



**AGENDA
PLANNING ADVISORY BOARD
REGULAR MEETING
JUNE 8, 2022
5:00 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. APPROVAL OF MEETING MINUTES

3.1 *Review and approve the minutes of the May 11, 2022 meeting.*

4. OLD BUSINESS

4.1 VISION 2045 UPDATE AND DIRECTION FROM CITY MANAGER

5. NEW BUSINESS

5.1 PAB2022-0020 - VOLUNTARY ANNEXATION + ZONING + LAND USE MAP AMENDMENTS - 1411 S. 14TH STREET - FOURTEENTH STREET PROFESSIONAL PLAZA

REQUEST FOR VOLUNTARY ANNEXATION FOR A PARCEL OF LAND TOTALING 1.63 ACRES OF LAND, ASSIGNMENT OF THE CITY'S FUTURE LAND USE MAP CATEGORY OF GENERAL COMMERCIAL, AND ZONING DISTRICT OF C-2 FROM NASSAU COUNTY COMMERCIAL LAND USE AND COMMERCIAL INTENSIVE ZONING DISTRICT.

5.2 PAB2022-0021 - LAND DEVELOPMENT CODE TEXT AMENDMENTS (VARIOUS AND MINOR CHANGES)

CITY OF FERNANDINA BEACH REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS MINOR AMENDMENTS TO ADDRESS ERRORS, OMISSIONS AND CORRECTIONS INCLUDING SECTION 1.07.00 TO AMEND DEFINITIONS FOR BALCONY, PORCH, AND SHADE TREE; AND TO MODIFY STANDARDS FOR LOT DESIGN BY STRIKING WATER BODIES AS IMPERVIOUS SURFACES IN SECTION 4.02.01(D); AND AMENDING TABLE 4.02.01(J) DESIGN STANDARDS FOR LOTS TO ADD NOTE 4.02.01(J)(7) REQUIREMENT OF A PERMIT FOR CONCRETE OR ASPHALT INSTALLATION MORE THAN 150 SQUARE FEET; AND AMENDING SECTION 4.02.03(A)(5) STANDARDS FOR BUILDINGS AND BUILDING PLACEMENT TO ADD SUBSECTION 4.02.03(A)(5)(A) TO ADDRESS SIDE AND FRONT YARD SETBACK REQUIREMENTS FOR BALCONIES; AND AMENDING SECTION 4.02.03 (A)(7) DECK SETBACK REQUIREMENTS FOR SIDE AND REAR YARDS; AND AMENDING SECTION 4.03.03(6)(A) 8TH STREET SMALL AREA DESIGN STANDARDS TO ADDRESS FENCE MATERIAL REQUIREMENT FOR PROPERTIES FRONTING 8TH STREET AND TO ADD SUBSECTION 4.02.03(A)(I) PROVIDING WOOD AND VINYL FENCE MATERIAL ALLOWANCE FOR ALL OTHER PROPERTIES NOT FRONTING 8TH STREET, WITHIN MU-8

ZONING; AND AMENDING SECTION 5.01.11(F)(2) AND 5.01.11(F)(3) SWIMMING POOLS AND POOL ENCLOSURES TO MODIFY MINIMUM SIDE AND REAR SETBACK REQUIREMENTS; AND AMENDING SECTION 6.02.24 MOBILE FOOD VENDING “FOOD TRUCK” PARKS TO ADD SUBSECTION 6.02.24(A)(1) DIRECTING FOOD TRUCK COMPLIANCE WITH ALL PROVISIONS OF APPLICABLE FLORIDA STATUTES AND FLORIDA ADMINISTRATIVE CODE, AND AMENDING SECTION 6.02.24 TO INCLUDE REFERENCES TO FLORIDA STATUTES AND FLORIDA ADMINISTRATIVE CODE; AND AMENDING SECTION 7.01.01(E) ACCESS AND DRIVEWAY DESIGN REQUIREMENTS; AND MODIFYING SECTION 7.01.02(C) STREETS AND RIGHTS-OF-WAY TO INCLUDE AMENDED STREET NUMBER SIGN REQUIREMENTS, AND BY AMENDING SECTION 7.01.02(C) TO STRIKE SUBSECTION 7.01.02(C)(2); AND MODIFYING TABLE 7.01.04(A) PARKING SPACE REQUIREMENTS BY STRIKING ERRONEOUS REFERENCE TO SECTION 4.03.03 IN FOOTNOTE 2; AND AMENDING SECTION 7.01.08(B) VISIBILITY AT INTERSECTIONS DIRECTING CONSISTENCY WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DESIGN MANUAL AND BY STRIKING SUBSECTION 7.01.08(B)(1); AND MODIFYING STANDARDS FOR AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA BY STRIKING ERRONEOUS REFERENCE TO SECTION 3.01.03(J) AS CONTAINED IN SECTION 8.01.02(D)(1); AND AMENDING SECTION 8.01.01.02 (H). SPECIFIC REQUIREMENTS WITHIN THE OT-1 AND OT-2 ZONING DISTRICTS TO ADDRESS INCONSISTENCY IN HEIGHT REQUIREMENTS FOR ACCESSORY DWELLINGS WITHIN THE OT-1 AND OT-2 ZONING DISTRICTS; AND AMENDING SECTION 9.01.01 APPOINTMENT, TERM OF OFFICE, AND GENERAL MEMBERSHIPS REQUIREMENTS AND SECTION 9.01.02 ATTENDANCE AND AMENDING SECTION 9.01.03 OFFICERS AND COMMITTEES AMENDING SECTION 9.01.04 REMOVALS AND VACANCIES TO PROVIDE CONSISTENCY WITH MUNICIPAL CODE STANDARDS AS AMENDED IN AUGUST 2021 AND MODIFYING SECTION 10.02.01 VARIANCES GENERALLY TO ALIGN WITH THE CURRENT BUILDING HEIGHT RESTRICTION LANGUAGE IN SECTION 4.02.03.

6. **BOARD BUSINESS**
7. **STAFF REPORT**
8. **PUBLIC COMMENT**
9. **ADJOURNMENT**

THE NEXT PAB REGULAR MEETING IS SCHEDULED FOR WEDNESDAY, JULY 13, 2022.

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.



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
MAY 11, 2022**

1. CALL TO ORDER 5:00

2. ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Genece Minshew (Vice-chair)	Mark Bennett
Victoria Robas (Chair)	Peter Stevenson
Barbara Gingher	John Boylan

MEMBERS ABSENT:

Brandy Carvalho

OTHERS PRESENT:

Kelly Gibson, Planning & Conservation Director
Tammi Bach, City Attorney
Daphne Forehand, City Planner
Taylor Hartmann, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MEETING MINUTES

4.1 Approval of Minutes for the March 9, 2022, Regular Meeting.

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

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

4.2 Approval of Minutes from the April 13, 2022, Regular Meeting.

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

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

5. OLD BUSINESS

There were no Old Business items to discuss.

6. NEW BUSINESS

6.1 **PAB 2022-0019 - TERESA PRINCE, TOMASSETTI + PRINCE, AGENT FOR AMELIA ISLAND LLC, REQUEST FOR FUTURE LAND USE MAP (FLUM) AMENDMENT FROM COMMERCIAL TO MIXED USE AND ZONING MAP AMENDMENT CHANGE FROM C-1 COMMUNITY COMMERCIAL TO MU-1 MIXED USE:**
604 N. 14th Street, 1425 Franklin Street

Ms. Forehand presented the staff analysis and recommendations which included a Future Land Use of Mixed-use and a Zoning Designation of MU-1.

Board members discussed the potential increase in density with a change to MU-1.

Teresa Prince, 406 Ash St., agent for the applicant provided the Board with a brief presentation of the request.

Victoria Green, 631 N. 15th St., spoke against the requested zoning amendment.

ACTION TAKEN: A motion was made by Member Bennett, seconded by Member Minshew to recommend denial of PAB case 2022-0019 to the City Commission; AND that PAB case 2022-0019 as presented is not sufficiently compliant with the Comprehensive Plan and Land Development Code and applicable Florida Statutes to be approved at this time.

