



**AGENDA
BOARD OF ADJUSTMENT
REGULAR MEETING
MARCH 20, 2024
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 Approval of the Minutes for the Regular Meeting of January 17, 2024.
- 4. NEW BUSINESS**
 - 4.1 **BOA 2024-0001 - GILLETTE & ASSOCIATES, AGENT FOR MICHAEL GIBBS, 1110 S. 13TH STREET**
Variance Request from LDC Section 4.04.02(E) requiring that a subdivision shall have at least two (2) vehicular access points to an improved right-of-way. (*Quasi-Judicial*)
- 5. BOARD BUSINESS**
- 6. STAFF REPORT**
- 7. PUBLIC COMMENT**
- 8. ADJOURNMENT**

NEXT BOA REGULAR MEETING IS SCHEDULED FOR APRIL 17, 2024

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 (904) 310-3115 or through the Florida Relay Services at 711 at least 24 hours in advance to request such accommodations.

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
BOARD OF ADJUSTMENT
REGULAR MEETING
JANUARY 17, 2024
5:00 PM
CITY HALL COMMISSION CHAMBERS**

1. CALL TO ORDER

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT

Steven Papke (Chair)	Chuck Oliva (Vice-Chair)
Barry Hertslet	Faith Ross
Jag Pagnucco	Janet Mann (Alt 1)
Kelly Powers (Alt 2) Joined in at 5:07 P.M.	

MEMBERS ABSENT

None

OTHERS PRESENT:

Taylor Hartmann, City Planner
Tammi Bach, Attorney to Staff
Harrison Poole, City Attorney Pro Tem
Sylvie McCann, Recording Secretary

2. PLEDGE OF ALLEGIANCE

Harrison Poole, Attorney Pro Tem explained that he would be representing the Board for this case and that Tammi Bach, City Attorney would be representing Staff. He then explained the Quasi-Judicial procedures and the procedures regarding an appeal to an administrative decision.

No ex parte communications were disclosed by any board members.

Ms. McCann administered the oath to any parties that wished to provide testimony.

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes for the Regular Meeting of September 20, 2023.

Member Hertslet noted a needed amendment in the New Business section, that the mention of AMI should be Nassau County AMI.

ACTION TAKEN: A motion was made by Member Hertslet, seconded by Member Ross, to approve the Minutes for the regular meeting of September 20, 2023, as corrected.

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

4. NEW BUSINESS

4.1 BOA 2023-0001 -STEVE CIBOR, 1133 OCEAN AVENUE
Administrative Appeal from Law Offices of Matthew N.L. Roach, PC

City Attorney Bach spoke and explained her role as a representative for Staff for this meeting. She then confirmed Ms. Hartmann as an expert witness by asking her the following questions, with the following answers:

Question: Who is your employer? Answer: The City of Fernandina Beach.

Question: How long have you been employed by the City? Answer: 3 years.

Question: What positions have you held at the City? Answer: Planning Tech for 1 year, Planner for 2 years.

Question: Has this been your only role? Answer: Yes.

Ms. Hartmann presented the Staff Report analysis and recommended denial of the Administrative Appeal request.

Public Hearing was opened.

Janet Mann, 1128 N. Fletcher Avenue, spoke and focused mainly on the fact that the property's front door is located on East 9th Street even though the address is assigned on Ocean Avenue, and that the review and calculations were based with the property having an Ocean Avenue address and frontage.

Matthew Roach, 1131 Ocean Avenue, neighbor to the property in question, spoke of a letter he received from Mr. Cibor along with other documents which included a copy of the Administrative Review application stating that he is the owner. Mr. Roach then noted that the Owners of Records for this property list a Trust and that no information in any of the documents received shows who the Trustees or the beneficiaries are, and who has control of this property.

Mr. Roach spoke of LDC Section 11.01.03, which requires applications to contain the legal description which is missing in this case. He noted the encroaching deck in the right of way and then spoke of Goal 1 of the Comprehensive Plan regarding the need to work with neighbors to preserve the character of the neighborhood. He also touched on Comprehensive Plan section 01.06.01 regarding required sidewalks to be considered especially with this current structure being located right at the road. He spoke of LDC Section 10.02.02 and the following variance criteria: Special Condition, Litteral Interpretation, General Harmony, and Public Interest. He touched on dimensions indicated on the survey provided by the applicant being inaccurate. He also addressed LDC Section 4.02.03(F) and the exclusion of the principal property in the calculations. Mr. Roach summarized in stating that the property had enough available space to construct another accessory structure if the applicant wanted to expand on living areas.

Chair Papke, asked Mr. Roach about his current employment. Mr. Roach stated he is an attorney. Chair Papke then noted that this doesn't qualify him as an expert witness concerning the accuracy of surveys.

Jon Lasserre, 960185 Gateway Blvd, Rogers Towers, agent for Mr. Cibor and his Trust, noted that there were a lot of comments made regarding variance criteria even though this is an Administrative Appeal, and that these comments will not be addressed as they do not pertain to this appeal. He spoke about the ambiguity in LDC Section 4.02.3(F) regarding the inclusion of the principal property. He noted that the measurement of the front setback should be done from the lot line to the closest vertical element and not an average of the two for each individual structure. He commented on the original location of the front door stating that because the house is 70+ years old, no one can testify if it was originally located on East 9th Street at one point. Lastly, he noted that the survey has been provided by a certified surveyor, which is an expert in the field of surveying.

William T. Cady, 1131 N. Fletcher Avenue, stated that his relatives owned this house in the past and that there was never an entrance facing Ocean Avenue and that the entry door always faced East 9th Street.

Steve Cibor, owner, currently living at 1127 Ocean Avenue, noted that the property was purchased with future plans to build a retirement home. He stated that he spoke to a number of design professionals and that they could not commit on any work until there was confirmation on what improvements can be done with the property. He then spoke at length of the corner setbacks and where the front lot line is really located and where the calculations should be taken from, the deck, the porch, or the house. He stated that he had no issue with the address being

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reassigned to East 9th Street. He also noted that he will follow recommendations from the City and the Board.

Chair Papke, explained his interpretation of block face and calculations on some of the adjacent residences.

Karen Burns, 2878 West 9th Street, stated she was a bit confused about some of the topics discussed, specifically comments about variance requirements.

Matthew Roach, 1131 Ocean Avenue, spoke about this administrative appeal being based on similar criteria from the variance process. He also questioned some comments made by Mr. Cibor regarding his future relocation plans.

Janet Mann, 1128 N. Fletcher Avenue, urged the Board not to lose sight that this is an appeal to an administrative decision and assess if Staff made the right decision when they granted approval to the administrative review application.

Mr. Poole clarified that all documents presented at this meeting will be formally received in the records.

Board Discussion was opened.

Member Hertslet asked Ms. Bach to help clarify what is asked of the Board.

Mr. Poole clarified that he was acting as the representative for the Board Members and that Ms. Bach was representing Staff.

Ms. Bach, representative for Staff, spoke and commented that the current code has been in place since 2012 and that in the last 12 years of this Board activity, there has never been an application for a Context Sensitive setback determination for an existing structure looking down the block face, and that this is a case of first impression appeal for this Board. She explained the process to get at what the Board would like the conclusion to be and reiterated the findings within the Staff reporting a conclusion of approval of the Context Sensitive Review, with Staff delivering a recommendation of denial of this Administrative Appeal.

Member Ross asked about the impact of the Coastal Construction Control Line (CCCL). Ms. Bach explained that the CCCL is the extra required regulations with construction standards that allows local policies to be added to the Florida Building Code, in which in this case the City allows a property no more than 30% of the property's value in added improvements before it is required to bring all aspect of the structure up to code. Mr. Poole noted that in addition, any improvements must not expand on the non-conformity of the property. Ms. Ross noted that the LDC mentioned that a unanimous vote of 5 members is needed to approve the reversal of the Context Sensitive Review decision. Mr. Poole concurred and added that another option would be to modify the decision.

Member Avila, inquired about the origin of the address assignment on Ocean Avenue.

ACTION TAKEN: A motion was made by Member Ross, seconded by Member Pagnucco, that this Board finds that based on the plain of LDC Section 4.02.03(F) that the Context Sensitive Setback in this case was erroneous, that the Findings of Facts and that orientation of structures on corner lots determines the applicable block faces, and the block face has been found to not be on Ocean Avenue. Also, Section 4.02.03(F)(1)(a) (1) and (2) states that other principal structures on the block face must be measured from the property line to the closest vertical element of the roof portion of the principal structure, and in Section (ii) we are to be using the measurement obtained in LDC Section 4.02.03(F)(1)(a)(i) which is mentioning or stating that the front setback of other principal structures on the block face must be measured from the property line. Therefore, the Board reverses the administrative decision that is the subject of this administrative appeal.

Vote upon passage of the motion was taken by voice vote, as follows:

Member Pagnucco	Nay
Member Hertslet	Nay
Member Ross	Yay
Vice Chair Oliva	Yay

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Chair Papke **Nay**

Motion failed.

ACTION TAKEN: A motion was made by Member Ross, seconded by Member Hertslet, that this Board finds that based on the plain of LDC Section 4.02.03(F) that the application of the code was correct, and the Board wholly affirms the administrative decision that is the subject of this administrative appeal.

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

5. BOARD BUSINESS

5.1 Election of chair

A motion was made by Member Ross to re-elect Chair Papke. Approved unanimously by voice vote.

5.2 Election of vice-chair

A motion was made by Member Ross to re- elect Vice-Chair Oliva. Approved unanimously by voice vote.

6. STAFF REPORT

Member Hertslet asked about the status of the Tringali project. Ms. Bach stated that the owners of the property drive the process and would need to re-apply to the Board of Adjustment.

7. PUBLIC COMMENT

8. ADJOURNMENT 6:20 PM

Sylvie McCann, Recording Secretary

Steven Papke, Chair

Print

Board of Adjustment (BOA) - Submission #13098

Date Submitted: 1/17/2024

BOARD OF ADJUSTMENT (BOA)

USE THIS FORM TO Apply for a variance to obtain relief from the design standards of this Land Development Code (LDC) where otherwise hardship would occur. A person who is adversely affected by any administrative decision may appeal such decision to the BOA.

Fees

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



Residential Properties \$1,500



Non-Residential properties \$3,500



Administrative Appeals \$500

[2024 Submission Deadlines + Board Meetings Calendar](#)

 BOA 2024

IMPORTANT NOTES

Application Requirements



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



A current signed, sealed, scaled survey of the property (no older than two years from date of application);



Proof of ownership (copy of deed or tax statement)



If applying as an agent, Owner's Authorization for Agent Representation form must be signed/notarized and submitted as part of the application;



A detailed letter stating the reasons for the request;



Materials as needed to illustrate the nature of the request, including but not limited to, site plans, architectural drawings, photographs, etc. (Site plans must be dimensioned and to scale).

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, you must meet with the applicable planner prior to submitting your application. Completed Board applications are **due forty-five (45) days prior** to the meeting date. Cases in the historic districts or Community Redevelopment Area are heard by the Historic District Council, please use the HDC Variance Application. Cases in all other areas of the City are heard by the Board of Adjustment.

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



Procedures for Variances – LDC Section 10.02.04.



Expiration of Variance Approval – LDC Section 10.02.04(C).



Appeals on a Variance – LDC Section 10.02.04(D).



Appeals of Administrative Action – LDC 11.07.00

The LDC is available for review at

www.fbfl.us/LDC

Appeals

Any person aggrieved by any decision of the BOA regarding a variance may present to a court of record a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. The petition shall be presented to the court within thirty (30) days after the filing of the decision at the office of the Board; otherwise, the decision of the Board shall be final.

Limitations on the Grant of a Variance



1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.



2. A variance shall not be granted which authorizes any use or standard that is prohibited by the City's Comprehensive Plan.



3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered g



4. A variance shall not change the requirements for concurrency.



5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.



6. A variance shall not be granted if the evidence submitted by an applicant is solely a demonstration of financial hardship or economic considerations.



7. A variance shall not be granted for procedure or process components of this Land Development Code.



8. A variance shall not be granted to deviate from LDC section 4.02.02 to combine two (2) or more lots which would result in a lot width greater than 100 feet for lots or parcels that abut Ocean Ave



9. A variance will not be granted which authorizes the filling of wetlands prohibited by Land Development Code Section 3.03.03(A)



10. No variance shall be granted to exceed the maximum building height of 35 feet for a building on any lot within 800 feet of the mean highwater line of the Atlantic Ocean under LDC Section 4.02.03(D)



11. A variance shall not be granted for any residential or residential mixed-use structure to exceed the maximum building height requirements contained in Table 4.02.03(E).



12. A variance shall not be granted to exceed the minimum side yard setbacks listed in Table 4.02.03(E) for any building within 800 feet of the mean high-water mark of the Atlantic Ocean.

REVIEW TYPE*



Variance



Appeal of Administrative Decision

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

Yes



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

10/26/2023

PROPERTY INFORMATION

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

Site Address*

1110 South 13th Street

City*

Fernandina Beach

State*

Florida

Zip*

32034

Parcel ID #(s)*

00-00-31-1800-0238-0040

Zoning District*

R-3



Future Land Use Designation*

High Density Residential



OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Michael

Last Name*

Gibbs

Company (if applicable)

Mailing Address*

2712 W. Jetton Avenue

City*

Tampa

State*

Florida

Zip*

33629

Telephone Number*

8134541789

E-mail Address*

mgibbs@spc-if.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

Asa

Last Name

Gillette

Company (if applicable)

Gillette & Associates, Inc.

Mailing Address

31 South 4th Street, Suite 1

City

Fernandina Beach

State

Florida

Zip

32034

Telephone Number

9042618819

E-mail Address

tricia@gilletteassociates.com

PROJECT INFORMATION**Variance Requested from LDC Section(s)***

4.04(E)

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

Eliminate the requirement of two (2) entrances and provide only one (1) entrance to development.

REQUIRED FINDINGS FOR A GRANT OF A VARIANCE

In order for an application for a variance to be approved or approved with conditions, the BOA must make a positive finding with regard to each of the provisions below. The applicant has the burden of proof of demonstrating that the application for a variance complies with each of the requirements. Please explain in detail how your case meets the following requirements:

1. Special Conditions: Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.*

We believe a special circumstance exists such that we do not feel this subdivision of land warrants the need for two entrance/exits. This site is zoned R-3, a zoning allowing for a higher density and located across the street from an apartment complex, which has two entrance/exit.

2. Special Privilege: Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.*

Those requesting a variance would have this same process conferred. The majority of the lots in the City with this zoning and applied use, would run into this same problems since the majority are too small to facilitate a second entrance/exit.

3. Literal Interpretation: Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.*

Others in this same zoning district would be required to have a larger lot to facilitate two entrance/exits.

4. Minimum Variance: The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.*

This is the minimum variance required. All other aspects of the Land Development Code would be followed.

5. General Harmony: Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.*

We feel this is in harmony with the surroundings and the apartment complex across the street (38 units), based on the number of units we are proposing (9 units).

6. Public Interest: Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.*

We feel this is compatible with the surrounding properties, including the apartment complex across the street, the adjacent duplexes, the multifamily apartments about one-half block away and the shopping center located on the adjacent street (South 14th Street).

Upload Supplemental Materials

agent auth.pdf

Upload 2

deed.pdf

Upload 3

16252-TREE POINTS (1).pdf

Upload 4

Variance.pdf

Upload 5 No file chosen**Upload 6** No file chosen**Upload 7** No file chosen**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 will 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's First Name*

Asa

Applicant's Last Name*

Gillette

Today's Date*

1/17/2024

DEPARTMENT OF PLANNING & CONSERVATION

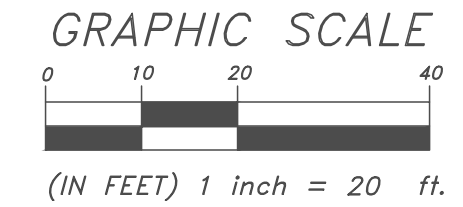
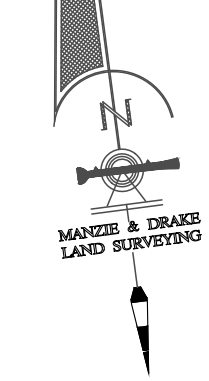
204 Ash Street | Fernandina Beach, Florida 32034 | 904 310-3480 |
www.fbfl.us/planning

Please make sure to disable pop-up blocker in order to submit.

MAP OF BOUNDARY & TOPOGRAPHIC SURVEY

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH, (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND BEING FURTHER DESCRIBED ACCORDING TO THE OFFICIAL 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 1901) AS:

ALL OF LOT 4 AND THE NORTH 72.0 FEET OF LOT 5, BLOCK 238, FERNANDINA BEACH, FLORIDA.



TREE LEGEND

CHY = BLACK CHERRY TREE
MAG = MAGNOLIA TREE
O = OAK TREE
P = PINE TREE
PM = PALM TREE

TREE DISCLAIMER:

NUMBER OF TREES SHOWN ON SURVEY: 227

SPECIES OF TREES HAVE BEEN IDENTIFIED TO THE BEST OF OUR KNOWLEDGE AND BELIEF; HOWEVER MANZIE & DRAKE LAND SURVEYING WILL ASSUME NO LIABILITY, EXPRESSED OR IMPLIED, FOR THE CORRECTNESS OF SAID SPECIES IDENTIFICATION.

TREES HAVE BEEN LOCATED AS ACCURATELY AS POSSIBLE UNDER CURRENT CONDITIONS AND HAVE A POSITIONAL TOLERANCE OF APPROXIMATELY 2 TO 3 FEET. CRITICAL TREES SHOULD BE VERIFIED PRIOR TO CONSTRUCTION.

LEGEND

— = CENTERLINE
—x— = CHAIN LINK FENCE
—x—x— = FIRE HYDRANT
—x— = TELEPHONE PEDESTAL
—x— = WATER VALVE
—x— = WOOD FENCE
—x— = WOOD POWER POLE
—x— = BENCHMARK

SURVEY NOTES:

- The "Legal Description" hereon is in accord with the description provided by the client
- Underground Improvements were not located or shown.
- Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- Bearings shown hereon are based on an assumed bearing of N07°28'00"E for the easterly right-of-way of South 13th Street. The bearing reference line is indicated as thus (BR).
- The property shown hereon lies within flood zone "X" as per F.E.M.A. Flood Insurance Rate Map, Panel "12089C 0239 G", Dated "08/02/2017". Flood Zone information listed above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- Site Benchmark is as shown hereon.
- Elevations shown hereon refer to North American Vertical Datum of 1988. (N.A.V.D. '88)
- The Reference Benchmark is the northeast corner of catch basin located at the southeast intersection of South 13th Street & Jasmine Street. (Elevation = 19.62 NAVD 1988)

THE INFORMATION SHOWN HEREON MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

MANZIE & DRAKE LAND SURVEYING

117 South Ninth Street, Fernandina Beach, FL 32034
(904) 491-5700 www.ManzieAndDrake.com
Certificate of Authorization Number "LB 7039"

"OUR SIGHTS ARE ON THE FUTURE, SET YOUR SITES ON US."

SCALE: 1"=20' JOB NO: 16252 DATE: 7/28/2022 CADD: WKD
F.B. NO: X-374 PAGE NO: 1 CREW: JM FILE NO: B-477

MICHAEL A. MANZIE, P.L.S. 4069



Civil & Environmental Engineering • Mechanical & Structural Engineering • Construction Management

AGENT AUTHORIZATION

I, Michael Gibbs, the owner the following property(s) do hereby authorize, Gillette & Associates, Inc. to act as my Agent in conjunction with all site plan applications and any other Local, State and/or Federal development permits necessary for development of the following property, without any further notice.

Property Id Number(s): 00-00-31-1800-0238-0040

Location: 1110 South 13th Street, Fernandina Beach

Michael Gibbs
Signature

10-26-2023
Date

813-454-1789
Telephone Number

STATE OF FLORIDA
COUNTY OF NASSAU

Subscribed and sworn to before me this 26th day of OCTOBER, 2023.

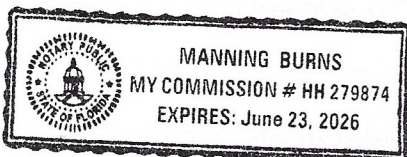
Who is personally known to me _____ or has produced identification

FL DL

[Signature]
Notary Public: Signature

MANNING BURNS
Printed Name

My Commission Expires: 06/23/2026



PREPARED BY & RETURN TO:

Name: Wood & Smith, P.A.
Address: 303 Centre Street
Suite 100
Fernandina Beach, FL 32034
File No. 22-205210

Parcel No.: 00-00-31-1800-0238-0040

This **WARRANTY DEED**, made the **8th day of December, 2022**, by **Ability Holding, LLC**, a **Florida Limited Liability Company** (whether one or more, the "Grantor"), to **Michael Lee Gibbs**, a **married man**, whose post office address is 2712 W. Jetton Avenue, Tampa, FL 33629 (whether one or more, the "Grantee"):

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land situate in County of Nassau, State of Florida, viz:

All that certain lot, piece or parcel of land situate, lying and being in the City of Fernandina Beach, (formerly named Fernandina), County of Nassau and State of Florida and being further described according to the official 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 1901) as: All of Lot 4 and the North 72.0 feet of Lot 5, Block 238, Fernandina Beach, Florida.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

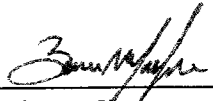
SUBJECT TO TAXES FOR THE YEAR 2022 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

TO HAVE AND TO HOLD the same in fee simple forever.

And the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple, that the Grantor has good right and lawful authority to sell and convey said land and that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever. Grantor further warrants that said land is free of all encumbrances, except as noted herein and except taxes accruing subsequent to December 31, 2021.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, as of the day and year first above written.

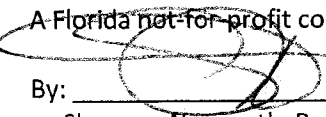
Signed, sealed and delivered in the presence of:


Witness Signature
Printed Name: Zane Marfiak


Witness Signature
Printed Name: Priscilla Backs

Ability Holding, LLC, a Florida Limited Liability Company

By: Ability Housing, Inc.,
A Florida not-for-profit corporation, its Manager

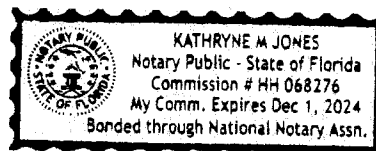
By: 
Shannon Nazworth, President

Address:
3740 Beach Boulevard
Suite 304
Jacksonville, FL 32207

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of (☒) physical presence or () online notarization this 14th day of December, 2022 by Shannon Nazworth, President of Ability Housing, Inc., a Florida not-for-profit corporation which entity is the Manager of Ability Holding, LLC, a Florida Limited Liability Company.


Signature of Notary Public
Print, Type/Stamp Name of Notary



Personally known: ☒
OR Produced Identification: _____

Type of Identification Produced: _____



Civil & Environmental Engineering • Mechanical & Structural Engineering • Construction Management

January 17, 2024

Ms. Kelly Gibson, AICP
Planning and Conservation Director
204 Ash Street
Fernandina Beach, Florida 32034

**Re: Letter of Intent
1110 South 10th Street**

Dear Ms. Gibson:

On behalf of our client, we are respectfully requesting a variance on Section 4.04.02 (e) of the City of Fernandina Beach's Land Development Code. This application for a variance is to eliminate the requirement of two (2) entrances into the proposed development. We are proposing only one (1) entrance to the development. We feel this is in harmony with the surroundings and the apartment complex across the street (38 units), based on the number of units we are proposing (9 units).

We appreciate your consideration in this matter. If you have any questions, please contact our office at 261-8819.

Sincerely,

Asa R. Gillette, P.E.
Principal



BOARD OF ADJUSTMENTS STAFF REPORT
BOA 2024-0001
MARCH 20, 2024

Owner/Applicant:	Michael Gibbs, Owner /Asa Gillette, Gillette & Associates, Inc., Agent
Property Address:	1110 S. 13 th Street
Parcel Number:	00-00-3101800-0238-0040
Requested action:	VARIANCE from LDC Section 4.04.02 (E): A subdivision shall have at least two (2) vehicular access points to an improved right-of-way.
Current zoning:	R-1
FLUM land use category:	Low Density Residential
Existing uses on the site:	Vacant

All required application materials have been received. All fees have been paid. All required notices have been made.



SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The subject property is a 1.31-acre parcel. The owner's intent is to construct four 2-unit townhomes and one detached single-family home, for a total of 5 structures. The proposed development is otherwise consistent with the land use and design standards for the R-3 zoning district. This includes a thoughtfully engineered T-turnaround at the eastern end of the subdivision to adequately accommodate emergency service, delivery, and utility vehicles. The applicant is requesting a variance from section 4.04.02(E), which requires a subdivision to have at least two (2) vehicular access points to an improved right-of-way.

The proposed subdivision entrance is located on South 13th Street, however due to the lot width of the subject property the addition of a second entrance would require a design that places 2 main access points within approximately 190 feet of one another. The site does not abut any public rights-of-way along its eastern boundary and is constrained by existing development to its north and south therefore, there is no opportunity access from the eastern boundary. As a result, the applicant proposes one entrance to avoid potential confusion and a surplus of driveways access points in a limited space.

Additionally, staff would like to highlight the following notes:

- The applicant and agent recognize the existing mature tree canopy and submitted a proposed subdivision layout that maximizes the protection of native healthy trees through the use of townhome-style structures and common green space.
- In March of 2007, the Planning Advisory Board (PAB) determined that LDC section 4.04.02(E) could be "...restrictive for a small subdivision...". It was also indicated, by board members, that there was an administrative review process to evaluate subdivisions on a case-by-case basis to determine the necessity of two vehicular access points, however, no such process has ever been established. The PAB agreed to discuss the topic at a later meeting, but it was never revisited.

