



**AGENDA
PLANNING ADVISORY BOARD
WORKSHOP
FEBRUARY 28, 2024
3:00 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. OLD BUSINESS**
 - 3.1 PAB 2024-0001 - LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENTS TO ADDRESS REDEVELOPMENT OF SUBSTANDARD LOTS OF RECORD**

CITY OF FERNANDINA BEACH REQUESTS LAND DEVELOPMENT CODE TEXT AMENDMENTS TO ADD DEFINITIONS AND TO CLARIFY PROCESSES FOR DEMOLITION OF STRUCTURES ON COMBINED LOTS AND CONSTRUCTION OF STRUCTURES ON COMBINED LOTS BY ALLOWING FOR PROPERTY SEPARATION WHEN SUCH RESULTING LOT IS 50 FEET OR GREATER. REQUESTED LDC TEXT AMENDMENTS SPECIFICALLY ADD DEFINITIONS IN SECTION 1.07.00 (ACRONYMS AND DEFINITIONS), AMENDS LANGUAGE IN SECTION 1.03.04 DEMOLITION OF STRUCTURES ON SUBSTANDARD LOTS, AND AMENDS LANGUAGE SECTION 1.03.05 CONSTRUCTION OR DEMOLITION OF STRUCTURES ON COMBINED LOTS.
- 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.

1.07.00 Definitions and Acronyms

Building site means a piece of land, either currently in use or allocated for development, intended to host main structures, accessory structures, and associated allowable uses.

Parcel means a tract of land described by meets and bounds or plat.

Platted Lot of Record means a lot that is part of a recorded subdivision.

Principal Residential Structure refers to the main dwelling unit on a residential or mixed-use parcel. It serves as the primary structure housing individuals or families and is distinguished from permissible accessory structures. Principal residential structures must be established before constructing any permissible accessory structures.

Substandard lot means any lot lawfully existing at the time of adoption of this code, but not in conformance with the current dimensional and/or area provisions.

1.03.03 Lots of Record

One dwelling unit may be constructed on a substandard, platted lot of record in a residential or mixed-use zoning district.

NO CHANGES- reference only, see also Comp Plan policy 1.05.04

1.03.04 Demolition of Structures on Substandard Lots

~~A. Applicability. Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions, specific regulations, and specifically described lots or parcels of land, all buildings or structures located in the R-1, R-2, RLM, and R-3 zoning districts shall be constructed or erected upon a building site containing at least one (1) platted lot. Such building site shall have a minimum street frontage of fifty (50) feet.~~

~~B. Building site requirements. Wherever there may exist a single-family residence(s), duplex building(s), or any lawful accessory building(s) or structure(s) which was heretofore constructed on property containing one (1) or more substandard platted lots or portions thereof, such substandard lot or lots shall thereafter constitute only one (1) building site. No permit shall be issued for the construction of more than one (1) single-family residence. Such structures shall include, but not be limited to, swimming pools, tennis courts, walls, fences, or other at-grade or aboveground improvements.~~

~~C. Removal of buildings. If a single-family residence or duplex building which exists on more than one (1) substandard lot is voluntarily demolished or removed, no permit shall be issued for the construction of more than one (1) building on the building site.~~

1.03.05 Construction or Demolition of Structures on Combined Lots

~~A. In order to maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, wherever there may exist a single-family detached residential unit or, a duplex structure or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvement which was heretofore constructed on~~

~~property containing one or more platted lots or portions thereof (excluding walls or fences), such lots thereafter constitute one building site and must be considered the “lot of record”, and no permit will be issued for the construction of more than one residential dwelling unit on the site. All construction on the building site must comply with all existing zoning and density requirements.~~

~~B. The demolition or removal of any residence or structure, whether voluntary or involuntary, does not have the effect of changing the establishment of the building site.~~

~~C. A change from the foregoing provisions for the purpose of establishing building sites, or separation of building sites requires supermajority approval by the Board of Adjustment in accordance with the variance approval process contained in Section 10.02.00 in a quasi-judicial hearing at which all interested persons will be afforded an opportunity to be heard.~~

1.03.04 Redevelopment of Residential Substandard Lots of Record

A. Applicability. These regulations aim to preserve open space, visual corridors, neighborhood character, property values, and the visual appeal of residential areas within the R-1, R-1G, R-2, RLM, and R-3 zoning districts. The following regulations do not apply to new subdivision plats, subdivision replats, minor subdivisions, lot line adjustments, or other specific regulations. Substandard platted lots of record and/or portions of platted lots totaling less than 50 feet in width are consolidated into a single building site under the following conditions:

1. A principal residential structure (such as a single family detached home, townhome, duplex, triplex, or multi-family structure) is constructed to extend across one or more platted lots and/or portions of platted lots totaling less than 50 feet in width as measured from the adjoining public or private right-of-way frontage.
 - a. Only the principal residential structure combines substandard lots of record into a single building site. Ancillary improvements on the same building site, such as detached accessory structures, detached accessory dwellings, open air decks, balconies, staircases, swimming pools, tennis courts, walls, fences, stormwater improvements, or other at-grade or aboveground improvements do not combine substandard lots into a single building site.
 - b. Non-residential structure(s) do not combine substandard lots into a single building site.
 - c. Pie-shaped lots are considered compliant if the average distance from up to five equally spaced horizontal lines, running parallel to the right-of-way frontage and extending across the property boundaries, is 50 feet or more.

B. Removal of buildings. If a principal residential structure existing on more than one substandard lot with a total width of less than 50 feet is voluntarily demolished or removed, no permit will be issued for the construction of more than one (1) dwelling unit on the building site. Nonconforming structures may be reconstructed in accordance with Section 10.01.00.

C. Separation of a building site. The demolition or removal of any principal residential structure, whether voluntary or involuntary, does not have the effect of changing the established building site without supermajority approval of a variance granted by the Board of Adjustment or Historic District Council as defined in Section 10.02.00.

1. Exceptions from the requirement to obtain a variance from resulting lot separation exist when:

LDC TEXT AMENDMENTS

- a. the resulting lot combines substandard platted lots which total 50 ft or greater building sites, or
- b. the resulting lot reverts to a 50 ft or greater platted lot of record, or
- c. the resulting lot fully conforms to current density and zoning regulations and contains a total lot width of 50 feet or greater.



STAFF REPORT
PAB CASE 2024-0001 (Substandard Lot Separation)
February 14, 2024

APPLICATION FOR LAND DEVELOPMENT CODE TEXT AMENDMENTS

BACKGROUND AND SUMMARY

On September 5, 2023, during the City Commission Regular meeting, guidance was provided for the Planning Advisory Board (PAB) and Planning Staff to consider Land Development Code Text Amendments to Sections 1.03.04 and 1.03.05. The objective was to clarify actions that combine originally platted lots of record as a single development site. Subsequently, the Planning Advisory Board engaged in discussions at their regular meetings on September 13, 2023, and October 11, 2023, and a special meeting on September 27, 2023. A joint public meeting on this topic involving the PAB and City Commission occurred on October 25, 2023. Further direction and clarification were provided to staff during a Commission workshop on November 21, 2023 and discussed as part of the City Attorney Comments on December 19, 2023. The proposed amendments are intended to clarify existing regulations while fostering a responsible and efficient development environment within the R-1, R-1G, R-2, RLM, and R-3 zoning districts. The new regulation changes regarding the redevelopment of residential substandard lots of record by consolidating sections and introducing a more detailed and modernized framework compared to the old language. Here are the key differences:

1. Terminology and Scope:

Old Language: Refers to "Demolition of Structures on Substandard Lots" 1.03.04 and "Construction or Demolition of Structures on Combined Lots" 1.03.05 and applies to R-1, R-2, RLM, and R-3 zoning districts.