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

7. BOARD BUSINESS

7.1 Vision 2045 (Prepared for May 17, 2022, City Commission Agenda)

Ms. Gibson reminded the Board that this final document will be presented to the Commission next week.

7.2 Resilient Florida Grant Update and Next Steps (Presentation at Meeting)

Ms. Gibson stated that the city was awarded a grant that will support a vulnerability assessment.

7.3 LDC Restructuring/ Format Changes (Staff Presentation)

Ms. Forehand provided the Board with an overview of key goals and benefits of a proposed LDC Restructuring.

7.4 Minor LDC Changes for Board Consideration at June Regular PAB Meeting (Staff Presentation at Meeting)

Ms. Gibson provided the Board with an overview of proposed LDC text amendments that will come before the Board for review in June.

8. STAFF REPORT

Ms. Gibson stated that the Planning Department will be hosting an intern this summer.

9. PUBLIC COMMENT

Margaret Kirkland, 1377 Plantation Point Drive, thanked staff for their efforts put into the Vision 2045 plan.

10. ADJOURNMENT 6:22

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Comprehensive Plan Amendment

REQUESTED ACTION:

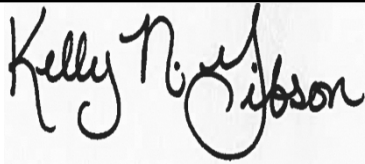
SYNOPSIS:

CITY ATTORNEY COMMENTS:

Daphne Forehand, Planner I

Kelly Gibson, Planning Director

Katie Newton, Legal Assistant



Date: June 01,
2022

Submitted By: Kelly Gibson, Planning
Director



APPLICATION FOR VOLUNTARY ANNEXATION, LAND USE AND ZONING
1411 SOUTH 14TH STREET

APPLICATION & SURROUNDING AREA INFORMATION:

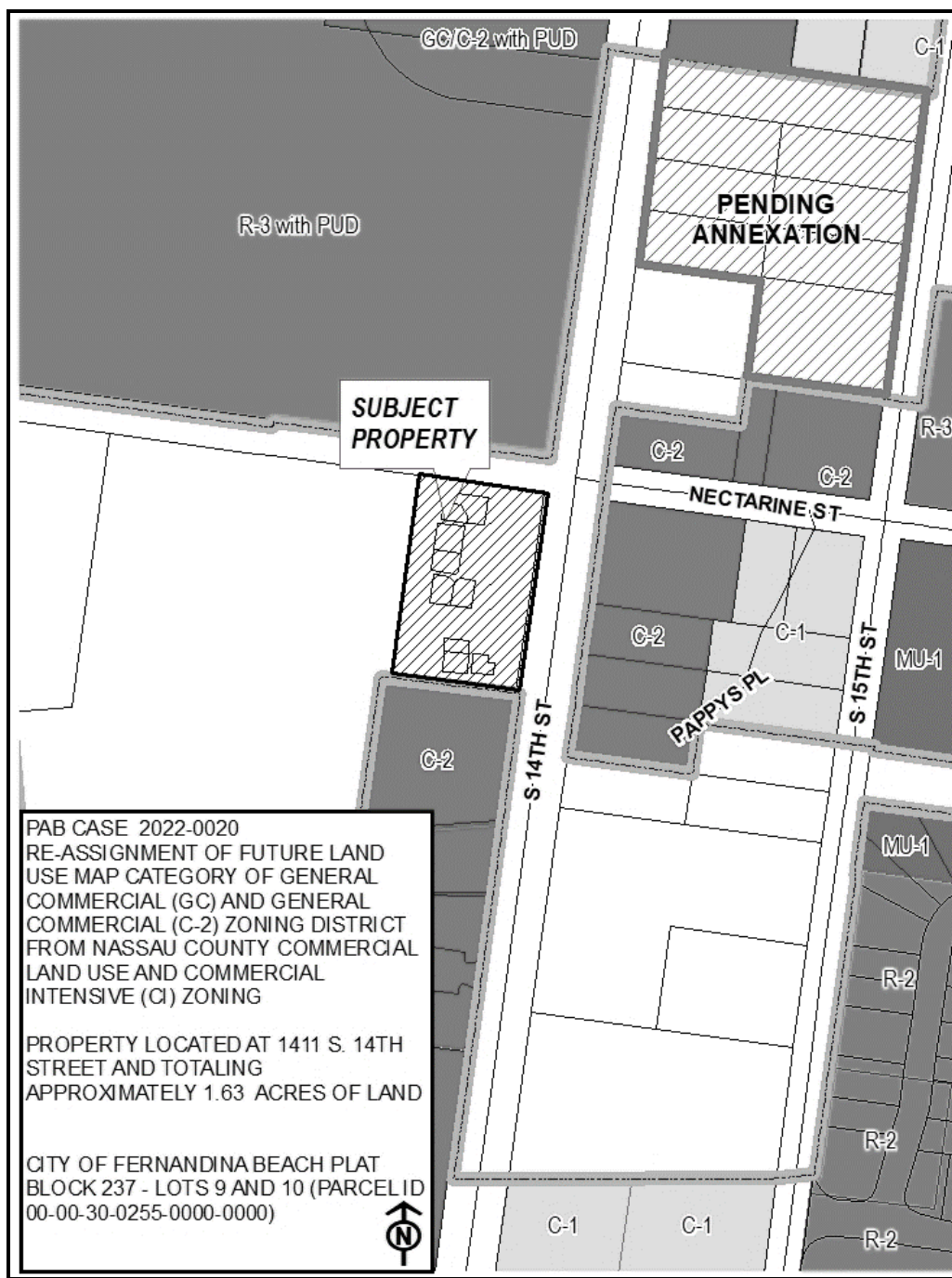
OWNER/APPLICANT:	Fourteenth Street Professional Plaza				
AGENT:	n/a				
REQUESTED ACTION:	Voluntary Annexation, Assignment of a Future Land Use Map Category of General Commercial and, Zoning District of C-2				
LOCATION:	1411 South 14 th Street				
CURRENT ZONING:	Nassau County Commercial Intensive				
CURRENT LAND USE:	Nassau County Commercial				
EXISTING USES ON SITE:	Professional/Medical Offices				
PROPERTY SIZE:	Approximately 1.63 Acres of Land				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
WITHIN CITY LIMITS	North	Apartment	2019	R-3 with PUD	High Density Residential
WITHIN CITY LIMITS	South	Auto repair	1980	C-2	General Commercial
WITHIN CITY LIMITS	East	Utilities	n/a	C-2	General Commercial
NASSAU COUNTY	West	Utilities	n/a	Commercial Intensive	Commercial

*** 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. ***



STAFF REPORT
PAB 2022-0020 (AX, LU, CZ)
Planning Advisory Board Hearing
June 08, 2022

Daphne Forehand
Planner I





SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The City of Fernandina Beach requests annexation of 1411 South 14th Street. Resolution 2022-85 approved extension of water and sewer services of land located off South 14th Street. Assignment of the General Commercial (GC) Future Land Use Map (FLUM) category and General Commercial (C-2) Zoning District is requested for the subject parcel. These designations are the most closely aligned with the Current Nassau County FLUM category and zoning district.

CONSISTENCY WITH THE COMPREHENSIVE PLAN / LAND DEVELOPMENT CODE:

This is a voluntary annexation of property as compliant with all applicable Florida Statutes and the City's Municipal Code. The annexation area is compact, does not create an "enclave", and represents a logical extension of the City boundary. The area is a logical extension of urban development and any development or redevelopment is capable of achieving full compliance with the City's Land Development Code and Comprehensive Plan. The City is able to serve this property and meet or exceed all levels of service required by Comprehensive Plan policies referenced herein.

