



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
JANUARY 18, 2022
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Pastor Gary Slaughter of Macedonia African Methodist Episcopal Church

4. PROCLAMATION / PRESENTATION

4.1 **BUDGET SUMMARY** - *Comptroller Pauline Testagrose will answer any questions regarding the budget summary for December 2021.*

4.2 **PROCLAMATION - FLORIDA ARBOR DAY** - *Proclaims Friday, January 21, 2022, "Florida Arbor Day". Planning and Conservation Department Arborist Dave Neville will be present to accept.*

5. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA

6. CONSENT AGENDA

6.1 **APPROVAL OF MINUTES** - *City Commission Workshop - December 7, 2021; City Commission Regular Meeting - December 7, 2021; City Commission Workshop - December 21, 2021; and the City Commission Regular Meeting - December 21, 2021.*

6.2 **SCRIVENER'S ERROR CORRECTION - BUDGET AMENDMENT - AIRPORT AND COMMUNITY REDEVELOPMENT AREA** - RESOLUTION 2022-01 APPROVING AN AMENDMENT TO THE AIRPORT BUDGET AND THE COMMUNITY REDEVELOPMENT AREA BUDGET FOR FISCAL YEAR 2021/2022; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Corrects funds allotted to the Fire Station Improvements, account, 420 56300 for ~~\$869,000~~ 859,000 and the Loan Proceeds account, 420 38410 for ~~\$869,000~~ 859,000.*

6.3 **SCRIVENER'S ERROR CORRECTION - SOLE SOURCE PURCHASE APPROVAL - FOURNIER INDUSTRIES, INC.** - RESOLUTION 2022-13 APPROVING FOURNIER INDUSTRIES, INC., AS A SOLE SOURCE VENDOR IN FISCAL YEAR 2021/2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Corrects funding source account number: Utilities Capital Improvement account, ~~450 330~~ 56300.*

7. RESOLUTIONS

- 7.1 **SOLE SOURCE VENDOR APPROVAL - SAND HILL RECYCLING, LLC - RESOLUTION 2022-16** APPROVING SAND HILL RECYCLING, LLC AS A SOLE SOURCE VENDOR IN FISCAL YEAR 2021/2022; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves Sand Hill Recycling, LLC as a sole source vendor for Fiscal Year 2021/2022 for processing and disposal of yard waste grindings and construction and demolition material.*
- 7.2 **GRANT APPLICATION - DEPARTMENT OF HOMELAND SECURITY - STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE - RESOLUTION 2022-17** AUTHORIZING GRANT APPLICATION SUBMISSION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the submittal of one DHS SAFER grant application for the purpose of funding three new Firefighter/EMT/Paramedic positions during their first three years of employment.*

8. ORDINANCE - FIRST READING

- 8.1 **HISTORIC DISTRICT BOUNDARY EXPANSION - ORDINANCE 2022-01** EXPANDING THE BOUNDARY OF THE HISTORIC DISTRICT TO INCLUDE PROPERTIES LOCATED ON S. 9TH STREET, BEECH STREET, AND N. 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Property owners of parcels located at 202 S. 9th Street (Macedonia AME Church), 801 Beech Street, 815 Beech Street, 121 S. 9th Street (Nassau Trust, LLC), and 101 N. 2nd Street (IP Holdings, LLC) have requested to be included in the local downtown historic district.*
- 8.2 **CODE AMENDMENT - CODE ENFORCEMENT - ORDINANCE 2022-02** AMENDING THE CODE OF ORDINANCES OF THE CITY OF FERNANDINA BEACH, FLORIDA, BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, CODE ENFORCEMENT AND SPECIAL MAGISTRATE, BY REPEALING THE SECTIONS IN ARTICLE VI IN THEIR ENTIRETY, RETITLING THE ARTICLE "CODE ENFORCEMENT" AND NUMBERING WITH NEW SEQUENCE OF SECTION NUMBERS; AMENDING CHAPTER 2 BY CREATING SECTION 360, INTENT; CREATING SECTION 361, DEFINITIONS; CREATING SECTION 362, APPOINTMENT OF SPECIAL MAGISTRATE; CREATING SECTION 363, JURISDICTION OF SPECIAL MAGISTRATE; CREATING SECTION 364, POWERS AND DUTIES; CREATING SECTION 365, NOTICE OF VIOLATION/NOTICE OF HEARING; RESERVING SECTIONS 2-366-2-367; CREATING SECTION 368, CONDUCT OF HEARINGS; CREATING SECTION 369, PENALTIES FOR VIOLATION, LIENS; CREATING SECTION 370, APPEALS OF SPECIAL MAGISTRATE DECISIONS; RESERVING SECTIONS 371-410; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Abolishes the Code Enforcement and Appeals Board and adding Code Enforcement hearings to the duties of the special magistrate.*
- 8.3 **LAND DEVELOPMENT CODE AMENDMENTS - VARIOUS MINOR AMENDMENTS - ORDINANCE 2022-03** AMENDING THE LAND DEVELOPMENT CODE (LDC) WITH MINOR AMENDMENTS TO ADDRESS ERRORS, OMISSIONS AND CORRECTIONS BY AMENDING SECTION 1.03.05 CONSTRUCTION OR DEMOLITION OF STRUCTURES ON COMBINED LOTS TO ADDRESS PROCEDURAL REQUIREMENTS FOR SEEKING A VARIANCE; AMENDING SECTION 1.07.00 DEFINITION OF VARIANCE; AMENDING SECTION 2.03.02 ADDING CEMETERIES AS PERMISSIBLE WITHIN RECREATIONAL ZONING DISTRICTS, ADDING HEALTH CLUBS AND GYMS AS PERMISSIBLE IN C-1 ZONING DISTRICT, ADDING MUSIC, DANCING, PHOTOGRAPHY, OR ART STUDIOS AS PERMISSIBLE IN C-1 ZONING DISTRICT; AMENDING SECTION 4.05.12 TO INCLUDE REFERENCE FOR PORT BUFFER REQUIREMENTS CONSISTENT WITH THE COMPREHENSIVE PLAN; AMENDING SECTION 5.01.03 CLARIFYING ACCESSORY STRUCTURE SETBACKS TO INCLUDE FRONT YARD SETBACK MEASUREMENT; AMENDING SECTION 5.01.05 TO CLARIFY THE