New Language: Combines the two code sections 1.03.04 and 1.03.05, introduces "Redevelopment of Residential Substandard Lots of Record," and specifies that the regulations do not apply to new subdivision plats, replats, minor subdivisions, or other specific regulations. It continues to apply regulations to the R-1, R-2, RLM, and R-3 zoning districts while adding in the R-1G zoning district. Additionally, new terms have been established as requested by the PAB and City Commission. Where definitions were requested but presently provided in the LDC, they remained unchanged.

2. Treatment of Accessory Structures:

Old Language: Any ancillary improvements (except walls or fences) combine lots of record.

New Language: Clarifies that only the principal residential structure combines substandard lots into a single building site. Ancillary improvements, "Accessory Structures or Uses", do not consolidate lots.

3. Non-Residential Structures:

Old Language: Does not specifically address treatment of any non-residential structures.

New Language: Explicitly states that non-residential structures do not combine substandard lots into a single building site.



STAFF REPORT
PAB CASE 2024-0001 (Substandard Lot Separation)
February 14, 2024

4. Pie-Shaped Lots:

Old Language: Does not provide criteria for compliance for pie-shaped lots.

New Language: Specifies criteria for compliance of pie-shaped lots based on the average distance from equally spaced horizontal lines.

5. Removal of Buildings:

Old Language: Restricts the issuance of a permit for more than one dwelling unit if a single-family residence or duplex on multiple substandard lots is demolished.

New Language: Restricts the issuance of a permit for more than one dwelling unit if a principal residential structure on multiple substandard lots with a total width of less than 50 feet is demolished. Allows reconstruction of nonconforming structures in certain situations with reference provided to Chapter 10.

6. Separation of a Building Site:

Old Language: Requires supermajority approval by the Board of Adjustment for a change in the establishment of a building site.

New Language: Requires supermajority approval for the separation of a building site when the resulting lots is less than 50 feet in width. Introduces specific exceptions and clarifications to this requirement.

7. Exceptions to Obtaining a Variance:

New Language introduces exceptions from the requirement to obtain a variance when the resulting lot combines substandard platted lots with a 50 feet or greater building site; or the resulting lot reverts to a 50 feet or greater platted lot of record; or the resulting lot fully conforms to current density and zoning regulations containing a total lot width of 50 feet or greater.

CONCLUSION AND RECOMMENDATION:

The proposed regulation changes seek to strike a balance between responsible development and the preservation of open space, visual corridors, and neighborhood character. The staff believes that these changes will contribute significantly to the visual appeal of residential areas while ensuring strict adherence to zoning requirements. Overall, the changes, shaped by the City Commission through Commissioner Ayscue's suggestions, align with modern urban planning principles, expressly acknowledged community concern for separation of substandard lots under 50 feet and provides clarity while facilitating a streamlined development process.

In consideration of the proposed regulation changes, Planning Staff extends a recommendation for approval with the condition that a public notice process be incorporated when lot separation takes place. To uphold transparency and promote public engagement, Staff strongly advocates for the inclusion of a public notice process when the defined "Exceptions" to obtaining a variance are requested. A public notice process should be established to follow existing procedures for Context Sensitive Setback Reviews and Minor Subdivisions/Lot Line Adjustments.



STAFF REPORT
PAB CASE 2024-0001 (Substandard Lot Separation)
February 14, 2024

The community is accustomed to notice procedures associated with Board of Adjustment cases when lots are separated. Introducing an administrative procedure to consistently provide notice through the placement of a posted sign will ensure awareness of impending changes on a specific property. This approach affords an opportunity for meaningful engagement with Planning staff, enabling the community to be better informed about the pending changes and fostering a collaborative approach to the development process.

EXHIBIT 1: Current Process Flow Chart

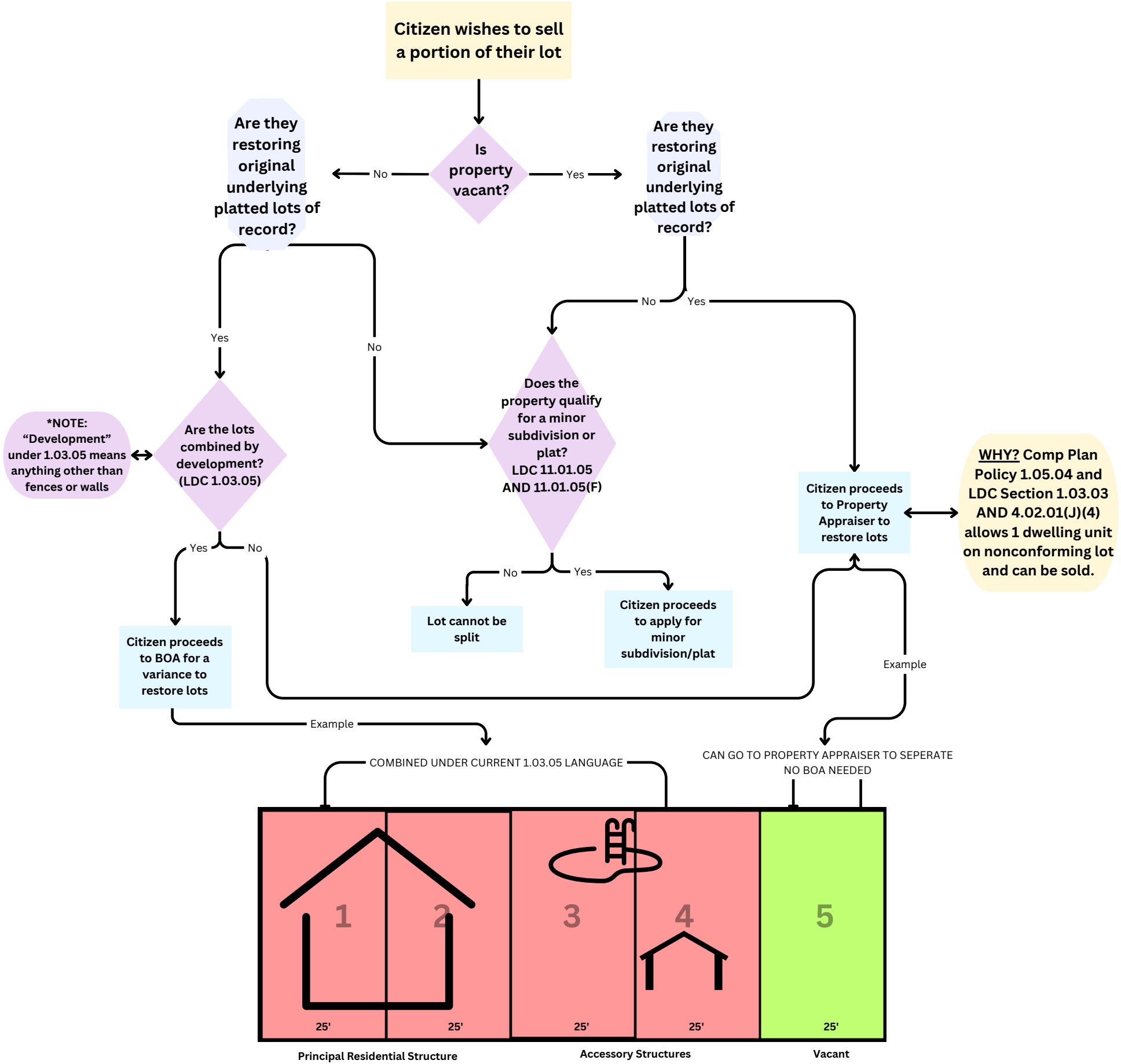
EXHIBIT 2: Commissioner Ayscue Plan Flow Chart