EXHIBIT A: SURVEY

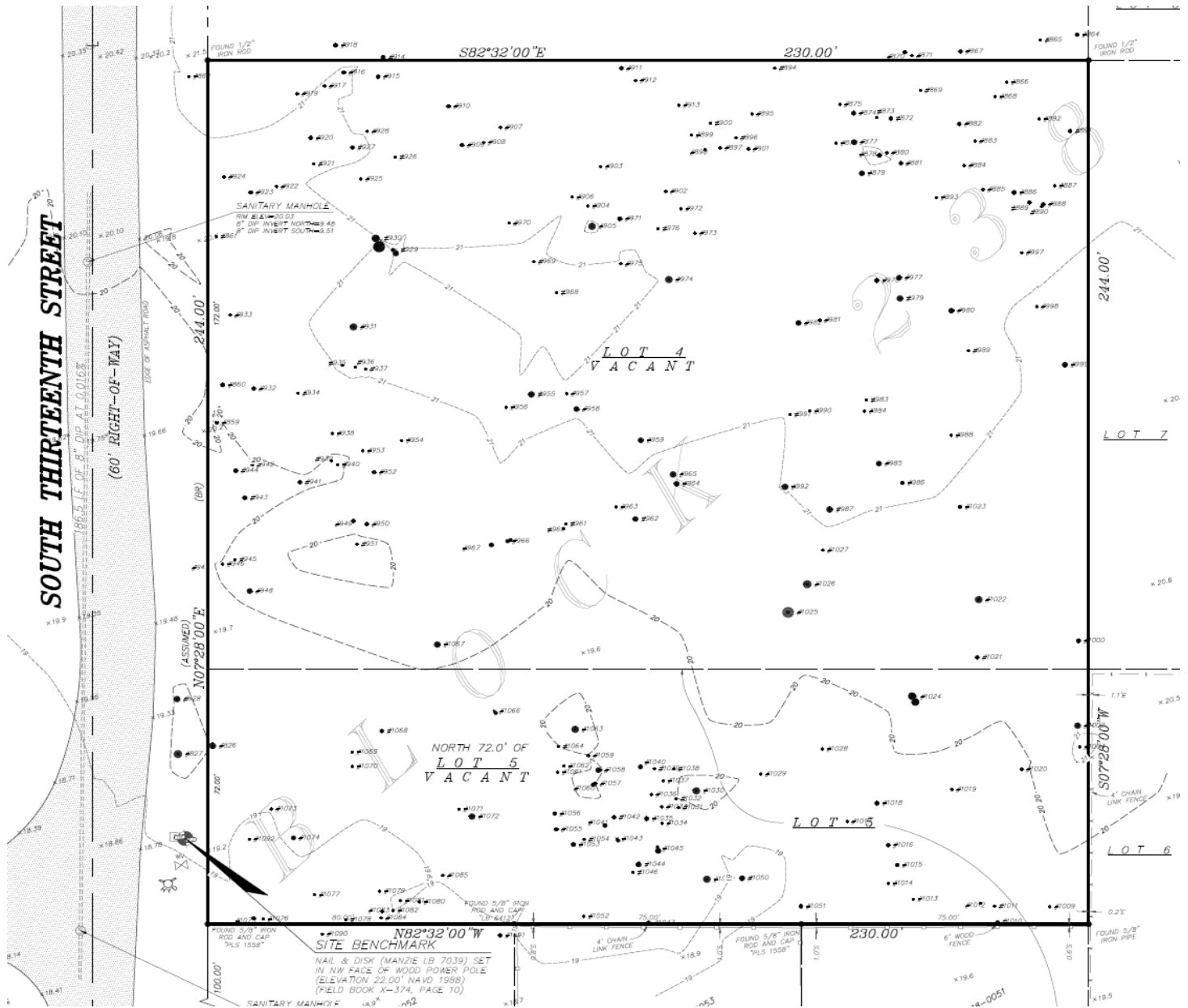
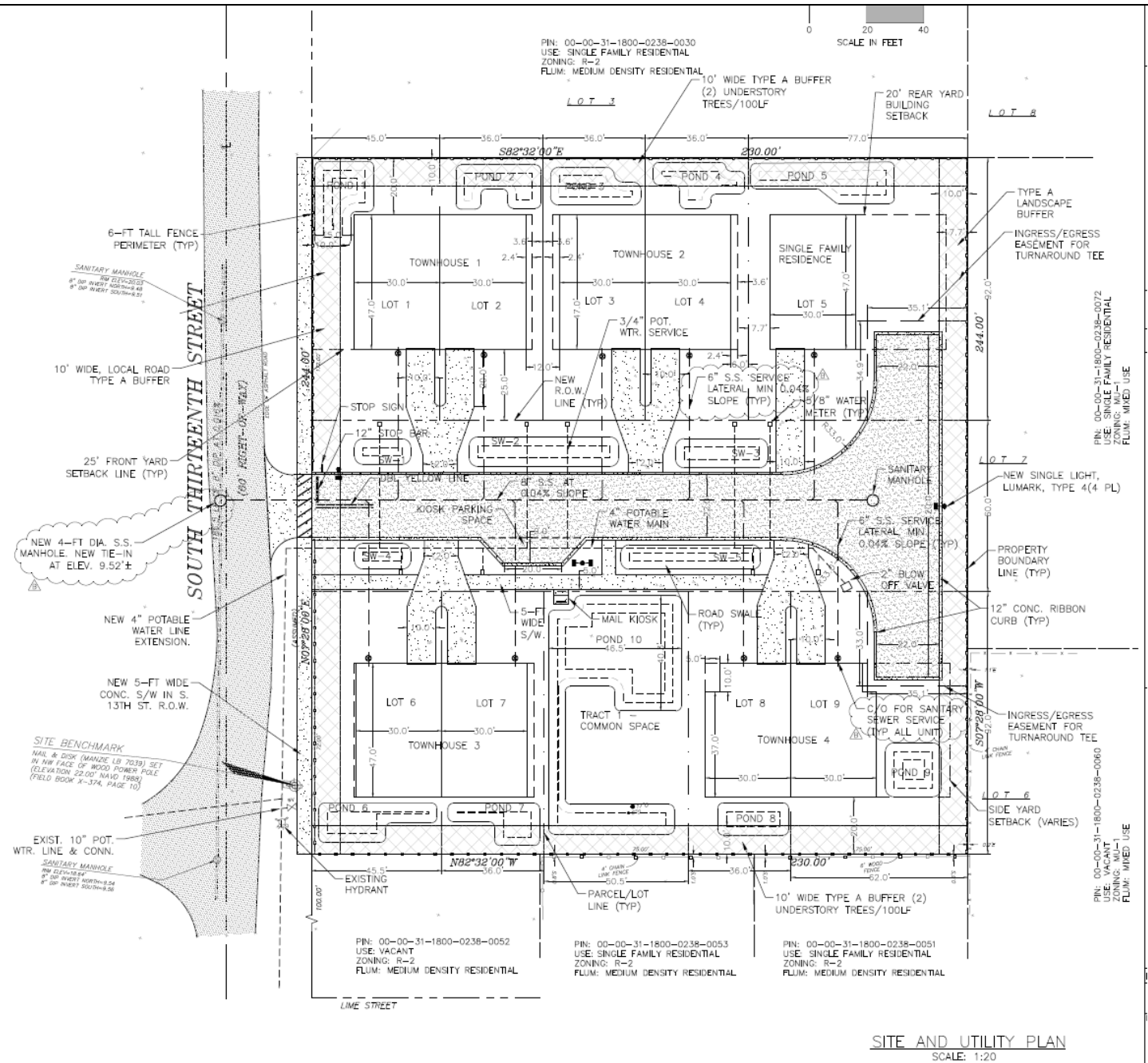


EXHIBIT B: SITE PLAN



APPLICABLE GUIDELINES:

CITY OF FERNANDINA BEACH LAND DEVELOPMENT CODE:

The staff's review of this application finds it is not subject to any of the limitations of Section 10.02.01 and can therefore be considered by the Board.

CITY OF FERNANDINA BEACH COMPREHENSIVE PLAN:

The following Comprehensive Plan statements are applicable in this case:

- Policy 1.02.07 - The City shall implement the Fernandina Beach Comprehensive Plan in a manner that acknowledges private property rights.
- Policy 2.07.11 - The City shall develop and apply access management standards to minimize the frequency of individualized driveways and intersections through the consolidation of existing driveways, requiring shared access for new development between adjacent parcels, and developing an interconnected network of streets and alleyways that will provide direct access to low-speed, local streets.
- Policy 2.08.05. The City shall, as part of its development review process, promote the safe movement of bicycle and pedestrian traffic and continued maximized utilization of existing roadway capacity and reduce peak period congestion by implementing to the maximum extent feasible, traffic operation improvements and transportation management systems management alternatives including, but not limited to, the following:
 - a. Limitations of the number and width of vehicular driveways/ curb cuts on streets to minimize pedestrian intrusion and obstacles;

ANALYSIS:

In order for an application for a variance to be approved or approved with conditions, the BOA shall make a positive finding with regard to each of the following provisions:

Consistent with Criteria? All questions must be answered in the affirmative in order for staff to recommend approval of a variance. Negative answers must be addressed in the findings.

Criteria	Applicant's Response	Staff Analysis	Meets Criteria
1. Special Conditions <i>Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. Special conditions or circumstances do not result from actions of the applicant and are not based on a desire to reduce development costs.</i>	We believe a special circumstance exists such that we do not feel this subdivision of land warrants the need for two entrance/exits. This site is zoned R-3, a zoning allowing for a higher density and located across the street from an apartment complex, which has two entrance/exit.	No. Special conditions and circumstances do not exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district. The applicant can meet the City's vehicular access requirements without the need for a variance.	☐ Yes ☒ No
2. Special Privilege <i>Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district.</i>	Those requesting a variance would have this same process conferred. The majority of the lots in the City with this zoning and applied use, would run into this same problem since the majority are too small to facilitate a second entrance/exit.	Yes. Granting the variance does not confer upon the applicant a special privilege that is denied by the Land Development Code to other lands, structures, or buildings in the same zoning district. Any similarly situated property owner within this zoning district has the right to request relief from LDC Section 4.04.02(E).	☒ Yes ☐ No
3. Literal Interpretation <i>Literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.</i>	Others in this same zoning district would be required to have a larger lot to facilitate two entrance/exits.	No. Literal interpretation of the Land Development Code would not deprive the applicant of rights enjoyed by others in the same zoning district. Alternative design options, such as a single multifamily building is permissible in this zoning district.	☐ Yes ☒ No

4. Minimum Variance <i>The variance requested is the minimum variance needed that will make possible the reasonable use of the land, structure, or building.</i>	This is the minimum variance required. All other aspects of the Land Development Code would be followed.	Yes. The variance requested is the minimum variance needed to make possible the reasonable use of the land, structure, or building. The proposed project is currently going through the Technical Review Committee process, and this is the only deviation from the LDC requested.	☒ Yes ☐ No
5. General Harmony <i>Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan.</i>	We feel this is in harmony with the surroundings and the apartment complex across the street (38 units), based on the number of units we are proposing (9 units).	Yes. Granting the variance will be in harmony with the general intent and purpose of the Land Development Code and Comprehensive Plan. The general intent of this section of code is to provide for adequate vehicular access and connectivity to an improved right-of-way for all properties within a new subdivision. Given the limited size of the proposed development, the intent can be met with a singular ingress and egress point.	☒ Yes ☐ No
6. Public Interest <i>Granting the variance is compatible with surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare or environment.</i>	We feel this is compatible with the surrounding properties, including the apartment complex across the street, the adjacent duplexes, the multifamily apartments about one-half block away and the shopping center located on the adjacent street (South 14th Street).	Yes. Granting the variance is compatible with the surrounding properties, will not cause injury to the area involved, or otherwise be detrimental to the public health, safety, welfare, or environment. One entrance/exit is the preference of staff to avoid consecutive driveway cuts on 13 th Street.	☒ Yes ☐ No

STAFF RECOMMENDATION:

The variance requested is consistent/inconsistent with the criteria for granting a variance as follows:

	Consistent	Inconsistent
1. Special Conditions		X
2. Special Privilege	X	
3. Literal Interpretations		X
4. Minimum Variance	X	
5. General Harmony	X	
6. Public Interest	X	

The requested variance is consistent with criteria 2, 4, 5, and 6, but it is inconsistent with criteria 1 and 3 for granting of a variance.

Staff recommends:

DENIAL of BOA 2024-0001.

MOTION TO CONSIDER

I move to **approve or deny** BOA case number 2024-0001;

AND I move that the BOA make the following findings of fact and conclusions of law part of the record:

That BOA case 2024-0001, item, as presented, **is or is not** substantially compliant with the Comprehensive Plan and Land Development Code to warrant approval at this time;

AND that BOA case number 2024-0001 **meets or does not meet** the following criteria for granting a variance:

LIST OF EXHIBITS:

EXHIBIT A – SURVEY

EXHIBIT B – SITE PLAN

Respectfully Submitted,



Taylor Hartmann
Planner I

ORDINANCE NO. 2007-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING CHAPTER 1, GENERAL PROVISIONS; CHAPTER 2, ZONING DISTRICTS AND USES; CHAPTER 4, SITE DESIGN REQUIREMENTS; CHAPTER 5, ACCESSORY AND TEMPORARY USES; CHAPTER 6, SUPPLEMENTAL STANDARDS AND SPECIAL SITUATIONS; CHAPTER 9, BOARDS AND COMMISSIONS; CHAPTER 10, VARIATIONS FROM CODE REQUIREMENTS; AND CHAPTER 11, ADMINISTRATIVE AND DECISION-MAKING PROCEDURES OF THE LAND DEVELOPMENT CODE TO CORRECT ERRORS, ADD CLARIFYING LANGUAGE AND ADD NECESSARY LANGUAGE TO ACKNOWLEDGE THE CRA OVERLAY AND NEW WATERFRONT MIXED USE LAND USE DESIGNATION, PROVIDING FOR SEVERANCE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted a unified Land Development Code on September 5, 2006 which became effective on October 1, 2006; and

WHEREAS, Staff has maintained a log of errors, omissions, inconsistencies and/or inadequacies encountered since implementation of the new Code; and

WHEREAS, since implementation of the new Code, the City has established a new land use designation known as Waterfront Mixed Use which must be acknowledged in the Code; and

WHEREAS, six (6) months has passed since implementation of the new Code and a number of needed corrections have been logged; and

WHEREAS, the Planning Advisory Board has reviewed the proposed modifications in public sessions on February 14, 2007 and March 14, 2007 and has issued a recommendation of approval;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AS FOLLOWS:

SECTION 1. The City Commission hereby approves and adopts modifications to the Land Development Code of the City of Fernandina Beach, attached hereto as Exhibit A.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

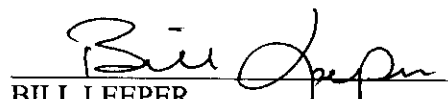
SECTION 3. This Ordinance shall become effective immediately upon adoption.

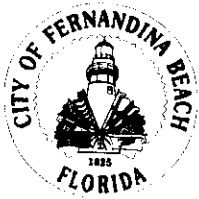
ADOPTED this 15th day of May, 2007.

ATTEST:

CITY OF FERNANDINA BEACH


MARY L. MERCER
City Clerk


BILL LEEPER
Commissioner – Mayor



CITY COMMISSION AGENDA ITEM
CITY OF FERNANDINA BEACH

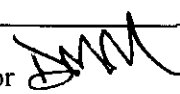
SUBJECT: ORDINANCE 2007-13; various modifications to Chapters 1, 2, 4,
5, 6, 9, 10 and 11 of the Land
Development Code

DEPARTMENT: COMMUNITY DEVELOPMENT / PLANNING

ATTACHMENTS: ☒ Ordinance ☐ Resolution
☐ Support Documents ☐ Other

SUMMARY: The Community Development Department has compiled a list of needed corrections, additions and clarifications since implementation of the new Land Development Code on October 1, 2006. The Planning Advisory Board reviewed the proposed modifications during regular sessions on February 14, 2007 and March 14, 2007 and issued a recommendation for approval. The City Commission voted 5-0 to approve the amendments at first reading on May 1, 2007.

RECOMMENDED ACTION: Approve Ordinance 2007-13

DEPARTMENT HEAD	Submitted: Marshall McCrary Interim CDD Director 	Date: 05/04/07
	Requested Agenda:	Date: 05/15/07
FINANCE DEPARTMENT	Budgeted ☐ Yes ☐ No ☐ N/A	Date:
CITY ATTORNEY	Approved for Form and Correctness 	Date: 5/8/07
CITY MANAGER	Approved Agenda Item for 	Date: 5/11/07
COMMISSION ACTION:	☐ Approved As Recommended ☐ Disapproved ☐ Approved With Modification ☐ Tabled To Time Certain ☐ Other	

DISTRIBUTION: ☐ CA ☐ CC ☐ CM ☐ CDD ☐ FIN ☐ FD ☐ GC ☐ HR ☐ MD ☐ PD ☐ PRD ☐ PWD

EXHIBIT A

CHAPTER 1

GENERAL PROVISIONS

- Added reference to CRA Design Guidelines in 1.06.00
- Added CRA to list of Acronyms in 1.07.00
- Added language to adopt by reference technical standards manuals of regional, state and federal agencies
- In definitions:
 - added "Community Redevelopment Area"
 - added "Incidental sign" (referenced in Signage but not defined)
 - modified "Yard, Front yard" to match requirements as provided in Section 4.02.03(A), Encroachments

1.05.05 Computation of Time

- A. In computing any period of time prescribed or allowed, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
- B. The term "day" means a calendar day.
 - 1. The term "month" means a calendar month.
 - 2. The term "year" means a calendar year unless otherwise indicated.

1.05.06 Computation of Required or Permitted Units

When the determination of required or permitted units as required by this LDC results in a fractional unit, a fraction in excess of ½ shall not be counted as one (1) unit.

1.06.00 DOCUMENTS ADOPTED BY REFERENCE

- A. The map identified by the title, "Zoning Map, Fernandina Beach, Florida," which shows the boundaries and designations of the zoning districts is hereby adopted into and made part of this LDC.
- B. The Flood Insurance Rate Map identified in Section 3.01.02(A) is hereby adopted into and made part of this LDC.
- C. Technical codes which have been adopted by reference are identified in Sections 22-26 through 22-34 of the *Code of Ordinances of the City of Fernandina Beach, Florida*.
- D. Chapter 333, *Florida Statutes*.
- E. *Historic Preservation Guidelines, Downtown Historic District*.
- F. *Old Town Preservation and Design Guidelines*.
- G. *CRA Design Guidelines*.
- H. Design and engineering standards manuals under current usage by FDOT, SJRWMD, FDEP, USACOE and other agencies, as applicable.

1.07.00 ACRONYMS AND DEFINITIONS

A. Acronyms

ADA	Americans with Disabilities Act
CCCL	Coastal Construction Control Line
CRA	<u>Community Redevelopment Area</u>
CUPZ	Coastal Upland Protection Zone
DBH	Diameter at Breast Height
ERU	Equivalent Residential Unit
FAC	Florida Administrative Code
FCC	Federal Communications Commission
FDEP	Florida Department of Environmental Protection

Club means buildings and facilities owned and operated by a corporation or association of persons for social or recreational purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business.

Coastal construction is any work or activity which is likely to have a material effect on existing coastal conditions or natural shore and inlet processes.

Coastal construction control line means that portion of the beach-dune system which is subject to severe fluctuations based on a 100-year storm surge, storm waves, or other predictable weather conditions. Such line is determined by FDEP. See F.S. 161.053.

Coastal High Hazard Area means that area identified as the Category 1 hurricane evacuation zone as delineated on the Hurricane Evacuation map.

Commercial building footprint means the areas of the proposed commercial building and the elements required under the LDC, including such items as parking, ingress and egress, and drainage.

Community Redevelopment Area means the CRA Overlay which is intended to provide for and identify priority areas for coordinated redevelopment and revitalization activities. The CRA Overlay encourages improvement of infrastructure and commercial development. The CRA Overlay is applicable to those properties which were included in the CRA Plan established by Resolution 2004-105.

Concurrency means a condition where the necessary public facilities and services to maintain the adopted level of service standard occur in accord with the impacts of development.

- **Capacity, reserved** means that portion of the design capacity that has been reserved for valid concurrency certificates and for developments that were issued a development permit.
- **Concurrency certificate** means a certificate that indicates whether the proposed development is exempt from concurrency requirements or whether the proposed development is approved or approved with conditions.

Condominium means that form of ownership of real property created pursuant to chapter 718, *Florida Statutes*, which is comprised entirely of units that may be owned by one or more persons, and in which there is, appurtenant to each unit, an undivided share in common elements.

name, such as lawn sale, backyard sale, home sale, attic sale, rummage sale, patio sale, flea market sale, marriage sale or any similar designation.

- **Ground sign** means any sign which is supported by structures in or on the ground and independent of support from any building.
- **Identification sign** means any sign which indicates the name, owner or address of a residence, office or business, but bearing no advertising.
- **Illuminated sign** means any sign having characters, letters, figures, design or outlines illuminated by electric lights or luminous tubes designed for that purpose, whether or not the lights or tubes are physically attached to the sign.
- **Incidental sign** means any generally informational sign which has a purpose secondary to the use of the site on which it is located, such as "Open", "Closed", "Welcome", "No Parking", "Entrance", "Loading Only", "Telephone", and similar information and directives. No sign with a commercial message legible from a position off the site on which the sign is located shall be considered incidental.
- **Off-site sign** means any sign which advertises the services or products of a business not on the premises where the sign is erected.
- **Pole sign** means any sign erected on a pole which is wholly independent of any building for support. See also ground signs, freestanding signs, and monument signs.
- **Political signs** are those concerning candidacy for public office or urging action on any ballot issue in a forthcoming public election, or pertaining to or advocating political views or policies.
- **Portable sign** means any sign, whether on its own trailer, wheels, chassis, or otherwise movable support, which is manifestly designed to be transported from one (1) place to another.
- **Projecting sign** means any sign which is affixed to any building, wall, or structure and which extends beyond the building, wall, and structure, building line or property line (see "bracket sign").
- **Real estate sign** means any on-premises structure showing that the premises upon which it is located is either for sale, for lease or for rent, or open for inspection.

such as the ocean, river, creek or marsh, but is directly related to or serves a water dependent use or activity.

Wellfield protection zone means all land within a 500-foot radius of a public potable water well.

Wetland and wetland transition area shall have the meaning set forth in the Fernandina Beach Comprehensive Plan.

Wetland protection zone means the jurisdictional wetland and the land area within twenty-five (25) feet of the wetland boundary.

Wrecked or abandoned motor vehicle means any motor vehicle the condition of which is wrecked, dismantled, partially dismantled, incapable of operation by its own power on a public street, or from which the wheels, engine, transmission or any substantial part thereof has been removed.

Xeriscape landscaping means a set of design and maintenance principles which promote good horticultural practice and the economic and efficient use of water.

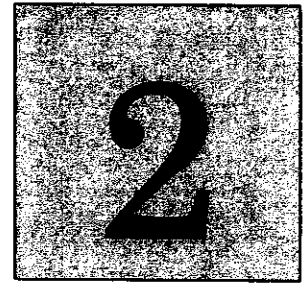
Yard means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery or as otherwise provided in this LDC.

- **Front yard** means a yard across the full width of the lot, extending from the front line of the building (~~excluding steps~~) to the front line of the lot.
- **Side yard** means an open unoccupied space on the same lot with the main building, situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.
- **Rear yard** means a yard extending across the full width of the lot and measured between the rear line of the lot and rear line of the main building.

CHAPTER 2

ZONING DISTRICTS AND USES

- Added new zoning district (W-1) to correspond to CRA properties which receive the WMU Land Use designation
- Added W-1 references to Table 2.00.00(C)
- Added W-1 and range of allowable uses to Tables 2.03.02 and 2.03.03
- Made one correction to existing use allocation for Essential Public Services in R1-G



CHAPTER 2

ZONING DISTRICTS AND USES

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2.00.00 GENERALLY

2.00.01 Purpose and Intent

- A. It is the purpose of this chapter to establish and adopt zoning districts to govern the use of land, water, and structures in the City.
- B. It is the intent of the City Council that the regulations set forth in this chapter governing the use of land, water, and buildings apply to all land, water, and buildings included within the boundaries of each district shown on the Zoning Map.

2.00.02 Official Zoning Map

- A. Zoning districts are hereby established for all land and water areas included within the boundaries of each district as shown on the "Zoning Map, Fernandina Beach, Florida."
- B. The Zoning Map and all notations, references, and other information shown on the Zoning Map are as much a part of this LDC as if the information set forth thereon were fully described and set out in this LDC.
- C. Table 2.00.00(C) shows the relationship between zoning districts and the land use categories on the Future Land Use Map (FLUM). An "X" indicates that the zoning district is permissible within the indicated category on the FLUM.

Table 2.00.00(C). Relationship Between Zoning Districts and Future Land Use Map Categories.

Zoning Districts:	R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A	I-W	W-1	PI-1	REC	CON
FLUM Land Use Categories:																			
Low Density Residential	X	X	X																
Medium Density Residential			X	X	X														
High Density Residential						X	X	X											
Office and Residential Mixed Use								X	X										
General Commercial										X	X								
Central Business District												X							
Industrial													X	X					
Industrial Waterfront															X				
Waterfront Mixed Use																X			
Recreation																		X	
Conservation																			X
Public and Institutional																	X		

2.00.03 Establishment of District Boundary

Where a district boundary divides the area of a lot unequally, the district classification and regulations of the larger portion shall apply to the remaining smaller portion of the lot.

2.01.00 ESTABLISHMENT AND PURPOSE OF ZONING DISTRICTS

This section describes the purpose of each zoning district. Specific uses permissible within each zoning district are identified in Tables 2.03.02 and 2.03.03. Uses are permissible subject to compliance with standards for the zoning district, applicable overlay districts, and specific uses. Standards are set forth in Chapters 4, 5, and 6.

2.01.01 Residential Estate (R-E)

The R-E District is intended for the development of very low density, single-family residential uses where the keeping of certain livestock is permissible.

2.01.02 Residential Golf (R1-G)

The R-1AA district is intended for development of low density single-family residential units surrounding the municipal golf course. The Residential Golf

designation is established to protect the quality and character of existing low-density single-family neighborhoods.

2.01.03 Low Density Residential (R-1)

The R-1 District is intended for the development of low-density single-family detached homes on individual lots. Single-family attached homes may be allowed through the PUD process. The low-density residential designation is established to protect the quality and character of existing low-density single-family neighborhoods.

2.01.04 Low-medium Density Residential (RLM)

The RLM District is intended for the development of low- to medium-density single-family homes on individual lots. This designation is intended to provide for a more urban neighborhood with a higher density than the R-1 District and a lower density than the R-2 District.

2.01.05 Medium Density Residential (R-2)

The R-2 District is intended for the development, redevelopment, or maintenance of stable medium-density residential neighborhoods. The medium-density residential designation includes a mixture of single- and multi-family structure types.

2.01.06 High Density Residential (R-3)

The R-3 District is intended for the development of high-density residential uses allowing both single- and multi-family dwellings. Bed and breakfast inns and resort rental dwellings may be allowed, subject to additional design standards. Limited neighborhood commercial uses may be allowed through the PUD process.

2.01.07 Old Town Historic District One (OT-1)

The OT-1 District is intended to protect the unique historic features and uses in the single-family residential area of the Old Town Historic District. The OT-1 District is intended for the development and maintenance of single-family residential dwellings, along with their customary accessory uses on the same lot.

2.01.08 Old Town Historic District Two (OT-2)

The OT-2 District is intended to protect the unique historic features and uses in the mixed-use area of the Old Town Historic District. The OT-2 District is intended for the development and maintenance of single-family residential dwellings, along with their customary accessory uses on the same lot. Limited neighborhood commercial may be permissible.

2.01.09 Mixed Use (MU-1)

The MU-1 District is intended for the development of a combination of residential, office, and limited neighborhood commercial uses. The Mixed Use District encourages well-planned development and redevelopment of areas that feature compatible, interrelated uses including single-family and multi-family residential units; medical, business, and professional offices; personal service

establishments with limited inventory of goods; and limited neighborhood commercial uses.