<i>Applicable Policy Reference</i>	<i>Determination of Consistency</i>
CP 1.02.02	✓
CP 1.02.03	✓
CP 1.02.04	✓
CP 1.02.10	✓
CP 1.03.01	✓
CP 1.04.03	✓
CP 1.07.09	✓
CP 4.01.01	✓
CP 4.01.02	✓
LDC 2.01.12	✓
LDC11.01.07	✓

CONCLUSION AND STAFF RECOMMENDATIONS:

The requested action is consistent with the City's Comprehensive Plan and the Land Development Code. Staff recommends approval of the voluntary annexation, assignment of the General Commercial FLUM category, and C-2 zoning district. Following the recommendation of the Planning Advisory Board (PAB), the application will move forward to the City Commission in the form of three separate ordinances at a public hearing anticipated for July 5, 2022,



STAFF REPORT
PAB 2022-0020 (AX, LU, CZ)
Planning Advisory Board Hearing
June 08, 2022

Daphne Forehand
Planner I

MOTION TO CONSIDER:

I move to recommend **(approval or denial)** of PAB case number 2022-0020 to the City Commission requesting that a Voluntary Annexation, Assignment of the General Commercial land use category, and C-2 zoning district for properties located at 1411 South 14th Street be **(approved or denied)** and that PAB case 2022-0020, as presented, **(is or is not)** sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time.

Respectfully submitted,

Daphne Forehand
Planner I

Print

Planning Advisory Board (PAB) - Submission #9131

Date Submitted: 4/29/2022

Planning Advisory Board (PAB) Application

USE THIS FORM TO Request actions to affect changes to property (zoning changes, annexations, allowable uses, subdivisions).

Fees

Once application is submitted it will be reviewed for completeness. Once verified complete, an invoice will be emailed to the applicant.



Zoning Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)



Land Use Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)



LDC Text Amendment (\$1,500)



Comp Plan Amendment (\$5,000)



Subdivision Plat " Preliminary (≤ 20 units \$3,000 / > 20 units \$5,000)



Subdivision Plat " Final (\$1,500)



Vacation of R.O.W. (\$3,500)



Small Cell Outside R.O.W. (per application) (\$500)



Voluntary Annexation (\$2,000)



Development of Regional Impact: Amend Development Order (\$1,500)



New Telecommunications Structure (\$2,000)



Revision to each PAB Application - 1/2 cost of original application fee (To offset additional display ad fee)

pab 2022



IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, youâ€™ll need to meet with a City Planner prior to submitting your application. Completed applications are due 30 days prior to the Planning Advisory Board meeting date.

Please see the Land Development Code (LDC) for detailed information:

☐

LDC Text Amendment “ see LDC Section 11.01.08.

☐

Preliminary Subdivision Plat “ see LDC Section 11.01.05.

☐

Final Subdivision Plat “ LDC Section 11.01.05.

☐

Zoning Map Changes “ See LDC Section 11.01.07.

The LDC is available for review at

www.fbfl.us/LDC

Application Requirements

☐

A complete application filed at least forty-five (45) days before the date of the Planning Advisory Board’s public hearing;

☐

Proof of Ownership (copy of deed or tax statement);

☐

A current survey of the property (no older than two years);

☐

If applying as an agent, Owner’s Authorization for Agent Representation form needs to be signed/ notarized and included in application;

☐

A detailed letter of intent stating the following:

☐

o The consistency of the proposed amendment(s) or action(s) with the City’s Comprehensive Plan.

☐

o A justification for the proposed amendment(s) or action(s).

Have you met with a planner for a pre-application meeting?*

Yes

What was the date of your pre-application meeting?*

4/14/2022

If you have yet to have a pre-application meeting, please choose a date and time to schedule your meeting now. Every Tuesdays are reserved for pre-application appointments.*

PROPERTY INFORMATION

Property information can be found at the Nassau County Property Appraiser’s Website’s Map Search

Site Address*

1411 S. 14th Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

00-00-30-0255-0000-0000

Lot*

9-10

Block*

237

Subdivision*

S. 14th Street

Zoning District*

C-3

Future Land Use Designation*

General Commercial

REVIEW TYPE*

☒ Zoning Map Amendment ≤ 10 acres

☐ Zoning Map Amendment > 10 acres

☐ LDC Text Amendment

☐ Comp Plan Amendment

☐ Subdivision Plat “ Preliminary ≤ 20 units

☐ Subdivision Plat “ Preliminary > 20 units

☐ Subdivision Plat “ Final

☐ Vacation of R.O.W.

☒ Voluntary Annexation

☐ Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Phil

Last Name*

Griffin

Company (if applicable)

South Fourteenth Street Professional Plaza

Mailing Address*

608 s. 8th Street

City*

Fernandina Beach

State*

FL

Zip*

32034

Telephone Number*

904-261-2770

Email Address*

propmngmt@acrfl.com

OWNER'S AGENT

If other than owner. If an agent will be representing the owner, an Owner’s Authorization For Agent Representation form must be included

First Name

Dale

Last Name

Martin

Mailing Address

204 Ash Street

City

Fernandina Beach

State

FL

Zip

32034

Telephone Number

904-310-3480

E-mail Address

planninginfo@fbfl.city

PROJECT INFORMATION

Previous Planning/Zoning Approvals

Admin2022-0033

Summary of Request (more detailed information to be provided in required letter of intent)*

annexation

Certification*



By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.



I acknowledge that I understand and have complied with all of the submittal requirements and procedures.

Applicant First Name*

Dale

Applicant Last Name*

Martin

Today's Date*

4/29/2022

Upload Supporting Documentation*

Resolution.doc



Upload 2

Choose File

No file selected

Upload 3

Choose File

No file selected

Upload 4

Choose File

No file selected

DEPARTMENT OF PLANNING & CONSERVATION

204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 | www.fbfl.us/planning

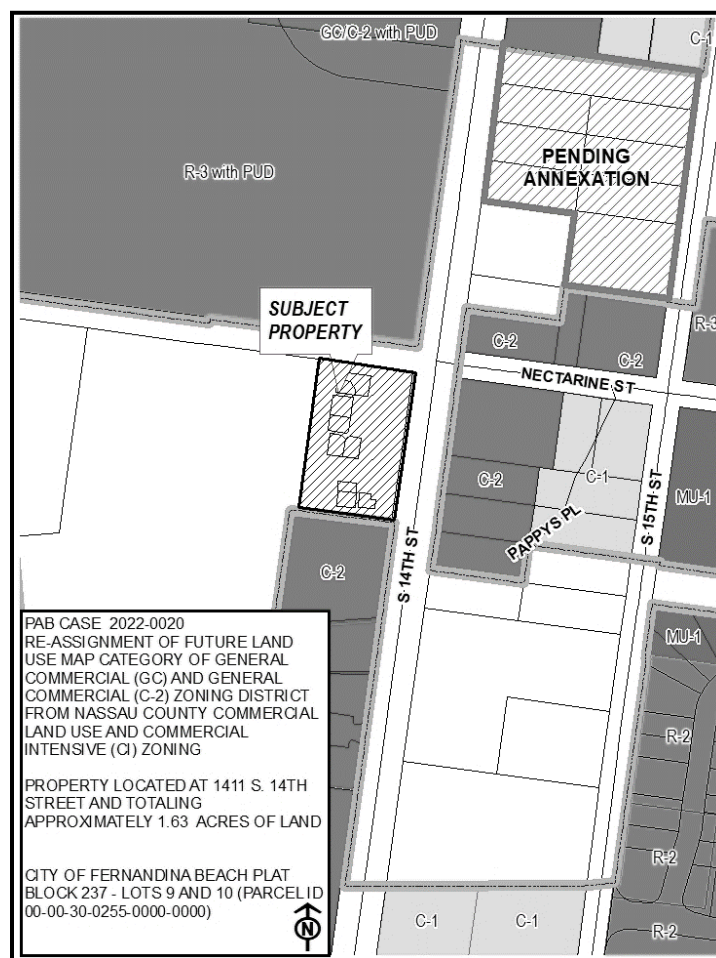


**NOTICE OF PUBLIC HEARING
PLANNING ADVISORY BOARD
CITY OF FERNANDINA BEACH**

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Wednesday, June 8, 2022, at 5:00 p.m.** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following

VOLUNTARY ANNEXATION/ FUTURE LAND USE MAP AMENDMENT/ ZONING CHANGE

PAB CASE 2022-0020: CITY OF FERNANDINA BEACH REQUESTS VOLUNARY ANNEXATION OF APPROXIMATELY 1.63 ACRES OF LAND LOCATED AT 1411 S. 14TH STREET (PARCEL ID 00-00-30-0255-0000-0000), ASSIGNMENT OF THE FUTURE LAND USE MAP CATEGORY OF GENERAL COMMERCIAL (GC) AND GENERAL COMMERCIAL (C-2) ZONING DISTRICT FROM NASSAU COUNTY COMMERCIAL LAND USE AND COMMERCIAL INTENSIVE (CI) ZONING.



LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENTS

PAB CASE 2022-0021: CITY OF FERNANDINA BEACH REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS MINOR AMENDMENTS TO ADDRESS ERRORS, OMISSIONS AND CORRECTIONS INCLUDING SECTION 1.07.00 TO AMEND DEFINITIONS FOR BALCONY, PORCH, AND SHADE TREE; AND TO MODIFY STANDARDS FOR LOT DESIGN BY STRIKING WATER BODIES AS IMPERVIOUS SURFACES IN SECTION 4.02.01(D); AND AMENDING TABLE 4.02.01(J) DESIGN STANDARDS FOR LOTS TO ADD NOTE 4.02.01(J)(7) REQUIREMENT OF A PERMIT FOR CONCRETE OR ASPHALT INSTALLATION MORE THAN 150 SQUARE FEET; AND AMENDING SECTION 4.02.03(A)(5) STANDARDS FOR BUILDINGS AND BUILDING PLACEMENT TO ADD SUBSECTION 4.02.03(A)(5)(A) TO ADDRESS SIDE AND FRONT YARD SETBACK REQUIREMENTS FOR BALCONIES; AND AMENDING SECTION 4.02.03 (A)(7) DECK SETBACK REQUIREMENTS FOR SIDE AND REAR

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Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3100, TTY 711, (TTY number for all City offices) or through the Florida Relay Service at 711 at least 24 hours in advance to request such accommodation. The PAB serves as a recommending committee. Every application is submitted to the City Commission for final decision making.

Copies of the applications may be inspected in the office of the Planning Department, City Hall, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday. To make an appointment with a planner, please call 904-310-3480.

Thank you so much.

Note to News Leader:

**** This ad cannot be included in the legal or the classified section of the newspaper. ****
Please run as a DISPLAY ad in the Friday, May 27, 2022 issue.

RESOLUTION 2022-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE EXTENSION OF WASTEWATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 1.63 ACRES OF LAND LOCATED AT 1411 S. 14TH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, property owners, Fourteenth Street Professional Plaza, completed the City of Fernandina Beach Voluntary Annexation Petition/Water/Wastewater Annexation Agreement Application pursuant to Chapter 171.044, Florida Statutes, for one parcel containing approximately 1.63 acres located at 1411 S. 14th Street, identified as Parcel No. 00-00-30-0255-0000-0000; and

WHEREAS, staff determined the request is consistent with the City's Municipal Code Sections 82-44 and 82-403, its Comprehensive Plan, and Land Development Code; and

WHEREAS, the City Commission has determined that it is in the best interest of the City to provide wastewater services to the subject property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, THAT:

SECTION 1. The City Commission hereby authorizes the extension of wastewater services to the property owners identified, whose property is located outside the corporate limits of the City at 1411 S. 14th Street and identified as Parcel No. 00-00-30-0255-0000-0000, attached hereto as Exhibit A, and approves the Voluntary Annexation Petition, attached hereto as Exhibit B.

SECTION 2. The City Commission hereby authorizes the City Clerk and City Manager to execute said petition on behalf of the City of Fernandina Beach.

SECTION 3. The City Clerk is hereby directed to record the petition in the public records of Nassau County, Florida, as required by Ordinance No. 2001-01.

SECTION 4. This Resolution shall be effective immediately upon passage.

ADOPTED this 17th day of May, 2022.

CITY OF FERNANDINA BEACH

MICHAEL A. LEDNOVICH
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

RESOLUTION 2022-85

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE EXTENSION OF WASTEWATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 1.63 ACRES OF LAND LOCATED AT 1411 S. 14TH STREET; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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ADOPTED this 17th day of May, 2022.

CITY OF FERNANDINA BEACH



MICHAEL A. LEDNOVICH
Commissioner - Mayor

ATTEST:



CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

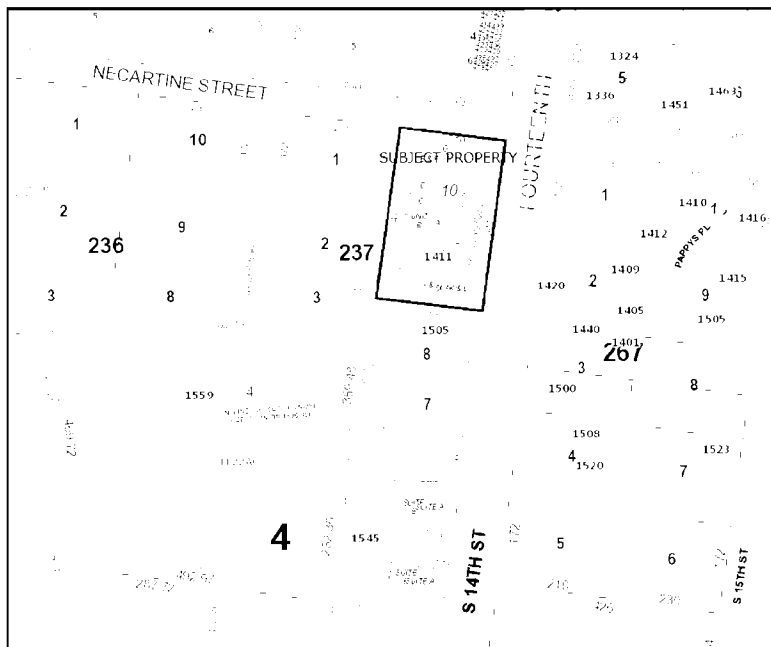


TAMMI E. BACH
City Attorney

**RESOLUTION 2022-85
EXHIBIT "A"**

WASTEWATER AGREEMENT/ VOLUNTARY PETITION FOR ANNEXATION OF PARCEL ID
NUMBER: 00-00-30-0255-0000-0000 LOCATED AT 1411 S. 14TH STREET TOTALING
APPROXIMATELY 1.63 ACRES OF LAND

1411 S. 14TH STREET



**Resolution 2022-85
Exhibit "B"**

**CITY OF FERNANDINA BEACH
VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION**

THIS VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION dated this 5th day of April, 2022 by and between the CITY OF FERNANDINA BEACH, a municipal corporation, (hereinafter referred to as "City"); and 14th Street Professional Plaza (hereinafter collectively referred to as the "Applicants").

WHEREAS, this Annexation Agreement/ Petition for Annexation (hereinafter referred to as "Agreement") shall be considered entered into upon execution, where the actual annexation of land shall occur once the subject property becomes contiguous to any boundary demarking the incorporated area of the City of Fernandina Beach and upon the execution of an Ordinance by the City Commission of the City authorizing and approving the execution of such annexation, consistent with the mutual promises, covenants and acknowledgments agreed to by the City Commission and the Applicants, as contained in this Agreement; and

WHEREAS, the Applicants collectively, are the owners of record of the parcel of land known and described as follows, comprising the property which is the subject of this Agreement (the "Property"):

PARCEL ID#: 00-00-30-0255-0000-0000

GENERALLY DESCRIBED AS: 14th Street Professional Plaza

ADDRESSED AS: 1411 S 14th Street

See Attached Exhibit "A"

WHEREAS, the covenants and acknowledgments contained herein have been made in consideration of annexation into the City of Fernandina Beach of the above described Property; and

WHEREAS, it is the desire of the City to provide for appropriate use of the Property; and

WHEREAS, the Applicants are willing to have the Property annexed to the City and the City desires and believes that it would be in the best interest of the City to annex the Property, which is located outside the corporate limits of the City in Nassau County, Florida, at such time as the Property become contiguous; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and acknowledgments stated herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Effective Date:** This Agreement shall become effective upon execution.
2. **Execution:** The parties hereto agree to execute any and all such documents as are reasonably necessary to carry out the terms and provisions of this Agreement.
3. **Binding Effect:** The parties hereto do covenant and agree that this Agreement and its Exhibits, shall be binding on their successors and assigns, including the political subdivisions as the City of Fernandina Beach.
4. **Water and/or Sanitary Sewer:** The Applicants shall be permitted to tap into the City's water and/or sanitary sewer system at a point determined by the City. The Applicants shall also be responsible for payment to the City of any and all applicable fees that are assessable under City Ordinance and State Law.