EXHIBIT 3: Example Properties (To be provided as part of staff presentation on 2/14/24)

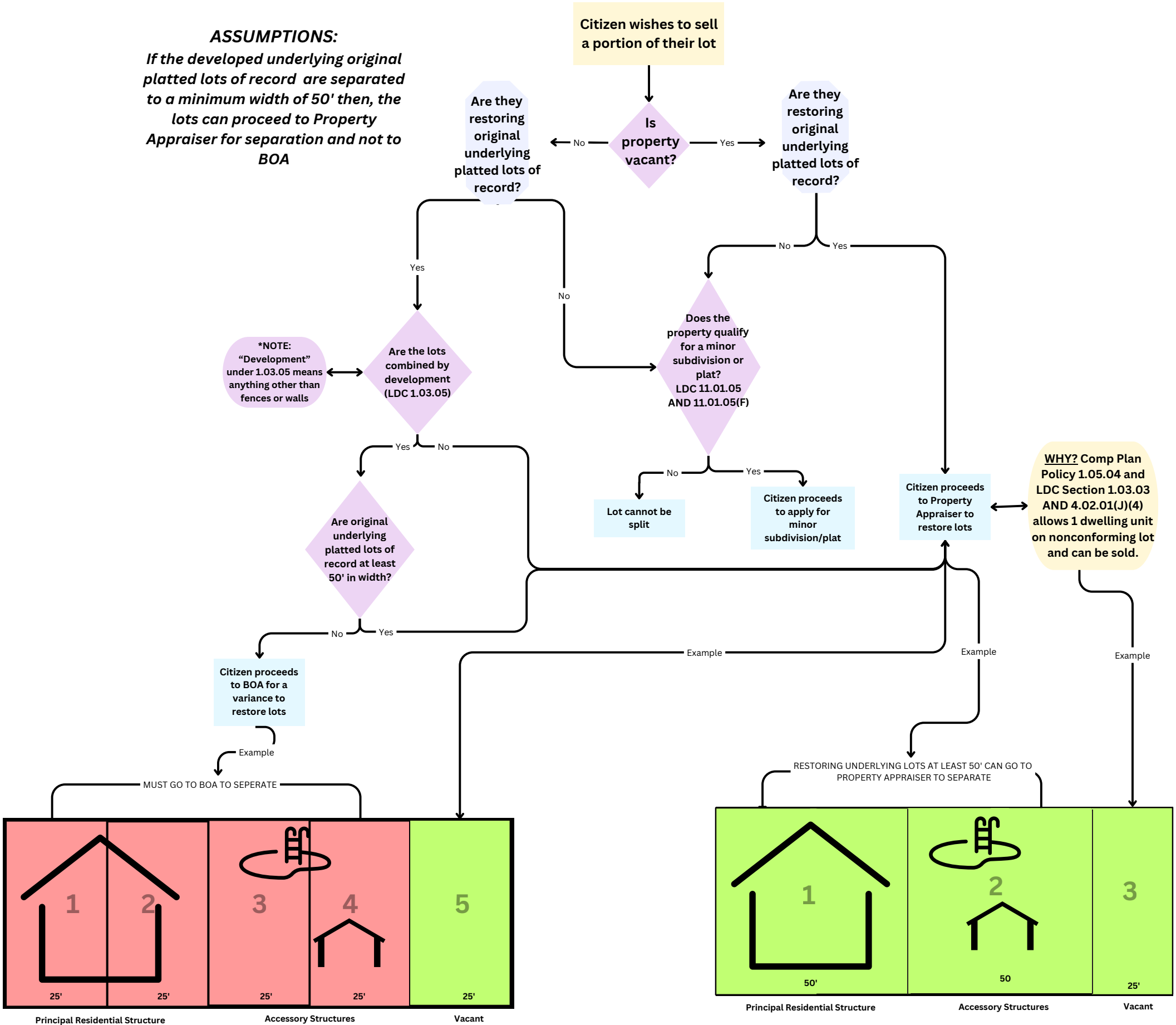
Respectfully submitted by,

Kelly N. Gibson, AICP

CURRENT PROCESS



PROPOSED LOT SEPERATION PROCESS
COMMISSIONER AYSCUE



Print

Planning Advisory Board (PAB) - Submission #13201

Date Submitted: 2/5/2024

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 / > 10 acres \$5,000)

☐

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

☐

Revision to each PAB Application \$400

2024 Submission Deadlines + Meetings Calendar



IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, you'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?*

12/5/2023

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.*

mm/dd/yyyy

hh:mm am/pm

PROPERTY INFORMATION

[Property information can be found at the Nassau County Property Appraiser's Website → Map Search](#)

Site Address*

Not Applicable

City*

NA

State*

NA

Zip*

32034

Parcel ID #(s)*

NA

Lot*

NA

Block*

NA

Subdivision*

NA

Zoning District*

R-2

Future Land Use Designation*

Medium Density Residential

REVIEW TYPE*

☐

Zoning Map Amendment ≤ 10 acres

☐

Subdivision Plat – Preliminary > 20 units

☐

Zoning Map Amendment > 10 acres

☐

Subdivision Plat – Final

☒

LDC Text Amendment

☐

Vacation of R.O.W.

☐

Comp Plan Amendment

☐

Voluntary Annexation

☐

Subdivision Plat – Preliminary ≤ 20 units

☐

Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

City of Fernandina Beach

Last Name*

COFB

Company (if applicable)

Mailing Address*

204 ASH STREET

City*

FERNANDINA BEACH

State*

FL

Zip*

32034

Telephone Number*

904-310-3100

Email Address*

kgibson@fbfl.org

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

Last Name

Mailing Address

City

State

Zip

Telephone Number

E-mail Address

PROJECT INFORMATION

Previous Planning/Zoning Approvals

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

On September 5, 2023, during the City Commission Regular meeting, guidance was provided for the Planning Advisory Board (PAB) and Planning Staff to consider Land Development Code Text Amendments to Sections 1.03.04 and 1.03.05. The objective was to clarify actions that combine originally platted lots of record as a single development site. Subsequently, the Planning Advisory Board engaged in discussions at their regular meetings on September 13, 2023, and October 11, 2023, and a special meeting on September 27, 2023. A joint public meeting on this topic involving the PAB and City Commission occurred on October 25, 2023. Further direction and clarification were provided to staff during a Commission workshop on November 21, 2023 and discussed as part of the City Attorney Comments on December 19, 2023. See Staff Report

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.



I AGREE THAT A POSTING NOTICE WILL BE INSTALLED ON THE PROPERTY(IES) IN QUESTION AND THAT SAID SIGN WILL ONLY BE REMOVED BY STAFF AFTER THE MEETING OR BROUGHT BACK TO CITY HALL BY APPLICANT.