2.01.10 Community Commercial (C-1)

The C-1 District is intended for the development of land uses to accommodate commercial businesses and offices providing goods and services to more than a few neighborhoods, and land uses that are complimentary to low- and medium-density residential areas. The Community Commercial District recognizes the desire for convenience goods and services in close proximity to residential neighborhoods, provided that such uses are limited in intensity as set forth in the design standards in this LDC.

2.01.11 General Commercial (C-2)

The C-2 District is intended for the development of land uses to accommodate offices; commercial retail; personal services establishments; restaurants; transient accommodations; uses that provide sales and services for several neighborhoods; repair shops; retail sales and services; and other similar commercial uses. The General Commercial District recognizes existing development with locations that have access to arterial roads.

2.01.12 Central Business District (C-3)

The C-3 District is intended for the development of land uses within the central business district as the City's center for residential, financial, commercial, governmental, professional, and cultural activities. The Central Business District category is designed to accommodate single-family or duplex residential uses, either freestanding or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.

2.01.13 Industrial (I-1)

The I-1 District is intended for the development of warehousing, fabrication, storage, and commercial services. The Industrial District recognizes existing development with locations that have access to major highways. The designation of land for the I-1 District shall be based on compatibility with surrounding land uses, considering environmental sensitivity, intensity of use, hours of operation, heat, glare, fumes, noise, and visual impacts.

2.01.14 Industrial Airport (I-A)

The Industrial Airport District is intended for the development of property surrounding the airport. The Industrial Airport District recognizes the desire for development of more intensive commercial uses in proximity to the airport and golf courses including lodging accommodations.

2.01.15 Waterfront Industrial (I-W)

The I-W District is intended for the development of water dependent and water-related manufacturing, assembling, storage, distribution, sales, and port operations that are generally high intensity. The Waterfront Industrial District recognizes existing industrial development with locations that have access to

transportation facilities by air, rail, ship, or highway. The designation of land for the I-W District shall be based on compatibility with surrounding land uses, considering environmental sensitivity, intensity of use, hours of operation, heat, glare, fumes, noise, and visual impacts.

2.01.16 Waterfront Mixed Use (W-1)

The W-1 District is intended for the development and/or re-development of waterfront land fronting the Amelia River within the CRA only. The Waterfront Mixed Use District recognizes the desire to maintain existing water related uses while providing a wider range of uses to encourage developments which enhance the public's use of and access to the waterfront.

2.01.167 Public and Institutional (PI-1)

The PI-1 District is intended for the development and maintenance of publicly owned lands and structures, parks and recreation areas, public schools, and buildings used principally for government functions. Federal, State, regional, and local government land uses are permissible.

2.01.178 Conservation (CON)

The CON District is intended to provide for the long-term protection and preservation of environmentally sensitive natural resource systems. Development within the Conservation District is limited to buildings that are supportive of and accessory to the conservation land uses, such as interpretative centers, rest rooms, or covered picnic pavilions. Other uses may include docks, boardwalks, hiking trails, and picnic areas. These uses shall be limited in location and extent, and shall avoid adverse impacts on the hydrologic functions of wetlands, natural systems, habitats, water quality, shorelines, marine life, and coastal resources.

2.01.189 Recreation (REC)

The REC District is intended to provide a location for land devoted to public or private parks and recreation facilities. The types of parks and facilities include passive parks and open spaces, activity-based parks and recreation areas, and publicly-owned recreation facilities.

2.02.00 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS

2.02.01 Generally

The purpose of overlay districts is to provide a means of modifying the site design requirements that are otherwise applicable to the underlying zoning district(s). The site design standards and other development criteria applicable within an overlay district shall supersede the standards and criteria applicable within the underlying zoning district, but shall not supersede any applicable supplemental standards.

2.02.02 Planned Unit Development Overlay

The Planned Unit Development (PUD) Overlay is intended to provide for more than one (1) land use within a mixed use development; allow more than one (1) housing type within a residential PUD; allow innovative arrangement of streets, lots, uses, and buildings; and to improve the efficient use of infrastructure by the

clustering of homes, businesses, and other uses in a coordinated, planned development.

2.02.03 Historic District Overlays

The Historic District Overlays are intended to preserve the form, function, image, residential balance, and ambiance of the historic Centre Street and surrounding area as the ceremonial, civic, and cultural center of the City. The Overlays also cover the Old Town Historic Site as well as the Lighthouse and Oxley-Heard Funeral Home. Areas within the Historic District Overlays shall be planned and managed following the guidelines established for the construction and renovation of buildings and use of land within the Historic Districts. (See Chapter 4 regarding guidelines for development in Historic Districts.)

2.02.04 Community Redevelopment Area Overlay

The Community Redevelopment Area (CRA) Overlay is intended to provide for and identify priority areas for coordinated redevelopment and revitalization activities. The CRA Overlay encourages improvement of infrastructure and commercial development.

2.02.05 Airport Area Overlay

The Airport Area Overlay is intended to provide for appropriate land use on and adjacent to the Fernandina Beach Municipal Airport lands through protection of the operational areas, reduction of noise impacts, and preservation of ecologically unique areas. The Airport Area Overlay encourages light, clean industry that is consistent with and supportive of airport operations.

2.02.06 Urban Core Overlay

(Reserved.)

2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT

2.03.01 How to Read the Table of Uses

- A. Table 2.03.02 sets for the permissible uses within zoning districts. The letter "P" indicates that the land use is permissible, subject to compliance with the standards of the zoning district. Additional standards for Commerce Parks, Large Scale Commercial Development, and Telecommunication Towers are applicable and are located in Chapter 6.
- B. The letter "S" indicates that the land use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are contained in Section 6.02.00.
- C. An empty cell indicates the land use is prohibited.
- D. Any land use that is not identified in Table 2.03.02 is prohibited. A property owner may request an interpretation to determine if a use that is not identified is permissible, based on substantial similarity of the requested use to permissible uses within the zoning district in which the property is located. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in

type, intensity, degree, or impact when compared to a use named in Table 2.03.02. Such characteristics include, but are not limited to:

1. Typical hours of operation;
2. Use of outdoor storage;
3. Trip generation rates;
4. Generation of noise, light pollution, odor, smoke, electromagnetic interference, or vibration; and
5. Customary functions of the use.

2.03.02 Table of Land Uses
Table 2.03.02. Table of Land Uses.

Zoning Districts:														R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A	I-W	W-1	PI-1	CON	REC	
P – Permissible S – Permissible Subject to Supplemental Standards Blank-Prohibited																																	
Land Uses:																																	
Adult Entertainment																										S							
Airports and Heliports																										P							
Animal Hospital or Veterinary Clinic																								P		P							
Asphalt or Concrete Plant																										S							
Automobile Sales, New and Used																								P		P							
Automobile Repair, Garage, Body Shop																								P		P							
Automotive Rental Agencies																								P		P		P					
Bakery Plant																										P							
Barber and Beauty Shops																					P	P	P	P	P	P							
Bed and Breakfast Inns																				S		S			S								
Book and Stationery Stores																					P	P	P	P	P	P		P					
Bottling Plants																										P							
Bulk Storage Yards																										P		P					
Bus Terminals and Taxi Stations																								P		P							
Business Colleges; Commercial, Trade, Vocational, and Arts Schools																								P	P	P			P				
Business Services such as Copying, Mailing, or Printing																							S	P	S	P	P						
Cemeteries														S	S	S	S	S	S	S	S	S									P		
Clubs, Public or Private; Community and Recreation Centers																S	S	S	S			S	P	P	P	P	P			P			
Commercial Fishing Facilities																													P	P			
Construction, Sales, and/or Maintenance of Boats and Ships; Marine Supply																										P	P	P					
Day Care Center																						S	S	P	P					P			
Distribution, Packing, and Shipping																										P	P	P					

Zoning Districts:														
P – Permissible	R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A
S – Permissible Subject to Supplemental Standards														
Blank-Prohibited														
Drug Store or Pharmacy									P	P	P	S	P	P
Essential Public Services, such as Transmission Lines and Lift Stations	P	SP	P	P	P	P	P	P	P	P	P	P	P	P
Financial Institutions, Banks, and Credit Unions								P	P		P	P	P	P
Freight and Moving Establishments													P	P
Funeral Home and Mortuary											P		P	P
Gasoline Station, with or without a Convenience Store										P	P		P	P
Golf Course		P											P	P
Grocery Store								P	P		P	P	P	P
Group Homes	S	S	S	S	S	S		S	S			S		
Government and Civic Buildings, including Library and Museum									P			P		P
Health Clubs and Gyms											P	P	P	P
Hospital														S
Junk and Salvage Yards														
Laundry and Dry Cleaning, On-Site, including Self-Service Laundry											P		P	P
Laundry and Dry Cleaning, Pick-Up Only								P	P	P	P			
Light Indoor Manufacturing Uses, including Packaging and Fabricating													P	P
Liquor Store, Lounge, and Bar (without drive-through window)									S	S	P	S	P	P
Lodging Accommodations										S	P	P		
Lumber and Building Supply										S	P	P	P	S
Manufacturing and Heavy Industry											S		P	P
Marina												S	S	S
Marine recreation, such as kayak or boat rentals, sailing schools, etc.													P	P
Marine research and educational facilities													P	P

PEACEMARK BEACH LAND DEVELOPMENT CODE
ZONING DISTRICTS AND LAND USES

CHAPTER 2

Zoning Districts:	R-E	R1-G	R-1	R1M	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A	I-W	W-1	PI-1	CON	REC
P – Permissible																			
S – Permissible Subject to Supplemental Standards																			
Blank-Prohibited																			
Medical and Dental Clinics										P	P		P	P			P		
Mini-storage or Self-storage Facility											S		P	P					
Music, Dancing, Photography, or Art Studios								P	P		P	P	P	P		P	P		
Outside Sales											S		S	S		S			
Parking Lots and Parking Garages											P	P	P	P	P		P		
Parks, Public		P													P	P	P		P
Parks, Private or with Stadium Style Lighting																	S		S
Picnic Areas, Trails, and Nature Facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Piers, Docks, and Wharves												P	P	P	P	P			P
Professional Offices								P	P	P	P	P			P	P	P		P
Public Recreation Buildings		P	P	P	P	P										P	S		
Radio, Television, and Telecommunication Towers													S	S	S				
Recreation, Outdoor Amusements, such as Miniature Golf or Fishing Piers, Excluding Amusement Parks and Drive-in Theaters											S	S			S	S	S	S	S
Recreation, Indoor Facilities, such as Billiard Parlors, Bowling Alleys, Game Rooms, and Skating Rinks																			
Railroad Facilities													P		P	P			
Religious Facilities	S		S	S	S	S	S	S	S	P	P	P	P						
Research and Experimental Laboratories													P	P	P				
Residential Uses:																			
Single-Family	P		P	P	P	P	P	P	P			P				P			
Two- and Three-Family					P	P			P			P							
Four or More Family						P						P							
Resort Rental			Note 1		Note 1	P													

FERNANDINA BEACH LAND DEVELOPMENT CODE
 ZONING DISTRICTS AND LAND USES

CHAPTER 2

Zoning Districts:	R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A	I-W	W-1	PI-1	CON	REC
P – Permissible																			
S – Permissible Subject to Supplemental Standards																			
Blank Prohibited																			
Restaurant, With or Without Drive-Through Window									P	P	P	P	P	P	P	P			
Retail Stores									P	P	P	P	P	P		P			
Schools, Elementary, Junior, or Senior High	S	S	S	S	S	S			S								P		
Small Equipment or Appliance Repair Shops											P	P	P	P					
Specialty Food Stores, such as Bakeries or Ethnic Grocers								P	P	P	P	P	P	P		P			
Specialty and Gift Shops such as Art, Antique, or Jewelry Shops, Books, or Stationers								P	P	P	P	P	P	P		P			
Terminals for Freight or Passengers, By Ship													P		P	P			
Theaters, Movie or Performing Arts (Indoor-Only)									P		P	P	P	P		P			
Trades and Repair Services such as Electrical, Heating, and Air, Mechanical, Painting, and Plumbing											S		P	P					
Utility Facilities, such as Electric Substations, Water and Wastewater Treatment Plants												P	P	P	P	P	P		
Warehouse, not Including Mini-Storage													P	P	P				
Welding or Sheet Metal Works													P	P	P				
Wholesale Establishments													P	P					

Notes: 1. Resort rentals in R-1 or R-2 zoning districts that existed prior to the effective date of Ordinance 2000-28 (October 3, 2000) may continue a legal non-conforming status as long as the resort rental permit has not expired for a period of greater than 180 days.

2. Properties that have obtained the WMU Future Land Use category are subject to the permitted uses in the W-1 column.

Residential units are permitted above non-residential uses. Stand alone residential uses are prohibited.

2.03.03 Table of Accessory Uses

(See Section 5.01.01 for standards pertaining to accessory uses.)

Table 2.03.03 lists permissible accessory uses in each zoning district. The letter “A” “P” indicates that the identified use is permissible as an accessory use, but not as a principal use. Principal uses are identified in Table 2.03.02.

Table 2.03.03. Table of Accessory Uses.

Zoning Districts:	R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	I-A	I-W	W-1	PI-1	CON	REC
P – Means permissible accessory use																			
Accessory Land Uses:																			
Home Occupation	P	P	P	P	P	P	P	P	P										
Accessory Dwelling – Freestanding Building					P	P	P	P	P										
Agricultural Support Buildings	P																		
Detached Garage or Carport	P	P	P	P	P	P	P	P	P										
Docks and Other Waterfront Structures	P	P	P	P	P	P	P	P	P				P		P	P	P	P	P
Dumpsters						P			P	P	P	P	P	P	P	P	P	P	P
Fences	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outside Storage – Agricultural Equipment and Materials	P												P	P	P				
Outside Storage – Equipment, Machinery, and Materials											P		P	P	P	P			
Satellite Dish Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Storage Buildings, Sheds, Utility Buildings, and Greenhouses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P		P			P	P	P

Notes: 1 - As to the Rayonier and Smurfit Stone properties, permitted yard storage shall include process by-products and new or used process parts for use in or sale of by the mill”.

CHAPTER 4

SITE DESIGN REQUIREMENTS

- Added necessary references for W-1 to Tables 4.01.01, 4.02.01(J), 4.02.03(E), and 4.05.05(C)
- Removed lot width measurement to avoid confusion with definition and established method of measurement in Section 4.02.01(I).
- Added provision for placement of mechanical equipment on building lots, Section 4.02.03(A)6
- Added clarifying language to Section 4.04.02(E), General Requirements for Subdivisions
- Removed conflicting language for exemptions from landscaping standards vs. tree replacement standards in 4.05.02(D)
- Corrected language in 4.05.02(D)6 (proposed as 4.05.02(D)3)
- Added specific elements required on landscape plans in Section 4.05.04(A) - added language to specifically exclude single-family and duplex construction from the requirements of 4.05.04(A)
- Corrected a buffer requirement typo for I-A adjoining CON in Table 4.05.05(C)
- Added clarifying language to 4.05.09(B)
- Corrected a flawed reference on pages 4-36 and 4-37

Table 4.01.01. Density and Housing Types in Base Zoning Districts.

Zoning District	Maximum Gross Density (dwelling units per acre)	Permissible Housing Types
RE	1.0	Single-family detached
R1-G	4.0	Single-family detached
R-1	4.0	Single-family detached
RLM	6.0	Single-family detached
R-2	8.0	Single-family detached Duplex structures Triplex structures Townhouses
R-3	10.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures with 4 or more units
OT-1	10.0	Single-family detached
OT-2	10.0	Single-family detached
MU-1	8.0	Single-family detached Duplex structures Triplex structures Townhouses
C-1		Prohibited
C-2		Prohibited
C-3	8.0	Single-family detached Multi-family structures or mixed use
I-1		Not permitted as a principal use ¹
I-A		Not permitted as a principal use ¹
I-W		Not permitted as a principal use ¹
W-1	<u>2.0 with bonus potential to 4.0</u>	<u>Single-family within mixed use</u>
PI-1		Not permitted as a principal use ¹
CON		Not permitted as a principal use ¹
REC		Prohibited

¹An accessory dwelling unit is permissible for caretakers or security personnel. See Section 5.01.04.

4.01.02 Density Bonus Provisions

To be provided.

4.02.00 DESIGN STANDARDS FOR BASE ZONING DISTRICTS

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 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.
- B. Only one (1) principal residential building and its allowable accessory buildings shall hereafter be erected on any one (1) lot.
 - C. Except as specifically provided in this LDC, no lot existing at the time of adoption of this LDC shall 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.
 - D. 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.
 - E. Where cluster development is permissible and proposed under unified development control, the calculation of impervious surface shall apply to the entire site and shall not be applied to individual lots within the development site.
 - F. 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.
 - G. Minimum lot area shall 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 as defined in the Comprehensive Plan.
 - H. The minimum lot area for lots in the RE zoning district shall be 43,560 square feet.
 - I. ~~Lot width shall be measured at the required minimum front setback line, as set forth in Table 4.02.01(J).~~
 - J. Lots shall 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 (%)	Maximum Floor Area Ratio for Lots (%) (Note 1)
RE	100	75	50
R1-G	75	75	50
R-1	50 or 75 Note 2	75	50
RLM	50	75	50
R-2	50 Note 4	75	50
R-3	50	75	50
OT-1	46.5	75	50
OT-2	46.5	75	50
MU-1	50	75	50
C-1	50	75	50
C-2	50	75	50
C-3	25	75 Note 3	200
I-1	75	75	50
I-A	75	75	50
I-W	75	75	75
<u>W-1</u>	<u>25</u>	<u>75</u>	<u>75</u>
PI-1	50	75 Note 5	50
CON	NA	5	NA
REC	NA	75	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, 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 ratio.

4.02.02 Requirements Regarding Combining Lots

A. Applicability

Lots or parcels that abut Ocean Avenue, North Fletcher Avenue, or South

Fletcher Avenue are subject to the provisions of this section regarding combining lots.

B. Purpose

The provisions of this section are intended to ensure that development in the beach area on the streets identified in Section 4.02.02(A) above is consistent with the existing pattern of development.

C. Combining two (2) or more lots is prohibited where the resulting lot is not compatible with the surrounding neighborhood as defined by any one of the following characteristics:

1. The proposed lot has a width greater than 100 feet.
2. The proposed lot area is not consistent with the density for the zoning district, as set forth in Table 4.01.01.

4.02.03 Standards for Buildings and Building Placement

A. Encroachment

1. A yard created by the setbacks set forth in this section shall not be considered a yard for any other building.
 2. Every part of a required yard shall 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 side 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 stairwell, and balconies.
 6. Wooden decks and porches with a finished floor level of 12" or less from natural grade are permissible encroachments into required yard spaces, subject to the following:
 - a. A five (5) foot minimum setback is required for all side and rear yards.
 - b. For front yards, wooden decks shall comply with the front yard setbacks specified for each zoning district.
 - c. For installation of a wooden deck on varying topography, the floor level may be allowed to reach a maximum of 24" from natural grade to accommodate stairs and topographical impracticalities.
 7. 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.
68. Specific requirements for fences and signs are outlined in Sections 5.01 and 5.03.

B. On double-frontage lots, the designated front yard shall be determined by the City.

C. Standards for building height:

1. Building height shall be measured from the approved finished grade, to the highest point on the structure.
 2. Calculation of maximum height shall not include appurtenances or attachments such as chimneys, elevator shafts, antennas, decorative architectural features, steeples, air conditioning equipment enclosures, cupolas, weather vanes, and other similar minor building features. All ornamental features which are exempt from the maximum height shall not be habitable.
 3. The following structures shall not be subject to height limits: telecommunications towers, flagpoles, and City-owned water towers.
- D. Buildings shall comply with the standards in Table 4.02.03(E) set forth below:

Table 4.02.03(E). Standards for Building Heights and Setbacks.

Zoning District	Maximum Building Height (ft.) ¹	Minimum Setback			Corner Lot (side abutting street) (ft.) ³
		Front (ft.)	Side ²	Rear (ft.)	
RE	35	25	10% of lot width	25	15
R1-G	35	25	10% of lot width	25, 50 feet for fairway lots	15
R-1	35	25	10% of lot width	25	15
RLM	35	25	10% of lot width	25	15
R-2	35	25	10% of lot width	20	15
R-3	45	25	10% of lot width	20	15
OT-1		See specific standards in Section 4.02.067.			
OT-2		See specific standards in Section 4.02.067.			
MU-1	35	25	10 feet	10	10
C-1	45	25	None ⁴	10	10
C-2	45	None	None	None	None
C-3	45	None	None	None	None
I-1	45 ⁵	None	None	None	None
I-A	45	None	None	None	None
I-W	35	None	None	None	None
W-1		See specific standards in Section 4.03.03.			
PI-1	45	25	10	10	10
CON	25	None	None	None	None
REC	25	None	None	None	None

¹A building on any lot within 800 feet of the mean high water line of the Atlantic Ocean shall not exceed thirty-five (35) feet in height.

² Each side yard setback shall be increased by one-half (½) foot for each one (1) foot, or fraction thereof, of building heights above twenty-five (25) feet.

³Buildings shall not encroach into the required clear visibility triangle at intersections, as set forth in Section 7.01.08.

- C. A plan of proposed public improvements shall be submitted with the preliminary plat. Requirements regarding infrastructure are set forth in Chapter 7.
- D. Submittal and procedural requirements regarding preliminary plats, public improvements plans, and final plats are set forth in Chapter 11.
- E. A subdivision shall have at least two (2) vehicular access points to an improved right-of-way.
- F. Lot line adjustments are exempt from the requirement to submit a preliminary plat and improvements plan if the proposed lot line adjustment complies with Section 4.02.02 regarding combining lots and if one (1) of following conditions are met:
 - 1. The division of land into two (2) parcels consists solely of the conveyance of land or granting of easements or rights-of-way to a governmental or public agency; and
 - 2. The division is a re-plat of two (2) existing lots and is solely for the purpose of re-facing a lot or lot line adjustments without an increase in the number of lots or units otherwise allowed.

4.04.03 Standards for Lots and Blocks

The lengths, widths, and shapes of blocks shall be designed to consider the following:

- A. Lot area, width, shape, and orientation shall be suitable to the special needs of the type of use contemplated.
 - 1. Side lot lines shall be substantially at right angles or radial to the right-of-way line.
 - 2. Flag lots are prohibited.
 - 3. Block length shall be consistent with the established street system, but shall not exceed 1,200 feet between intersecting streets.
 - 4. Lot area shall be consistent with the density requirements set forth in Table 4.01.01.
 - 5. Lot dimensions shall be consistent with the requirements set forth in Table 4.02.01(J).
 - 6. Lots for nonresidential purposes shall have sufficient lot area to accommodate all required site features on the lot.
- B. Layout of lots and blocks shall be appropriate for the topography.
- C. No lot shall be divided by a City boundary line.
- D. Lot and block layout shall ensure safe and convenient pedestrian and vehicle access.
 - 1. Each lot shall have frontage on and access to an existing or proposed public street.
 - 2. Each lot shall have access to sidewalks and/or pedestrian paths as set forth in Chapter 7.

4.04.04 Requirements for Infrastructure

The following basic utilities shall be provided to each lot within a subdivision:

- A. A source of electric power.

- the City, in order to ensure maintenance of the area.
4. The area to be dedicated shall be calculated based on the adopted level of service standard in the Comprehensive Plan.
 5. The land area to be dedicated should be at least two (2) acres. When the calculation of land area results in less than two (2) acres, the City may require that the recreational area be located at a suitable place on the perimeter of the subdivision so that additional land may be added at such time as the adjacent land may be subdivided or otherwise utilized.
 6. In those instances where a subdivision will provide recreational facilities or dedicate land for use by the public for recreational purposes, the City Commission shall grant the developer a credit against recreation impact fees in an amount equal to the appraised value of the reserved land or improvements, but the credit shall not exceed fifty (50) percent of the recreation impact fee which would otherwise be required.
 7. Land dedicated for recreation purposes shall be of a character and location suitable for use as a playground, playing field, or for other recreation purposes and shall be relatively level and dry. Developers of projects along navigable waterways will be required to provide easements for boat launching ramps and parking. Where appropriate, recreation sites should be established with multiple purposes to provide both recreation facilities and preservation of environmentally sensitive lands. Sidewalks, bicycle paths, or multipurpose trails shall be provided for pedestrian access to recreation sites.

4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION

4.05.01 Generally

- A. It is the intent of the City to provide those standards and regulations that will protect and preserve native tree species, protect and preserve the natural landscape, foster and encourage maintenance of natural vegetation, and minimize loss of trees to development.
- B. The intent of Section 4.05.00 is to provide minimum standards for landscaping, buffers, and tree protection within the City. These standards are provided to meet the following specific purposes:
 1. Improving the appearance of the City;
 2. Providing shade for the ground surfaces;
 3. Buffering adjacent potentially incompatible land uses;
 4. Screening vehicular movement from pedestrian and public view;
and
 5. Providing for the protection and preservation of trees and native vegetation.

4.05.02 Applicability

- A. The types of development listed below shall provide a landscaped buffer between uses, provide landscaping for parking lots, submit a tree survey prepared by a licensed Florida surveyor with an application for site plan approval, obtain a tree permit prior to receipt of a building permit, and submit a landscape plan with any application for a development order for the situations listed below. The required landscape plan shall demonstrate compliance with the standards of Section 4.05.00.
 - 1. All new construction;
 - 2. All development of regional impact; and
 - 3. Any change of use that results in any increase in the required off-street parking, as determined by the standards in Section 7.01.04.
- B. Clearing of any site, including root-rake clearing, shall be subject to the requirements for tree protection, submittal of a tree survey, and obtaining a tree removal permit.
- C. An application for a building permit for a single-family or two-family dwelling proposed on an existing platted lot shall include a tree survey. The tree survey shall comply with the requirements of Section 4.05.04 regarding landscaping, but shall not be required to provide a buffer or landscaping for a parking area.
- D. The following situations are exempt from the requirements of Section 4.05.00:
 - 1. Any interior construction, renovation, or remodeling, provided that such interior construction, renovation, or remodeling shall not increase the footprint of the building.
 - 2. Licensed plant or tree nurseries or botanical gardens with respect to those plants and trees that are planted and grown for sale to the general public in the ordinary course of the licensed business or for public purposes.
 - 3. ~~The City or its authorized agent for the purpose of removal of a tree on City-owned property or a public right-of-way that is dead or a hazard to the public.~~
 - 4. ~~Utility companies or their authorized agents for the purpose of removal of a tree that is a substantial hazard to overhead wires or for trimming that is necessary for establishment or maintenance of service.~~
 - 5. ~~The trimming or pruning of trees.~~
 - 63. The removal of underbrush and removal of trees which are four (4) inches DBH or less ~~less than four (4) inches DBH~~.
 - 74. The removal of an invasive or prohibited tree listed in Table 4.05.03(A)(3).
 - 8. ~~The removal of trees or other landscaping damaged by fire, windstorm, lightning, or other acts of nature, which pose imminent danger to life or property.~~
 - 95. Property owned by Rayonier and Smurfit-Stone in the I-1 zoning district is exempt from the requirements of Section 4.05.00, provided

that the new construction, renovation, alteration or remodeling occurs more than 75 feet from an adjoining non-complementary land use.

