



**AGENDA
PLANNING ADVISORY BOARD
SPECIAL MEETING
SEPTEMBER 24, 2018
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**
- 2. APPROVAL OF MEETING MINUTES**
- 3. OLD BUSINESS**
- 4. NEW BUSINESS**
 - 4.1 PAB 2018-20: LAND DEVELOPMENT CODE (LDC) AMENDMENT - BUILDING HEIGHTS AND VARIANCES - ORDINANCE 2018-__ AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION(S): 1.07.00 ACRONYMS AND DEFINITIONS, TABLE 4.02.01(J) DESIGN STANDARDS FOR LOTS - IMPERVIOUS SURFACE RATIO, 4.02.03 STANDARDS FOR BUILDINGS AND BUILDING PLACEMENT - MECHANICAL EQUIPMENT AND CALCULATION OF HEIGHTS, AND 10.02.01 LIMITATIONS ON THE GRANTING OF A VARIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to referenced sections.***
 - 4.2 PAB 2018-24: LAND DEVELOPMENT CODE (LDC) AMENDMENT - INDUSTRIAL WATERFRONT AND WATERFRONT MIXED USE PARKING REQUIREMENTS - ORDINANCE 2018-__ AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 8.01.02(D)(4) AND 7.01.04 (A) PARKING SPACE REQUIREMENTS AND ALLOWANCE FOR FEE IN LIEU; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to remove non-residential parking requirements for properties within the CRA. This item was originally discussed on August 22, 2018 and placed on this agenda following published advertising on September 14, 2018.***
- 5. BOARD BUSINESS**
 - 5.1 CENTRAL BUSINESS DISTRICT (C-3) LDC Text Amendments:** Continued board discussion of "Browsing Areas" and 1st floor uses permissible by LDC Table 2.03.02. *This item is for discussion only.*
- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT**

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Planning Department (904) 310-3135.

APPLICATION FOR LAND DEVELOPMENT CODE TEXT AMENDMENTS

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	City of Fernandina Beach
AGENT:	Self
REQUESTED ACTION:	Land Development Code Text Amendments: • 1.07.00 Acronyms and Definitions • Table 4.02.01(J) Design Standards for Lots – Impervious Surface Ratio • 4.02.03 Standards for Buildings and Building Placement – Mechanical Equipment and Calculation of Heights • 10.02.01: Limitations on the Granting of a Variance

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website, the City Clerk's Office and at the Community Development Department Office. ***

SUMMARY OF REQUEST:

BUILDING HEIGHTS

Section 1.07.00 Acronyms and Definitions

Adding: **Architectural Feature** – means an uninhabitable part, portion, projection, or any prominent characteristic which contributes to the beauty or elegance of a building or structure, exclusive of signs, and not necessary for the structural integrity of the building or structure including, but not limited to, columns, awnings, cornices, eaves, gutters, belt courses, sills, lintels, chimneys or other decorative elements.

Adding: **Mechanical Equipment**- includes, but is not limited to, systems which provide heating, venting and air conditioning equipment, water tanks and their supporting structures.

Adding: **Parapet Wall** – means that portion of a wall extending above the roofline.

Adding: **Roof Deck** – means a structural platform located above the finished roofline of a building, accessed from below the roof, and designed to function as an open air, uninhabitable, outdoor patio or observation area.

Rationale: To add definitions for clarification of terms provided in LDC Section 4.02.03 as related to the calculation of building heights.

Section 4.02.03 Standards for Buildings and Building Placement

(A) (7) Mechanical equipment may be located within the side or rear yard setback, **but not closer than five feet from the property line** provided that it is screened by landscaping or opaque fencing.

Rationale: This is virtually unenforceable without delay of permitting or increased staffing to aid in implementing this section of code.

C. Standards for building height:

1. Building height shall be measured from the approved finished grade, to the highest point on the structure.

2. Calculation of maximum height shall not include appurtenances or attachments such as chimneys, elevator shafts, antennas, decorative architectural features, steeples, air conditioning equipment enclosures, cupolas, weather vanes, and other similar minor building features. All ornamental features which are exempt from the maximum height shall not be habitable.

2. Calculations for maximum height for residential or mixed use structures shall include ventilators and elevator shafts, stair towers, antennas, dishes, air conditioning equipment enclosures, railings, and parapet walls for flat roofed structures.

3. Architectural features, limited to no taller than ten (10) feet above the maximum roof height and not exceeding five (5) percent of the total aggregate roofed area and not habitable are permissible and may include lightning rods, chimneys, widow walks, steeples, spires, cupolas, or other similar minor ornamental features.

3. 4. The following structures shall not be subject to height limits: telecommunications towers, flagpoles, and City-owned water towers.

Rationale: Provide clarification for the calculation of building heights to disallow elevator shafts and large walls which exceed the maximum building height.