I/We understand that the City Staff may install a Notice of Hearing sign on the property 14 days before the scheduled hearing and that the sign must only be removed after the hearing by City Staff, unless, the applicant or property owner brings the Notice of Hearing back to City Hall.

Applicant First Name*

City of Fernandina Beach

Applicant Last Name*

COFB

Today's Date*

12/20/2023

Upload Supporting Documentation*

2024-0001_Proposed LDC Text Amendments.docx

 City of FB logo
NEW Reflex

Upload 2

020124_Staff
Report.docx

Upload 3

No...en

Upload 4

No...en

DEPARTMENT OF PLANNING & CONSERVATION

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



PAB Regular Meeting

February 14, 2024
5:00 PM

LAND DEVELOPMENT CODE TEXT AMENDMENTS COMMISSION DIRECTED

Changes serve to:

1. Add new definitions (Section 1.00.07)
2. Clarifies existing regulations (1.03.04 and 1.03.05)
3. Specifies improvements which combine lots (1.03.04 and 1.03.05)
4. Allows development of 50 ft lot widths when combining substandard lots(1.03.04 and 1.03.05)
5. Continues to require variances when restoring substandard lots (1.03.04 and 1.03.05)

Proposed language is consistent with directed use of “Ayscue Proposal”

** All required application materials have been received, all fees have been paid and all required notices have been made.*

LAND DEVELOPMENT CODE TEXT AMENDMENTS COMMISSION DIRECTED

Keep in Mind the following:

1. Sections of code only apply to residential zoning districts
2. If vacant/unimproved, regardless of size, honored for one building site (Reference LDC Section 1.03.03)

Directed Action:

1. Allow development if resulting in 50ft+
2. Accessory Improvements do not combine lots
3. Require variance if seeking to restore lots less than 50ft wide
4. Clarify Applicability
5. Provide Definitions

1.07.00 Definitions and Acronyms

Building site means a piece of land, either currently in use or allocated for development, intended to host main structures, accessory structures, and associated allowable uses.

Parcel means a tract of land described by meets and bounds or plat.

Platted Lot of Record means a lot that is part of a recorded subdivision.

Principal Residential Structure refers to the main dwelling unit on a residential or mixed-use parcel. It serves as the primary structure housing individuals or families and is distinguished from permissible accessory structures. Principal residential structures must be established before constructing any permissible accessory structures.

Substandard lot means any lot lawfully existing at the time of adoption of this code, but not in conformance with the current dimensional and/or area provisions.

1.03.04 Redevelopment of Residential Substandard Lots of Record

A. Applicability. These regulations aim to preserve open space, visual corridors, neighborhood character, property values, and the visual appeal of residential areas within the R-1, R-1G, R-2, RLM, and R-3 zoning districts. The following regulations do not apply to new subdivision plats, subdivision replats, minor subdivisions, lot line adjustments, or other specific regulations. Substandard platted lots of record and/or portions of platted lots totaling less than 50 feet in width are consolidated into a single building site under the following conditions:

1. A principal residential structure (such as a single family detached home, townhome, duplex, triplex, or multi-family structure) is constructed to extend across one or more platted lots and/or portions of platted lots totaling less than 50 feet in width as measured from the adjoining public or private right-of-way frontage.
 - a. Only the principal residential structure combines substandard lots of record into a single building site. Ancillary improvements on the same building site, such as detached accessory structures, detached accessory dwellings, open air decks, balconies, staircases, swimming pools, tennis courts, walls, fences, stormwater improvements, or other at-grade or aboveground improvements do not combine substandard lots into a single building site.
 - b. Non-residential structure(s) do not combine substandard lots into a single building site.
 - c. Pie-shaped lots are considered compliant if the average distance from up to five equally spaced horizontal lines, running parallel to the right-of-way frontage and extending across the property boundaries, is 50 feet or more.

B. Removal of buildings. If a principal residential structure existing on more than one substandard lot with a total width of less than 50 feet is voluntarily demolished or removed, no permit will be issued for the construction of more than one (1) dwelling unit on the building site. Nonconforming structures may be reconstructed in accordance with Section 10.01.00.

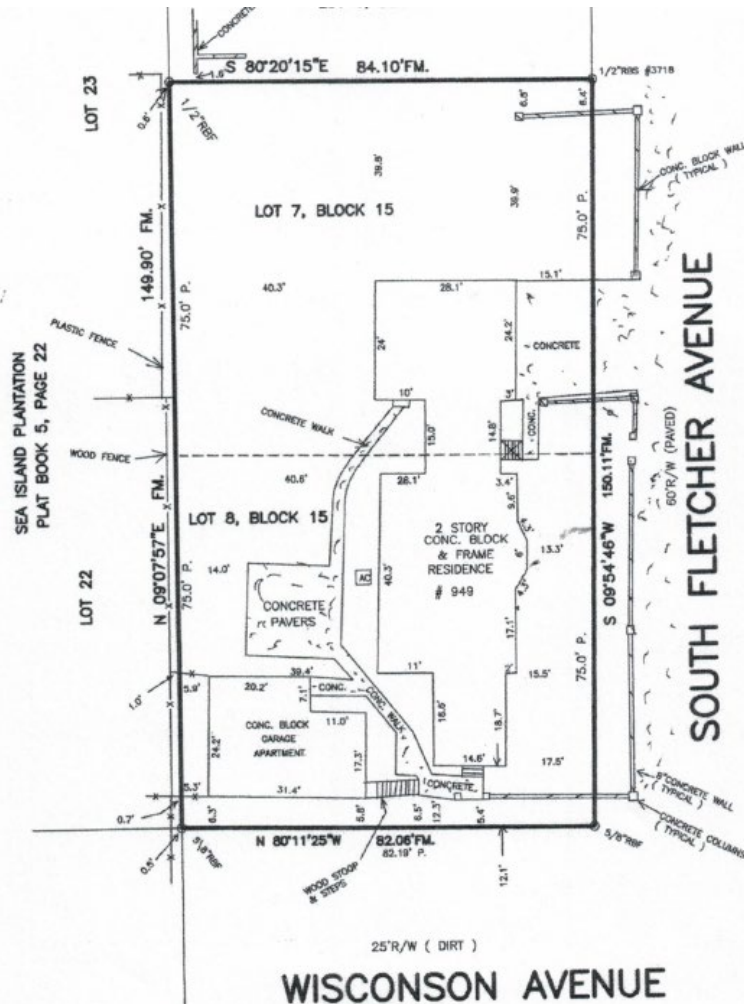
C. Separation of a building site. The demolition or removal of any principal residential structure, whether voluntary or involuntary, does not have the effect of changing the established building site without supermajority approval of a variance granted by the Board of Adjustment or Historic District Council as defined in Section 10.02.00.