4.05.03 Landscape Materials Standards

A. Plant materials

1. Trees and shrubs shall be selected from the species listed in Table 4.05.03(A)(1). In addition to the trees listed in table 4.05.03(A)(1), the following species of palms are permissible: needle palm and sabal /cabbage palm.

Table 4.05.03(A)(1). Permissible Trees and Shrubs.

Canopy Trees <i>(Typical mature height is 40 feet or more)</i>	Understory Trees <i>(Typical mature height is less than 40 feet)</i>	Shrubs
Bald cypress	American holly	American beautybush (beautyberry)
Black walnut	Chaste tree	Bluestem palmetto
Blue beech (hornbeam, ironwood, musclewood, broomwood)	Chickasaw plum	Cherry laurel
Chinese elm	Crape myrtle	Fetterbrush
Dawn redwood	Dahoon holly	Florida privet
Deodora cedar	Devil's walking stick	Gallberry
Eastern cottonwood	Devilwood (wild olive)	Juniper
Florida basswood (linden, Carolina basswood, Carolina linden, Florida linden)	East Palatka holly	Schillings holly (yaupun holly)
Florida elm	Flowering dogwood	Southern wax myrtle
Florida maple	Flowering pear	Star anise (anise, yellow anise)
Ginkgo	Fringe tree	Strawberry bush
Green ash	Goldenrain tree	Sweetshrub
Hickory	Hop hornbeam	
Live oak	Japanese maple	
Loblolly bay	Jerusalem thorn	
Longleaf pine	Leyland cypress	
Maple	Loquat	
Oak	Palm (Pindo, Chinese fan, Washington, cabbage, Canary Island Date)	
Pecan	Myrtle oak	
Pignut hickory	Redbay	
Red maple	Redbud (Judas-tree)	
River birch (black birch)	Shining sumac (winged sumac)	

properties and uses and to the general public. Irrigation systems shall include moisture sensors.

8. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.
9. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.

E. Maintenance requirements

1. All plantings shall be continually maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
2. Required plants that become diseased or die shall be replaced not later than three (3) months following the loss of the plant.
3. The property owner is responsible for the maintenance of all required landscaping in a healthy, thriving condition.
4. Trees shall be pruned only as necessary to promote healthy growth or to avoid power lines. Trees shall not be severely pruned or "hatracked" in order to permanently maintain growth at a reduced height. Pruning shall comply with current National Arborists' Society standards.

10.05.04 Requirements for Landscaping

A. A landscaping plan shall be provided to demonstrate compliance with the standards of this section. ~~The plan shall show the location, size, description, and specifications of all proposed plant materials.~~ The landscape plan shall include the following elements:

1. The name, address, and telephone number of the applicant, as well as the registered landscape architect.
2. A plan showing the location, size, description, and specifications of landscaping, grade of plantings, mulch specifications, landscape area protection structures (e.g., curbs and planters), number of interior parking spaces, and perimeter and interior landscape area. The plan shall also include property boundaries and dimensions, existing and proposed structures, pools, walks, patios, vehicular use areas, lot orientation, utility services, light poles, pad-mounted transformers, fire hydrants, existing and proposed elevations, and any other factors affecting the proposed use of the property (including the land use and zoning of adjacent properties).

- B. Existing plant materials, other than invasive or prohibited species, may be counted toward meeting the landscaping requirements set forth in this section.
- C. At least twenty (20) percent of the total gross land area of a development site shall be landscaped. The landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees.
- D. Single-family and two-family development shall include, at a minimum, one (1) canopy tree for every 2,500 square feet of lot area or fraction

thereof. At least one (1) tree shall be located in the front yard and at least one (1) tree shall be located in the rear yard. Tree identification and placement shall be shown on a site plan but shall not be required to meet the requirements of 4.05.04(A) above.

- E. Multi-family residential development sites shall meet the following standards, in addition to the requirements set forth in Section 4.05.04(A) above:
1. There shall be not less than one (1) canopy tree for each 1,500 square feet, or fraction thereof, of development site.
 2. There shall be a planting area not less than ten (10) feet in width between the building walls and parking areas. Landscape materials shall be provided as follows:
 - a. One (1) tree for every 200 square feet of planting area or fraction thereof;
 - b. At least fifty (50) percent of the trees shall be canopy trees; and
 - c. A continuous hedge shall be placed along the building walls.
 3. There shall be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. Landscape materials shall meet the following standards:
 - a. One (1) tree shall be provided for every 250 square feet of planting area or fraction thereof;
 - b. At least seventy-five (75) percent of the trees shall be canopy trees;
 - c. A continuous hedge or a berm, at least three (3) feet in height, shall be provided; and
 - d. The entire site, outside of the planting areas immediately surrounding the trees and shrubs, shall contain grass or ground cover.
- F. Nonresidential development shall provide one (1) canopy tree for each 1,500 square feet of gross site area, or fraction thereof.

4.05.05 Buffer Requirements

- A. The use of properly landscaped and maintained buffer areas can reduce the potential incompatibility of adjacent land uses, maintain open space, protect established residential neighborhoods, and enhance community identity. In order to minimize negative effects between adjacent zoning districts, this section requires that a landscaped buffer area be provided. The separation of land uses and the provision of landscaping along public rights-of-way through a buffer are designed to minimize potential nuisances, and to enhance community beautification.
- B. Four (4) types of buffers are provided, as set forth in Table 4.05.05(B).

Table 4.05.05(B). Types and Plant Requirements for Buffers.

Buffer Type	Minimum Width (ft.)	Required Plants per 100 Linear Feet of Property Line
A	10	Two (2) understory trees
B	15	Four (4) understory trees
C	15	Two (2) canopy trees

Buffer Type	Minimum Width (ft.)	Required Plants per 100 Linear Feet of Property Line																
D	20	Four (4) understory trees																
		Continuous hedge, in a double-staggered row																
		Four (4) canopy trees																
		Four (4) understory trees																
		A solid masonry wall at least four (4) feet high with a continuous hedge, in a double staggered row, planted on the outside of the wall on the side of least intensity.																
C. A buffer shall be required between zoning districts according to the standards set forth in Table 4.05.05(C). The existence of a road along a property boundary shall not be construed as meeting any part of the buffer requirement, nor as relieving the applicant from providing the required buffer.																		
Table 4.05.05(C). Buffer Requirements Between Zoning Districts.																		
Zoning District of Proposed Development	ADJACENT ZONING DISTRICT																	
	R-E	R1-G	R-1	R-2	R-3	OT-1	OT-2	MU-1	C-1	C-2	C-3	I-1	IA	I-W	PI-1	CON		
R-E								No buffer required										
R1-G								No buffer required										
R-1								No buffer required										
RLM								No buffer required										
R-2								No buffer required										
R-3	A	A	A	A	N	N	N	A	N	N	N	B	B	B	N	N		
OT-1	N	N	N	N	N	N	N	A	N	N	N	B	B	B	N	N		
OT-2	N	N	N	N	N	N	N	A	N	N	N	B	B	B	N	N		
MU-1	B	B	B	B	A	A	N	N	N	A	A	B	B	C	A	N		
C-1	C	C	C	C	B	B	B	A	N	N	N	B	B	B	N	N		
C-2	C	C	C	C	B	B	B	B	N	N	N	B	B	B	N	N		
C-3	C	C	C	C	B	B	B	B	N	N	N	A	A	A	N	N		
I-1 Downtown	N	N	N	A	N	N	N	A	N	A	A	N	N	N	N	N		
I-A Airport	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	DN		
I-1 Mills	D	D	D	D	D	D	D	D	D	D	D	N	N	N	N	N		
I-W	D	D	D	D	D	D	D	D	D	C	C	N	N	N	C	N		
W-1	See specific standards in Section 4.03.03																	
PI-1	C	C	C	C	B	B	B	A	N	N	N	B	B	B	N	N		
CON	No buffer required																	
REC	No buffer required																	
N = No buffer required																		

N = No buffer required

D. A fence or wall included in a buffer screen shall be constructed with the side of the fence or wall with the finished appearance facing the use of lesser intensity or rights-of-way.

- B. Protected trees are existing, healthy trees which are five (5) inches DBH or greater and are not on the list of prohibited or invasive trees set forth in Table 4.05.03(A)(3). A tree removal permit is required for the removal of any protected tree, except as set forth below. There shall be three categories of exemptions or partial exemptions, as follows:
1. Exemption from permit, permit fee and replacement requirements:
 - a. Trees and landscaping specifically grown as landscape material for resale by duly approved and licensed plant nurseries and botanical gardens.
 - b. Damaged or hazardous trees during and for a one (1) month period following a declared emergency.
 - c. Minor maintenance activities.
 2. Exemption from fee and replacement requirements. A permit shall be required for removal of the following trees, however, removal of these shall be exempt from the permit fee and replacement and replacement plan requirements of this article as follows:
 - a. Any tree other than a protected or heritage tree;
 - b. Trees damaged by disease, fire, windstorm, lightning, or other acts of nature, which pose an imminent danger to life or property. The administrative official may require a written certification of the need to remove such a tree or trees, at the property owner's expense, from an ISA certified Arborist prior to authorizing such a removal.
 - c. Major and minor maintenance of trees located adjacent to utility lines; and
 - d. Removal of trees by the City on City rights of way.
 3. Partial Exemption from replacement requirements. A permit and permit fee shall be required for removal of the following protected trees; however, removal of these shall be partially exempt from the replacement and replacement plan requirements of this article as follows:
 - a. For one- and two-family residential properties: eighty (80) percent of the total DBH of the protected trees shall be exempt, however, replacement of twenty (20) of the total DBH of the protected trees located within the area of the building footprint to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit.
 - b. For affordable housing units, the City Manager is authorized to issue an administrative waiver pursuant to the procedures set forth in Chapter 10.
 - c. For commercial and other residential properties: seventy-five (75) percent of the total DBH of the protected trees located within the area of the impervious improvements, or within five (5) feet thereof, to be constructed on the property, when such improvements have been authorized by a duly approved and issued building permit.

- C. All protected trees shall be shown on a tree survey, submitted with an application for a tree removal permit or with an application for development approval as set forth in Chapter 11.
- D. One (1) or more of the following criteria shall be met for removal of a protected tree:
 - 1. The tree is a hazard to traffic, public utilities, existing buildings, or structures;
 - 2. The tree is injured, diseased, or insect-infested such that it is a hazard to people, structures, or other trees; or
 - 3. The tree prevents access to a lot and no feasible alternative access points exist.
- E. Replacement trees
 - 1. When authorization has been granted to remove protected trees, replacement trees shall be planted. The combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal subject to any preservation credits that are available due to the preservation of protected trees on the site. Preservation credits are set forth in Section 4.05.089(E) (5).
 - 2. Replacement trees shall meet the standards set forth in Section 4.05.03, and shall be balled and burlapped or container-grown.
 - 3. Protected trees authorized for removal may be relocated to locations that comply with the specifications set forth in Section 4.05.03 and approved by the City Manager.
 - 4. An applicant shall be permitted to pay a fee to the City Tree Replacement Fund for up to fifty (50) percent of the cumulative DBH of protected trees removed, less the credits accumulated from preservation of trees on the site. The fee will be set by resolution of the City Commission and will be based on the average cost for the City to replace the tree with the same species, excluding invasive species, the fiscal year in which the permit is issued.
 - 5. Preservation credits
 - a. Applicants will receive a preservation credits for retaining protected trees on the site. These credits shall only be applied towards tree replacement requirements created by the removal of protected trees as set forth in 4.05.09 (B) (3). These credits may be transferred only on unified multiple lot developments.
 - b. Preservation credits for the total DBH of protected trees retained on the site will be applied during the review of the replacement plan.
- F. Protection of trees during development activities
 - 1. Protective measures are required during site development in order to assure the health and survival of protected trees. Protective measures are required to avoid:
 - a. Mechanical injuries to roots, trunk, and branches;
 - b. Injuries by chemical poisoning;
 - c. Injuries by grade changes;

- d. Injuries by excavations; and
- e. Injuries by paving.
- 2. A tree protection zone shall be established around each protected tree(s) as follows:
 - a. If the drip line is less than six (6) feet from the trunk of the tree, the zone shall be that area within a radius of six (6) feet around the tree.
 - b. If the drip line is more than six (6) feet from the trunk of the tree, but less than twenty (20) feet, the zone shall be that area within a radius of the full drip line around the tree.
 - c. If the drip line is twenty (20) feet or more from the trunk of the tree, the zone shall be that area within a radius of twenty (20) feet around the tree.
- 3. All development activities, except those specifically permitted by Section 4.05.059(HF)(5), shall be prohibited within the tree protection zone, including any construction of buildings, structures, paving surfaces, stormwater retention or detention ponds, and temporary construction activities, including all digging, storage of construction material, and parking of construction vehicles.
- 4. Prior to the commencement of construction, the tree protection zone shall be enclosed within a fence or similar barrier as follows:
 - a. Wooden posts, at least one and one-half (1½) by three and one-half (3½) inches, shall be implanted in the ground deep enough to be stable and with at least three (3) feet visible above ground.
 - b. The wooden posts shall be placed not more than six (6) feet apart, and shall be linked together by a rope or chain.
- 5. Permitted activities within the tree protection zone:
 - a. Excavating or trenching by utilities service providers for installation of underground utilities. Underground utilities shall be no closer to the tree than ten (10) feet.
 - b. Placement of sod or other ground covers, and the preparation of the ground surface for such covers.
- 6. The root systems of protected trees shall be preserved when installing fences and walls. Postholes and trenches located close to trees shall be dug and adjusted as necessary to avoid damage to major roots. Continuous footers for masonry walls shall be ended at the point larger roots are encountered and the roots bridged.
- G. Abused trees shall not be counted toward fulfilling tree replacement or preservation requirements. The City may require the abused trees to be replaced. A tree shall be considered abused if one (1) or more the following actions have taken place:
 - 1. Significant damage has been inflicted upon any part of a tree, including the root system by machinery, storage of materials, soil compaction, excavation, vehicle accidents, chemical application, or change to the natural grade;

CHAPTER 5

ACCESSORY AND TEMPORARY USES AND STRUCTURES

- Corrected references to the I-2 zoning district
- Added specific requirements for Pool Enclosures rather than deferring to accessory structure standards (Section 5.01.11)
- Corrected a couple of flawed references

- C. A gate shall be provided for access.
- D. Where possible, dumpsters shall be sited to not be visible from the public right-of-way.
- E. Dumpsters shall be located on a paved surface of sufficient size to accommodate the dumpster.
- F. The dumpster location shall be easily accessible for pick-up.
- G. Dumpsters shall be located to the rear or side of the principal building. A location in the front of the principal building shall be permissible only where side and rear yard locations cannot provide adequate access for pick-up.
- H. Dumpsters shall not be located within any required buffer area, required landscaped area, required parking lot landscaping, or stormwater management area.

5.01.08 Storage Buildings, Sheds, Utility Buildings, and Greenhouses

- A. Storage buildings, sheds, utility buildings, and greenhouses shall not be located within any easement.
- B. Storage buildings, sheds, utility buildings, and greenhouses that are used for industrial storage of hazardous, incendiary, noxious, or pernicious materials shall be located a minimum of 200 feet from any property line.

5.01.09 Outside Storage

- A. Outside storage involving machinery and equipment, service areas for vehicles in need of major service or repair, materials for construction or distribution is permissible only in the C-2, I-1, and I-2A zoning districts. Construction materials permissible in this category are limited to lumber, garden supplies and equipment, plumbing supplies, and similar materials. Machinery and equipment do not include heavy construction machinery, heavy construction vehicles, and heavy construction equipment.
- B. Outside storage involving machinery and equipment for agricultural support is permissible only in the RE, I-1, and I-2A zoning districts.
- C. Outside storage shall be located only within a rear yard.
- D. Outside storage shall be fully screened from view from adjacent residentially zoned districts, from adjacent office areas, and from public right-of-way by a fence, wall, or landscaping. Where landscaping is proposed as screening, a buffer "D" shall be required as set forth in Section 4.05.05. Where a fence or wall is proposed, the fence or wall shall be solid, wooden, or masonry; a minimum of six (6) feet in height; and a maximum of eight (8) feet in height.
- E. Stored materials shall not exceed the height of the fence.
- F. Outside storage of parts and materials and associated service areas or work activity areas shall be maintained in a neat and orderly manner.
- G. Outside storage shall be limited to a maximum of twenty-five (25) percent of the building area of the site.

5.01.10 Fences and Walls

- A. The maximum height of fences and walls shall be as set forth in Table 5.01.10(A), except where otherwise provided in this LDC.

Table 5.01.10(A). Maximum Height of Fences and Walls.

Zoning District	Location	Maximum Height
RE, R-1, RLM, R-2, R-3, OT-1, OT-2, MU-1	Front yard, measured from the required front yard setback line to the front property line	4 feet
RE, R-1, RLM, R-2, R-3, OT-1, OT-2, MU-1	Side yard, measured from the required front yard setback line to the required rear yard setback line	6 feet
	Rear yard, measured from the required rear yard setback line to the rear property line	6 feet
C-1, C-2, C-3, PI-1	All locations	8 feet
I-1 and I-2A	All locations	12 feet

- B. Where walls or fences are proposed to be located on a common property line, the written consent of adjacent property owners shall be required.
- C. Property lines shall be established by a survey prepared by a surveyor licensed in Florida not more than two (2) years prior to the date of the application for a permit to install or construct a fence.
- D. Electrified fences are prohibited.
- E. The use of barbed wire, razor wire, or the like for fencing is permissible only in the I-1, I-2A, and PI-1 zoning districts.
- F. Permissible barbed wire or razor wire shall be six (6) feet or more above the ground level. The barbed or razor wire shall be turned, pointed, or directed inward toward the property enclosed by the fence.
- G. Fences proposed within designated historic districts shall be compatible with the historic style and character of the district, shall not be vinyl, and shall require a certificate of appropriateness, as set forth in Chapter 11.

5.01.11 Swimming Pools and Pool Enclosures

- A. All pools shall 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: ~~of accessory structures as outlined in Section 5.01.03.~~
 - 1. A pool screen enclosure shall be set back from the side lot line a minimum of seven and one-half (7 1/2) feet.
 - 2. A pool screen enclosure shall not be closer than three (3) feet to the rear lot line and shall not be required to comply with the setback from a rear lot line as set forth in Section 4.02.03(E).
 - 3. A pool screen enclosure shall not exceed twenty-five (25) feet or the height of the principal structure, whichever is lower.

- C. No overhead electric power lines shall pass over any pool unless enclosed in conduit and rigidly supported, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's 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 be shielded and directed to avoid illuminations of adjoining properties.
- F. The following setback shall be maintained and shall be measured from the pool's edge of water to the lot line as follows:
 - 1. The minimum front setback shall 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 be not less than eight (8) feet from the side lot line;
 - 3. The minimum rear setback shall be not less than eight (8) feet from the rear lot line; and
 - 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 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.

5.02.00 TEMPORARY USES AND STRUCTURES

5.02.01 Generally

This section sets forth the regulations regarding temporary uses and structures. Permissible temporary uses and the structures associated with the temporary uses include seasonal sales, special events, temporary structures during construction activities, and model homes and sales centers. Peddlers, food peddlers, and street vendors are prohibited, except as part of an approved special event.

5.02.02 Seasonal Sales

- A. Seasonal sales are periodic events for the sale of materials and goods associated with a holiday or calendar season (such as, but not limited to, Christmas trees or pumpkins in the fall). A temporary use permit is required according to the procedures set forth in Chapter 11.
- B. The area devoted to seasonal sales shall not be located on or within any required setbacks, buffers, parking spaces, parking lot aisles, driveways, fire lanes, or other traffic circulation areas.
- C. Goods, tents, equipment, or materials used for the seasonal sales activity shall not be located within any right-of-way.
- D. The area devoted to seasonal sales together with the goods, tents, equipment, or materials used for the seasonal sales activity shall not obstruct access or the clear visibility area established in Section 7.01.08.

- 1. Freestanding signs, which may be either ground or monument signs, but shall not include a pole sign;
 - 2. Wall signs;
 - 3. Awning signs;
 - 4. Projecting signs; and
 - 5. Sandwich board/ Sidewalk Signs
- B. Permanent on-site signs shall be permissible in the following non-residential or mixed use zoning districts: MU-1, C-1, C-2, C-3, I-1, I-2A, and PI-1.
- C. The number and types of permanent on-site signs shall comply with the standards in Table 5.03.08(C).
- Table 5.03.10(C). Number and Types of Permanent On-Site Signs in Specified Non-residential Zoning Districts.

Sign Type: Zoning District:	Freestanding	Wall	Awning or Banner	Projecting	Sandwich or Sidewalk Sign
MU-1	1	1			1 per business
C-1	1	1			1 per business
C-2	1 per street frontage	1	1	1	1 per business
C-3	1 per street frontage, except within the Historic District; see Section 5.03.11	1	1	1	1 per business except within the Historic District; see Section 5.03.11
I-1	2	1	1	1	1 per business
I-2A	2	1	1	1	1 per business
PI-1	1 per street frontage	1	1	1	1 per business

- D. Permanent on-site signs shall comply with the design standards set forth in Table 5.03.0810(D).

1. The signs may display or announce any business, civic, cultural, or private sale or event for a period not to exceed 45 days.
 2. Temporary signs shall be located wholly within a window and shall not exceed an aggregate area equal to 10 percent of the total glassed area of the store front.
- D. Sandwich boards are permissible and subject to the following standards:
1. Permissible only for businesses located on streets running perpendicular to Centre Street within the Downtown Historic District.
 2. Limited to one sign per business;
 3. The sign shall comply with standards set forth in 5.03.0810 E
 4. The sign shall be placed between the store front and the edge of curb with a minimum five feet of sidewalk left for pedestrian travel.
 5. The sign shall require a certificate of appropriateness and the approval of the Historic District Council,
- E. (Reserved)
- Directional Signs, private under public control, subject to the following:
- F. All signs shall utilize materials which were generally available in commerce during or prior to 1914, or such materials as are available today to replicate as closely as possible the appearance of materials in general commercial use during or prior to 1914.
- G. All signs affixed to private property, whether temporary or permanent, shall require a certificate of appropriateness and the approval of the Historic District Council, except for exempt signs, public directional signs, and street number signs.
- H. Neon signs are permissible only when mounted on a wall at distances greater than ten (10) feet from "frontage glass." Neon signs visible from the right-of-way shall be considered wall signs, and included in the total permitted wall sign area
- I. Murals are prohibited in the Downtown Historic District. Murals in existence as of the effective date of this LDC shall be permitted in accordance with Section 10.01.01

5.03.12 Specific Provisions for Shopping Centers

- A. In shopping centers incorporating three (3) or more establishments, the center may be identified by a freestanding ground sign meeting the standards set forth in this section.
- B. The area of the sign may be increased above the standard set forth for freestanding signs in Table 5.03.10(D) an additional five (5) square feet for each independently operated establishment in the center, to a maximum sign face area of 100 square feet.
- C. Shopping centers with street frontage of 400 feet or more may have an additional freestanding sign for each 400 feet of frontage. Any additional freestanding signs shall not exceed 100 square feet in sign face area.
- D. Two (2) signs are permissible for each establishment in a shopping center. Permissible signs for each establishment shall include: wall, projecting, awning or banner. The total area of all wall signs in the center shall not exceed thirty (30) percent of the total wall area as described in Section

CHAPTER 6

SUPPLEMENTAL STANDARDS AND SPECIAL SITUATIONS

- Corrected numerous reference errors which carried forward from the LDC adoption
- Provided language from the Comprehensive Plan for group home requirements (Section 6.02.10(E)) - the existing language did not adequately reflect the details provided within the Comp Plan.

- G. Parking shall meet the following standards:
1. One (1) space per bedroom shall be provided off-street; and
 2. All required parking spaces shall be located to the side or rear of the principal structure.
- H. One (1) sign identifying the bed and breakfast inn is permissible, subject to the following standards:
1. The maximum sign area shall not exceed eight (8) square feet;
 2. The sign shall have color, design, and materials consistent with the color, design, and materials of the bed and breakfast inn;
 3. The sign shall not be illuminated; and
 4. The sign shall be only a monument sign or a building mounted sign.

6.02.05 Business Services

- A. Business Services such as printing, copying, and mailing are allowable in the C-2, I-1 and I-A zoning districts, subject to the standards of the zoning district.
- B. Business Services such as printing, copying, and mailing are allowable in the C-1 and C-3 zoning district, subject to the following standard:
1. Lithography is prohibited.

6.02.06 Cemeteries

- A. New cemeteries are allowable in the PI-1 zoning district, subject to the site design standards of the district.
- B. Cemeteries are allowable as an accessory use to a religious facility, subject to the site design standards of the zoning district in which the facility is located and the specific supplemental standards in this section.
- C. Site design requirements are ~~as follows~~ set forth in Table 6.02.06(C):

Table 6.02.06(C). Standards for Cemeteries.

Development Feature	Standard
Minimum land area ▪ When located on the same site as a religious facility ▪ Freestanding	$\frac{1}{2}$ acre 1 acre
Minimum setback for burial plots and columbaria	30 feet from any property line
Maximum height for columbaria	8 feet
Minimum setbacks for structures, storage, materials, equipment, or interment lots ▪ When located on the same site as a religious facility	Same setback as principal structure 20 feet
Minimum buffer requirements ▪ When located on the same site as a religious facility ▪ Freestanding	No additional buffer As set forth in Section 4.05.05(B), but not less than a buffer "B"

- D. Location requirements
1. A cemetery shall not be located in a wetland, 100-year floodplain, floodway, or flood hazard area.

2. All new cemeteries shall be located at least 150 feet from a potable water well or 500 feet from a public potable water wellhead.

E. Adequate off-street waiting space shall be provided for funeral processions such that no vehicle stands or waits in a public right-of-way.

6.02.07 Clubs, Lodges, Community Centers, and Public Recreation Buildings

- A. Clubs, lodges, community centers, and public recreation buildings are allowable in the C-1, C-2, C-3, I-1 and PI-1 zoning districts, subject to the standards of the zoning district.
- B. Clubs, lodges, community centers, and public recreation buildings are allowable in the R-1, RLM, R-2, R-3, and MU-1 zoning districts subject to the standards of the zoning district and the supplemental standards set forth below.
- C. Site design standards for clubs, lodges, community centers, and public recreation buildings are set forth in Table 6.02.067(C).

Table 6.02.067(C). Standards for Clubs, Lodges, Community Centers, and Public Recreation Buildings in R-1, RLM, R-2, R-3, and MU-1.