LDC SECTION 10.02.01
Generally (Variances)

D. Limitations on the grant of a variance

1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.
3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
4. A variance shall not change the requirements for concurrency.
5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.
7. A variance shall not be granted for procedure or process components of this Land Development Code.
8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South Fletcher Avenue except as may be provided in LDC Section 10.02.01 (C) above.
9. A variance shall not be granted which authorizes the filling of wetlands prohibited by LDC Section 3.03.03(A) and Comprehensive Plan Policy 5.08.04.
10. No variance shall be granted to exceed the maximum building height of 35 feet for a building on any lot within 800 feet of the mean high-water line of the Atlantic Ocean under LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1.
11. A variance shall not be granted for any residential or mixed-use structure to exceed the maximum building height requirements contained in Table 4.02.03(E).
12. A variance shall not be granted to exceed the minimum side yard setbacks listed in Table 4.02.03 (E) for any building within 800 feet of the mean high-water mark of the Atlantic Ocean.

Rationale: To deny the ability to apply for a variance which seeks to deviate from residential or mixed use building heights or reduce view corridors within the ocean area. This item was directed by the City Commission for consideration by the Planning Advisory Board.

APPLICATION FOR LAND DEVELOPMENT CODE TEXT AMENDMENTS

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	City of Fernandina Beach
AGENT:	n/a
REQUESTED ACTION:	Land Development Code Text Amendments: • 8.01.02 Amelia River Waterfront CRA • 7.01.04 (A) Parking Space Requirements

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website, the City Clerk's Office and at the Community Development Department Office. ***

SUMMARY OF REQUEST:

INDUSTRIAL WATERFRONT AMENDMENTS TO SUPPORT REDEVELOPMENT WITHIN THE CRA WATERFRONT PROPERTIES

AMENDING Section 8.01.02 (D) (4) Amelia River Waterfront CRA

D. Properties located within the CRA abutting the Amelia River Waterfront are subject to the following standards:

4. ~~Developers of Office, Commercial, and/or Waterfront Industrial uses may pay a fee in lieu of providing the required parking, as established in Table 7.01.04(A). The fee shall be set annually by the City Commission and shall be based on the average cost of constructing a parking space in the City. The fee shall be a one-time payment, to be placed in a trust fund for downtown parking improvements which serve the CRA properties.~~ Residential uses must provide two spaces per dwelling unit on-site, and are not eligible for the fee in lieu of providing parking.

AMENDING Section 7.01.04 (A) FOR AMELIA RIVER WATERFRONT CRA IW AND W1 PROPERTIES

A. Parking space requirements

1. Minimum off-street vehicular parking spaces shall be provided at the time of the construction of the principal building or at the time of the conversion of a building having a previously existing use to a more intensive use of the same property.
2. The minimum number of parking spaces shall conform to the standards in Table 7.01.04(A).
3. Due to the nature and character of properties within the central business district (C-3) and the Amelia River Waterfront Community Redevelopment Area waterfront lots containing industrial waterfront (I-W) or waterfront mixed use (W-1), the provision of off-street parking will not be required, except for triplex and multi-family dwelling units, lodging accommodations and bed and breakfast inns. For Triplex and Multi-family dwellings, off-street parking shall meet the Supplemental Standards in Section 6.02.28. Single Family and Duplex dwelling units shall meet the standards of the underlying zoning districts. For lodging accommodations and bed and breakfast inns the off-street parking requirements shall be satisfied within 1,000 feet of the property involved and as otherwise required under this chapter and any applicable Supplemental Standards.

Table 7.01.04(A). Parking Space Requirements

Type of Use or Activity	Minimum Number of Spaces
Duplex dwellings	2 per unit ²
Multi-family dwellings	2 spaces per dwelling unit ³
Single-family dwellings	2 per unit ²
Triplex dwellings	2 per unit ³

¹If a marina features a boat-launching ramp; at least fifty percent (50%) of the required parking spaces shall be designed to accommodate both a vehicle and boat trailer.

² Dwellings units within the CRA must provide two (2) spaces per dwelling unit on-site but are permitted the following exceptions: all units 1000 sq. ft or under are only required to provide one (1) space per dwelling unit on-site and all units 1,001- 1,250 sq. ft. are only required to provide one and one-half (1.5) spaces per dwelling unit on-site. Non-residential uses shall provide for parking per LDC section 4.03.03.

³ Triplex and Multi-family dwelling units located in the Central Business District/ C-3 zoning and not within the CRA are required to provide parking as consistent with the supplemental standards directed in LDC Section 6.02.28.

Rationale: Waterfront lots fronting the Amelia River have limited upland acreage and have struggled for over thirty years to redevelop. Reuse of existing structures or reconstruction of structures over the water is further stymied by requirements for on-site parking. These requirements force the need to obtain a variance in order to accommodate any redevelopment or reuse.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT: Central Business District LDC Text Amendments Discussion
Section 2.03.02

ITEM TYPE: LDC Text Amendment

REQUESTED ACTION:

SYNOPSIS: Reference: www.fbfl.us/LDC or www.fbfl.us/Chapter2
Section 2.03.02

CITY ATTORNEY COMMENTS:

Tammi E. Bach, City Attorney 09/17/2018

Kelly Gibson, AICP, Planning Manager 09/17/2018

Kelly N. Gibson, AICP

Date: September 17, 2018

Submitted By: Kelly Gibson, AICP, Planning Manager