5. Land Use and Zoning: Upon Annexation of the Property, and until the adoption by the City Commission of the City's Comprehensive Plan and zoning district for the Property, the Comprehensive Plan (including future land use) and zoning ordinances and regulations shall remain in full force and effect for the Property, and shall be enforced by the City. The City shall adopt the future land use designation and zoning district for the Property that most closely approximate to the current Nassau County future land use designation and zoning district for the Property regarding allowable uses and development standards.

6. Governing Law: The laws of the State of Florida shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect.

7. Entire Agreement: The parties hereto acknowledge that this Agreement constitutes the sole agreement between the parties; that all prior proposals and agreements, whether oral or written, are hereby superseded; and that this Agreement may not be changed, altered or modified except in writing and signed by the parties hereto. The parties hereto further acknowledge that, in entering into this Agreement, each party has not been induced by, has not relied upon, and has not included as part of the basis of the bargain herein, any representation or statement, whether expressed or implied, made by any agent, representative or employee, which representation or statement is not approved by the other at any public hearing or work session of the City Commission or otherwise made as part of the official public record in the proceedings related to this Agreement. This Agreement binds the Applicants' Property to being annexed into the City once the Property becomes contiguous to any boundary demarking the incorporated area of the City of Fernandina Beach and upon the execution of an Ordinance by the City Commission of the City authorizing and approving the execution of such agreement, consistent with the mutual promises, covenants and acknowledgments agreed to by the City Commission.

8. Default: In the event either of the parties default in the performance of the obligations set forth in this Agreement, then the other may, upon notice to defaulting party, allow the defaulting party sixty (60) days to cure the default or provide evidence to the non-defaulting party that such default will be cured in a timely manner if it cannot be cured during said period. If the defaulting party fails to cure such default or provide such evidence as provided above, then, with notice to defaulting party, the other party may begin proceedings to require specific performance of this Agreement or bring suit for damages for breach of the Agreement. The prevailing party shall be entitled to a reasonable attorney's fee for having brought such action.

8. Recording: This Agreement shall run with the land and a copy of this Agreement for Annexation shall be filed and recorded by the City Clerk's Office with the Nassau County Clerk of Circuit Court.

IN WITNESS WHEREOF, the City and Applicant(s) have caused this instrument to be executed by their respective proper parties duly authorized to execute the same on the day and the year first above written.

CITY OF FERNANDINA BEACH

ATTEST:



DALE L. MARTIN
City Manager



CAROLINE BEST
City Clerk

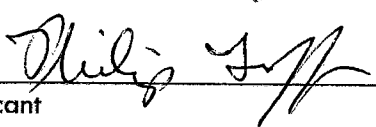
APPROVED AS TO FORM AND LEGALITY:

City of Fernandina Beach, Department of Planning & Conservation - 204 Ash Street Fernandina Beach, FL 32034
P: 904.310.3480 - Email: PlanningInfo@fbfl.city - www.fbfl.us



TAMMI E. BACH
City Attorney

APPLICANT(S)

By: 
Applicant

By: _____
Applicant

STATE OF FLORIDA

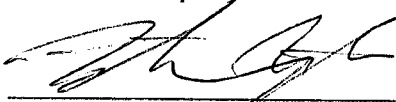
COUNTY OF NASSAU

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Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization,

this 14th day of April, 20 22,

by Philip Griffin.


Notary Public

Heather Hughes
Printed Name

3/19/2024
My Commission Expires

Personally Known ☒ OR Produced Identification ☐ ID Produced: ☐

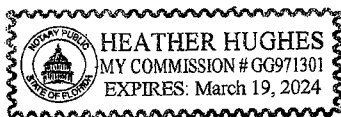


EXHIBIT A



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

Dr. Minnie Ogburn, Director, Board Member Fourteenth Street Professional Plaza Association, I
I/WE _____

(print name of property owner(s))

hereby authorize: Philip Griffin, Broker, Amelia Coastal Realty _____

(print name of agent)

to represent me/us in processing an application for: 1411 S 14th ST Voluntary Annexation Agreement
(type of application)

on our behalf. In authorizing the agent to represent me/us, I/we, as owner/owners, attest that the application is made in good faith and that any information contained in the application is accurate and complete.

Minnie Ogburn
(Signature of owner)

(Signature of owner)

Minnie Ogburn
(Print name of owner)

(Print name of owner)



STATE OF FLORIDA

COUNTY OF NASSAU

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 12th day
of April, 2022, by Minnie Ogburn

Tara M. Riffe
Notary Public

Tara M. Riffe
Printed Name

08/29/2025
My Commission Expires

Personally Known ☒ OR Produced Identification _____ ID Produced: _____



A. Michael Hickox, CFA
Cert. Res. RD1941

NASSAU COUNTY
PROPERTY APPRAISER



Change of Address



PROPERTY INFORMATION

Parcel Number 00-00-30-0255-0000-0000

Owner Name FOURTEENTH STREET PROFESSIONAL

Mailing Address PLAZA

Location Address FERNANDINA BEACH, FL -

1411 S 14TH ST

FERNANDINA BEACH 32034

Tax District UNINCORPORATED MIDDLE ISLAND

Millage 16.1909

Homestead No

Property Usage HEADER REC H.

Deed Acres 0

Short Legal FOURTEENTH STREET PROFESSIONAL PLAZA 6C/25S OR
445/17-64 & OR 448/507-555

2021 Certified Values

Land Value \$

(+) Improved Value \$

(=) Market Value \$

(-) Agricultural Classification \$

(-) SOH or Non-Hx* Capped Savings \$

(=) Assessed Value \$

() Homestead \$

(-) Additional Exemptions \$

(=) School Taxable Value \$

(-) Non-School HX & Other Exempt \$

Value \$

(=) County Taxable Value \$

Note - *105% Cap does not apply to School Taxable Value



Property Search



Map This Parcel



GIS Report

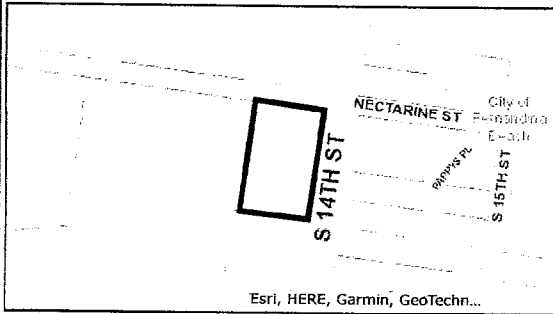


Property Record Card

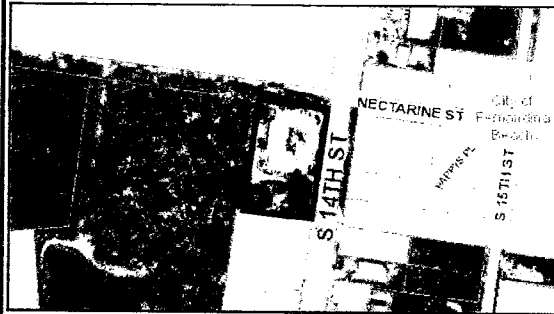


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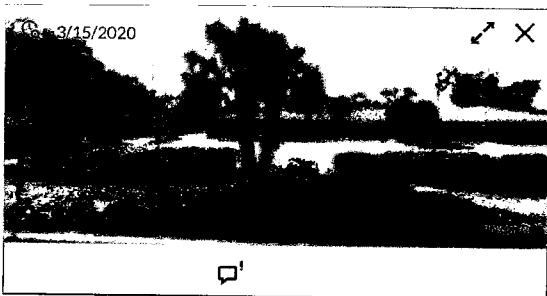
PARCEL MAP



2021 AERIAL MAP

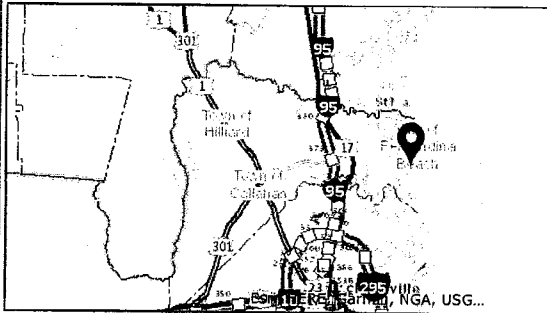


PROPERTY PHOTO



If this picture is incorrect, please email info@nassauflpa.com

LOCATION MAP



BUILDING INFORMATION

Type	Total Area	Heated Area	Bedrooms	Baths	Primary Exterior	Secondary Exterior	Heating	Cooling	Actual Year Built	Building Sketch
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MISCELLANEOUS INFORMATION

Description	Dimensions L X W	Units	Year Built
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SALES INFORMATION

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

1.00.07 DEFINITIONS

Balcony means an exterior floor system projecting from a structure and supported by the structure, with no additional independent supports. means a projecting platform that is open and roofless and which is suspended or cantilevered from, or supported solely by, the principal structure with no additional independent supports. In instances of multi-level balconies, the floor of one balcony does not qualify as the roof of another.

