



**AGENDA
PLANNING ADVISORY BOARD
WORKSHOP
FEBRUARY 26, 2020
5:30 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

- 1. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OLD BUSINESS**
 - 3.1 DISCUSSION OF LAND DEVELOPMENT CODE TEXT AMENDMENTS CONCERNING BUILDING HEIGHT ENCROACHMENTS (PAB CASE 2019-07)

NO FORMAL ACTION TO BE TAKEN AT THIS MEETING. ONLY CONSENSUS OF SUBCOMMITTEE FOR CHANGES TO BE CONSIDERED AT A FUTURE REGULAR PAB MEETING DATE.
- 4. PUBLIC COMMENT**
- 5. 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.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT: Subcommittee to discuss the consideration of LDC Text Amendments concerning building height encroachment allowances

ITEM TYPE: LDC Text Amendment

REQUESTED ACTION: NONE- Discussion only.

SYNOPSIS: The City of Fernandina Beach has established strict building height calculations which serve to preserve its small-town characteristic and avoid large structures along its coastline. The requested changes have been vetted over nearly two years to determine if there are valid concerns relative to the current allowable height encroachments. The Planning Advisory Board has consistently maintained that these encroachments should be reduced or eliminated altogether.

Building height is not a topic for which there is any planning principle that provides guidance. However, implementation of established community values is a planning principle. The effort undertaken has been completed in a deliberate manner to inform the development community of the desired changes which serve to achieve the established value. Therefore, staff recommends approval of the requested amendments.

CITY ATTORNEY COMMENTS:



Date: February 19, 2020

Submitted By: Kelly Gibson, AICP, Planning Director

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 • 4.02.03 Standards for Buildings and Building Placement – Mechanical Equipment and Calculation of Heights and Addressing calculation of building heights within special flood hazard areas
STAFF RECOMMENDATION:	The City of Fernandina Beach has established strict building height calculations which serve to preserve its small-town characteristic and avoid large structures along its coastline. The requested changes have been vetted over nearly two years to determine if there are valid concerns relative to the current allowable height encroachments. The Planning Advisory Board has consistently maintained that these encroachments should be reduced or eliminated altogether. Building height is not a topic for which there is any planning principle that provides guidance. However, implementation of established community values is a planning principle. The effort undertaken has been completed in a deliberate manner to inform the development community of the desired changes which serve to achieve the established value. Therefore, staff recommends approval of the requested amendments.

*** 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:

Rationale: The amendments provided in LDC Sections 1.07.00 and 4.02.03 (C) serve to address the direction provided by the City Commission in the Summer of 2018. The Planning Advisory Board has discussed the topic of height and height encroachment at several regular board meetings (October 2018, April and December 2019 and January 2020). Minutes of these meetings have been provided as part of the back-up materials. These changes provide clarification for the calculation of building heights to disallow elevator shafts and large walls which exceed the maximum building height. The intent behind these changes is to reduce the number of allowable encroachments beyond the established building height.

Section 1.07.00 Acronyms and Definitions

Adding: **Mechanical Equipment**- means equipment which provide heating, venting and air conditioning equipment, water tanks, elevator and elevator shafts, and other mechanical systems as defined in the City of Fernandina Beach Building Code.

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

Adding: **Residential Structure**- means a building or enclosure which includes one or more dwelling units,

Adding: **Non-residential Structure**- means a building or enclosure which does not include one or more residential dwelling units.

C. Standards for building height:

1. Building height shall be measured from the average natural grade, to the highest point on the structure unless the property is located within a flood hazard area as provided herein. Properties located within a flood hazard area shall measure building height to the highest point on the structure from:
 - a. The higher of the base flood elevation or approved finished grade for buildings and structures in a special flood hazard area and 0.2 percent annual chance of flood hazard areas.
 - b. The approved finished grade for buildings and structures in coastal high hazard areas (Zone V) and Coastal A zones.
2. Rooftop architectural features, for the purpose of this Section, are defined as any uninhabitable and non-conditioned part, portion, projection, or any characteristic which contributes to the beauty or elegance of a building or structure, exclusive of signs. Example features may include, but are not limited to, chimneys, cupolas, parapet walls, railings, weathervanes, or other similar minor ornamental elements.
3. Residential dwelling units and mixed-use residential structures are prohibited from exceeding the maximum building height calculation. The calculation of building height must include any and all appurtenances or attachments such as elevator shafts, antennas, mechanical equipment, screening enclosures, and other similar building features. Rooftop architectural features are excluded from the maximum height calculation if the features do not exceed forty-two (42) inches.
4. Non-Residential, and mixed-use structures which do not include residential dwelling units, are prohibited from exceeding the maximum building height calculation. The calculation of maximum height must include any and all appurtenances or attachments, except as excluded herein. Rooftop mechanical equipment, is excluded from the maximum height calculation provided it is no greater than forty-two (42) inches above maximum roof height and screened from the public right-of-way. Rooftop architectural features are excluded from the maximum building height calculation if the features do not exceed forty-two (42) inches.
3. 4. 5. The following structures shall not be subject to height limits: telecommunications towers, flagpoles, and City-owned water towers.