Development Feature	Standard
Lot size	
▪ Minimum area	10,000 square feet
▪ Maximum area	40,000 square feet
Access	Arterial or collector street
Building design	Shall meet compatibility requirements
Parking requirements	
▪ Location	Side or rear of the principal structure
▪ On-street parking	Shall not count toward meeting parking requirements
Outdoor recreation facilities associated with the club, lodge, community center, or public recreation building	
▪ Buffer requirements	Double the buffer otherwise required
▪ Outside lighting	Prohibited
▪ Loudspeakers or paging systems	Prohibited

6.02.08 Day Care Centers

- A. Day care centers are allowable in the C-2 and C-3 zoning districts, subject to the standards of the zoning district.
- B. Day care centers are allowable in the MU-1 and C-1 zoning districts subject to the standards of the zoning district and the supplemental standards set forth below.
- C. Playgrounds shall be provided in a size and type required by State standards. The following additional standards shall apply:
 1. The playground shall be located in the rear yard. Where site characteristics prevent location of a playground in the rear yard, and adequate space is available in the side yard, a playground may be located in the side yard. Location of a playground in the front yard is prohibited.

2. The playground shall be fully fenced. The fence shall meet the standards set forth in Section 5.01.10.
3. The playground shall be located not closer than twenty-five (25) feet to any adjacent property zoned for residential use.
- D. The site design standards for day care centers are set forth in Table 6.02.078(D).

Table 6.02.078(D). Standards for Day Care Centers in MU-1 and C-1.

Development Feature	Standard
Minimum lot area	21,780 square feet
Buffer requirements	As set forth in Section 4.05.05, but not less than a buffer "B"
Parking requirements ▪ Location ▪ On-street parking	Side or rear of the principal structure Shall not count toward meeting parking requirements
Access requirements	Separate off-street drop off area required

6.02.09 Drug Store or Pharmacy

- A. Drug stores and pharmacies are allowable in the MU-1, C-1, and C-2 zoning districts, subject to the standards of the zoning district.
- B. Drug stores and pharmacies are allowable in the C-3 zoning district subject to the standards of the zoning district and the supplemental standards set forth below.
- C. The maximum gross floor area for the ground floor is 5,000 square feet, except where the drug store or pharmacy is proposed to occupy an existing structure.
- D. There shall be no drive-through windows associated with the establishment.

6.02.10 Group Homes

- A. Group homes are allowable in the following zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section: RE, R-1, R1-G, RLM, R-2, R-3, MU-1, and C-3.
- B. Group homes shall obtain an occupational license. All group homes shall comply with applicable local, State, or federal, physical plant and fire safety standards, and shall furnish proof of appropriate County, State, or federal licensure, as applicable, before issuance of a City occupational license.
- C. Group homes shall be used only for the purpose of providing assistance or specialized care and may not be used for administrative or related office-type activities other than in support of the facility.
- D. No counseling or other client service for non-residents is permissible.
- E. A group home shall ~~not be established within 1,000 feet of another similar facility, including group homes, adult congregate care facilities, half-way houses, and the like. Distance shall be measured from the nearest point of the property of the proposed group home to the property line of the existing facility.~~ adhere to the following requirements as provided by Policy 3.05.06 of the City's Comprehensive Plan:

1. Group homes of six (6) or fewer residents licensed as community residential homes by the Department of Children and Family Services (DCFS) shall be deemed a single-family unit, and shall be allowed in single-family or multi-family zoning districts, provided that such homes shall not be located within a radius of 1,000 feet of another existing duly licensed group home of six (6) or fewer residents.
 2. Group homes duly licensed by the DCFS as community residential care facilities which have from seven (7) to fourteen (14) unrelated residents operating as the functional equivalent of a family, including supportive staff as referenced in section 419.001, F. S., shall be allowed in multi-family residential districts, unless the City finds that the proposed group home siting as proposed:
 - a) Does not otherwise conform to existing zoning regulations applicable to other multi-family uses in the City;
 - b) Does not meet applicable licensing criteria established and determined by the DCFS, including requirements that the group home be located to assure the safe care and supervision of all clients in the home; or
 - c) Would result in an excessive concentration of community residential homes. A group home that is located within a radius of 1,200 feet of another existing community residential home in a multi-family zone shall be an over-concentration of such homes that substantially alters that nature and character of the area. A group home that is located within a radius of 500 feet of an area of single-family zoning substantially alters the nature and character of the area.
 3. All distance requirements cited in this subsection shall be measured from the nearest point of the existing group home or area of single-family zoning to the nearest point of the proposed group home.
 4. All sites for group homes shall contain requisite infrastructure including: potable water, adequate surface water management, an approved system of wastewater disposal, and an adequate system for solid waste collection and disposal. The sites shall also be free of safety hazards and all structures shall comply with the City's ordinances and applicable State laws, including applicable State licensing and program requirements.
- F. Group homes shall provide a buffer "A," as set forth in Section 4.05.05.
- G. On-site management shall be provided twenty-four (24) hours per day, seven (7) days per week.

6.02.11Hospitals

- A. Hospitals are allowable in the PI-1 zoning district, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. The site design standards for hospitals are set forth in Table 6.02.4011(B).

Table 6.02.4011(B). Standards for Hospitals.

Development Feature	Standard
Lots	
Minimum area	5 acres

Development Feature	Standard
Minimum street frontage	100 feet
Setback	At least 500 feet from the property line of residentially zoned lots
Access	Collector or arterial street
Buffer	As set forth in Section 4.05.05, but not less than buffer "C"
Exterior lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Parking lots	Designed to avoid glare from vehicle lights onto property that is zoned or used for residential uses

6.02.12 Liquor Stores, Lounges, and Bars

- A. Liquor stores, lounges, and bars are allowable in the MU-1, C-1, and C-3 zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. ~~Such establishments shall comply with the compatibility standards.~~
- C. The site design standards for liquor stores, lounges, and bars are set forth in Table 6.02.~~11~~12(D).

Table 6.02.~~11~~12(D). Standards for Liquor Stores, Lounges, and Bars in MU-1, C-1, and C-3 Zoning Districts.

Development Feature	Standard
Access	Collector or arterial street
Buffer	As set forth in Section 4.05.05, but not less than buffer "B"
Exterior lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Parking lots	Designed to avoid glare from vehicle lights onto property that is zoned or used for residential uses

6.02.13 Lodging Accommodations

- A. Lodging accommodations are allowable in the C-2 and C-3 zoning districts, subject to the standards of the zoning district.
- B. Lodging accommodations are allowable in the C-1 and I-A zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- C. All exterior lighting shall be directed and shielded to avoid direct illumination of a lot zoned or used for residential, public, recreation, or conservation purposes.
- D. Parking lots shall be designed to avoid glare from vehicle lights onto property that is zoned or used for residential, public, or conservation purposes as vehicles enter the parking lot and individual parking spaces.

6.02.14 Lumber and Building Supply

- A. Lumber and building supply establishments are allowable in the I-1 and I-W zoning districts, subject to the standards of the zoning district.
- B. Lumber and building supply establishments are allowable in the C-2 and I-A zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- C. Outdoor storage of materials and supplies is permissible, subject to the following standards:
 - 1. Storage areas shall be fully enclosed;
 - 2. Storage areas shall not be used for retail sales; and
 - 3. Storage areas within fifty (50) feet of property zoned or used for residential purposes shall provide a masonry or solid non-wooden fence not less than six (6) feet and not more than eight (8) feet in height. The decorative, or finished, side of the fence shall face outward.
- D. A minimum buffer "D" shall be provided, as set forth in Section 4.05.05.
- E. The primary access to the lumber and building supply establishment shall be from an arterial street. Where the property has frontage on two (2) streets, one (1) secondary access may be allowed on a collector street. Access on any local street is prohibited.
- F. All outside areas used for display, storage, or sale shall contain a dust-free surface.
- G. All exterior lighting shall be directed or shielded to avoid illumination of adjacent properties.
- H. Audio amplification systems, including, but not limited to, telephone loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
- I. Required parking shall not be used for storage, seasonal sales, promotional sales, or other retail or wholesale activities. Required parking shall be used for parking purposes only.
- J. Stored materials shall not be used for signage.

6.02.15 Marinas

- A. Marinas are allowable in the C-3, PI-1, W-1 and I-W zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. Marinas shall be located adjacent to existing channels and passes where no maintenance dredging will be required.
- C. A marina shall provide parking for boat trailers and/or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations. In addition to the required parking set forth in Section 7.01.04, parking may be provided for boat trailers.
- D. Stacked dry storage shall only be permissible within an enclosed building.
- E. Facilities for engine repair shall be within an enclosed building.
- F. All proposed activities adjacent to or within the Nassau River/St. Johns River Marshes and Fort Clinch State Park Aquatic Preserves shall obtain

and comply with all required permits and approvals as required of the Nassau River/St. Johns River Marshes and Fort Clinch State Park Aquatic Preserves Management Plan.

- G. Marinas shall not be located in or adjacent to any FDEP designated manatee sanctuaries, known areas of essential manatee habitat, or manatee foraging areas.
- H. Marinas shall be required to provide sewage pump-out facilities approved by the FDEP, and shall be required to connect to any approved central wastewater treatment facility available within 2,640 feet of the marina property.
- I. Marinas shall be required to utilize FDEP approved fuel spill containment facilities where petroleum products are sold, stored, or utilized.
- J. Placement of pilings, docks, ramps, and other structures shall avoid wetlands and grass beds.
- K. Construction materials and processes shall minimize environmental impacts and shall be the best technology available.
- L. All marinas are encouraged to utilize dry storage, instead of wet docking, to the fullest extent possible, in order to limit impacts to water circulation patterns within estuaries and other waterways.
- M. All drainage, wastewater, and wash-down facilities shall be designed and maintained in strict conformance with this LDC and any additional requirements of the FDEP, the SJRWMD, the USACOE, or other State or federal agency with jurisdictional powers over marinas.
- N. No dock, pier, or other structure shall be allowed to obstruct or alter natural water flow or restrict navigation.
- O. Seawalls and other shoreline modifications shall be set at or landward of the mean high water line, except as otherwise provided by law.
- P. Activities involving dredging and filling shall be required to obtain any applicable permits from federal and State agencies with jurisdiction, including the FDEP, the USACOE, and the SJRWMD, as well as any permits required by the City or County.

6.02.16 Mini-storage or Self-storage Facilities

- A. Mini-storage or self-storage facilities are allowable in the C-2 zoning district, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. The following activities or uses are prohibited on the grounds or within the buildings of mini-storage or self-storage facilities:
 - 1. Wholesale sales;
 - 2. Retail sales, including garage sales, or other commercial activities;
 - 3. Manufacturing, fabrication, processing, or other industrial activity;
 - 4. Service or repair of vehicles, engines, electronic equipment, or similar activities;
 - 5. Rehearsal or practice of musical instruments; and
 - 6. Residential use.
- C. Notwithstanding the limitations described in Section 6.02.1516(B) above, the following activities may be conducted:

1. Rental of storage bays;
 2. Truck rental business, limited to a maximum of twenty-five (25) percent of the gross site area;
 3. Sales of boxes or goods related directly to the operation of a self-service storage facility; and
 4. Sales by the owner or manager of the facility of abandoned items for reclamation of rental costs.
- D. Except as specifically provided in Section 6.02.4516(G), all property stored on the site shall be entirely within enclosed buildings.
- E. Storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals is prohibited.
- F. The mini-storage or self-storage facility buildings shall comply with the standards set forth in Table 6.02.4516(F).

Table 6.02.4516(F). Standards for Self-storage or Mini-storage Facilities.

Development Feature	Standard
Building separation (2 or more buildings on the site)	12 feet
Overhead access doors	Shall not be visible from residentially zoned property, commercially zoned property, or the public right-of-way
Storage bays Minimum size Maximum size	4 feet by 4 feet (16 s.f.) 20 feet by 80 feet (1,600 s.f.)
Exterior façade	Fully consistent with color, materials, and design of buildings in the surrounding area Metal exterior walls are prohibited
Roof design	Type of roof, roof line, and roofing materials shall be fully consistent with buildings in the surrounding area
Fence required	Minimum of 6 feet Maximum of 8 feet

- G. Outdoor storage may be permissible on the same lot as the mini-storage or self-storage facility buildings. Outdoor storage shall comply with the standards in Table 6.02.4516(G).

Table 6.02.4516(G). Standards for Outdoor Storage with Mini-storage Facilities.

Development Feature	Standard
Types of goods to be stored	Limited to boats on trailers and recreational vehicles Dry stacking of boats when covered to provide screening from view Abandoned, wrecked, or junked vehicles are prohibited
Maximum area devoted to outdoor storage	25 percent of buildable area of the site
Screening	Fully screened from view from adjacent residentially zoned districts, from adjacent office areas, and from public right-of-way Screening may be a solid fence, solid wall, other similar structure, or landscaping

Fencing	
Minimum height	6 feet
Maximum height	8 feet
Type	Decorative wall or fence required, with brick, stone, masonry, wood, or similar material
Security	Gate, equipped with alarm and keyless opening required

H. Traffic circulation standards are set forth in Table 6.02.1516(H).

Table 6.02.1516(H). Traffic Circulation Standards for Mini-storage Facilities.

Travel Aisles	Standard
Serving individual storage units	1 10-foot wide lane for parking and loading and 1 12-foot wide travel lane
One-way	
Two-way	1 10-foot wide lane for parking and loading and 2 10-foot wide travel lanes
Other travel aisles	12 feet wide

6.02.17 Outside Sales Facilities

- A. An outside sales facility is allowable in the C-2, W-1, I-1, and I-A zoning districts, subject to the site design standards of the district, and the supplemental standards of this section.
- B. Outside sales may include the sale of vegetables, fruit, produce, eggs, or other agricultural products, and arts and crafts objects or supplies. Agricultural products shall not include poultry or livestock. Outside sales facilities as regulated herein do not include food or other vendors regulated by the City Code.
- C. Outside sales facilities may include temporary shelters, such as canopies, tents, or other similar structures.
 1. All such canopies, tents, or other structures shall comply with the Florida Building Code.
 2. Tents shall be located at least five (5) feet from any curb, sidewalk, crosswalk, or fire hydrant.
 3. Tents shall be positioned so as to keep entrances, exits, and emergency exits clear at all times.
- D. Tables, chairs, displays, display stands, and other similar equipment shall be located at least five (5) feet from any curb, sidewalk, crosswalk, fire hydrant, entrance, or emergency exit.
- E. Outside sales facilities shall comply with the standards set forth in Table 6.02.1617(E).

Table 6.02.1617(E). Standards for Outside Sales Facilities.

Development Feature	Standard
Parking	One parking space for every 200 square feet of sales area shall be provided Parking spaces shall be separate from the sales area Parking shall be provided out of the right-of-way Parking areas shall be paved, gravel, or other

	dust-free surface Accessible parking shall be provided according to ADA requirements
Outside storage of boxes, crates, pallets	Fully screened from visibility from the right-of-way
Exterior lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Sanitary facilities	All outside sales facilities shall provide sanitary facilities consistent with State law

6.02.18 Parks and Picnic Areas

- A. Public parks are allowable in the R1-G, W-1, I-W, PI-1 and REC zoning districts subject to the standards of the zoning district.
- B. Private parks are allowable in the IW, PI-1, and REC zoning districts subject to the standards of the zoning district and the supplemental standards set forth in this section.
- C. Picnic areas, trails and nature areas are permissible in the PI-1, CON, and REC all zoning districts, subject to the standards of the zoning district and the standards of this section.
- D. The standards for private parks and picnic areas are set forth in Table 6.02.1718(D).

Table 6.02.1718(D). Standards for ~~Public and Private Parks and Picnic Areas in PI-1, CON, and REC Zoning Districts.~~

Development Feature	Standard
Parking lots	Designed to avoid glare from vehicle lights onto property that is zoned or used for residential uses
Exterior lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Hours of operation	Limited to daylight hours
Sanitary facilities	Required setback Minimum of 50 feet from any property line
Buffer	As set forth in Section 4.05.05, but not less than buffer "B"
Outside storage	Fully enclosed with a solid fence or wall

6.02.19 Recreation, Indoor Facilities

- A. Indoor amusements are allowable in the C-2, C-3, I-1, I-A, and PI-1 zoning districts subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. Design standards for indoor amusement establishments are set forth in Table 6.02.1819(B).

Table 6.02.1819(B). Standards for Indoor Facilities.

Development Feature	Standard
Setback	Minimum of 200 feet from any property zoned for residential use
Access	Arterial or collector street
Outside storage	Prohibited
Exterior lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Buffer	As set forth in Section 4.05.05, but not less than a buffer "C"

6.02.20 Recreation, Outdoor Amusements

- A. Outdoor amusements are allowable in the C-2, C-3, W-1, I-W, PI-1, and REC zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. Outdoor amusements may include miniature golf, archery ranges, pony rides, climbing walls, batting cages, and similar activities.
- C. Snack shops, ice cream shops, or food stands may be permissible in association with outdoor amusements.
- D. Outdoor amusements may be freestanding, or two (2) or more amusements may be combined in a unified development site.
- E. The site design standards for outdoor amusements are shown in Table 6.02.1920(E):

Table 6.02.1920(E). Standards for Outdoor Amusements.

Development Feature	Standard
Minimum land area	2 acres
Minimum setback for buildings	
Abutting residential zoning districts	200 feet
Abutting nonresidential zoning districts	100 feet
Minimum setback for parking lots and access drives, when abutting residential zoning districts	200 feet
Access requirements	Arterial street
Minimum buffer	2 times the buffer specified in Section 4.05.05, plus a solid fence or wall
Lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Loudspeakers or paging systems	Designed, installed, and used such that they are not heard at the property line of adjacent properties
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines

6.02.21 Religious Uses and Facilities

- A. Religious uses and facilities are allowable in the RE, R-1, RLM, R-2, R-3, OT-1, OT-2, and MU-1 zoning districts, subject to the standards of the zoning district and the supplemental standards set forth in this section.
- B. The primary use for a site developed for religious uses is worship. Worship is a form of religious practice with its creed and ritual.

- C. Uses and activities other than worship shall be considered accessory uses and shall be clearly ancillary to the primary use. Such uses and activities shall be limited to religious instruction (such as "Sunday School," Bible school, or similar instruction or study typically associated with the religion); offices to support the religious facility; child or adult day care, subject to the standards of Section 6.02.~~2021~~(G); private academic school, subject to the standards of Section 6.02.~~2021~~(H); fellowship hall, with or without a kitchen, subject to the standards of Section 6.02.~~2021~~(I), (which may be known as a community center, activity hall, or life center); cemeteries regulated as set forth in Section 6.02.~~0506~~; and individual meeting spaces.
- D. All accessory uses are subject to the following requirements:
 - 1. The accessory use shall be owned and operated only by the owner of the primary use.
 - 2. The facility housing the accessory use shall meet all local, State, or federal standards.
 - 3. The owner of the primary use shall obtain any licenses required to conduct the accessory use. Any approval of the accessory use shall be contingent upon receipt of all licenses.
 - 4. Audio amplification systems, including, but not limited to, telephone loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
 - 5. All outdoor activities shall occur no earlier than 8:00 a.m. and no later than 10:00 p.m.
 - 6. All exterior lighting shall be directed or shielded to avoid illumination of adjacent properties.
 - 7. Outdoor play or activity areas shall be no closer than fifty (50) feet from property zoned for residential use, as measured to the nearest residential property line.
- E. The following activities shall be prohibited in association with religious uses: retreat centers; overnight lodging facilities or other temporary sleeping quarters; and any use not specifically identified as a permissible accessory use. Notwithstanding the prohibition of overnight lodging, one (1) residential dwelling unit may be provided as a parsonage, subject to the standards of Section 6.02.~~2021~~(I).
- F. Child day care, adult day care, preschool, or child nursery uses are permissible accessory uses subject to the following standards:
 - 1. The total floor area allocated to the child day care, adult day care, preschool, or nursery uses shall not exceed ten (10) percent of the total gross floor area on the site. The calculation of total floor area allocated to the uses shall be cumulative and shall include all child day care, adult day care, preschool, nursery facilities, and related mechanical and support facilities.
 - 2. An off-street drop-off area for persons served by the facility shall be provided.
- G. Private academic schools are permissible accessory uses subject to the following standards:

1. The total floor area allocated to the school shall not exceed twenty (20) percent of the total gross floor area on the site. The calculation of total floor area allocated to the school shall include all components of the school: classrooms, school library, school offices, teacher work areas, and the like, including related mechanical and support facilities.
 2. An off-street drop-off area for persons served by the facility shall be provided.
- H. A fellowship hall is a permissible accessory use, provided that the total floor area allocated to the fellowship hall, including related mechanical and support facilities, shall not exceed twenty (20) percent of the total floor area on the site.
- I. One (1) residential dwelling unit is permissible to serve as a parsonage, subject to the following standards:
1. The minimum lot area for the dwelling unit ("parsonage lot") shall be 7,500 square feet. The parsonage lot shall be used exclusively for the dwelling unit, and shall not include any primary or other accessory use permissible on the site. The parsonage lot shall not be used for any support activity to the primary or accessory uses, such as outdoor play areas, storage, or parking, other than as specifically provided in Section 7.01.04.
 2. The maximum lot coverage for the parsonage lot shall be thirty-five (35) percent.
 3. Two (2) parking spaces shall be provided within the parsonage lot. The maximum building height on the parsonage lot shall be thirty-five (35) feet.
 4. The parsonage lot may contain children's outdoor play equipment, in a size and quantity typical of a single-family residential use.
 5. The parsonage lot may contain a residential swimming pool, fully enclosed, and attached to the dwelling.
- J. A specific parking plan shall be provided. This plan shall identify the primary use and each accessory use proposed on the site. The parking plan shall indicate the hours of operation and peak times of use (parking demand) for the primary use and each accessory use on the site. The parking standards for the primary use and each accessory use shall be identified based upon Section 7.01.04. The parking plan may include reduced or shared parking. If reduced or shared parking is proposed, the parking plan and supporting data shall clearly indicate that differing peak use and associated parking requirements shall not result in a parking deficiency on the site. The parking plan shall indicate areas designated for overflow parking during times of extraordinary use (such as festival or holiday periods).
- K. For religious uses that exceed 10,000 square feet in total floor area, excluding the parsonage, if any, the minimum setback from any residential property line that is otherwise required shall increase five (5) feet for each 2,000 square feet, or portion thereof, over 10,000 square feet.

6.02.22 Schools

- A. Public or private academic schools are allowable in the following zoning districts, subject to the standards of the zoning district, and the supplemental standards of this section: RE, R-1, R1-G, RLM, R-2, R-3, and MU-1.
- B. The site design standards for public and private academic schools are set forth in Table 6.02.~~21~~22(C).

Table 6.02.~~21~~22 (C). Standards for Public and Private Academic Schools in RE, R-1, R1-G, RLM, R-2, R-3, and MU-1.

Development Feature	Standard
Minimum site area	3 acres, or as otherwise required by law
Minimum lot width	200 feet
Access requirements	Arterial
Outdoor recreation areas	Setback a minimum of 75 feet from any property zoned or used for residential purposes Fully enclosed by a solid decorative fence, a minimum of four (4) feet in height
Outdoor lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Drop-off and pick-up areas	Designed and located away from residential areas Separated from parking areas

6.02.23 Trades and Repair Services

- A. Establishments for trades and repair services are permissible in the C-2 zoning district, subject to the standards for the district and the supplemental standards set forth in this section.
- B. Design standards for trades and repair services are set forth in Table 6.02.~~22~~23(C).

Table 6.02.~~22~~23(C). Standards for Trades and Repair Services in C-2.

Development Feature	Standard
Commercial vehicles associated with the trades or repair service establishment	Overnight parking shall be located in the rear yard only
Buffer	As set forth in Section 4.05.05, but not less than a buffer "C"
Lighting	Directed and shielded to avoid direct illumination of a lot zoned or used for residential uses
Loudspeakers or paging systems	Designed, installed, and used such that they are not heard at the property line of adjacent properties
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Located in the rear yard only
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way

CHAPTER 9

BOARDS AND COMMISSIONS

- Added 9.01.01(G) to provide that a Board member who is awaiting reappointment may remain a voting member for up to two (2) months
- In Section 9.02.03(C)3, removed the review of Final Plats from the roles and responsibilities of the Planning Advisory Board
- In Section 9.03.04, added review of CRA development and consideration of variances within the CRA to the roles and responsibilities of the Historic District Council.
- Provided the correct reference for appeals of variances to Section 9.05.03(A)
- Corrected TRC membership to add Fire Department and to allow for other representation
- Removed conflicting language concerning TRC review of administrative functions

9.01.00 REQUIREMENTS FOR ALL BOARDS AND COMMISSIONS

9.01.01 Appointment, Term of Office and General Membership Requirements

- A. All members and alternate members shall be 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 members shall reside within the City Limits.
- D. Elected officials and employees of the City shall not be eligible to serve on City boards or commissions, unless otherwise provided herein.
- E. Each member serves at the pleasure of the City Commission.
- F. The term of office for all regular board or commission members shall be three (3) years.
- 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.

9.01.02 Attendance

Each appointed member shall attend all regular and called meetings.

9.01.03 Officers and Committees

- A. Each board or commission shall have a chairperson and a vice-chairperson.
- B. The chairperson and vice-chairperson shall serve one (1) year terms. Officers shall not serve more than two (2) consecutive terms.
- C. A board or commission may create whatever committees it deems necessary to carry out its purposes. The chairperson of the board or commission shall appoint the membership of each committee from the members of that board or commission.

9.01.04 Removal and Vacancies

- A. When a position on a board or commission becomes vacant before the end of the term, an alternate member shall fill the vacancy.
- B. When no alternate member is available to fill a vacancy, the City Commission shall appoint a member to fill the vacancy for the duration of the term.
- C. 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 removed immediately.
- E. Any member who has been absent for three (3) regular meetings in one (1) calendar year shall be subject to removal.

9.01.05 Public Meetings, Hearings, and Records

- A. All meetings and hearings of boards or commissions shall be open to the public.
- B. Each board or commission shall keep minutes of its proceedings, indicating the attendance of each member and the decision of each

- D. In addition to the above members, one (1) nonvoting member shall be appointed from the Nassau County School Board. This member shall be the person appointed by the School Board to attend those meetings at which the Planning Advisory Board considers rezoning of land or an amendment to the comprehensive plan that, if approved, will increase the residential density on property that is the subject of an application.

9 02.03 Roles and Responsibilities

The Planning Advisory Board shall have the roles and responsibilities described below.