1. Exceptions from the requirement to obtain a variance from resulting lot separation exist when:

Exceptions, continued

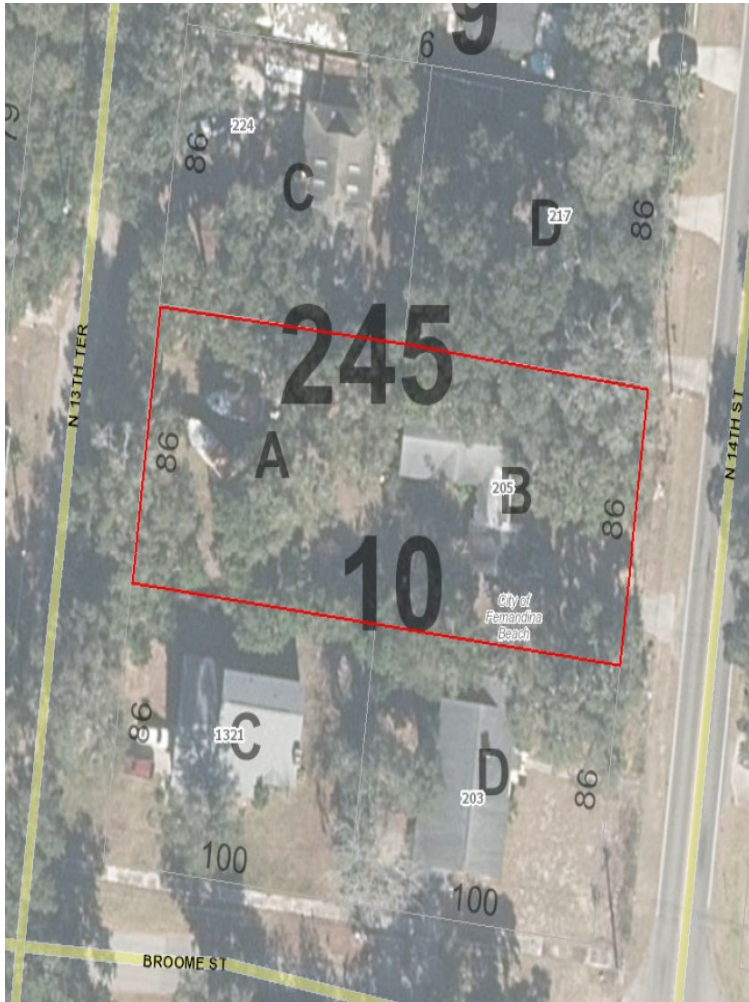
- a. the resulting lot combines substandard platted lots which total 50 ft or greater building sites, or
- b. the resulting lot reverts to a 50 ft or greater platted lot of record, or
- c. the resulting lot fully conforms to current density and zoning regulations and contains a total lot width of 50 feet or greater.

Example 1:



- Single Family Home over two 75 x 100 ft lots.
- Allows original lots to be restored because they are 50ft +

Example 2:



- Single Family Home deck improvement only extends to adjoining lot
- Deck would not be qualified as unifying improvement

Example 3:



- Single Family Home combines original lots 27-31 (approximate only –requires survey to verify)
- Lots 23-26, Lots 1-3, Lots 32-34 remain open and available
- Requires variance to restore lots 27-31 if resulting lot combination is less than 50 ft. May not require variance if lots are combined to 50+ ft.
- Demolition of Structure requires COA from HDC

Example 4:



- Single Family Home combines original lots 10-11 and 5 *(approximate only – requires survey to verify)*
- Lots 9 and 4 are available under current regulations (50 x 100)
- Lot 8 becomes available since it is a detached accessory structure
- Demolition of Structures requires COA from HDC
- Prior variances approved for this site (Now expired).

Example 5:



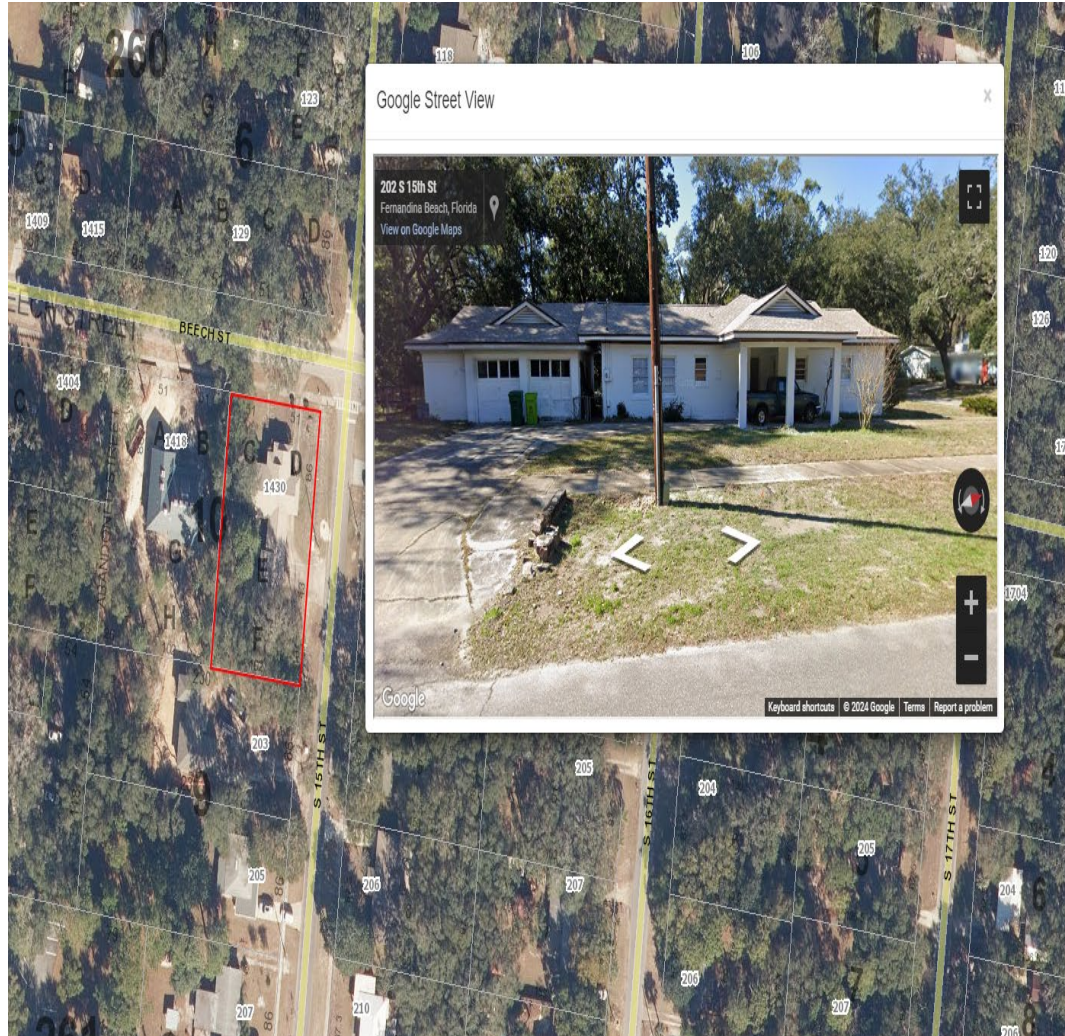
- Single Family Home combines prior 43 ft wide lots to 86 ft lot width
- Requires variance to separate if demolished

Example 6:



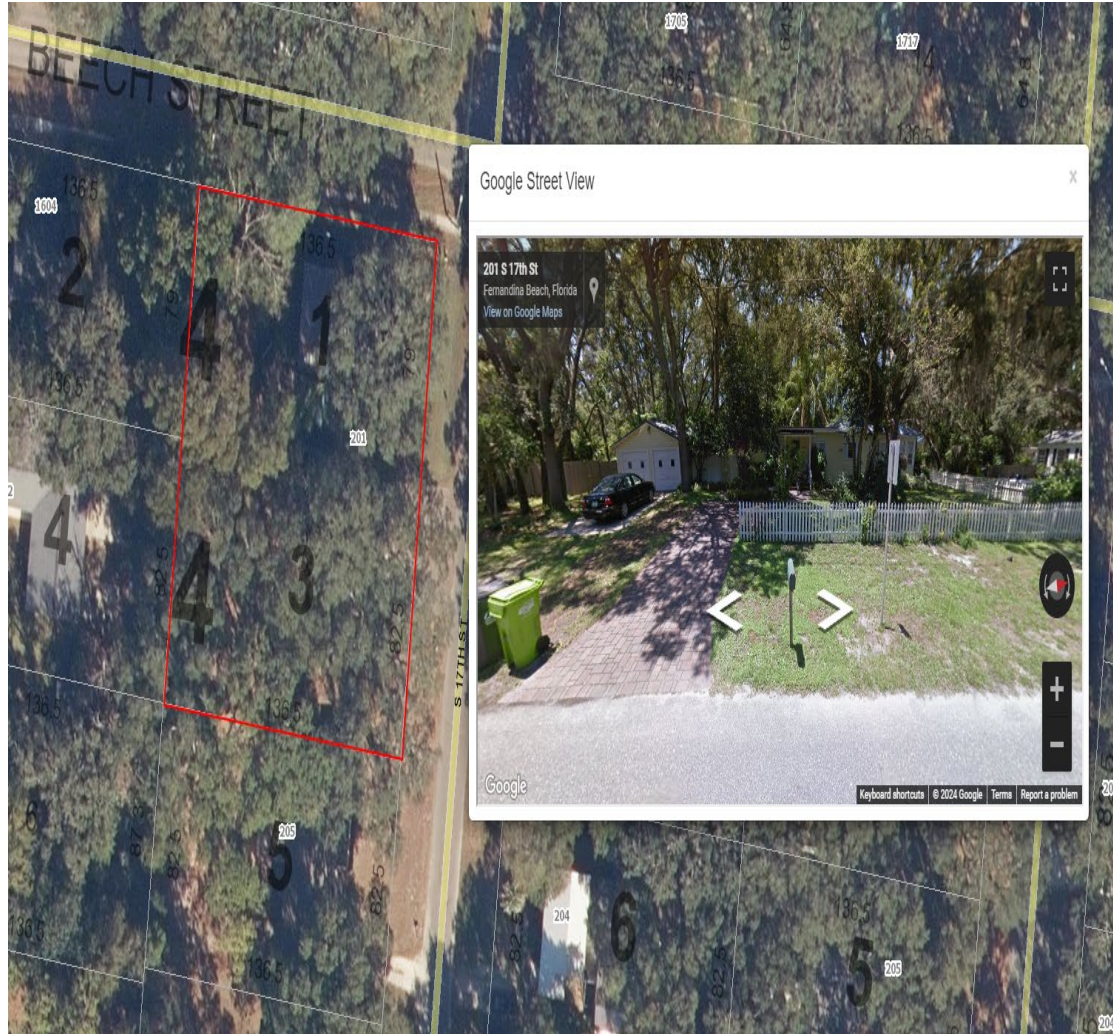
- Single Family Home combines lots 10 + 11
- No variance required to separate if demolished as resulting restoration is greater than zoning district requires and 81.1 ft wide

Example 7:



- Single Family Home combines lots C + D (51 ft)
- Lot E Accessory Structure Only (43 ft)
- Lot F is open/vacant(43 ft)
- Allows demo and reconstruction of 4 total single family homes

Example 8:



- Single Family Home on Lot 1
- Accessory Structure on Lot 3
- Original lots are greater than 50 ft and larger than R-1 requirements
- Allows demo of accessory structure and replacement with a single family home

Example 9:



- Single Family Home on Lot 64
- Shed extends on lot 20
- Allows demo of accessory structure and replacement with a single family home

Example 10:



- 7 – 25x 100 ft lots
- Single Family Home across lots 27-29
- Lot 3 and lot 26 open/ vacant
- Accessory Structures on Lots 24 and 25
- Variance Required to separate lots 27-29 and 24-25 if wanting to restore to less than 50 ft

UPDATES

- Impact Fee Study – Stantec (January Kick-off)
- Downtown and CRA Design Guidelines Update
- Land Dedications
- MuniCode Integration of LDC and Comp Plan
- Bosque Bello Trees and Canopy Maintenance – Arbor Day 4/26
- New Heritage Tree Designations (10 trees in April)
- Conservation Website Updates
- New Conservation Lands Signage
- BEBR Small Area Population Model Update *(including Seasonal Population Projections)*
- KNB Arboretum Designations – Gardens of Amelia – 3/5 CC Presentation
- 3rd Reading Comp Plan Amendment – State Direction
- Tracking prior FLUM and Zoning Cases for Recreation Lands

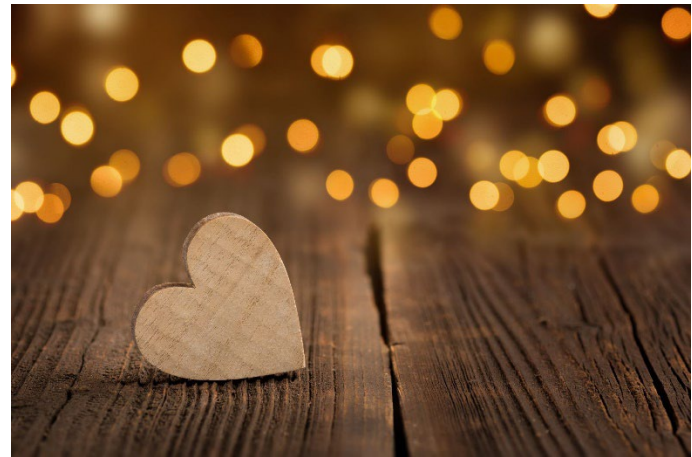
EVENTS

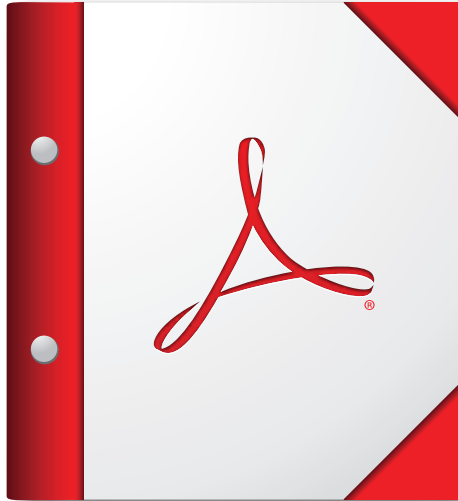
- JTA Steering Committee – Outreach Meeting 2/15 at Peck Center 4-6pm
- Greenway Clean Up Events 2/17 and 2/24 (Invasive Removal)
- Vulnerability Assessment Completed – CC Presentation on 2/20 (Next Steps: Adaptation Action Plan)
- 200 Bicentennial Celebrations – Lots of great events!
- Preservation Month in May – Main Street
- Wild Amelia and Opening of Beaches 5/18

STAFFING

- ◉ Advertising for 2 planning positions
- ◉ Advertising for 3 interns (1 planning, 2 conservation)
- ◉ Assistance from Lorelei Jacobs
- ◉ Make an appointment or send email, please!

~~◉ No March Cases for PAB~~
HAPPY VALENTINES DAY!