Porch means a covered or uncovered but unenclosed projection from the main wall of a building that may or may not use columns or posts for structural purposes.

Shade Tree means any native self-supporting woody plant of a species that is generally well-shaped, well-branched, and well-foliated which normally grows to an overall minimum height of thirty-five (35) feet with a minimum average mature crown spread of thirty (30) feet, and which is commonly accepted by the local horticultural and arboricultural professionals as a species which can be expected to survive for at least fifteen (15) years in a healthy and vigorous growing condition over a wide range of environmental conditions.

STAFF REPORT: Revised definition of balcony provides greater clarity. The allowance of an uncovered porch addresses the change in February which limits “wooden deck” encroachments as be at grade only improvements. Above ground wooden deck encroachments improvements within the rear yard are forced to be “covered” to qualify as a “porch.” This has the effect of requiring a more involved project than may be needed or desired by a homeowner. Adding the term native to the definition of “shade tree” reinforces the requirement that newly installed trees or protected trees are defined as native to this area.

4.02.01 Standards for Lot Design

A. The following types of lots are permissible:

1. Corner lot, located at the intersection of two (2) streets and abutting such streets on two (2) adjacent sides. Lots abutting a right of way that is used as a beach access ~~shall is not be~~ considered a corner lot, if access is not provided through the beach access.
2. Double-frontage lot, with frontage on two (2) opposing sides; where one (1) frontage is on an alley, the lot is not considered a double-frontage lot. A double-frontage lot may also be called a through-lot.
3. Interior lot, which has street frontage on only one (1) side.
4. Lots that are located in conformity with the established street pattern.
1. Only one (1) principal residential building and its allowable accessory buildings ~~shall hereafter can~~ be erected on any one (1) lot.
2. Except as specifically provided in this LDC, no lot existing at the time of adoption of this LDC ~~shall~~ can be reduced, divided, or changed so as to produce a lot or tract of land which does not comply with the minimum standards as set forth in this LDC.
3. The impervious surface ratio is calculated by dividing the total of all impervious surfaces on the lot by the total lot area. ~~Water bodies are impervious surfaces.~~
4. Where cluster development is permissible and proposed under unified development control, the calculation of impervious surface ~~shall applies~~ to the entire site and ~~shall not be~~ applied to individual lots within the development site.
5. The floor area ratio is calculated by dividing the total of all floor areas on the site by the total site area. Floor areas include the gross floor area on each floor or story of the principal building and the floor area of any accessory building, not including parking areas.
6. Minimum lot area ~~shall must~~ be consistent with the density standards set forth in Table 4.01.01. For the purpose of determining consistency of the lot area with density standards, density ~~shall be is~~ as defined in the Comprehensive Plan.

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

7. The minimum lot area for lots in the RE zoning district ~~shall be~~ **is** 43,560 square feet.
8. Lots ~~shall~~ **must** be designed to comply with the standards set forth in Table 4.02.01(J).

Table 4.02.01(J). Design Standards for Lots

Zoning District	Minimum Lot Width (ft.)	Maximum Impervious Surface Ratio for Lots (%) (Note 7)	Maximum Floor Area Ratio for Lots (%) (Note 1)
RE	100	60	50
R1-G	75	60	50
R-1	50 or 75 Note 2	60	50
RLM	50	60	50
R-2	50 Note 4	60	50
R-3	50	60	50
OT-1	46.5	Note 6	50
OT-2	46.5	Note 6	50
MU-1	50	60	50
MU-8	25	60	200
C-1	50	60	1.50
C-2	50	60	1.50
C-3	25	75 Note 3	200
I-1	75	60	50
I-2	75	60	50
I-A	75	60	50
I-W	75	60	75
W-1	25	60	75
PI-1	50	60 Note 5	50
CON	NA	5	NA
REC	NA	Note 5	NA

- Notes:
1. For RE, R-1, R-2, R-3, OT-1, and OT-2, the FAR standard applies to any permissible commercial uses.
 2. The minimum lot width for lots platted prior to the effective date of this LDC is fifty (50) feet. The minimum lot width for lots platted on or after the effective date of this LDC is seventy-five (75) feet.
 3. The maximum impervious surface ratio within the "Central Business District" land use category, as depicted on the Future Land Use Map, may be 1.00 where the application is for redevelopment of a lot that is developed with 100% impervious surface. Where the application is for new development of a vacant lot, the maximum impervious surface on the lot may be 100% where stormwater facilities are available and have sufficient capacity to accept the runoff from the lot.
 4. Development is permissible on lots which were platted before the effective date of this LDC and have a minimum width of twenty-five (25) feet.
 5. Proposed development on lots within the "Recreation" land use, as depicted on the Future Land Use Map shall not exceed 0.25 impervious surface ratios.
 6. Refer to Chapter 8 Section 8.01.01.02 for maximum lot coverage.
 7. **Permits required for concrete or asphalt installation more than 150 sq. ft.**

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

STAFF REPORT: This provision is inconsistent with the City's stormwater provisions in Section 82-454, Environmental Protection Agency regulations and the Florida Department of Environmental Protection regulations. Permitting requirements to support the City's maximum impervious surface ratio regulations. This furthers the implementation of the City Tree Committee's recommendation to enforce impervious surface ratio compliance. LDC Section 11.03.07 (E) provides for permits to be required for paving. Establishment of these revisions will direct staff to create a separate paving permit type and allow enforcement the referenced sections of code. Pervious pavers are exempt from permitting.

4.02.03 Standards for Buildings and Building Placement

A. Encroachment

1. A yard created by the setbacks set forth in this section will not be considered a yard for any other building.
2. Every part of a required yard must be open and unobstructed from its lowest point to the sky, except as set forth in Section 4.02.03(A) (3), (4), (5) and (6) below.
3. Front entry steps may encroach into a minimum front yard up to forty-two (42) inches.
4. The following building features may project into a minimum yard up to twenty-four (24) inches: sills, belt courses, cornices, buttresses, ornamental features, chimneys, and eaves.
5. The following building features may project into a minimum rear yard up to forty-two (42) inches: open or enclosed fire escapes, outside stairwells, and balconies.
 - a. **Balconies must comply with the front and side yard setbacks.**
6. Porches may encroach up to ten (10) feet into the rear yard setback.
 - a. Porches must comply with the front and side yard setbacks.
7. Decks with a finished floor of 12" or less from grade are permissible encroachments into the side and rear yards up to **ten (10) feet (5)** feet from the property line. For installation of a deck on varying topography, the floor level may be allowed to reach a maximum of 36" from grade.
 - a. Decks must comply with the front yard setbacks.
8. Mechanical equipment may be located within the side or rear yard setback, but not closer than five (5) feet to side or rear yard lot lines and screened by landscaping or opaque fencing.
9. Specific requirements for fences and signs are outlined in Sections 5.01 and 5.03.

STAFF REPORT: An unintended consequence of the 10' change to deck setbacks creates an overwhelming number of nonconforming, at grade deck structures throughout the city.