- A. To serve as the Local Planning Agency (LPA), pursuant to Chapter 163.3174, *F.S.* As the LPA, the Planning Advisory Board shall:
1. Make recommendations to the City Commission regarding adoption of a comprehensive plan;
 2. Monitor and oversee the effectiveness and status of the comprehensive plan, including periodic evaluations as required by the *Florida Statutes*;
 3. Make recommendations to the City Commission regarding amendment of its adopted comprehensive plan; and
 4. Carry out such other duties as may be specified in Chapter 163, Part II, *F.S.*
- B. To provide advice and recommendations to the City Commission regarding growth, land use, long-range planning, and redevelopment following disasters.
- C. To hear, consider, and make recommendations to the City Commission regarding applications to:
1. Amend the Zoning Map (also called "rezoning");
 2. Amend the text of the LDC;
 3. Create a subdivision (preliminary ~~and final~~ subdivision plats); and
 4. Amend the comprehensive plan.
5. To hear and decide applications for a site plan for a Planned Unit Development.
- D. In carrying out its duties, the Planning Advisory Board may:
1. Establish such committees as may be necessary to gather facts, analyze findings, and make recommendations to the Planning Advisory Board as a whole;
 2. Acquire and maintain such information and materials as are necessary for an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;
 3. Make or cause to be made any necessary special studies on the location, conditions, and adequacy of facilities in the City; and
 4. Periodically evaluate the comprehensive plan and LDC and propose amendments to the City Commission.

9.03.00 HISTORIC DISTRICT COUNCIL

9.03.01 Establishment

There is hereby established the Historic District Council (HDC). The HDC is intended to be the City's primary agency responsible for furthering historic preservation within the City.

9.03.02 Membership

- A. There shall be five (5) regular members of the HDC.
- B. There shall be two (2) alternate members of the HDC.

9.03.03 Authority to Seek Professional Expertise

- A. With City Commission approval, the HDC may obtain the services of qualified persons to direct, advise, and assist it.
- B. The HDC may request equipment, supplies, and other materials necessary for its effective operation.
- C. When the HDC considers National Register nomination proposals and other actions which are normally evaluated by a professional in a specific discipline, and that discipline is not represented on the HDC, it may seek professional expertise in this area before rendering a decision. City Commission approval is required for any such professional contracts.

9.03.04 Roles and Responsibilities

The HDC shall have the duty and responsibility to:

- A. Identify, study, and recommend sites, structures, buildings, improvements, artifacts, and areas for designation as historic landmarks, historic sites, or historic districts.
- B. Maintain and update the historic properties survey as an inventory of historic landmarks, historic sites, and properties in historic districts. All inventories shall be compatible with the Florida Master Site File, which exemplifies the format used for statewide comprehensive historic preservation planning, and kept current and regularly provided to the state historic preservation officer for incorporation in the Florida Master Site File.
- C. Review and approve or deny applications for a certificate of appropriateness for construction, alteration, demolition, or removal of historic landmarks, historic sites, ~~or~~ properties in historic districts, or properties in the CRA Overlay.
- D. Review and make recommendations on National Register nominations within its jurisdiction.
- E. Make recommendations to the City Commission concerning the assignment of development rights or facade easements, or the imposition of other restrictions.
- F. Hear applications for variances within the Historic District Overlay or the CRA Overlay.
- G. Increase public awareness of the value of historic, architectural, and cultural preservation by developing and participating in public preservation information programs, and by updating such programs and public information documents.

9.04.00 AIRPORT ADVISORY COMMISSION

9.04.01 Establishment

There is hereby created and established the City of Fernandina Beach Airport Advisory Commission.

9.04.02 Membership

The Airport Advisory Commission shall consist of seven (7) regular members.

9.04.03 Roles and Responsibilities

The Airport Advisory Commission shall provide advice and make recommendations to the City Commission as follows:

- A. Prepare and recommend a comprehensive plan for the physical development and betterment of the airport, and revise it from time to time;
- B. Prepare and submit periodic reports on the operation of the airport and make recommendations for the improvement of the operation, including, but not limited to, the fixed base operators, as they may exist from time to time;
- C. Make recommendations for the sale or lease of City-owned property located adjacent to the airport;
- D. Make recommendations regarding the requested or proposed grant of concessions on the airport property;
- E. Make recommendations regarding policies and rates to be charged for the use of the airport property, including hangar rentals, landing and parking fees, and other charges to the general public for the use of the airport;
- F. Make recommendations for the expenditure of public funds and assist in the preparation of budgets for the expenditures of those funds at or on the airport property;
- G. Perform all acts requested by the City Commission to advise and assist in the continued operation and betterment of the airport.

9.05.00 BOARD OF ADJUSTMENT (BOA)

9.05.01 Establishment

There is hereby established a Board of Adjustment for the purpose of hearing and deciding on appeals of administrative decisions and hearing and deciding on applications for variances.

9.05.02 Membership

- A. There shall be five (5) regular members of the BOA.
- B. There shall be two (2) alternate members of the BOA.

9.05.03 Roles and Responsibilities

The BOA shall have the roles and responsibilities described in this section. The BOA shall conduct public hearings and render decisions in compliance with the requirements of this LDC on the following matters:

- A. To hear and decide appeals where it is alleged there is error in any order, interpretation, requirement, decision, or determination made by an

- administrative official in the enforcement of this LDC (See ~~Chapter 10~~
Section 11.07.00 for procedures regarding appeals); and
- B. To authorize a variance from a provision of the LDC, as set forth in Chapter 10.

9.06.00 TECHNICAL REVIEW COMMITTEE

9.06.01 Establishment

There is hereby created and established a Technical Review Committee (TRC) for the purpose of receiving, reviewing, and rendering decisions on applications subject to administrative review and decision as set forth in Chapter 11.

9.06.02 Membership

Membership of the TRC shall include, at a minimum, a representative from the following City departments:

- A. Planning and Zoning
- B. Utility
- C. Building
- D. Facilities Maintenance
- E. Fire Department

9.06.03 Roles and Responsibilities

- A. The TRC shall review applications and provide compliance reports for site plans, rezoning, amendments to this LDC, preliminary subdivision plats, final subdivision plats, and ~~major~~ amendments to previously issued local development orders.
- B. ~~The TRC shall review applications and take final action for administrative waivers, minor subdivisions, and minor amendments to previously issued local development orders.~~
- C. The TRC shall perform such other duties as may be assigned by the City Commission or City Manager.

9.06.04 Rules of Procedure

- A. The representative from the ~~Planning and Zoning~~ Community Development Department shall chair meetings of the TRC.
- B. The TRC shall establish and publish a schedule of deadline dates for applications and regular meetings. Meetings may be called by the TRC chairperson.
- C. The TRC may establish such additional rules of procedure as needed to carry out its roles and responsibilities.

CHAPTER 10

VARIATIONS FROM CODE REQUIREMENTS

- In Section 10.02.01, added the CRA Overlay to the Historic District Council's consideration of variances
- Added to Section 10.02.03(D) specific language disallowing the grant of a variance to construct a dwelling unit on a single media peonia in Old Town.

1. The reconstruction does not result in an increase in the nonconformity of the lot area, yards, setbacks or density;
 2. The number of dwelling units in such reconstructed structure does not exceed the number of units in existence at the time of damage or destruction;
 3. The repair or reconstruction is substantially completed within twenty-four months of the date of such damage.
- E. An expansion may be permitted where such expansion is solely to extend an existing use throughout the building in which the use occurs on the date of enactment of this LDC. Such expansion shall not be extended to occupy any land outside the building, including parking and other impervious surfaces.
- F. Any non-conforming use shall be brought into full compliance with all provisions of this Code if any of the following activities occur:
1. When the non-conforming use has been discontinued for a period of 180 days;
 2. If a non-conforming structure or portion of any structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance and is declared by any duly authorized official of the city to be an unsafe building, it shall not thereafter be repaired or rebuilt except in conformity with this land development code.

10.01.03 Exception for Affordable Housing and Historic Homes

In accordance with, and in furtherance of the comprehensive plan, certain lots are exempt from the provision of Section 10.01.00 regarding nonconforming buildings.

- A. Development may be permissible when a lot meets the following conditions:
1. The lot complies with the standards set forth in the LDC except that the lot width is less than the standard required for the zoning district in which the lot is located;
 2. The lot is located west of Egans Creek; and
 3. Evidence is provided that development will provide affordable housing for very-low, low, or moderate-income persons or families, as the same are defined in Section 420.602, *F.S.*
- B. Development is permissible where development is necessary for the preservation of historically significant housing, in compliance with the provisions of the comprehensive plan.

10.02.00 VARIANCES

10.02.01 Generally

- A. Within the Historic District Overlays and the CRA Overlay, the HDC may authorize a variance from the design and improvement standards of the LDC where the required findings of Section 10.02.00 are met.
- B. The BOA may authorize a variance from the design and improvement standards of the LDC, except for areas within the Historic District

Overlay or the CRA Overlay, where requirements of Section 10.02.00 are met.

10.02.02 Required Findings for a Grant of a Variance

- A. In order for an application for a variance to be approved or approved with conditions, the BOA or the HDC shall make a positive finding with regard to each of the following provisions:
1. There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC;
 2. The hardship is not a result of actions of the owner and is not based solely on a desire to reduce development costs;
 3. The need for the proposed variance is due to the physical shape, configuration, topographical condition, or environmental conservation of the lot and such conditions distinguishes the lot from other lots in the same zoning district;
 4. The proposed variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of lots in the same zoning district;
 5. The grant of the proposed variance does not confer on the applicant any special privilege that is denied by this LDC to other lands, buildings, or structures in the same zoning district;
 6. The proposed variance does not substantially increase congestion on surrounding streets, does not increase the danger of fire or other hazard, and will not otherwise be detrimental to the health, safety, or general welfare of the public;
 7. The development following the proposed variance is compatible with adjacent and nearby development and does not alter the essential character of the surrounding neighborhood;
 8. The variance granted is the minimum variance that results in reasonable use of the land, building, or structure;
 9. The effect of the proposed variance is consistent with the general intent of the LDC and the specific intent of the relevant standards and criteria; and
 10. The effect of the proposed variance is consistent with the comprehensive plan and does not increase density.
- B. The applicant for a variance has the burden of proof of demonstrating that the application for a variance complies with each of the requirements of Section 10.02.02(A).

10.02.03 Procedures for Variances

A. Applications

1. An application for a variance shall include the information required for all applications, as set forth in Section 11.01.03.
2. An application for a variance shall include a statement explaining how the variance request conforms to all requirements listed in Section 10.02.02 (A).

3. An application for a variance for development subject to site plan review and approval shall be decided by the BOA or HDC prior to completion of the site plan review process.
- B. Review of applications
 1. An application for a variance shall be reviewed by the City Manager for compliance with the requirements set forth in Section 10.02.02(A). The City Manager shall prepare a compliance report to the BOA or HDC.
 2. A public hearing shall be scheduled before the BOA or the HDC.
 3. Notice shall be provided pursuant to the requirements of Section 11.02.00.
 4. The BOA or HDC shall conduct the public hearing in accordance with the procedures set forth in Section 11.04.00.
 5. The BOA or HDC shall approve, deny, or approve with conditions the application for variance, based upon findings regarding conditions set forth in Section 10.02.02(A).
 6. The City Manager shall issue a written order to the applicant when the variance is approved or approved with conditions by the BOA or HDC.
- C. Expiration of variance approval

Any variance authorized by the BOA or HDC, for which construction has not commenced within one (1) year from the date on which the decision of the BOA or HDC is reduced to a written order, or if appealed, the date on which the order becomes final, shall be deemed abandoned and be void and of no further force and effect.
- D. Limitations on the grant of a variance
 1. A variance shall not be granted which authorizes a use that is not permissible in the zoning district in which the property subject to the variance is located.
 2. A variance shall not be granted which authorizes any use or standard that is expressly prohibited by this LDC.
 3. No nonconforming use of adjacent lands, structures, or buildings in the same zoning district, and no permitted use of land, structures, or buildings in other zoning districts, shall be considered grounds for the authorization of a variance.
 4. A variance shall not change the requirements for concurrency.
 5. A variance shall not be granted to permit the use of a single media peonia for the construction of a dwelling unit.
- E. Appeals on a Variance.
 1. Any person aggrieved by any decision of the BOA or HDC regarding a variance may present to a court of record a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. The petition shall be presented to the court within 30 days after the filing of the decision at the office of the board; otherwise the decision of the board will be final.

CHAPTER 11

ADMINISTRATIVE AND DECISION MAKING PROCEDURES

- Changed Section 11.03.02(I) to provide 15 days, rather than 10 days, for TRC to issue comments on revised applications
- Removed reference to final subdivision plat consideration by the Planning Advisory Board in Section 11.03.03
- Added the CRA Overlay to Section 11.03.09, Specific Procedures for Issuance of a Certificate of Appropriateness by the HDC

5. Analysis of the need for turning lanes or additional lanes on impacted roadways.
 6. Analysis of the need for intersection improvements.
 7. Analysis of the need for traffic signals or other traffic control devices.
 8. Other transportation factors based upon generally accepted traffic engineering practices.
- D. The report shall include a statement of the assumptions used in conducting the analysis, including the following:
1. Type and intensity or density of development.
 2. Projected population of a residential development.
 3. Proposed timing and phases of development.
 4. Proposed design of streets, access points, driveways, alleys, sidewalks, and other components of the transportation system.

11.01.07 Requirements for Amendments to the Zoning Map

- A. In addition to the information required in Section 11.01.03, all applications for amendments to the Zoning Map (rezoning) shall include the information set forth in this section.
1. The application shall include a map of the area indicating the proposed zoning district designation for the subject property. The map shall show the current zoning district designations and land use categories from the Future Land Use Map in the comprehensive plan for the subject property and all adjacent properties.
 2. A detailed statement shall be provided including the following information:
 - a. The consistency of the proposed zoning district with the land use category on the Future Land Use Map in the comprehensive plan.
 - b. A justification for the proposed zoning district.
- B. A site plan shall not be considered simultaneously with the application for rezoning.

11.01.08 Requirements for Amendments to the Land Development Code

In addition to the information required in Section 11.01.03, all applications for amendments to this LDC shall include the information set forth in this section.

- A. A description of the proposed amendment, with specific citations to the section(s) proposed for amendment, shall be provided.
- B. A detailed statement shall be provided containing the following information:
 1. Consistency of the proposed amendment with the comprehensive plan; and
 2. Justification for the proposed amendment.

11.02.00 NOTICE REQUIREMENTS

11.02.01 Generally

- A. Notices shall comply with the requirements set forth in the *Florida Statutes*.
- B. Notice shall be required for the following applications:

1. Site plans;
 2. PUD site plans;
 3. Rezoning;
 4. Preliminary or final subdivision plats;
 5. ~~Amendment to this LDC;~~
 6. Appeals of administrative decisions; and
 7. Variances.
- C. Notice of intent to approve or approve with conditions shall be provided for the following applications:
1. Minor subdivisions;
 2. Minor amendments to local development orders; and
 3. Administrative waivers.
- D. All required notices shall contain the following information:
1. The name of the applicant;
 2. The location of the property for which development approval is sought;
 3. The nature of the approval sought by the applicant; and
 4. The date, time, and place of any applicable public hearings on the application.
- E. Notices regarding applications identified in Section 11.02.01(B) shall be provided a minimum of ten (10) days before the applicable public hearing. Where two (2) notices are required, the second notice shall be provided a minimum of five (5) days prior to the applicable public hearing.
- F. For applications identified in Section 11.02.01(C), the required notice of intent to approve or approve with conditions shall be limited to posted notice. Such notice shall be provided for a minimum of ten (10) days.

11.02.02 Posted Notice Requirements

- A. The City shall post a sign on a property that is the subject of the application. The sign shall be located in a manner to ensure that it is clearly visible on each portion of the subject property that fronts on a roadway.
- B. The City shall post a notice in a conspicuous place at City Hall.
- C. The sign and notice shall contain the information set forth in Section 11.02.01(D).
- D. Failure to place, maintain, or replace the sign shall not affect the jurisdiction of the reviewing board or decision-making entity to consider the application or the validity of any resulting decision.

11.02.03 Mailed Notice Requirements

- A. Notice of a required public hearing shall be prepared and mailed by the City. Notices shall be mailed by regular mail to all owners of real property located within 300 feet of the exterior lot lines of a property which is subject to the application.
- B. The notice shall contain the information set forth in Section 11.02.01(D).
- C. The names and addresses of such property owners shall be determined by reference to the latest ad valorem tax records for Nassau County, Florida.

- HDC shall make findings regarding compliance of the application with Section 4.03.02 and shall provide a written report regarding such compliance to the City for inclusion in the compliance report prepared by the TRC.
- D. When an application is for property within the Airport Overlay, the application shall also be sent to the Airport Advisory Commission for review and recommendation.
 - E. If the application fails to comply with the standards and criteria of this LDC, the compliance report shall specifically identify the manner in which the application is deficient, including a citation of applicable sections of this LDC.
 - F. Where the application includes a request for an administrative waiver, as set forth in Section 10.03.00, the compliance report shall include documentation of the compliance of the requested waiver with standards applicable to the requested waiver and the action taken on the requested waiver.
 - G. The TRC shall hold a public meeting for consideration of the preliminary compliance report and proposed revisions to the application provided by the applicant.
 - H. The applicant may request extensions of up to thirty (30) days for correction of deficiencies identified in the preliminary compliance report. Such request shall be in writing. The application will be rescheduled for a TRC meeting at the end of the thirty (30) day extension.
 - I. Within ~~ten (10)~~ fifteen (15) days following receipt of a revised application, the TRC shall revise the compliance report, as needed, to evaluate additional information from the applicant for correction of deficiencies.
 - J. For matters to be considered by the BOA, Planning Advisory Board, or City Commission, the compliance report shall contain proposed findings, proposed conclusions, and a recommendation for approval, approval with conditions, or denial. When the recommendation is for approval with conditions, proposed conditions shall be provided.
 - K. For matters to be decided by the TRC, the compliance report shall contain proposed findings for consideration by the TRC when it renders a decision regarding the application.
 - L. The compliance report, including a written report from the HDC or Airport Advisory Commission where required, and the application materials shall be forwarded to the City Commission for action as set forth in Section 11.03.04.
 - M. Applications for minor subdivisions shall be reviewed for compliance with the site design requirements applicable to the zoning district in which the lots are located. Where the application demonstrates compliance with all such requirements, the TRC shall provide a notice of intent as set forth in Section 11.02.01(C) and (F). Following the notice period, the TRC shall issue a written order and approve the proposed boundary survey. The survey shall be recorded by the applicant.

11.03.03 Procedures for Action by the Planning Advisory Board

Consideration of applications for preliminary ~~and final~~ subdivision plats, rezoning, or amendments to this LDC shall be for the purpose of making a recommendation to the City Commission.

- A. When the compliance report is prepared as set forth in Section 11.03.02, the application shall be scheduled for consideration by the Planning Advisory Board according to the published meeting schedule.
- B. Notice shall be provided in compliance with the requirements of Section 11.02.00.
- C. The Planning Advisory Board shall consider the application at a quasi-judicial hearing, according to the adopted procedures set forth in Section 11.04.00. Applications for amendments to this LDC shall not require a quasi-judicial hearing.
- D. The Planning Advisory Board shall recommend to the City Commission that the application be approved, approved with conditions, or denied. The recommendation shall be in writing and shall include findings of fact and conclusions of law to support the recommendation.

11.03.04 Procedures for Action by the City Commission

- A. The City Commission shall consider applications for preliminary subdivision plat approval, final subdivision plat approval, rezoning, and amendments to this LDC at a public hearing.
- B. Notice shall be provided in compliance with the requirements of Section 11.02.00.
- C. A quasi-judicial hearing shall be held for consideration of applications for preliminary and final plats and, when required, rezoning.
- D. The City Commission shall approve, approve with conditions, or deny the application.
- E. The City Commission shall issue a written local development order for approval or a written notice of denial.
- F. The local development order shall not be final and enforceable until signed by the Mayor.

11.03.05 Requests for Continuation of a Public Hearing

- A. An applicant may request, in writing, a continuance of the public hearing regarding a specific application.
- B. If the City Manager receives the written request for a continuance at least seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant's request for a continuance will be automatically granted. An applicant shall be limited to one (1) such automatic continuance.
- C. If the City Manager receives the written request for a continuance less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant is not entitled to an automatic continuance. The decision-making entity will consider the request for a continuance, and shall only grant such request upon a demonstration by the applicant of good cause for a continuance.

- C. The City shall not approve a LURA or HOAA unless a finding is rendered that any units intended to be included in a LURA/HOAA are compliant with U.S. Housing and Urban Development Housing Quality Standards (HUD-HQS).

11.03.09 Specific Procedures for Issuance of a Certificate of Appropriateness by the HDC

- A. A certificate of appropriateness is required before a permit is issued for work on a historic landmark or site, ~~or~~ any property in a historic district (either contributing or noncontributing), or any property in the CRA Overlay.
1. For minor improvements in compliance with the approved guidelines, as listed herein, the City Manager may issue a certificate of appropriateness after a satisfactory review of the application.
 2. For major improvements as listed herein, the HDC shall be required to review and approve the application.
 3. The City reserves the right to refer specific items to the HDC for its review.
 4. Decisions of the City Manager may be appealed to the HDC.
- B. Minor improvements which are subject to City Manager approval if in compliance with the guidelines adopted as set forth in Section 4.03.02(B) and the LDC are as follows:
1. Paint colors;
 2. Fences and/or retaining walls;
 3. Roof repairs and replacements;
 4. Signs;
 5. Routine maintenance and repairs;
 6. Landscaping and landscape features such as pavers and fountains;
 7. Removal or substantial trimming of specimen trees; and
 8. Foundation enclosures.
- C. Major improvements which require approval by the HDC are as follows:
1. Demolition;
 2. Relocation;
 3. New construction of primary or secondary structures;
 4. Exterior alterations/additions;
 5. Any modification to a site that may yield archaeological information; and
 6. Modifications relating to a contributing structure, historic landmark or site.
- D. Prior to undertaking a minor or major improvement to any property in a historic district, an application shall be submitted to the City for a certificate of appropriateness. A certificate of appropriateness shall be obtained even when a building permit is not required for the proposed work. The City Manager shall advise any applicant if the subject property or work will require a certificate of appropriateness. If no certificate of



City of Fernandina Beach

PLANNING DEPARTMENT

MEMORANDUM

TO: Planning Advisory Board

FROM: Marshall McCrary *MM*

DATE: February 9, 2007

RE: Agenda for February 14, 2007 Regular Meeting

At our regular meeting on February 14, we will be discussing miscellaneous corrections, additions and modifications to the Land Development Code. These items are all based on one of the following:

- Errors. Because the LDC went through many modifications prior to final adoption, some numbering and reference errors resulted. Many of the items in the draft are corrections to misreferenced Section and Table numbers.
- Conflicting, unclear or insufficient language. Since putting the LDC into effect on October 1, 2006, Staff has maintained a log of instances when the language proved insufficient or unclear or led to conflicts with other sections of the Code. This is an attempt to address those issues which have been noted thus far.
- Addition of the CRA Overlay and new Waterfront zoning classification. In conjunction with the latest Comp Plan amendments establishing a new Waterfront Future Land Use designation and the creation of the CRA Overlay language, new zoning elements need to be established to address development within the CRA. These elements include: an accompanying Zoning District (W-1) for Waterfront properties within the CRA which obtain the WMU Future Land Use designation; land uses within the Waterfront; and, direction to the Historic District Council for plan review and variance consideration within the CRA.

The agenda packet is organized by LDC Chapter. The affected Chapters are Chapters 1, 2, 4, 5, 6, 7, 9, 10 and 11. A cover sheet separates each Chapter and summarizes the changes. Rather than reproducing the entire Chapter, only the affected sections are included for your review.

At the end of the packet is another bundle of proposed amendments, affecting Chapters 1, 4 and 6, relating to the Fernandina Beach Municipal Airport. Airport Manager Richard Johnson has been working on these revisions with the Airport Advisory Commission to update language and provide a linkage with newly developed standards for development on Airport property. Mr. Johnson will be in attendance at the meeting and will present the proposed amendments.

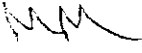
Please remember to bring your Land Development Code with you. And, please note the meeting begins at 5:30pm.



City of Fernandina Beach

PLANNING DEPARTMENT

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Please remember to bring your Land Development Code with you. And, please note the meeting begins at 5:30pm.

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MINUTES

I. Call to Order

Chair Bennett called the meeting to order at 5:31 pm.

II. Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
David Beal
William A. Conger

Paul Condit, Vice-Chair
Richard Bradford (was detained)
Eric Bartelt (alternate)

Board Members Absent

Marilyn Williamson
Robert Howat (alternate)

Shaun Woleshin

Others Present

Debra Braga, City Attorney
Jeff Salter, Community Development Department Director
Marshall McCrary, City Planner
Jessica Williams, Recording Secretary

A motion was made by Member Conger, seconded by Member Beal, to seat Member Bartelt due to the absence of Member Williamson and Member Woleshin. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

III. Approval of Minutes

According to the agenda support documents, the Workshop Meeting of January 9, 2007 and the Special Meeting of January 11, 2007 were presented for approval. **A motion was made by Member Condit, seconded by Member Conger, to approve the January 9, 2007 Minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

A motion was made by Member Condit, seconded by Member Conger, to approve the January 11, 2007 Minutes as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

IV. New Business - Land Development Code Amendment

General correction of errors, omissions and inconsistencies encountered since the adoption of the current Land Development Code on September 5, 2006; to include Chapter 1: General Provisions, Chapter 2: Zoning Districts and Uses, Chapter 4: Site Design Requirements, Chapter 5: Accessory and Temporary Uses and Structures, Chapter 6: Supplemental Standards and Special Situations, Chapter 9: Boards and Commissions, Chapter 10: Variations from Code Requirements and, Chapter 11: Administrative and Decision-Making Procedures.

Chair Bennett pointed out that there was an email from Member Williamson on this and there was a handout for Chapter 11. He questioned if this was a quasi-judicial hearing. City Attorney Braga explained that this was a scrivener's error, because this was an Ordinance of general application not an Ordinance of specific application.

Chapter 1 – Mr. McCrary referred to Chapter 1 and pointed out that as shown in the cover memorandum these modifications came from either an error as the code went through many modifications and changes. He explained that there were also some items that needed some clarification and to also to inject the zoning elements associated with the new Waterfront Mixed Use (WMU) land use designation. He briefly described the changes as shown in the agenda support documents that included: the addition of 1.06.00(G) CRA design guidelines, 1.07.00 to define the acronym CRA (Community Redevelopment Area), added definition of “incidental sign”, and modified “yard, front yard” to match requirements as provided in Section 4.02.03(A). City Attorney Braga inquired about the walkways for the CRA. Mr. McCrary explained that the walkway elements were coming from the Comprehensive Plan side where the density bonus is established for WMU and included in the CRA overlay. Member Bartelt questioned if the CRA needed to be differentiated from a CRA that the City could have sometime in the future. Mr. McCrary explained that if the City ever adopts another CRA it would have to be differentiated. He pointed out that the language includes the specific Resolution # that defines the land associated with the CRA. **A motion was made by Member Conger, seconded by Member Condit, to approve the amendments to Chapter 1 leaving “excluding steps” as part of the definition for front yard with additional language in 4.02.03 setting standards for the amount of encroachment from the building and forward it to the City Commission recommending approval.** Mr. Jeffrey Tomasetti, 406 Ash Street, referred to the definition of front yard and expressed his opinion that with excluding steps takes one more bit of design flexibility from a site. He stated that it affects the whole front line of the building. He requested that this be left it. Mr. McCrary explained that this could be either addressed in the definition or amend the encroachment section. He commented that it appeared to him that the encroachment section was very thoroughly worked out. He explained that the reason staff believed that the City didn’t want to allow front steps to encroach beyond that front setback line was the instance of a home that is elevated, which those steps could extend out to the right-of-way. There was some discussion about whether to exclude steps. Member Bradford arrived at this time.

