newport: Redevelopment Agency of Newport, 1971.
- Redevelopment Authority of Sheboygan, Prospects for the Past. Washington: HUD and Government Printing Office, 1972.
- Planning Department, City of Tucson. Tucson's Historic Districts- Criteria for Preservation and Redevelopment. Tucson: Planning Department, 1977.
- Vision Inc. Townscape Revitalization Guide- Oyster Bay, New York. Cambridge: Vision Inc., 1975.
- State Historical Society of Wisconsin. Historic Preservation in Wisconsin. Madison: State of Wisconsin, 1977.

One of the subdistricts, to the rear of the Warren Street frontage, encourages townhouses and multifamily structures, prohibits commercial uses, and places strong emphasis on pedestrian circulation through to Warren Street. Because of a drop from the Warren Street elevation, there is a good possibility of one or two decks of parking here, with townhouses or multifamily dwellings in air rights on the top level. Provision is made for this.

Another subdistrict covers existing strip commercial extensions from the SPI-1A district, along Warren to the west. Here service stations and similar heavy commercial activities are allowable, subject to controls on site plans, signs, and illumination intended to protect the SPI-1A area.

What follows is limited to SPI-1A controls. Corresponding provisions appearing for other subareas have been omitted.

4. Floor Area Limitations. Total floor area on any lot shall not exceed 2.5 times net lot area.

5. Maximum Height. Maximum height shall not exceed 35 feet above the sidewalk level of Warren Street. Toward block interiors, maximum height allowable shall rise at .3 feet for each 1 foot back from the Warren Street frontage but shall not in any case exceed 50 feet.

Commentary

The height and floor-area limitations are so interrelated as to produce buildings in configurations in keeping with the pattern desired in the area. In introductory material, basements are excluded from application of floor-area limitations, a detail of considerable importance in this case, since most of the buildings have basements and the slope allows entry at the side where there are spaces between buildings. This has resulted in shops and eating and drinking establishments along narrow pedestrian ways leading back from Warren Street, a pleasant arrangement which increases vitality without adding to apparent mass of the buildings.

The slope of the height-limiting plane was established by combining the 100-foot width from store front to store front across Warren Street and the 35-foot height limit at the street frontage. A person whose eyes are five feet above the sidewalk, standing as close as possible to a building on one side of the street and looking at a 35-foot facade on the other side, would not be able to see higher portions within the height-limiting plane.

It would be fallacious to place complete dependence on this formula, of course, because not all buildings will be 35 feet high at the frontage and it will be possible to see higher portions of buildings to the rear of lots over such lower buildings. In consideration of the general pattern of existing development and desired future development, this was not considered unduly objectionable so long as the 50-foot ceiling applies.

6. Limitations on Signs. For each five linear feet of building adjacent to the street or to pedestrian ways other than along streets, not to exceed one sign and not to exceed five square feet of sign surface area shall be permitted. Such signs shall be of a character and shall be mounted according to standards adopted by the Appearance

Commission, provided that individual signs not meeting such standards may be approved by the Appearance Commission upon findings that they are in keeping with the intent expressed herein concerning the district and are appropriate in the circumstances of the individual case.

7. Limitations on Off-Street Parking. Off-street parking accessory to individual uses may be permitted only where vehicular access is other than through the Warren Street frontage.

Lot area devoted to off-street parking spaces (exclusive of driveways and computed as containing 180 square feet per space) shall not exceed 20 per cent of the floor area of the building, provided, however, that a minimum of one space shall be permitted in connection with each permitted principal use within the building, subject to the limitations on access set forth above.

Commentary

Off-street parking controls have varied widely in downtown areas. Many jurisdictions exempt the CBD from parking requirements. A considerable number have relatively low parking requirements. The controls above, and a few which have been adopted or are in process of adoption, set an upper limit on the amount of parking which may be provided.

In the present illustration, relatively substantial off-street parking facilities exist or are to be constructed immediately adjacent to the boundary of the SPI-1A district, which is only one lot deep along the Warren Street frontage. If traffic frictions with pedestrian movement can be reduced by encouraging drivers to come in on parallel streets, there is substantial advantage. Moreover, it would be advantageous to have parking segregated in this manner and to have the lot area available used either for pedestrian open space or for building area adding to intensity of downtown use.

Elsewhere, a traffic-strangled central city experiencing a major boom in downtown construction is proposing severe limits on the amount of off-street parking which may be included in buildings, and holding parking lots to short-time permits prior to possible prohibition, both to divert automotive traffic to peripheral parking locations and to encourage greater use of a major new mass transportation system being constructed.

As a final note on controls in the SPI-1 CBD example, in addition to the actions indicated by the Town Board, certificates of appropriateness from the Appearance Commission are required before building permits may be issued for construction of new buildings or exterior alterations of existing buildings, including redecoration. Principal concern here is with compatibility of the proposal (in terms of architecture, colors, and the like) with intent concerning appearance and character of the district as a whole. In determinations on such certificates, particular attention is given to relation to immediately adjoining buildings.

The objective here is not drab uniformity, but lively variety without jarring notes. In some cases, certificates may be refused for excessive similarity as well as for excessive contrast.