**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

Get Adobe Reader Now!

ALTERNATE PROPOSAL - DEFINITIONS

Building site means a piece of land, either currently in use or allocated for development, intended to host main structures, accessory structures, and associated allowable uses.

City Plat means the plat lithographed and issued by the Florida Railroad Company in 1857 and enlarge, revised, and re-issued by the Florida Improvement Company in 1887 and 1901 and recorded in Nassau County Property Appraisers office

Parcel ~~means a tract of land described by meets and bounds or plat.~~

Parcel means a tract of land that is contiguous, under the same ownership interest and identified by the Nassau County property appraiser parcel number.

A parcel may be a single tract or a combination of lots, portions of lots and / or substandard lots.

“Plat or replat” means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this part and of any local ordinances.

Subdivision means the division of a parcel of land into three (3) or more lots or parcels either by plat into lots and blocks or by metes and bounds description for the purpose of transfer of ownership or development or use or subdivided lands means a piece of land that is divided into smaller parcels.

Subdivide means dividing a parcel of land into two(2) or more parcels either by plat into lots and blocks or by metes and bounds description for the purpose of transfer of ownership or development or use.

~~**lot** Lot means a parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purpose of transfer of title, use, or improvement~~

Lot means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified. FS 177.031(11)

~~**lot of record** means a lot which is a part of a subdivision, the map of which has been recorded in the office of the Clerk of the Circuit Court of the County, as of the effective date of this Land Development Code.~~

lot of record means a lot that is shown on the City Plat and/ or which is a part of a subdivision, the plat of which has been recorded in the office of the Clerk of the Circuit Court of the Nassau County, as of April 1, 2024.

platted lot – means lot of record

~~platted lot of record~~ means a lot that is part of a recorded subdivision

platted lot record – means lot of record

~~Substandard lot~~ means any lot lawfully existing at the time of adoption of this code, but not in conformance with the current dimensional and/or area provisions.

Substandard lot means a lot of record which has less than the required minimum area or width as established by the zoning district in which it is located; and provided, that such lot was of record as a legally created lot of record before 1 April 2024.

+++++

ALTERNATE PROPOSAL – 1.03.03

Current

1.03.03 Lots of Record

One dwelling unit may be constructed on a substandard, platted lot of record in a residential or mixed-use zoning district.

Proposed

1.03.03 ~~Lots of Record~~ Buildable Non-conforming Lot(s)

~~A. One dwelling unit may be constructed on a substandard, platted lot of record in a residential or mixed-use zoning district.~~

In a residential or mixed-use zoning district, one dwelling unit may be constructed on a parcel created prior to the passage of this ordinance, that is;

- comprised of a single, existing substandard lot of record,
or
- portions of lots of record which have been previously combined,
 - totaling less than 50 feet in width, and / or
 - do not meet the area requirement of the underlying zoning district.

+++++

ALTERNATE PROPOSAL – 1.03.04

Current

1.03.04 Demolition of Structures on Substandard Lots

A. Applicability. Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions, specific regulations, and specifically described lots or parcels of land, all buildings or structures located in the R-1, R-2, RLM, and R-3 zoning districts shall be constructed or erected upon a building site containing at least one (1) platted lot. Such building site shall have a minimum street frontage of fifty (50) feet.

B. Building site requirements. Wherever there may exist a single-family residence(s), duplex building(s), or any lawful accessory building(s) or structure(s) which was heretofore constructed on property containing one (1) or more substandard platted lots or portions thereof, such substandard lot or lots shall thereafter constitute only one (1) building site. No permit shall be issued for the construction of more than one (1) single-family residence. Such structures shall include, but not be limited to, swimming pools, tennis courts, walls, fences, or other at-grade or aboveground improvements.

C. Removal of buildings. If a single-family residence or duplex building which exists on more than one (1) substandard lot is voluntarily demolished or removed, no permit shall be issued for the construction of more than one (1) building on the building site.

Proposed

1.03.04 Subdividing Residential Parcels

A. Applicability. These regulations aim to preserve open space, visual corridors, neighborhood character, property values, and the visual appeal of residential areas within the:

- R-1,
- R-1G,
- R-2,
- RLM, and
- R-3 zoning districts.

The following regulations do not apply to:

- new subdivision plats,
- subdivision replats,
- minor subdivisions,
- lot line adjustments, or
- other specific regulations.[??? – list regulations]

A parcel that contains lots of record, portions of lots of record and substandard lots of record can be subdivided from the original parcel, to create a new parcel if:

- no previous structures with the exception of walls and fences have been built on the subject lot(s),
- the new parcel has a minimum street frontage of fifty (50) feet and meets the area requirement of the underlying zoning, and
- approval of a variance granted by a supermajority of the Board of Adjustment or Historic District Council as defined in Section 10.02.00.

+++++

ALTERNATE PROPOSAL – 1.03.05

Current

1.03.05 Construction or Demolition of Structures on Combined Lots

A. In order to maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, wherever there may exist a single-family detached residential unit or, a duplex structure or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvement which was heretofore constructed on property containing one or more platted lots or portions thereof (excluding walls or fences), such lots thereafter constitute one building site and must be considered the “lot of record”, and no permit will be issued for the construction of more than one residential dwelling unit on the site. All construction on the building site must comply with all existing zoning and density requirements.

B. The demolition or removal of any residence or structure, whether voluntary or involuntary, does not have the effect of changing the establishment of the building site.

C. A change from the foregoing provisions for the purpose of establishing building sites, or separation of building sites requires supermajority approval by the Board of Adjustment in accordance with the variance approval process contained in Section 10.02.00 in a quasi-judicial hearing at which all interested persons will be afforded an opportunity to be heard

Proposed

1.03.05 Construction or Demolition of Structures on Combined Lots

A. ~~In order to~~ To maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, ~~wherever there may exist~~ the following will be required;

- when a single-family detached residential unit or, a duplex structure or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvements which was heretofore were previously constructed on ~~property~~ a parcel containing one or more ~~platted~~ lots of record or portions thereof (excluding walls or fences), ~~such lots thereafter~~ the parcel constitutes one building site, and ~~and must be considered the “lot of record”, and~~
- no permit will be issued for the construction of more than one residential dwelling unit on the site.
- All construction on the building site must comply with all existing zoning and density requirements.

B. The demolition or removal of any residence or structure, whether voluntary or involuntary, does not have the effect of changing the establishment of the building site.

C. A change from the foregoing provisions for the purpose of establishing additional building sites, ~~or separation of building sites~~ requires supermajority approval by the Board of Adjustment in accordance with the variance approval process contained in Section 10.02.00 in a quasi-judicial hearing at which all interested persons will be afforded an opportunity to be heard.

DRAFT

ALTERNATE PROPOSAL - DEFINITIONS

Building site means a piece of land, either currently in use or allocated for development, intended to host main structures, accessory structures, and associated allowable uses.

City Plat means the plat lithographed and issued by the Florida Railroad Company in 1857 and enlarge, revised, and re-issued by the Florida Improvement Company in 1887 and 1901 and recorded in Nassau County Property Appraisers office

Parcel ~~means a tract of land described by meets and bounds or plat.~~

Parcel means a tract of land that is contiguous, under the same ownership interest and identified by the Nassau County property appraiser parcel number.

A parcel may be a single tract or a combination of lots, portions of lots and / or substandard lots.