Mr. John Proctor, 731 Tarpon Avenue, explained that with a house two feet above finished grade there would be two or three steps down to the front yard that house would have to be pushed back away from the front setback line to accommodate those steps. He expressed his concern about this constraint on architectural design. He related some examples for the board to consider. Mr. McCrary explained that most jurisdictions allow encroachment of entry steps; however in the encroachment section the City has established certain thresholds for encroachment. He questioned if the intent was to allow a certain number of steps or a maximum height of steps to encroach. He pointed out that up to 24 inches would give four sets of risers. He explained that this would address the issue of gargantuan steps extending through the front yard. There was some discussion about whether 24 inches would be adequate to have steps in the front. Member Conger modified the motion to leave excluding steps as part of the definition. Mr. McCrary suggested striking it in Chapter 1 and then address it in 4.02.03 to establish an allowance for front step encroachments in the front yard. After some further deliberation about this, Member Condit agreed with the modification to the motion. **Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Chapter 4 – Mr. McCrary outlined the proposed changes to the site design requirements as shown in the agenda support documents, which included additions for the W-1 zoning district. There was a brief discussion about the removal of Section 4.02.01(I) to avoid confusion in measuring lot width. Mr. McCrary continued his presentation of changes that included the addition of W-1 as shown in table 4.02.01(J). He explained that on page 4-7 paragraph 6 was added to have an allowance for mechanical equipment encroachment. Member Conger questioned why a storage shed would have to be five feet away from a fence when it would be blocked by the fence. Mr. McCrary explained that there are noise issues, consistency issues, and safety issues. There was some discussion about the setback for a shed and having room to maintain around a shed.

Mr. McCrary suggested that after paragraph 2 for encroachments to insert a new paragraph to allow for steps to encroach into required front yard a maximum 5 feet. Member Beal pointed out that there has to be a landing because doors open out. He clarified that if there is a landing that only leaves two feet for steps. Mr. McCrary explained that he was suggesting just steps and that the landing would need to meet the front line for the structure. There was some discussion about this suggestion.

Mr. Tomassetti questioned if mechanical equipment could be located in the rear yard setback. He pointed out that on long lots mechanical equipment ends up in the rear. Chair Bennett noted that the statement "not closer than five feet to side or rear yard" implies that it could be put in the rear. The language was adjusted to include side or rear yard. The board reviewed the proposed language addition for limiting the front entry step encroachment.

Mr. McCrary pointed out the corrections made to table 4.02.03(E) that also included the addition of the W-1 district. He provided clarification about the changes made to 4.05.02(D) that removed language that was covered under the tree protection Section 4.05.09. He briefly explained the additional language in Section 4.05.04 was for elements that are required as part of a landscape plan. Member Bartelt questioned if prior to this a registered landscape architect was not required. Mr. McCrary replied it didn't state so in the code, but was required by practice. City Attorney Braga questioned if a single family home is required to have a landscape architect. Mr. McCrary replied there is not a landscape plan required for single family. He pointed out that single family is subject to tree protection requirements. After a brief discussion about the landscape architect requirement, Chair Bennett expressed his concern about this additional cost to a small project. The board reviewed the language starting with Section 4.05.02 about the applicability of landscaping plans to project. It was agreed that language could be added to 4.05.02(C) that landscape plans are not applicable to single-family or duplex construction.

Mr. Proctor pointed out that when they hire a surveyor to do a tree survey they report the trees that are there on the day that he surveys, but 4.05.04(D) talks about trees they might be planting. He questioned whether he should bring a tree survey that shows what is there, one showing what he was planning to do, or a mix of both. He commented that to him a landscape plan was what they would have at some point in the future. He expressed his opinion that the tree survey and the landscape plan need to be clearly separated. Mr. McCrary explained that the tree survey has to indicate what is there, because the City has to assess what is coming out. There was further discussion about the proposed language. It was brought up that single-family and two-family construction shouldn't have to have a registered landscape architect to sign off on their landscape plan or a stamped and sealed tree survey. There was agreement that a landscape plan and tree survey shall be required for single-family or two-family construction, but not required to be prepared by a licensed professional. After an extensive discussion and deliberation about the proposed language in Chapter 4, there was agreement that staff would bring back language for the board to review.

Mr. Proctor expressed his opinion that there are some things in the landscape code that are appropriate in the center of the island, but not eastward of the high dunes where there is sand. He explained that he has had trouble trying to meet the landscape code for his properties that are pure sand. There was some discussion about this noting that there was discretionary latitude to take care of issues such as these. Mr. McCrary requested to leave the landscape and tree protection issue alone. He explained that Mr. Sullivan and he would come back on the issues raised to better address the landscaping requirements of different geographic areas on the island. There was further discussion about this.

Mr. McCrary continued his presentation of changing of Chapter 4 starting with page 4-31. Chair Bennett noted that staff would be looking at changes on 4-23 (C) and 4-29 (A). Mr. McCrary pointed out that there were also corrections on 4-7 for front step encroachment and mechanical equipment allowed in the rear yard. **A motion was made by Member Condit, seconded by Member**

Bradford, to approve Chapter 4 except those items that are coming back. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Chapter 5 – Mr. McCrary explained that the proposed language for pool enclosures establishes specific setback requirements that are more in keeping with the standards for pools and establishes a height of 16 feet. Chair Bennett questioned why have a height limitation. He commented that a two story screen enclosure on a one-story house seems a little odd. Member Beal suggested that the height restriction could be that it can not exceed the height of the house. After some discussion about this topic, Mr. McCrary suggested changing the height limitation to 20 feet. It was pointed out that a garage apartment height was limited to 25 feet. After some deliberation about an appropriate height, *there was agreement to have the height limit the height of the house or 25 feet whichever is less.*

Member Conger questioned where the 7 ½ feet setback came from. He commented that would be hard for the owner to do that with a 50 foot lot. Mr. McCrary explained that it was more of a setback on the side yard for an accessory than it is for the principal structure. He pointed out that this was tied to the fact that the pool edge of water to the side yard line is 8 feet. After some further discussion about pools, **a motion was made by Member Condit, seconded by Member Bartelt, to accept Chapter 5 with changes. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Chapter 6 – Mr. McCrary explained that a lot of these changes were due to reference errors. He referred to page 6-12 group homes and explained that the language in the Comprehensive Plan was exactly from State Statute governing group homes. He pointed out that the added language came from the Comprehensive Plan. He explained that the City has very limited if non-existent latitude to address group homes that fall under the criteria established by the State. Chair Bennett noted that recently there was an issue that came before the City Commission and questioned if that was being addressed. Mr. McCrary replied yes and explained that staff would be making some proposals to the City Commission. Chair Bennett referred to page 6-13 (2) and questioned what 7 to 14 unrelated residents operating as the functional equivalent of a family meant. Mr. McCrary replied they are operating as a housekeeping unit and performing all the duties most households perform though not by related individuals. He pointed out that these are protected by Federal and State law. Chair Bennett inquired what zoning districts nursing homes and assisted living facilities were allowed. Mr. McCrary replied in some mixed use zoning as well as commercial zoning. There was some discussion about group homes noting that they would be allowed in R-2, R-3, and MU-1 zoning districts. Chair Bennett noted that the issue brought out was having a number of people living within the community that may or may not need supervision approximate to single-family neighborhoods was viewed as a problem. He questioned if the City is almost all R-2 and R-3 whether to limit it to an R-3 only. He inquired if 14 people per unit was appropriate in R-2. Mr. McCrary pointed out that these questions were answered by the State of Florida, because the statute establishes that the City's multi-family districts shall allow occupancy at the 7 to 14 range. After some discussion about group homes, there was a brief discussion noting that staff removed references to compatibility standards that had not been removed before. Mr. McCrary explained that the new district W-1 there are uses that are subject to supplemental standards. He briefly outlined the other changes in Chapter 6 that mesh better with the land use table. The board reviewed and had a brief discussion about these changes.

Member Conger referred to page 6-20 6.02.21 and expressed objection to (D)(5). He also questioned why tell the parsonage that they have to have a 7,500 square foot lot. He pointed out that these requirements were not in the previous code and questioned why have them now. He referred to (E) overnight lodging facilities and commented that many churches have places for the homeless that they put up and this language takes that away from them. Mr. McCrary explained that the City has a pending variance request for this very thing. He pointed out that this language was to establish a basic parameters and if there is something out of the ordinary for that church they can request

deviation from these standards. He also pointed out that religious facilities were subject to public scrutiny under conditional uses prior to the new code. **A motion was made by Member Bradford, seconded by Member Condit, to accept Chapter 6. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Chapter 7 – Mr. McCrary explained that this wasn't originally proposed as part of these fixes. He pointed out that the code does not stipulate for multi-family developments the number of vehicular access points. He stated that this change was to inject that language to the transportation aspect. Member Beal questioned how many units define multi-family. Mr. McCrary explained that staff didn't establish that as a differentiating standard in single-family subdivisions. He questioned the City Attorney if there was a short cul-de-sac street (smaller subdivision) would they have to get a waiver of the secondary access. City Attorney Braga replied that there has to be an emergency access of some sort. She clarified that the requirement has been to have an easement for emergency access purposes if there was a cul-de-sac. She clarified that multi-family development was defined as three or more families. After a brief discussion, Mr. John Proctor commented that as infill development continues on the island people will be developing smaller and smaller pieces of land. He explained that there will be cases where there will be a site off of a street and there is literally no other way to get a second access, but they may be able to put four homes there. He suggested that there are important safety concerns for access for emergency vehicles, but he wasn't sure this language was the right public policy. *There was a brief discussion about this noting that staff would bring Chapter 7 back.*

Chapter 9 – Mr. McCrary explained that 9.01.01 (G) was added that a member could remain a voting member for two months to allow for the reappointment by the City Commission. There was a brief discussion about the two month timeframe. Chair Bennett referred to 9.02.03(C)(3) and expressed his opinion that the board should be looking at final subdivision plats. City Attorney Braga clarified that the preliminary plat has all the details in it and the final plat was the legal document that was a straight forward application. There was some discussion about the difference between preliminary and final plats. There were concerns raised about a preliminary plat that the board reviewed that didn't end up being the final plan. It was noted that some things may have been modified at the City Commission or Technical Review Committee (TRC). Mr. McCrary explained that staff was trying to follow a more definitive process where what the board sees is what will pass Technical Review. He continued his review of Chapter 9 changes that included the Historic District Council's roles of reviewing development within the CRA overlay. He pointed out that the TRC membership the Fire Department was added as well as the language "at a minimum". He clarified that this was included so that when staff needed outside expertise that they can be brought in. Chair Bennett questioned the changes to 9.06.03. Mr. McCrary explained that under (A) major was removed to say that both minor and major amendments would be addressed. He pointed out that (B) was removed because TRC does not review and take final action on certain administrative functions. There was clarification and discussion that administrative waivers do not need to involve all of TRC.

Member Conger questioned the reference in membership to Planning and Zoning. City Attorney Braga replied that it should be that Community Development Department. **A motion was made by Member Condit, seconded by Member Conger, to approve the changes in Chapter 9. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

There was a brief discussion about whether to proceed with the review of the document or to continue the review at a later date. **The consensus was to at least hear the proposed language for the Airport since the Airport Manager was present.**

Airport Modifications – Airport Manager Richard Johnson explained that staff found that a number of issues in the Land Development Code (LDC) conflict with the Airport. He pointed out that the

LDC was largely silent on the construction on the Airport, but where there are requirements they conflict with the Airport. He recommended wording from the Florida Department of Transportation (FDOT) to clarify the land use on the Airport. He explained that the proposed language was to reflect the Airport Layout Plan (ALP) that included both planned and existing structures. He pointed out that when the FDOT and the Federal Aviation Administration (FAA) review construction around the Airport they look at five surfaces (the primary, approach surface, horizontal surface, transitional surface, and a conical surface). He explained that the Commerce Park was in the LDC oriented to aviation, but it was written more for a non-aviation Commerce Park. He recommended putting in an Airport Overlay to have construction criteria for development of the Airport. He explained that staff was trying to make the process easier for people wanting to construct at the Airport so that they know what the rules are, what needs to be done, how to get through the TRC, and how to get to the Planning Advisory Board. He reported that the Airport Advisory Commission (AAC) approved these proposed changes. Chair Bennett noted that Member Williamson had some specifics and criteria dealing with the Airport. He questioned if this was some of what was added. City Attorney Braga replied yes. Chair Bennett questioned if these were the rules for the Airport Overlay. Mr. Johnson replied that staff was proposing the Airport Overlay and a separate document called the Airport Development Code to have more specifics. Mr. McCrary pointed out that this was the same as referencing the design guidelines. There was a review of the proposed language for the Airport.

Chair Bennett questioned if Mr. O'Conner's commerce park would be included in this as part of the overlay. City Attorney Braga replied no because that was not Airport property. There was some discussion about Commerce Park noting that the only one in the City was at the Airport. Mr. Johnson pointed out the Air Commerce Park area on the map in relation to the O'Conner property. He explained that the Airport was also building on the north area over by the Fixed Base Operator. He stated that there has to be something for construction on the whole Airport. Chair Bennett referred to the proposed Crane Island development and questioned if the Airport was protected by this document. Mr. Johnson replied Crane Island would not be under this, because it was not Airport property. Chair Bennett referred to the zones in the definitions and commented that some prohibitions would naturally be imposed on some of these areas even though they are not on the Airport. Mr. Johnson replied that they would be and explained that staff was making sure that protections were properly put in the code. He clarified that this proposed language meets the specifications of what the FDOT looks at. There was some discussion about Airport protections that are mainly height and noise restrictions.

Mr. Johnson referred to land use under the flight path and pointed out that was under the standards of the FDOT and FAA. He explained that staff was asking that anything that is proposed that it at least goes through the procedures they have to go through to make sure it doesn't restrict the Airport. Chair Bennett explained that the board's concern has been that development restrictions are being put on the Airport that are not intended. Member Bradford questioned if this document provides protection for the Airport. Mr. Johnson replied that it goes a long ways towards that. There was some further discussion about Airport protections noting that there can be construction under the flight path, but it has to be certain types of uses.

Member Condit noted that some of the highlighted information was definitions as prescribed by the FDOT. He commented that the Airport was going to build hangars and questioned if there were height restrictions in the proposed language relative to the Airport. Mr. Johnson replied that the Airport Development Code height restriction was 45 feet. He pointed out that this code also has separations, parking, landscaping, etc. as related to airport facilities. After a brief discussion, Mr. McCrary explained that the Airport Development Code Construction Design Standards for Airport Property could be modified by the AAC as they deem necessary without having to modify the LDC. Member Bradford questioned what a standard height for hangars would be. Mr. Johnson replied that 45 feet was on the high side and most hangars are 12 to 18 feet. He explained that corporate hangars are higher. It was noted that commercial zoning buildings can go up to 45 feet. A motion was made by Member Condit, seconded by Member Bradford, that based on the discussions with the

Airport Manager and the AAC reviewing the language that the section of the document highlighted in blue be approved; and to request some more time on the Airport Development Code Construction Design Standards for Airport Property at a future date. Chair Bennett commented that a lot of things in this seem to be common sense building code items. After a clarification of the motion on the floor, vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

It was noted that comments to the proposed language for the Airport could be emailed or in writing to the Airport Manager. There was some discussion about the remaining language coming back to the board for review at the March 14th Regular Meeting. The board had some further discussion about the proposed Airport Development Code Construction Design Standards for Airport Property and it was noted that all written comments needed to be returned by February 28th.

Member Bartelt questioned if the goal of the Airport language was to increase air traffic. Mr. Johnson replied that it is revenue generation and commented that with revenue generation air traffic can increase. Member Bartelt inquired if increasing air traffic to an extent where the City gets complaints from people other than Crane Island. Mr. Johnson pointed out that the Airport gets complaints now (about two a month) that are usually associated with training flights, since they tend to do the same thing over and over. Member Bartelt commented that if the goal is to increase activity at the Airport then eventually those complaints are going to increase. He questioned if the Airport is planning for this. Mr. Johnson explained that you want the Airport to be an economic driver of the community. He stated that an airport is a tremendous economic driver for a city. There was further discussion about the Airport.

V. Staff Report

There were no items for discussion under Staff Report.

VI. Board Business

There were no items for discussion under Board Business.

VII. Adjournment

There being no further business to come before the Planning Advisory Board, the meeting was adjourned 8:54 p.m.



Mark Bennett, Chairman

Paul Condit, Vice Chair

I. Call to Order

Chair Bennett called the meeting to order at 5:36 pm.

APPROVED

II. Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Richard Bradford
Eric Bartelt (alternate)

David Beal
William A. Conger
Robert Howat (alternate) (was detained)

Board Members Absent

Paul Condit, Vice-Chair
Shaun Woleshin

Marilyn Williamson

Others Present

Debra Braga, City Attorney
Marshall McCrary, City Planner
Jessica Williams, Recording Secretary

A motion was made by Member Conger, seconded by Member Bradford, to seat Member Bartelt as a voting member. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

III. Approval of Minutes

According to the agenda support documents, the Special Meeting of February 5, 2007 and the Regular Meeting of February 14, 2007 were presented for approval. **A motion was made by Member Conger, seconded by Member Bradford, to approve the Minutes subject to any additions, deletions for the Special meeting of February 5, 2007. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

A motion was made by Member Bradford, seconded by Member Bartelt, to approve the Minutes of February 14, 2007 subject to any deletions, corrections, or additions. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

IV. New Business

Member Bartelt disclosed that he visited Amelia Landings and the Surf. Chair Bennett disclosed that he had been by those properties numerous times. He also disclosed receiving an email from Ms. Barbara Lenly. Member Conger disclosed that he was the Property Manager of Amelia Landings for several years when he worked for Amelia Island Management, but he retired in 2003. Member Bradford disclosed that he went by the Surf and the Amelia Island property and had also received the email in the packet. He also disclosed a conversation with a lady from Amelia Landings. Member Beal disclosed that he drove by both of the properties. City Attorney Braga briefly described the process for quasi-judicial hearings. She pointed out that it would take four affirmative votes to pass action. Recording Secretary Williams administered the oath to those parties that were about to present testimony.

Mr. McCrary introduced Airport Manager Richard Johnson and reminded the board that last month he had provided some restrictive development requirements for the Airport. He requested that if there were any comments on these requirements for the members to forward them to staff. Chair Bennett requested that an email be sent out to the members as a reminder. He thanked the Airport Manager for coming out.

Change of Zoning

Amelia Landings Property Owners Association, Inc., 2328 Sadler Road (CZ 2007-12), change of zoning for PUD: Planned Unit Development modification to the multi-family portion of the Amelia Landings PUD, specifically providing for resort rental operations. (*Quasi-Judicial*)

Mr. McCrary presented details of the request as contained in the agenda support documents. Member Bradford questioned if this would be a separate unit from the other condominiums that are now in existence or are the current residences also available for short-term rental. Mr. McCrary replied right now there is no allowance for short-term rental anywhere within Amelia Landings. He clarified that this was not adding any structures or expanding any buildings. He stated that it would be limited to the 60 condominium units that are currently there. Chair Bennett inquired about the history of how they got to the decision they did on resort rentals. Mr. McCrary commented that he could only imagine it was a very contentious topic and it was not easy to decide. He pointed out that there is clear evidence of that in that the City provided grandfathering language in that Ordinance to allow folks that had been doing it to continue. He explained that it has been refined further since then, because now it is only allowed in the R-3 district. Member Conger commented that he recalled that the PAB was split on this issue when it was before them. He expressed his support of the request before the PAB. Member Bartelt noted that the 2000 Ordinance eliminated any possibility for short-term resort rental on this property. Mr. McCrary replied correct unless property owners could meet the criteria for being granted the grandfathering status. He pointed out that there was a timeframe associated with utilizing the grandfathering clause. Member Bartelt inquired why the property owners want to make this change at this point. Mr. McCrary explained that he believed that it was desire for sometime. He commented that he didn't believe that it was commonly known amongst all the property owners until fairly recently. He stated that enforcement became more of an issue fairly recently and he thought that it was then that this was brought to light that these properties were not eligible for resort rental. Member Bradford expressed his opposition to Ordinance #2000-08 because he had the feeling that if a person bought property they had the right to rent it, especially if it was an investment property. A motion was made by Member Conger, seconded by Member Bradford, to open the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Mr. Jeffrey Tomassetti, 406 Ash Street, agent for the applicant, explained that there was this question of why did this condominium not get included with all the other condominiums for resort rentals and why did we just recently discover that they were not in the club. He pointed out that until recently the zoning map showed all the PUDs labeled on top of the zoning colors. He stated that because PUD was over the top it covered up the fact on the graphic that they were this anomaly (a condominium sitting on R-2). He explained that they didn't have any doubts about the right to rent, because they all assumed that they were in R-3. He pointed out that the maps were recently rewritten and now on the zoning maps there are not any PUD designations. He read from subsection 5 of Ordinance #2000-08 that included even isolated parcels developed for resort rental housing in the resort rental district when they

are located, oriented, and buffered to sufficiently protect nearby residential uses. He pointed out that Amelia Landings only has one way in and out to Sadler Road.

A motion was made by Member Conger, seconded by Member Bartelt, to seat Member Howat as a voting Member. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Member Bartelt inquired about the status of the back gate for Amelia Landings. Mr. Tomassetti replied that it was blocked and explained that there had been several modifications to this PUD over the years. He stated that in one of the PUD modifications it was stated that would be blocked. It was noted that they were not allowed to take that gate away.

Member Howat inquired if there were other developments that this situation would apply to besides Amelia Landings. Mr. McCrary explained that he thought there were a number of individual projects on a smaller scale that have units that wouldn't currently be allowed by the zoning that they have. Member Howat questioned if this would set a precedent if the PAB voted in favor of this. Mr. McCrary replied that because this is a PUD he believed that this is a stand alone issue. Chair Bennett noted that there was a timeframe when people could apply to stay as resort rental no matter where they were. He questioned if no one in this development made the application. Mr. Tomassetti replied correct. Chair Bennett inquired how other PUDs or R-2 would be treated if they want to become resort rental. Mr. McCrary replied that they would wage the same argument and the merits would have to be based on that application. He pointed out that for R-2 property to be allowed resort rental their application would different, because they wouldn't be seeking to modify a PUD but to rezone up to R-3. Member Beal inquired of the 60 units how many property owners were there. Mr. Tomassetti replied that he did not know and commented that there could be some that are multiply owned. Member Beal inquired of the 60 properties how many were in favor of this or against it. Mr. Tomassetti replied the Association elects its board of directors to run the association and make all sound business judgments regarding its desires. He stated that at least a majority of the board of directors was in favor of this. He pointed out that on the association documents that have existed since 1982 allow short-term rentals. He clarified that this was in the recorded covenants. He explained that these units are like junior units and for a long term tenant they would be looking at a transient low income tenant, but the owners were concerned about their property values. He stated that resort rentals in this case would be a superior ambiance for the community.

Mr. Art Shuster, 564 Little Piney Court, thanked the board for considering this matter. He explained that for many years they didn't realize it was an issue. He stated that he had not personally rented his unit short-term. He commented that they bought the property in 1995 with the understanding that it could be a short-term rental and the property owner association documents continue to reflect that. He explained that they have a vested interest in the units since property values have increased and a vested interest in the community. He requested the board to favorably consider this so that they can maintain their property values.

Ms. Sue Gerard, 2228 Sadler Road Unit 6B, President of the Property Owner's Association, explained that she bought in 2001 and had come to City Hall to look at the property zoning map. She pointed out that her documents say that she can rent short-term, long-term, or any length of term. She explained that Amelia Landings is a resort and even though she doesn't rent her unit she would like the right to be able to do so. She stated that they did a survey of the owners and everyone was in favor of having all their rights as condominium owners. She commented that she was shocked to find out that they were not an R-3 property. Member

Howat inquired if the association would prefer to have short-term or long-term. Ms. Gerard replied personally she knows the value of a short-term renter and explained that short-term renters come to the island to partake of what it has to offer. She commented that with long-term renters on the property she has to call the property managers, because they are putting 6 to 10 people in an apartment that is 1,000 square feet or doing other things that are not appropriate for Amelia Landings.

Ms. Nancy Doug-Rowe, 2328 Sadler Road Unit 8D, commented that when we say short-term rental it sounds like we are increasing the traffic. She explained that in all the years that they have been short-term rental they have not increased any traffic. She pointed out that people walk or ride their bikes. She commented that she spends four or five months a year here.

Ms. Rita Davis, 2122 Offshore Drive, explained that she owns a free standing home within the confines of Amelia Landing. She stated that she purchased her property in 1991 and pointed out that she has the same ramifications in her home ownership that they have in their condos. She explained that it is all dependant on the property values and in 1996 she purchased the land on either side of her house to keep it up to a beautiful finish. She expressed her concern about them not getting what was originally in their association by-laws, because it affects her property value also. She requested the board consider their plea.

Mr. Robert Moore explained that his wife and he own a condo that they purchased about six months ago. He commented that after several visits to Fernandina Beach they found a property that they felt would be a place for them to live, but at first could be a vacation home. He explained that they both work as teachers at a community college in Iowa and they expected based on what they were told by their realtor, the previous owners, and the covenants that they could rent their unit out until such time as they could move down here.

Ms. Rebecca Larson, 96049 Caribbean Court, explained that if she were to sell her property there is no one that could afford it without short-term rental rights. She pointed out that she didn't apply for the grandfathering, because she didn't think it applied to her. She stated that she thought that if you were going to rent as an individual there was an issue. She commented that she rents long-term and there are issues with her renters with the level of quality that they bring to the condominium units. She expressed her hope to be able to rent short-term again. She requested the board consider all the people that bought with the intent that they had short-term rental rights.

Mr. Thomas M. Martin, 2163 Ketch Court, questioned how many were official residents of the City of Fernandina Beach and how many were outside landlords. He referred to the rear gate and explained that the reason that gate was there was because everyone down First Avenue was using that as a shortcut to get out to Sadler. He stated that the gate was built due to the traffic problem. He pointed out that the covenants of Amelia Landings cover about 32 acres. He expressed his opinion the PUD modification would be a drastic and fundamental change in the zoning. He commented that resort rental is basically a hotel and this property sits in the middle of a prime residential area. He requested the board to consider the precedence and the impact it would have on the similar condo developments of Forest Ridge and Amelia Woods. He explained that he would like to see the property owners benefit from their investment, but not at what it was going to cost him and his neighbors. Member Howat requested clarification of the specific negatives of short-term versus the way it is now. Mr. Martin replied right now one of the main attractions is walking to the beach. He commented that there is no way to get the beach without going by his house and other houses. He expressed his opinion that it was going to destroy the nature of all these neighborhoods. Member Conger questioned if those were single-family subdivisions. Mr. Martin replied yes.