APPROVED



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
MARCH 13, 2019**

1. CALL TO ORDER – 5:00 PM

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

*Wayne Peterson
Richard Clark
Mark Bennett*

*Frank Santry (Chair)
Greg Roland (arrived at 5:36 pm)*

MEMBERS ABSENT:

*Donna Lewis (Alt 1)
Jenny Schaffer (Alt 2)*

OTHERS PRESENT

*Tami Bach, City Attorney
Kelly Gibson, Planning Director
Samantha Rogic, Recording Secretary*

2. APPROVAL OF MINUTES

2.1 February 13, 2019 Regular Meeting

Member Bennett stated that his name should be added under 'Members Absent'.

ACTION TAKEN: Hearing no objections, Chair Santry approved the minutes with amendment.

3. OLD BUSINESS

CENTRAL BUSINESS DISTRICT (C-3) LDC TEXT AMENDMENTS: Continued discussion of "Browsing Areas" and permissible First Floor Uses

1. Presentation of Arlene Filkoff for Main Street Fernandina Beach

2. Other Public Comments

Jim Ferguson, 14 Sound Point Place, indicated that he owns 3-4 buildings downtown. He spoke to the survey received by Main Street and stated that he resists restrictions on usability of his space and will do everything he can to protect the renting of the space as he sees fit, as he believes that this is his right as owner.

Ms. Filkoff provided information on the results of the Main Street survey.

3. Discussion by PAB- No vote at this meeting

Members discussed incentivizing browsing opportunities in the downtown area and tasked Staff to research and present the concept to the City Commission.

4. Reconsideration/ Discussion of PAB 2018-20 LAND DEVELOPMENT CODE (LDC) AMENDMENT- Building Heights and Variances- Ordinance 2019-_____ AMENDING THE LAND DEVELOPMENT CODE SECTION(S) 1.07.00, 4.02.03, 8.0102 (D) 2, 10.02.01

Board discussion ensued at length.

Steven Papke, Architect, 2855 First Ave, offered clarification on the definition of “Parapet”.

Ron Flick, 961687 Gateway Blvd, spoke to rooftop mechanical and the proposed striking of ‘approved finished’ and replacing with ‘average natural’ grade.

4. BOARD BUSINESS

5. STAFF REPORT

Planning Director Reports:

1. FLUM and Zoning Map Conflicts

Ms. Gibson spoke to the identified conflicts and offered that currently, there is no recommendation on how to move forward.

2. Scheduling for Upcoming Meetings March-June

Dates selected:

April 10th (regular meeting) & 24th (special meeting) for Text Amendment Changes.
April 23, 25, 29, 30 for individual elements relating to the EAR review.

3. EAR Update

4. Distribution of LDC Text Amendments for formal consideration at April 10, 2019 meeting to include: Old Town Development Standards, Accessory Dwelling Units, Airport Design Standards, Minor Amendments, ROW and Driveway Design Standards, Stormwater Management Standards, Telecommunication Facilities, demolition of historic structures outside the historic district

Members discussed the proposed revision of removal and vacancies of boards and commissions.

City Attorney Report:

1. Summary of non-conforming and grandfathered uses

Members acknowledged that they previously received the summary via e-mail. There were no questions.

6. PUBLIC COMMENT

7. ADJOURNMENT – 6:46 PM


Samantha Rogic, Recording Secretary


Frank Santry, Chair

APPROVED



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
DECEMBER 11, 2019**

1. CALL TO ORDER – 5:02 pm

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

*Mark Bennett (Vice-Chair)
Richard Clark
Jenny Schaffer (Alt 1)
Peter Stevenson*

*Victoria Robas (Alt 2)
Greg Roland (arrived at 5:49 pm)
Genece Minshew*

MEMBERS ABSENT:

OTHERS PRESENT

*Tami Bach, City Attorney
Kelly Gibson, Planning Director
Samantha Rogic, Recording Secretary*

Alternate Member Schaffer was seated as a voting member until Member Roland's late arrival.