MEASUREMENT OF FENCES AND WALLS; AMENDING SECTION 5.01.07 ALLOWING FOR VINYL DUMPSTER ENCLOSURES AND ADDING AN EXEMPTION FOR INDUSTRIAL USES ON I-2 ZONED PROPERTIES; AMENDING SECTION 6.02.04 CLARIFYING SUPPLEMENTAL STANDARDS FOR MOTORIZED VEHICLE SALES WITHIN THE MU-8 ZONING DISTRICT; AMENDING SECTION 7.01.04(A) FOOTNOTE 2 TO REFERENCE TO CRA PARKING STANDARDS; AMENDING SECTION 8.01.02(D) TO REFERENCE PREVIOUSLY CORRECTED PARKING STANDARDS WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA); AMENDING SECTION 11.02.01 TO PROVIDE ADDITIONAL NOTICE REQUIREMENTS FOR CERTAIN APPLICATIONS; AMENDING 11.02.03 EXPANDING MAILED NOTICE REQUIREMENTS TO 500 FEET; AMENDING 11.07.01 CLARIFYING APPEALS OF ADMINISTRATIVE DECISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.. *Synopsis: Amend the Land Development Code for various minor amendments to address errors, omissions and corrections.*

- 8.4 **LAND DEVELOPMENT CODE AMENDMENTS - TREE PROTECTION AND LANDSCAPE REQUIREMENTS** - ORDINANCE 2022-04 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY UPDATING TREE PROTECTION AND LANDSCAPE REQUIREMENTS BY AMENDING SECTION 4.05.03 LANDSCAPE REQUIREMENTS, AMENDING SECTION 4.05.05 MINIMUM REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT, AMENDING SECTION 4.05.10 STANDARDS FOR RETENTION AND DETENTION PONDS, CREATING SECTION 4.05.16 ESTABLISHING A TREE FUND; CREATING SECTION 10.03.01(C) ADMINISTRATIVE WAIVERS FOR TREE PROTECTION, AMENDING SECTION 11.05.03 INSTALLATION AND MAINTENANCE GUARANTEES FOR LANDSCAPING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts additional amendments to the City's tree protection and landscape ordinances.*
- 8.5 **LAND DEVELOPMENT CODE AMENDMENTS - MOBILE FOOD VENDING "FOOD TRUCKS"** - ORDINANCE 2022-05 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY ADDING STANDARDS FOR MOBILE FOOD VENDING UNITS OR "FOOD TRUCKS" BY AMENDING LDC SECTION 1.07.00 DEFINITIONS, AMENDING SECTION 2.03.02 ADDING MOBILE FOOD TRUCK PARK AS A USE SUBJECT TO SUPPLEMENTAL STANDARDS; AMENDING SECTION 6.02.24 ADDING SUPPLEMENTAL STANDARDS FOR MOBILE FOOD VENDING PARKS AND RENUMBERING SECTIONS 6.02.25 THROUGH 6.02.33, INCLUDING TABLES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Provides standards for mobile food vending in the Land Development Code.*
- 8.6 **LAND DEVELOPMENT CODE AMENDMENTS - ENCROACHMENT** - ORDINANCE 2022-06 AMENDING THE LAND DEVELOPMENT CODE (LDC) BY AMENDING SECTION 1.07.00 ADDING DEFINITIONS FOR DECKS, BALCONIES, AND PORCHES; AMENDING SECTION 4.02.03 (A), ADDING A REAR YARD PORCH ENCROACHMENT ALLOWANCE AND CLARIFYING DECK SETBACKS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adds definitions in Land Development Code Section 1.07.00 for decks, balconies, and porches and amends Section 4.02.03 (a) adding a porch encroachment allowance and clarifying deck setbacks.*
- 8.7 **LAND DEVELOPMENT CODE AMENDMENT - OLD TOWN DESIGN STANDARDS** - ORDINANCE 2022-07 AMENDING THE LAND DEVELOPMENT CODE (LDC) SECTION 8.01.01.02 TO CLARIFY SPECIFIC ALLOWANCES FOR DEVELOPMENT OF CONNECTING ELEMENTS WITHIN SIDE YARD CORRIDORS IN OLD TOWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Old Town Design Standards in Sections 8.01.01.02 (C)(3) and (J) to clarify specific allowances for the development of*

connecting elements in side yard corridors.