4.03.03 8th Street Small Area Design Standards

6. Fences. **Fences up** to 8 foot tall are permissible

1. Fence Material: Black Wrought Iron or black anodized (SP) Aluminum is **required for properties fronting 8th Street.**

1. **Fence material for all other properties, not fronting 8th Street, within MU-8 zoning may be constructed of black wrought iron, or black anodized aluminum or wood or vinyl or some combination of these materials.**

2. Where any portion of the fence is visible from 8th Street landscape screening **shall be is** required.

STAFF REPORT: Provides additional flexibility for properties within MU-8 not fronting 8th Street.

5.01.11 Swimming Pools and Pool Enclosures

- A. All pools **shall must** provide fencing or enclosures in compliance with the requirements of the Florida Building Code.
- B. A screen enclosure may be installed instead of, or in addition to, a fence or wall, provided that the screen enclosure meets all the following requirements:
 1. A pool screen enclosure **shall must** be set back from the side lot line a minimum of three (3) feet;

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

2. A pool screen enclosure ~~shall~~ **must** not be closer than three (3) feet to the rear lot line and ~~shall~~ is not be required to comply with the setback from a rear lot line as set forth in Section 4.02.03(E); and
3. A pool screen enclosure ~~shall~~ **must** not exceed twenty-five (25) feet or the height of the principal structure, whichever is lower.
- C. No overhead electric power lines ~~shall~~ **can** pass over any pool unless enclosed in conduit and rigidly supported, nor ~~shall~~ **can** any power line be nearer than ten (10) feet horizontally or vertically from the pool edge.
- D. Pool equipment may be located within the side yard setback, but not closer than five (5) feet to side or rear yard lot line.
- E. Lights used to illuminate any swimming pool ~~shall~~ **must** be shielded and directed to avoid illuminations of adjoining properties.
- F. The following setback ~~shall~~ **must** be maintained and ~~shall~~ **must** be measured from the pool's edge of water to the lot line as follows:
 1. The minimum front setback ~~shall~~ **must** be the same as that required for a residence located on the parcel where the pool is to be constructed. However, in no case is the pool to be located closer to a front property line than the principal building is located;
 2. The minimum side setback ~~shall~~ **cannot be** less than ~~eight (8) feet~~ **seven and one half feet (7 and 1/2 ft.) from the side lot line;**
 3. The minimum rear setback ~~cannot be~~ less than ~~eight (8) feet~~ **seven and one half feet (7 and 1/2 ft.) from the rear lot line;**
 4. In the C-2 and PI-1 zoning districts, pools that are an accessory to lodging accommodations may be located within a front yard, provided that the pool is setback at least ten (10) feet. The setback ~~shall~~ **must** be measured from the front property line to the outermost feature of the pool, such as the edge of the pool deck or pool enclosure.

STAFF REPORT: Consistency with Nassau County requirements to avoid contractor confusion.

6.02.24 Mobile Food Vending "Food Truck" Parks

A. Mobile Food Vending "Food Truck" Parks are permissible, outside of the Downtown Historic District, in zoning districts MU-1, MU-8, C-1, C-2, C-3, I-1, I-2, I-A, I-W, OT-2 and W-1 as subject to the following supplemental standards.

1. Food trucks must comply with all provisions of applicable Florida Statutes and the Florida Administrative Code. (Reference: FS 509.102 and Chapter 5K-4, F.A.C.)
renumbering to follow
2. Food trucks located within a Food Truck Park must be connected to the electric utility service and may only operate with a generator in the case of an emergency unless exempt by applicable Florida Statutes or administrative rule.
3. Food trucks must be connected to City water and sewer service with the appropriately sized grease interceptor unless they are self-sufficient and exempt as provided by FS 509.221.
4. Restroom facilities must be provided on site or within 600 walking feet. Where shared restroom facilities are utilized, the City must be a party identified in the agreement requiring a signature from the City Manager, and the agreement must be in a form acceptable to the City Attorney and recorded with the Nassau County Clerk of Courts.
5. Minimum off-street parking requirements are 2 spaces per food truck pad.
6. Accessory activity areas must clearly designate all areas that will be used as accessory activity areas. The operation of such areas must comply with all applicable regulations, such as noise regulations.

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

STAFF REPORT: Clarified to provide consistency with Florida Statute and Florida Administrative Code regulating mobile food vending/ food trucks. Reference Links for review: <https://www.fdacs.gov/Business-Services/Food/Food-Establishments/Mobile-Food-Establishments>

7.01.00 Access and Driveway Design Requirements

Table 7.01.01(A). Maximum number of access points per lot.

Functional Classification of Frontage Street	Maximum Number of Access Points
Arterial	1 per 500 feet of frontage
Collector, City responsibility	1 per 200 feet of frontage
Local	1 per 100 feet of frontage

The following standards ~~shall~~ apply to all driveways or access points from a lot or parcel onto a public street:

- A. The maximum number of access points for a lot is set forth in Table 7.01.01(A).
- B. Platted lots of record on the effective date of this LDC which have fewer frontages than required in Table 7.01.01(A) ~~shall be are~~ allowed one (1) access point.
- C. No point of access ~~shall be are~~ allowed within 100 feet of the intersection of the centerlines of any public street, except for single-family dwellings located on local streets intersecting with a local street, where the minimum separation ~~shall be is~~ fifty (50) feet.
- D. Access ways or driveways for corner lots ~~shall must~~ be located on the street with the lower functional classification.
- E. Driveways ~~shall must~~ comply with the following standards:
 - a. Residential driveways ~~shall must~~ be a minimum of ten (10) feet in width and a maximum of twenty (20) feet width, ~~exclusive of flare connection to the right-of way. Flare connections cannot exceed three (3) feet in width on each side.~~ Circular driveways may be permissible not to exceed 10 feet in total width for each section.
 - b. Non-residential driveways ~~shall must~~ be twenty-five (25) feet in width; when two (2) or more uses share a driveway, the width may be increased to thirty-five (35) feet. When a landscaped median is provided, the total width ~~shall cannot~~ exceed fifty (50) feet.
 - c. The minimum inside turning radius ~~shall be~~ is fifteen (15) feet. No part of the turning radius ~~shall can~~ extend over the property line.

STAFF REPORT: The change is intended to address connection to the right-of-way. Illustration provided in back up material.

7.01.02 Streets and Rights-of-Way

- C. Street number signs ~~must be installed consistent with the design standards specified in the Florida Building Code or Fire Prevention Code, whichever is stricter.~~
~~To assist police, rescue, fire, and other public service agencies, and for the convenience of the public, each residential, commercial, or industrial structure visible from the public right-of-way is required to display a street number.~~
 1. Numerals shall be attached to the front of the structure or shall be on both sides of the post supporting a mailbox at the street side of the property, shall be at least three (3) inches high, and shall be either of reflective material or in such color as to provide maximum contrast to the background.

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

June 2022

Minor Changes Proposed by City Staff

2. Structures that are set back more than sixty (60) feet from the right-of-way or structures that are blocked from visual sight from the right-of-way by high or heavy vegetation, walls, or other structures shall display street numbers at the street entrance on a double-faced sign, which shall not be more than three (3) feet high and shall not be more than one (1) square foot in area.

STAFF REPORT: To align standards with the most appropriate code reference and requirements.

7.01.04(A) Parking Space Requirements (ONLY striking footnote 2 – last sentence to rely on LDC Section 8.01.02 (D) (4))

- ² Consistent with LDC policy 8.01.02(D)(4), Dwellings units within the CRA must provide two (2) spaces per dwelling unit on-site but are permitted the following exceptions: all units 1,000 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.

STAFF REPORT: provides corrected reference to rely on LDC Section 8.01.02 (D)(4), prior reference does not exist as it was part of the former density bonus incentive program, now eliminated.