2. APPROVAL OF MEETING MINUTES

2.1 November 13, 2019

ACTION TAKEN: A motion was made by Member Clark, seconded by Member Minshew, to approve the minutes as presented.

Motion passed by unanimous voice vote.

3. OLD BUSINESS

3.1 LAND DEVELOPMENT CODE TEXT AMENDMENTS (PAB CASE #: 2019-07): CITY OF FERNANDINA BEACH, FLORIDA REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO MODIFY STANDARDS FOR HEIGHT ENCROACHMENTS WITHIN SECTIONS 1.07.00 ADDING OR AMENDING CERTAIN DEFINITIONS; AMENDING SECTION 4.02.03 STANDARDS FOR BUILDINGS AND BUILDING PLACEMENT AND HEIGHT WITHIN SPECIAL FLOOD HAZARD AREAS; AND SECTION 10.02.01 VARIANCES TO DISALLOW GRANTING OF VARIANCES TO EXCEED MAXIMUM BUILDING HEIGHTS AND TO DEVIATE FROM REQUIRED SIDE YARD SETBACKS FOR BUILDINGS WITHIN 800 FEET OF THE MEAN HIGH WATER MARK OF THE ATLANTIC OCEAN.

Doug Roselle, 524 Tarpon Ave, spoke in support of limiting unnecessary allowable height encroachments.

ACTION TAKEN: A motion was made by Member Clark, seconded by Member Roland, to table the item to the January regular meeting.

Motion passed by unanimous voice vote.

ACTION TAKEN: A motion was made by Member Clark, seconded by Member Minshew to accept staff recommendation with regard to the yellow highlighted language and 10.02.01 Sub 11 and 12 which are additions.

Motion passed by unanimous voice vote.

4. NEW BUSINESS

4.1 PAB 2019-16: Future Land Use Map and Zoning Map Amendments to Conservation and Recreation for City Owned Properties (pursuant to Ordinance 2019-05)

The following individuals spoke to the item:

Deb Harper, 835 Allen, inquired on the notice she received in the mail.

Jeff McDowell, 2820 Mantanzas, asked for clarification on which property near him is affected.

Margarete Kirkland, 1377 Plantation Point Drive, speaking on behalf of Amelia Tree Conservancy, asked for clarification on several parcels.

Barbara Smith, 923 9th Street.

ACTION TAKEN: A motion was made by Member Roland, seconded by Member Clark, to approve PAB 2019-16 as presented.

Motion passed by unanimous voice vote.

4.2 PAB 2019-17: Future Land Use Map and Zoning Map Amendments for Non-City owned lands to Conservation and Recreation (pursuant to Ordinance 2019-05)

Marine St & Marine St:

The following individuals spoke to the item:

James O'Conner, 703 Garden Street, has a lease with CSX

Brad O'Conner, 2440 Lyndale Road, has a lease with CSX

Eric Oliver, 706 Someruelus, has a lease with CSX

Jennifer Harrison, 820 Someruelus St, spoke to the significant history of the bluff.

Member Stevenson motioned for no action to be taken on the two parcels identified to keep as industrial waterfront. Member Minshew seconded.

Upon further discussion, Member Stevenson withdrew his motion.

ACTION TAKEN: A motion was made by Member Roland, seconded by Member Clark, to postpone the CSX parcels to the March Regular meeting to give Staff time to meet with CSX.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

8th and Dade Street:

The following individuals spoke to the item:

Monica Cleveland, 2203 Belvedere Ave

Jill McCarthy, 2120 Belvedere Ave

ACTION TAKEN: A motion was made by Member Clark, Seconded by Member Stevenson, to approve Staff's recommendation of all non-city owned parcels, with the exception of the CSX properties as discussed and the parcel located on the corner of Dade and 8th Street (00-00-31-1800-0067-0050).

Vote upon passage of the motion was taken b y ayes and nays and being all ayes, carried.

5. BOARD BUSINESS

5.1 Review Draft Amendments to PAB Bylaws

Members of the Board discussed.

ACTION TAKEN: A motion was made by Member Minshew, seconded by Member Roland, to approve the bylaws as amended and presented.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

The Board then unanimously agreed by voice vote, to vote on the final approval at the January 2020 regular meeting.