9. ORDINANCE - SECOND READING

- 9.1 **CODE AMENDMENT - CONSERVATION AND PRESERVATION OF LAND** - ORDINANCE 2021-37 AMENDING ARTICLE VIII, CONSERVATION AND PRESERVATION OF LAND UNDER CHAPTER 42, ENVIRONMENT; AMENDING SECTION 42-190 OBJECTIVES; AMENDING SECTION 42-192 DEFINITIONS; AMENDING SECTION 42-193 LAND CONSERVATION TRUST FUND; AMENDING SECTION 42-194 ADMINISTRATION; AMENDING SECTION 42-196 CRITERIA FOR EVALUATION OF LANDS; AMENDING SECTION 42-197 ACQUISITION LIST; AMENDING SECTION 42-198 NOMINATION OF ACQUISITION PROPOSALS; AMENDING SECTION 42-199 PROCEDURES FOR SELECTIONS AND PURCHASE PROCEDURES; AMENDING SECTION 42-200 MANAGEMENT AND USE OF ENVIRONMENTALLY SENSITIVE LANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amending Chapter 42, Article VIII, Conservation and Preservation of Land, by amending the process for identifying and acquiring suitable properties for conservation.*
- 9.2 **AMENDING THE MASTER FEE SCHEDULE** – ORDINANCE 2021-38 AMENDING FEES FOR THE GOLF COURSE, AND PLANNING AND CONSERVATION DEPARTMENT FOR FISCAL YEAR 2021/2022; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the amended fee schedule for the Golf Course, and correcting a Scrivener's error in the Planning fees, for Fiscal Year 2021/2022.*
- 9.3 **VOLUNTARY ANNEXATION - FLORIDA PUBLIC UTILITIES COMPANY PARCELS** - ORDINANCE 2021-39 ANNEXING THREE PARCELS TOTALING APPROXIMATELY 2.85 ACRES OF LAND LOCATED AT PARCEL NUMBER 00-00-31-1800-0186-0010, 00-00-31-1800-0308-0011, & 00-00-31-1800-0183-0000, CONTIGUOUS TO THE CITY LIMITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Annexes three parcels: 00-00-31-1800-0186-0010; 00-00-31-1800-0308-0011, and 00-00-31-1800-0183-0000 into the City limits.*
- 9.4 **FUTURE LAND USE MAP ASSIGNMENT - FLORIDA PUBLIC UTILITIES COMPANY PARCELS** - ORDINANCE 2021-40 ASSIGNING A FUTURE LAND USE MAP CATEGORY OF PUBLIC & INSTITUTIONAL (PI) FOR 2.85 ACRES OF LAND LOCATED AT 00-00-31-1800-0186-0010, 00-00-31-1800-0308-0011, & 00-00-31-1800-0183-0000; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Future Land Use Map (FLUM) of Public & Institutional for parcels: 00-00-31-1800-0186-0010; 00-00-31-1800-0308-0011, and 00-00-31-1800-0183-0000.*
- 9.5 **ZONING ASSIGNMENT - FLORIDA PUBLIC UTILITIES COMPANY PARCELS** - ORDINANCE 2021-41 ASSIGNING A ZONING CATEGORY OF PUBLIC & INSTITUTIONAL (PI-1) FOR 2.85 ACRES OF LAND LOCATED AT 00-00-31-1800-0186-0010, 00-00-31-1800-0308-0011, 00-00-31-1800-0183-0000; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Zoning map assignment of PI-1 for parcels 00-00-31-1800-0186-0010; 00-00-31-1800-0308-0011, and 00-00-31-1800-0183-0000.*

10. BOARD APPOINTMENTS

- 10.1 **AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AGENCY ADVISORY BOARD** - *seven appointments.*

11. CITY MANAGER REPORTS

12. CITY ATTORNEY REPORTS
13. CITY CLERK REPORTS
14. MAYOR/COMMISSIONER COMMENTS
15. ADJOURNMENT

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A “REQUEST TO SPEAK” FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - MULTI-MEDIA PRESENTATIONS MUST BE SUBMITTED TO THE CITY CLERK NO LATER THAN THE FRIDAY BEFORE THE MEETING.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
 - AT THE DISCRETION OF THE MAYOR, A RECESS MAY BE SCHEDULED EVERY NINETY MINUTES.
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Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).