“Plat or replat” means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this part and of any local ordinances.

Subdivision means the division of a parcel of land into three (3) or more lots or parcels either by plat into lots and blocks or by metes and bounds description for the purpose of transfer of ownership or development or use or subdivided lands means a piece of land that is divided into smaller parcels.

Subdivide means dividing a parcel of land into two(2) or more parcels either by plat into lots and blocks or by metes and bounds description for the purpose of transfer of ownership or development or use.

~~**lot** Lot means a parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or a recorded map and which is recognized as a separate legal entity for purpose of transfer of title, use, or improvement~~

Lot means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified. FS 177.031(11)

~~**lot of record** means a lot which is a part of a subdivision, the map of which has been recorded in the office of the Clerk of the Circuit Court of the County, as of the effective date of this Land Development Code.~~

lot of record means a lot that is shown on the City Plat and/ or which is a part of a subdivision, the plat of which has been recorded in the office of the Clerk of the Circuit Court of the Nassau County, as of April 1, 2024.

platted lot – means lot of record

~~platted lot of record~~ means a lot that is part of a recorded subdivision

platted lot record – means lot of record

~~Substandard lot~~ means any lot lawfully existing at the time of adoption of this code, but not in conformance with the current dimensional and/or area provisions.

Substandard lot means a lot of record which has less than the required minimum area or width as established by the zoning district in which it is located; and provided, that such lot was of record as a legally created lot of record before 1 April 2024.

+++++

ALTERNATE PROPOSAL – 1.03.03

Current

1.03.03 Lots of Record

One dwelling unit may be constructed on a substandard, platted lot of record in a residential or mixed-use zoning district.

Proposed

1.03.03 ~~Lots of Record~~ Buildable Non-conforming Lot(s)

~~A. One dwelling unit may be constructed on a substandard, platted lot of record in a residential or mixed-use zoning district.~~

In a residential or mixed-use zoning district, one dwelling unit may be constructed on a parcel created prior to the passage of this ordinance, that is;

- comprised of a single, existing substandard lot of record,
or
- portions of lots of record which have been previously combined,
 - totaling less than 50 feet in width, and / or
 - do not meet the area requirement of the underlying zoning district.

+++++

ALTERNATE PROPOSAL – 1.03.04

Current

1.03.04 Demolition of Structures on Substandard Lots

A. Applicability. Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions, specific regulations, and specifically described lots or parcels of land, all buildings or structures located in the R-1, R-2, RLM, and R-3 zoning districts shall be constructed or erected upon a building site containing at least one (1) platted lot. Such building site shall have a minimum street frontage of fifty (50) feet.

B. Building site requirements. Wherever there may exist a single-family residence(s), duplex building(s), or any lawful accessory building(s) or structure(s) which was heretofore constructed on property containing one (1) or more substandard platted lots or portions thereof, such substandard lot or lots shall thereafter constitute only one (1) building site. No permit shall be issued for the construction of more than one (1) single-family residence. Such structures shall include, but not be limited to, swimming pools, tennis courts, walls, fences, or other at-grade or aboveground improvements.

C. Removal of buildings. If a single-family residence or duplex building which exists on more than one (1) substandard lot is voluntarily demolished or removed, no permit shall be issued for the construction of more than one (1) building on the building site.

Proposed

1.03.04 Subdividing Residential Parcels

A. Applicability. These regulations aim to preserve open space, visual corridors, neighborhood character, property values, and the visual appeal of residential areas within the:

- R-1,
- R-1G,
- R-2,
- RLM, and
- R-3 zoning districts.

The following regulations do not apply to:

- new subdivision plats,
- subdivision replats,
- minor subdivisions,
- lot line adjustments, or
- other specific regulations.[??? – list regulations]

A parcel that contains lots of record, portions of lots of record and substandard lots of record can be subdivided from the original parcel, to create a new parcel if:

- no previous structures with the exception of walls and fences have been built on the subject lot(s),
- the new parcel has a minimum street frontage of fifty (50) feet and meets the area requirement of the underlying zoning, and
- approval of a variance granted by a supermajority of the Board of Adjustment or Historic District Council as defined in Section 10.02.00.

+++++

ALTERNATE PROPOSAL – 1.03.05

Current

1.03.05 Construction or Demolition of Structures on Combined Lots

A. In order to maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, wherever there may exist a single-family detached residential unit or, a duplex structure or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvement which was heretofore constructed on property containing one or more platted lots or portions thereof (excluding walls or fences), such lots thereafter constitute one building site and must be considered the “lot of record”, and no permit will be issued for the construction of more than one residential dwelling unit on the site. All construction on the building site must comply with all existing zoning and density requirements.

B. The demolition or removal of any residence or structure, whether voluntary or involuntary, does not have the effect of changing the establishment of the building site.

C. A change from the foregoing provisions for the purpose of establishing building sites, or separation of building sites requires supermajority approval by the Board of Adjustment in accordance with the variance approval process contained in Section 10.02.00 in a quasi-judicial hearing at which all interested persons will be afforded an opportunity to be heard

Proposed

1.03.05 Construction or Demolition of Structures on Combined Lots

A. ~~In order to~~ To maintain open space, visual corridors, neighborhood character, property values and visual attractiveness of residential areas, ~~wherever there may exist~~ the following will be required;

- when a single-family detached residential unit or, a duplex structure or any auxiliary building or structure, including but not limited to, swimming pools, or any other improvements which was heretofore were previously constructed on ~~property~~ a parcel containing one or more ~~platted~~ lots of record or portions thereof (excluding walls or fences), ~~such lots thereafter~~ the parcel constitutes one building site, and ~~and must be considered the “lot of record”, and~~
- no permit will be issued for the construction of more than one residential dwelling unit on the site.
- All construction on the building site must comply with all existing zoning and density requirements.

B. The demolition or removal of any residence or structure, whether voluntary or involuntary, does not have the effect of changing the establishment of the building site.

C. A change from the foregoing provisions for the purpose of establishing additional building sites, ~~or separation of building sites~~ requires supermajority approval by the Board of Adjustment in accordance with the variance approval process contained in Section 10.02.00 in a quasi-judicial hearing at which all interested persons will be afforded an opportunity to be heard.

DRAFT

How do the current rules and the proposed LDC rules apply to these two lots?



Schedule A

ALL OF THOSE CERTAIN LOTS, PIECES OR PARCELS OF LAND SITUATE LYING, AND BEING IN THE CITY OF FERNANDINA BEACH, FORMERLY NAMED FERNANDINA, IN THE COUNTY OF MASSAU AND STATE OF FLORIDA, AND KNOWN AND DESCRIBED UPON AND ACCORDING TO THE OFFICIAL RECORDS MAP OR PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1991 AS: LOTS NUMBERED ONE (1), TWO (2), THREE (3) AND TWENTY-THREE (23) TO THIRTY-FOUR (34) INCLUSIVE IN BLOCK NUMBERED FIFTEEN (15).



The land referred to herein below is situated in the County of Nassau, State of Florida, and described as follows:

Lots 4, 5, 8, 9, 10 and 11, Block 31, CITY OF FERNANDINA, of Nassau County and the State of Florida and known and described upon and according to the Official Plat of said City of Fernandina (as lithographed and issued by the Florida Railroad Company in 1857, and enlarged, revised and reissued by the Florida Town Improvement Company in 1887 and 1901).

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 00-00-31-1800-0031-0040