6. STAFF REPORT

7. PUBLIC COMMENT

8. ADJOURNMENT – 7:54 PM


Samantha Rogic, Recording Secretary


Mark Bennett, Vice-Chair

APPROVED



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
OCTOBER 10, 2018**

1. CALL TO ORDER – 5:01 PM

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Mark Bennett (Chair)

Donna Lewis (Alt 1)

Greg Roland (arrived at 5:03 PM)

Frank Santry

Jenny Schaffer (Alt 2)

MEMBERS ABSENT:

Wayne Peterson

OTHERS PRESENT

Tami Bach, City Attorney

Kelly Gibson, Planning Director

Samantha Rogic, Recording Secretary

Member Lewis (Alt 1) and Member Schaffer (Alt 2) were seated as voting members.

Chair Bennett notified the Board that Member Beal has resigned from the PAB.

2. APPROVAL OF MINUTES

2.1 August 8, 2018 Regular Meeting

ACTION TAKEN: A motion was made by Member Lewis, seconded by Member Santry, to approve the minutes as presented.

Motion passed by unanimous voice vote.

Member Roland arrived at this time.

3. OLD BUSINESS

4. NEW BUSINESS

4.1 PAB 2018-25: FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE - 233 S. 14TH STREET- ORDINANCE 2018-__ CHANGING THE CITY'S FUTURE LAND USE MAP AND ZONING MAP FROM MEDIUM DENSITY RESIDENTIAL (MDR) /R-2 TO ASSIGN A FUTURE LAND USE MAP DESIGNATION AND ZONING CATEGORY OF MIXED USE (MU)/ MU-1 FOR PROPERTY TOTALING APPROXIMATELY 0.91 ACRES OF LAND LOCATED AT 233 S. 14TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Synopsis: Requests assignment of a Future Land Use Map Category of Mixed Use (MU) and Zoning District of MU-1 to approximately 0.91 acres located at 233 S. 14th Street.

Nick Gillette, the applicant, provided information and details specific to the requested action and was

available to answer questions from the Board.

ACTION TAKEN: A motion was made by Member Santry, seconded by Member Roland, to recommend denial of PAB case number 2018-25 to the City Commission requesting a Future Land Use Map assignment of Mixed Use land use and MU-1 zoning from Medium Density Residential land use and R-2 zoning, on the basis that it violates policy number 1.02.04 of the Comprehensive Plan and that PAB case 2018-25 as presented, is not sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Vote upon passage of the motion was taken by ayes and nays and was as follows:

Member Roland:	Aye
Member Santry:	Aye
Member Lewis:	Nay
Member Schaffer:	Nay
Chair Bennett:	Nay

Motion Failed

A motion was made by Member Lewis, seconded by Member Schaffer, to recommend approval of PAB case number 2018-25 to the City Commission requesting a Future Land Use Map assignment of Mixed Use land use and MU-1 zoning from Medium Density Residential land use and R-2 zoning, as described and that PAB case 2018-25 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Vote upon passage of the motion was taken by ayes and nays and was as follows:

Member Roland:	Nay
Member Santry:	Nay
Member Lewis:	Aye
Member Schaffer:	Aye
Chair Bennett:	Aye

Motion Passed

- 4.2 **PAB 2018-20: LAND DEVELOPMENT CODE (LDC) AMENDMENT - BUILDING HEIGHTS AND VARIANCES - ORDINANCE 2018-__ AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION(S): 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.*

Ron Flick, agent for Amelia Island Care Centers, 961687 Gateway Blvd, spoke in opposition of the requested action, and offered suggestions for reconsideration.

ACTION TAKEN: A motion was made by Member Roland, seconded by Member Santry, to refer to staff for additional review with outside support from the design community to address concerns, with a December time frame to return to the PAB.

Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

- 4.3 **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.*

Arlene Filkoff spoke to the history of the CRA and in support of the requested action.

ACTION TAKEN: A motion was made by Member Roland, seconded by Member Lewis, to recommend approval of PAB case number 2018-24.

Vote upon passage of the motion was taken by ayes and nays, and being all ayes, carried.

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.*

Member Santry suggested returning this item to workshop status. Member Lewis seconded. The Board agreed to move the item to the November regular meeting.

6. STAFF REPORT

7. PUBLIC COMMENT

No members of the public wished to speak at this time.
The Board briefly discussed the City's involvement in and the future of the Waterfront.

8. ADJOURNMENT – 6:48 PM



Samantha Rogic, Secretary

Mark Bennett, Chair