7.01.08 Visibility at Intersections

- A. In order to provide a clear view of intersecting rights-of-way and/or private driveways, there ~~shall~~ **must** be a triangular area of clear visibility formed by the two (2) intersecting rights-of-way, driveways, or combination thereof.
- B. The horizontal dimensions of sight areas are defined as consistent with the most recent edition of the Florida Department of Transportation (FDOT) Design Manual for clear sight triangles and as determined by the type of traffic control and design speed of the roadways. ~~triangular areas formed by the intersecting right-of-way lines and a straight line joining the right-of-way lines at points which are as follows:~~
 1. In C-1, C-2, C-3, I-1, I-A, I-W, PL-1 RE, R-1, R-2, R-3, OT-1, OT-2 and MU-1 zoning districts, fifteen (15) feet from the point of intersection of the right-of-way lines.
- C. The vertical dimensions of sight areas are defined as that vertical space between the heights of eighteen (18) inches and ten (10) feet in elevation above the nearest edge of the street pavement of a paved street or above the nearest edge of the riding surface of an unpaved street.
- D. Within the clear visibility triangle area, no fence, wall, sign, structure, slope or embankment, parked vehicle, hedge, foliage or other planting, and other object or structure ~~shall may~~ be placed, erected, or maintained which will obstruct visibility.
- E. All landscaping ~~shall must~~ comply with the most current edition of the FDOT Roadway and Traffic Design Standard, regarding visibility triangles. Tree trunks, palms, and supporting columns or posts ~~shall be~~ **are** permitted within the clear area, provided that their location does not itself create a traffic hazard and the area is free of limbs and foliage. Landscaping, except grass or ground cover, ~~shall cannot~~ be located closer than three (3) feet from the edge of any driveway pavement.
- F. The requirements of this section ~~shall not be deemed to do not~~ prohibit any necessary retaining wall.
- G. Streetlights and street name signposts **are** also be permitted, provided that illuminating fixtures or nameplates are not within the prescribed clear space.

STAFF REPORT: To address visibility at intersection consistent with guidance provided by FDOT standards which addresses the design speed of the intersecting roadways and the traffic control device at intersections.
<https://www.fdot.gov/docs/default-source/roadway/fdm/current/2018FDM212Intersections.pdf>

8.01.02 Amelia River Waterfront Community Redevelopment Area

Purpose

- A. It is the purpose of the CRA overlay to provide a broader mix of uses and compatible design with the downtown area in order to promote revitalization of the working waterfront and adjacent areas.

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Minor Changes Proposed by City Staff

- B. The review of proposed development within the CRA Overlay ~~shall be~~ **is** based upon compliance with the CRA Design Guidelines. Those properties within the CRA Overlay which are also located within the Downtown Historic District Overlay ~~shall be~~ **are** reviewed for compliance with the Historic Preservation Design Guidelines, dated December 1999, as amended. All plans for development within the CRA Overlay ~~shall must~~ be reviewed by the Historic District Council.
- C. Site design standards specified in the overlay supersede the requirements for the underlying zoning district. Specific site design requirements that are not covered by the overlay ~~shall~~ **follows** the standards of the underlying zoning district.
- D. Properties located within the CRA abutting the Amelia River Waterfront are subject to the following standards:
 - G. All new construction that is a water dependent, water enhanced, or water related use is exempt from ~~Section 3.01.03(J) and~~ Section 3.03.03(B) 1.

STAFF REPORT: Remove erroneous reference to previous section of code which discussed the City's floodplain ordinance. This subsection of the LDC no longer exists.

8.01.01.02 Specific Requirements within the OT-1 and OT-2 Zoning Districts

- C. Garages and outbuildings that house more permanent types of occupancy, such as an accessory dwelling, ~~shall must~~ not exceed 500 square feet in area, per level, ~~shall cannot exceed 24~~ **25 feet in height**, ~~shall must~~ not contain a kitchen, and ~~shall cannot~~ be rented out. The area of all other outbuildings is limited to 350 square feet and ~~shall cannot~~ exceed 16 feet in height.

STAFF REPORT: Consistency with the rest of the City. The HDC has considered and finds no reason not to make the change.

9.01.01 Appointment, Term of Office, and General Membership Requirements

- A. All members and alternate members ~~shall be~~ **are** appointed by the City Commission.
- ~~B. Each Board shall have the opportunity to review each applicant's resume and make a recommendation on the appointment.~~
- C. All ~~voting members and alternate~~ members ~~shall must~~ reside within the City Limits.
- D. Elected officials and employees of the City ~~shall are not be~~ eligible to serve on City boards, ~~or commissions, or committees~~ unless otherwise provided herein.
- ~~E. Each All members serves at the pleasure of the City Commission.~~
- F. The term of office for all ~~regular voting and alternate board or commission~~ members ~~shall be~~ **is** three (3) years, ~~and a vacancy occurs at the end of the three (3) year term.~~
- ~~G. A member of a Board who is seeking re-appointment shall continue to be a voting member for two (2) months to allow for the finalization of the re-appointment by the City Commission. When a term expiration occurs, the member or alternate member must reapply if they wish to serve another term.~~

9.01.02 Attendance

~~Each appointed member shall attend all regular and called meetings. A member whose term has expired, may continue to serve until they are either re-appointed, or a new member is appointed.~~

- A. ~~Each appointed member and alternate member will attend all regular and called meetings.~~

9.01.03 Officers and Committees

- A. Each board, ~~or commission, or committee, shall must~~ have a chairperson, ~~and a vice-chairperson, and a recording secretary.~~
- B. The chairperson and vice-chairperson ~~shall~~ serve one (1) year terms. ~~Officers shall not serve more than two (2) consecutive terms. The chair and vice-chair will be elected by the board, commission, committee at it's January Meeting. All board, commission, and committee voting members are eligible to serve in these positions.~~

PROPOSED LAND DEVELOPMENT CODE AMENDMENTS

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Minor Changes Proposed by City Staff

- C. A board, ~~or~~, commission, ~~or committee~~ may create ~~whatever~~ any subcommittees it deems necessary to carry out its purposes. The chairperson of the board ~~or~~, commission, ~~or committee~~ ~~shall~~ will appoint the membership of each subcommittee from the members of that board, ~~or~~ commission, ~~or committee~~.

9.01.04 Removal and Vacancies

- A. ~~Except as provided by Section 9.02.02 governing Planning Advisory Board members,~~ When a position on a board, or commission, or committee seat, becomes vacant before ~~the end of the~~ its term ~~expires,~~ an alternate member ~~shall fill~~ the vacancy.
- B. ~~Except as provided by Section 9.02.02 governing Planning Advisory Board members,~~ When no alternate member is available to fill a vacancy, the City Commission ~~shall~~ may appoint a member to fill the vacancy for the duration of the unexpired term.
- C. ~~Except as provided by Section 9.02.02 governing Planning Advisory Board members,~~ When the unexpired term is two (2) months or less, the City Commission may appoint a new member to fill the unexpired term and the following full term.
- D. A member who moves outside the City or no longer meets eligibility requirements for membership ~~shall be~~ is considered removed immediately, ~~without further action needed by the City Commission,~~
- E. Any member who has been absent for three (3) regular meetings in one calendar year is subject to removal. who has three (3) absences at the board's regular meetings in one (1) calendar year shall automatically be considered to have vacated their seat on the board.
- F. Vacancy occurs upon death, resignation, removal, conviction of a felony, or expiration of term.
- G. Term limits and reappointment.
- a. Term limits do not apply to appointed board, commission, or committee members.
- b. All terms are effective January 1 of a given calendar year and expire on December 31 of the calendar year ending the term.
- c. The City Clerk's office will provide notice of vacancies upon receipt of member resignation, notice of removal, or, in the case of an expiring term, by September 1 of the calendar year ending the term. all board or committee members eligible for reappointment at least 90 days' notice prior to their term expiring. Board or committee members seeking reappointment must provide the City with updated contact information and statement of interest at least 60 days prior to expiration of their term. New board or committee members must complete an application and provide a résumé and statement of interest to the City at least 15 days before consideration for appointment.
- d. All interested persons, including members seeking reappointment, must complete an application and submit it to the City Clerk's office on or before November 15 of the calendar year ending the term. Applications will be considered at the first City Commission regular meeting in December.
- e. Newly appointed or reappointed members begin their terms in January.

STAFF REPORT: Provides consistency with the municipal code standards as amended in August 2021.

10.01.02 Variances (generally)

...D. Limitations on the granting of a variance

...10. No variance ~~shall~~ will 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~~ 1,000 feet of the Coastal Construction Control Line (CCCL) under LDC Section 4.02.03(D), Table 4.02.03(E), specifically Note 1.

STAFF REPORT: Language change is needed to reflect the amended building height calculation requirements from 2019.