Member Conger pointed out that the back gate was a fire safety requirement, but it has been vandalized. He briefly commented about short-term rentals and noted that there is a dedicated boardwalk that comes right in front of the Fire Station. He explained that this in an enclave that is only attainable by Sadler Road and he didn't see where it has any affect on the other subdivisions. Mr. Martin clarified that the impact was in terms of precedence on the other condos and the impact of the number of people. He presented further comments against the request before the board. Member Bradford inquired what problems Mr. Martin had with short-term rentals that they had been doing. Mr. Martin replied that he was not aware of any short-term rentals that they have had. He stated that he never had a problem with the condo thing. There was some further discussion about Mr. Martin's concerns.

A motion was made by Member Bradford, seconded by Member Conger, to close the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. Chair Bennett questioned how this would impact other condominiums and were there other condominium projects that are zoned R-2. Mr. McCrary replied that there are examples. He commented that there are a number of duplexes, triplexes, and condominium units that are under R-2 zoning that wouldn't be allowed to be built today. He stated that he was not aware of any other entities that were pursuing resort rentals that are under R-2 zoning. He pointed out that the establishment of the previous right was not a basis necessarily for granting that as shown in the staff analysis. Member Bartelt questioned if any other PUD would not necessarily be in this same circumstance. Mr. McCrary replied correct and pointed out that they would have to be evaluated on the particular merits of that particular property. Member Bartelt noted that some had talked about property values and the goal was for these people to be able to rent their condominiums that they don't live in year round to offset the high taxes. He questioned if this could be a case of you need to be careful of what you wish for. He explained that he lives next to a short-term rental property and sometimes that property is rented long-term (a month or two months). He commented that by far the most trouble is the short-term renters. Member Howat questioned if because it was a PUD it was more conducive to short-term rentals. Member Bradford clarified that it was part of the PUD when it was established. Mr. McCrary explained that that the fact it was a PUD gives the City allowances to establish uses that wouldn't be allowed in R-2. City Attorney Braga stated that based on all the evidence heard including the written documentation and the sworn testimony there was substantial competent evidence. **A motion was made by Member Bradford, seconded by Member Conger, to send to the City Commission approval of CZ 2007-12.** Member Howat commented that he had mixed feelings on this. He explained that he thought this was precedent setting and was worried about that. Chair Bennett stated that the precedent as he understood it would be you would have to be a PUD. Mr. McCrary explained that someone could approach with a request for rezoning and a FLUM change and the evaluation would be based on the appropriateness of that Future Land Use designation and zoning. He pointed out that for this case this action is tied to the specifics of this particular development. He explained that he believed that because the PAB was considering this a unique entity (Amelia Landings PUD - the nine acre portion that was developed with multi-family) that this was not precedent setting, because there is no other instant exactly like this PUD. He stated that he though PUDs are stand alone zoning districts and expressed his opinion that there is no action that we take on any PUD that is applicable necessarily to any other PUD. There was some discussion about this point. City Attorney Braga agreed that this is a unique case. She pointed out that the PUD was originally done in 1982 and there was a lot of confusion in the record. She explained that she was not aware of anybody else that could come forward, but everyone would have to make their case individually and the determination would be based on the circumstances of that development. Member Conger provided some further comments in support of the request before the board. Member Beal

commented that he was a firm believer in private property rights and allowing people to rent their property. Chair Bennett referred to the Ordinance and noted that this PUD was developed that way. He commented that Amelia Landings was the first place that he stayed when he came down here to look for a house. **Vote upon passage of the motion was taken by ayes and nays and was as follows:**

Member Bradford:	Aye
Member Beal:	Aye
Member Bartelt:	Aye
Member Conger:	Aye
Member Howat:	Nay
Chair Bennett:	Aye

Motion carried.

The board took a brief recess at this time.

Final Plat

Surf Properties, LLC, 3199 South Fletcher Avenue (FPL 2007-05), final plat approval for the Surf Unit One.

Mr. McCrary presented details of the request as contained in the agenda support documents. He pointed out that Final Plat in the current code is required to come before the PAB, but that was not a previous step in the process for Final Plat. He explained that this is a legal document at this point establishing the right to now create and convey these lots to private property owners. Chair Bennett inquired if there were any changes made. Mr. McCrary replied none. Member Bradford inquired what the corrections that were noted by the independent surveyor. Mr. McCrary referred to the packet and commented that it should have the independent surveyor's checklist. He pointed out that they are reviewing for compliance with State law for the creation of legal documents. There was a review of the information contained in the agenda packet.

A motion was made by Member Bradford, seconded by Member Howat, to open the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. Recording Secretary Williams administered the oath to the party that was about to present testimony. Mr. Michael Antonopolous, 1405 Park Avenue, explained that there were a few minor changes to the plat as a result of Technical Review Committee (TRC) comments and this was in addition to the stuff the independent surveyor caught. He stated that there were some minor dimensional changes that were made as they worked through the design of the building. He pointed out that they were not allowed to modify the existing lots of record on Fletcher, but there were minor dimensional changes made.

There being no comments from the floor, a motion was made by Member Howat, seconded by Member Bartelt, to close the public hearing. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried. City Attorney Braga stated that based on all the evidence including the sworn testimony and the all the written materials in the packet there was substantial competent evidence. **A motion was made by Member Bradford, seconded by Member Conger, to send Final Plat 2007-05 to the City Commission for approval. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Land Development Code Amendment

General correction of errors, omissions and inconsistencies encountered since the adoption of the current Land Development Code on September 5, 2006; to include Chapter 1: General Provisions, Chapter 2: Zoning Districts and Uses, Chapter 4: Site Design Requirements, Chapter 5: Accessory and Temporary Uses and Structures, Chapter 6: Supplemental Standards and Special Situations, Chapter 9: Boards and Commissions, Chapter 10: Variations from Code Requirements and, Chapter 11: Administrative and Decision-Making Procedures.

Chair Bennett commented that it didn't look like this touched on all the items that the board was revisiting. Mr. McCrary replied correct and reminded the board that last month the board did not get through all the items. He referred to the packet for the proposed changes to Chapter 2, Chapter 4 that included fixes from the last meeting, Chapter 10, and Chapter 11. He explained that Chapter 7 was not in the packet, because the only change in Chapter 7 was talking about points of access for multi-family properties. He stated that staff would bring that back as a separate item as well as some of the more substantive comments that came up last month about landscaping overall. He referred to Chapter 2 and explained that it was adding the new zoning district (W-1) to accompany the new Waterfront Mixed Use (WMU) land use designation. He pointed out that W-1 was added to the tables throughout Chapter 2. Chair Bennett requested clarification about the blue shown on the chart. Mr. McCrary explained that the original draft only had yellow on it and were presented as the consensus items coming from the Waterfronts Committee as well as elements of the CRA plan and the Waterfronts Vision Plan. He pointed out that while reviewing this he found there were a number of uses that were not included that were actually consensus items so those were put in blue to reconcile the original draft from last month with this draft. He recapped the information in the tables. Chair Bennett noted that Marine recreation such as kayak or boat rental and Marine research and educational facilities were not permitted uses in I-W. He questioned why these wouldn't be in I-W. Mr. McCrary explained that the idea was to differentiate the allowances under WMU from those currently allowed under I-W, which is a limited industrial district. City Attorney Braga questioned commercial fishing facilities not being under I-W. Mr. Tomassetti noted that the City didn't want to expand the uses in I-W too much, because the City wants the waterfront to move to W-1. He clarified that the City wanted to have incentives for people to move to W-1.

Ms. Patricia Borns, 314 New Street, agreed with the purpose of I-W noting that times are changing and the City wants to encourage the redevelopment of the waterfront. She noted that I-W and W-1 need to be partitioned according to your goals. She commented that she saw a bit of awkwardness in these uses in W-1 now, because they are both I-W and residential. She explained that she didn't see any buffers in here now to negotiate these new uses and suggested taking some of the industrial uses out.

Chair Bennett referred to commercial fishing and questioned why the City would not allow it in the current zoning. He stated that then that would be making them a non-conforming use.

There was further discussion about the information shown in the table of land uses. **The consensus of the board was to include commercial fishing as a permitted use under I-W.** There was some discussion about the ability to have an automobile rental agency on the waterfront. **A motion was made by Member Conger, seconded by Member Bradford, to put a "P" on under W-1 for automobile rental agency.** After a brief discussion about this, vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Member Bartelt referred to bulk storage yards in W-1 and inquired if that was Florida Petroleum. Mr. McCrary replied yes. Member Bartelt questioned why include that in W-1. Mr. McCrary replied that in the visioning of the waterfront they went through every use listed in the table and this was one that was deemed to be appropriate. Member Bartelt commented that looking long term the City might not want bulk storage if they chose to move somewhere else. There was some discussion about this point, **the consensus was to remove the "P" from bulk storage under W-1.**

Member Conger suggested that Marine Research and Educational Facilities be included as part of I-W, because they are internal to a building. After some discussion about this and the existing facilities along the waterfront, the board discussed the differences between I-W and W-1 districts. **The consensus of the board was to include Marina Recreation and Marine Research and Educational Facilities as permitted uses under I-W.**

Member Bartelt requested clarification of public recreation buildings. Mr. McCrary replied that it can be like the recreation center and it would be any kind of support facility associated with public recreation. The board continued the review of the table of land uses, and Member Bartelt questioned if there needed to be outdoor performing arts facilities such as an amphitheater. Mr. McCrary replied the City should be covered by outdoor recreation. After some discussion, **the consensus of the board was to remove "indoor only" from theaters, movie or performing arts.**

Chair Bennett referred to warehouse not including mini-storage and commented that if the City was looking to move development toward retail and the other uses that this would not be something the City would want there. Mr. McCrary explained that he thought that this was a desire to make sure that things that are in existence could be retained, but it could stay in I-W. **The consensus of the board was to remove the "P" under W-1 for warehouse, not including mini-storage.**

There was a brief discussion about dumpster noting that they are an accessory element that was governed by design standards. **A motion was made by Member Conger, seconded by Member Howat, to accept the recommended changes for Chapter 2 put forth by staff as amended the board to send forward to the City Commission. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

Mr. McCrary referred to page 4-4 of Chapter 4 and clarified that it was a table that needed to include the new W-1 zoning district. He pointed out that on page 4-5 paragraph I was stricken. He clarified that it was being taken out because it was in conflict with the definition of lot width and the standard practice of determining lot width. City Attorney Braga pointed out that lot width was defined in the definition section and read it into the record. Mr. McCrary explained that page 4-6 was including W-1 in the table. He referred to page 4-7 paragraph 3 and pointed out that this should illustrate what the board discussed about front entry steps and the encroachment allowed. He explained that the 42 inches still allows for that encroachment, but it was in keeping with the past code and the standard for the rear yard. There was a brief discussion about 4.02.03(A)(4) noting that this would allow the features to encroach all around a building. The board continued its review of the changes to Chapter 4 noting that Section 4.03.03 was the CRA Overlay that was being considered by the City Commission.

Mr. McCrary referred to page 4-23 and explained that staff removed language that conflicted with the landscape requirements and the tree protection requirements. He pointed out that the

exemptions for tree protection were covered in another Section. There was a brief discussion to further clarify this.

Member Beal referred to page 4-20 and noted that a subdivision was lots of three or more. He commented that he thought it was restrictive for a small subdivision of three to five lots to have this requirement of two accesses. He suggested that it should be some distance in, because a cul-de-sac that is only 100 feet long shouldn't necessarily have two points of entry. Mr. McCrary explained that the idea is to establish it as a standard and that standard is there today. He stated that for those circumstances where it is not feasible or it doesn't make sense, then have them seek a waiver from the requirement. There was some discussion about this point noting that there is the option of administrative waiver in the code. Chair Bennett noted that this topic would come back with the multi-family portion. Mr. McCrary inquired if the board wanted to drop the proposed amendment and come back to revisit it. After some deliberation about this, **the majority of the board agreed to leave the language "to an improved right-of-way" in 4.04.02(E) noting that this would be revisited.**

Mr. McCrary reminded the board that the last time they talked about the landscape plan being generated by a registered landscape architect. He pointed out that there was concern that single-family and duplex builders were obligated to do the same thing. He explained that language was added to 4.05.04(D). Chair Bennett questioned why a registered landscape architect has to sign off on architectural plans. Mr. McCrary replied the same reason the City expects professional credentials on any of the other requirements for construction in the City. Chair Bennett expressed his objection to having another level. Member Bradford explained that for a large development like Amelia Park they would have a certified landscape architect, but if it was a duplex or single-family then they wouldn't need them. Chair Bennett commented that it seemed to him that it was cost for an item that was not necessary to have a registered landscape architect. He questioned Mr. Tomassetti if this was an issue. Mr. Tomassetti replied that it is an issue for single-family. He commented that he didn't think this exempts single-family. Mr. McCrary pointed out that it was under paragraph D. Member Bartelt inquired where the cut off point was for when a landscape architect is needed. Member Beal replied that it was three family or above. Mr. McCrary pointed out that if they are doing a residential subdivision, a commercial development (large scale or small scale) they would be required to do a landscape plan with a landscape architect.

Ms. Patricia Borns commented that she loved the idea of landscape plans being submitted with everything that was done. Mr. McCrary clarified that the landscape plan is required and it is required to be done by a landscape architect. He explained that in paragraph (D) single-family and two-family must identify and show the placement on a site plan, but they don't have to meet the requirements of paragraph (A) of having a landscape architect generated landscape plan. There was further discussion about the requirements for landscaping. The board discussed changing the word "development" in paragraph D to "lot".

Ms. Borns questioned if the buffer requirements for W-1 between a residence and say Container Corporation are any less stringent than they would be in I-W and a residential area. Mr. McCrary replied they are, but all the buffering requirements are outlined in the CRA overlay in Section 4.03.03. The board continued their review of the changes to Chapter 4. **The consensus of the board was to move forward with the changes presented in Chapter 4 noting that the board would revisit 4.04.02(E).**

Member Beal pointed out on page 4-35 paragraph (2)(b) a semicolon that should be a period. Mr. McCrary noted this correction and explained that Chapter 10 outlines the requirements for variations from the code. He recapped these changes that included references to the CRA

Overlay variances being heard by the Historic District Council (HDC). There being no questions or comments, **the consensus of the board was to move forward with the changes presented in Chapter 10.**

Mr. McCrary referred to page 11-15 and pointed out that amendments to the Land Development Code (LDC) should not have been included in the notice requirements, because the City really can't post about LDC changes because there is not a piece of property to post. City Attorney Braga clarified that the City would treat it as a regular Ordinance and it would have the regular notice procedures for an Ordinance. Mr. McCrary referred to page 11-17 paragraph I and explained that staff was proposing to go to fifteen days versus ten days. Chair Bennett questioned if that was calendar days or business days. Mr. McCrary replied calendar day. He pointed out that on page 11-18 11.03.03 staff had struck "final" for subdivision plats. City Attorney Braga clarified that the board never had it before and the final plat is a legal document on which they base their ability to sell. She explained that the meat was in the preliminary plat that the board does see. She pointed out that preliminary plats would come to the board after it has gone through the Technical Review Committee. Mr. McCrary read from 11.03.03(C) that amendments to the LDC shall not require a quasi-judicial hearing. City Attorney Braga clarified that this was because they are a general application and not a specific application. Mr. McCrary explained that the last change was adding the CRA overlay as properties that require a Certificate of Appropriateness because of their review by the HDC. **The consensus of the board was to move forward with the changes presented in Chapter 11.**

V. Staff Report

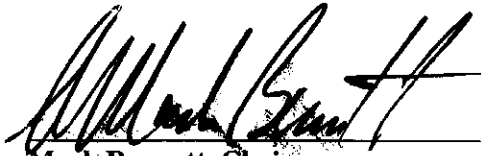
Mr. McCrary reported that the contract was executed for the creation of the design guidelines with Mr. Tilson for the CRA area. Chair Bennett inquired about the status of the department as far as people noting that Mr. Salter left. City Attorney Braga explained that Mr. McCrary was made Interim Community Development Department Director. She stated that the City was looking at someone to become a Senior Planner. There was a brief discussion about this.

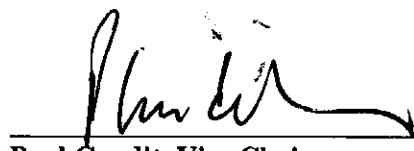
VI. Board Business

Chair Bennett commented that at one of the PAB meetings there was a proposal to change the FAR in C-1 from .5 to 1.0 and the board ended up changing that to 1.5. He noted that this caused problems with the State with adding that much building density to the C-1 area. Mr. McCrary clarified that it was proposed for all General Commercial (C-1 or C-2) and the Department of Community Affairs (DCA) had a problem that the City didn't provide any supporting data to show that the City could support that increase in commercial development. He stated that any increase the City has to demonstrate that the City has the ability to maintain the levels of service as adopted in the Comprehensive Plan if those properties all redevelop at that maximum. He explained that a study would have to be done. Chair Bennett questioned if this should be revisited to consider 1.0 which causes less problem. Mr. McCrary explained that a study has to be done to see what the City can support in terms of a FAR. There was some discussion about this noting that the notice of intent (the final piece of DCA's review) was published February 28th and the Waterfront Mixed Use was found out of compliance due to some language. It was noted that the City had a solution by mirroring the language from the Statute, which would sent back to the DCA. Mr. McCrary pointed out that the elements found in compliance would become effective March 21st.

VII. Adjournment

There being no further business to come before the Planning Advisory Board, the meeting was adjourned 9:05 p.m.



Mark Bennett, Chairman

Paul Condit, Vice Chair

NOTICE OF PUBLIC HEARING ON THE GENERAL CORRECTION OF ERRORS, OMISSIONS AND INCONSISTENCIES ENCOUNTERED SINCE THE ADOPTION OF THE CURRENT LAND DEVELOPMENT CODE ON SEPTEMBER 5, 2007 FOR THE CITY OF FERNANDINA BEACH, AS MORE PARTICULARLY DESCRIBED BELOW.

In compliance with Florida Statutes, the City Commission will hold a public hearing regarding:

ORDINANCE NO. 2007-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING THE EXISTING LAND DEVELOPMENT CODE, TO INCLUDE CHAPTER 1: GENERAL PROVISIONS, CHAPTER 2: ZONING DISTRICTS AND USES, CHAPTER 4: SITE DESIGN REQUIREMENTS, CHAPTER 5: ACCESSORY AND TEMPORARY USES AND STRUCTURES, CHAPTER 6: SUPPLEMENTAL STANDARDS AND SPECIAL SITUATIONS, CHAPTER 9: BOARDS AND COMMISSIONS, CHAPTER 10: VARIATIONS FROM CODE REQUIREMENTS AND CHAPTER 11: ADMINISTRATIVE AND DECISION MAKING PROCEDURES; PROVIDING FOR SEVERANCE AND PROVIDING FOR AN EFFECTIVE DATE.

PURSUANT TO SECTION 166.041, FLORIDA STATUTES, A PUBLIC HEARING ON THE PROPOSED ORDINANCE WILL BE HELD AS FOLLOWS:

City Commission: Second Reading - May 15, 2007

Place: The public hearing will be held at the City Commission Chambers
204 Ash St.
Fernandina Beach, Florida.

Time: 6:00 p.m.

All interested persons are invited to review the draft ordinance and supporting materials to appear at the public hearings, and be heard regarding the adoption of the proposed ordinance.

The draft ordinance and supporting materials may be reviewed at the office of the City Clerk, 204 Ash St., Fernandina Beach, Florida 32034.

Written comments may be provided, and should be mailed to the City Clerk, 204 Ash St., Fernandina Beach, FL, 32034 until the day of the public hearing.

If a person decides to appeal any decision made by the City Commission with respect to the adoption of the proposed amendments, he/she will need a record of the proceedings and should ensure that a verbatim record of the proceedings is made. The record should include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodation in order to participate in this program or activity should contact 277-7305 or TDD 277-7399 or Florida Relay Service 1-800-955-8771 at least 24 hours in advance to request such accommodation.

NEWS LEADER

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Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

NOTICE OF PUBLIC HEARING ON THE GENERAL CORRECTION OF ERRORS, OMISSIONS AND INCONSISTENCIES ENCOUNTERED SINCE THE ADOPTION OF THE CURRENT LAND DEVELOPMENT CODE ON SEPTEMBER 5, 2007 FOR THE CITY OF FERNANDINA BEACH, AS MORE PARTICULARLY DESCRIBED BELOW.

In compliance with Florida Statutes, the City Commission will hold a public hearing regarding:

ORDINANCE NO. 2007-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH AMENDING THE EXISTING LAND DEVELOPMENT CODE, TO INCLUDE CHAPTER 1: GENERAL PROVISIONS, CHAPTER 2: ZONING DISTRICTS AND USES, CHAPTER 4: SITE DESIGN REQUIREMENTS, CHAPTER 5: ACCESSORY AND TEMPORARY USES AND STRUCTURES, CHAPTER 6: SUPPLEMENTAL STANDARDS AND SPECIAL SITUATIONS, CHAPTER 9: BOARDS AND COMMISSIONS, CHAPTER 10: VARIATIONS FROM CODE REQUIREMENTS AND CHAPTER 11: ADMINISTRATIVE AND DECISION MAKING PROCEDURES; PROVIDING FOR SEVERANCE AND PROVIDING FOR AN EFFECTIVE DATE.

PURSUANT TO SECTION 166.041, FLORIDA STATUTES, A PUBLIC HEARING ON THE PROPOSED ORDINANCE WILL BE HELD AS FOLLOWS:

City Commission: Second Reading - May 15, 2007

Place: The public hearing will be held at the
City Commission Chambers
• 204 Ash St.
Fernandina Beach, Florida.

Time: 6:00 p.m.

All interested persons are invited to review the draft ordinance and supporting materials to appear at the public hearings, and be heard regarding the adoption of the proposed ordinance.

The draft ordinance and supporting materials may be reviewed at the office of the City Clerk, 204 Ash St., Fernandina Beach, Florida 32034.

Written comments may be provided, and should be mailed to the City Clerk, 204 Ash St., Fernandina Beach, FL, 32034 until the day of the public hearing.

If a person decides to appeal any decision made by the City Commission with respect to the adoption of the proposed amendments, he/she will need a record of the proceedings and should ensure that a verbatim record of the proceedings is made. The record should include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodation in order to participate in this program or activity should contact 277-7305 or TDD 277-7399 or Florida Relay Service 1-800-955-8771 at least 24 hours in advance to request such accommodation.

STATE OF FLORIDA
COUNTY OF NASSAU:

Before the undersigned authority personally appeared
Michael B. Hankins

Who on oath says that he is the Advertising Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

CITY OF FERNANDINA BEACH Notice of Public Hearing

Was published in said newspaper in the issues of

05/04/07

Legal Display

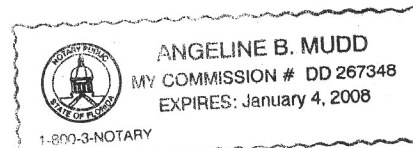
Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Michael B. Hankins

Sworn to and subscribed before me
This 9th day of May A.D. 2007.

Angeline B. Mudd
Angeline B. Mudd, Notary Public

Wm Personally Known



J. Williams

#362.60

ENGINEERING PLANS

FOR

SOUTH 13TH STREET DEVELOPMENT

FOR

COLE BUILDERS, INC.

GILLETTE & ASSOCIATES, INC.

CIVIL & ENVIRONMENTAL ENGINEERING
MECHANICAL & STRUCTURAL ENGINEERING
PERMITTING & CONSTRUCTION MANAGEMENT

20 SOUTH 4TH STREET AMELIA ISLAND, FLORIDA 32034
PHONE: 904/261-8819

G & A

ISSUE DATE: OCTOBER 24, 2023

REVISION 01/08/24

PERMITTING AGENCIES

CITY OF FERNANDINA BEACH
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
F.D.E.P. (UTILITIES)

G&A Project
No.: XX

SOUTH 13TH STREET DEVELOPMENT
FOR
COLE BUILDERS, INC.
RELEASED FOR CONSTRUCTION BY

NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.

REGISTERED DESIGN PROFESSIONAL



ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 98717

REV	DATE	ITEM	REVISION
A	10/24/23	C.O.F.B. TECHNICAL REVIEW COMMITTEE SUBMITTAL #1	
B	01/08/24	C.O.F.B. TRC REVIEW - RESPONSE TO COMMENTS #1	
C			
D			
E			

GILLETTE & ASSOCIATES, INC.
CIVIL, ENVIRONMENTAL, MECHANICAL, & STRUCTURAL ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL. PE. NO. 98717
31 S. 4th STREET, SUITE 1 * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819 * www.gilletteassociates.com

SOUTH 13TH STREET DEVELOPMENT
1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24
COVER SHEET

North / Elev Key Sheet



CVR

Page 1 of

GENERAL NOTES			INDEX			
SITE / GEOMETRY		WATER NOTES		PAGE #	SHEET	DESCRIPTION
1. ALL WORK SHALL BE PERFORMED IN A SAFE MANNER. ALL SAFETY RULES AND GUIDELINES OF O.S.H.A. SHALL BE FOLLOWED. THE CONTRACTOR SHALL BE WHOLLY RESPONSIBLE FOR ANY INJURIES OF HIS EMPLOYEES, AND ANY DAMAGE TO PRIVATE PROPERTY OR PERSONS DURING THE COURSE OF THIS PROJECT. ALL COSTS ASSOCIATED WITH COMPLYING WITH REGULATIONS AND THE FLORIDA TRENCH SAFETY ACT MUST BE INCLUDED IN THE CONTRACTOR'S PRICE FOR PERFORMING THE WORK. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VISITING THE JOB SITE PRIOR TO PREPARING THE BID FOR THE PURPOSE OF FAMILIARIZING HIMSELF WITH THE NATURE AND THE EXTENT OF THE WORK AND LOCAL CONDITIONS, EITHER SURFACE OR SUBSURFACE, WHICH MAY AFFECT THE WORK TO BE PERFORMED, AND THE EQUIPMENT, LABOR AND MATERIALS REQUIRED. FAILURE TO DO SO WILL NOT RELIEVE THE CONTRACTOR OF COMPLETE PERFORMANCE UNDER THIS CONTRACT. THE CONTRACTOR IS URGED TO TAKE COLOR PHOTOGRAPHS ALONG THE ROUTE OF THIS PROJECT TO RECORD EXISTING CONDITIONS PRIOR TO CONSTRUCTION, AND TO AID IN RESOLVING POSSIBLE FUTURE COMPLAINTS THAT MAY OCCUR DUE TO CONSTRUCTION OF THE PROJECT. ALL COSTS ASSOCIATED WITH PRELIMINARY INVESTIGATION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. 3. ALL IMPROVEMENTS SHOWN ARE TO BE WARRANTED BY THE CONTRACTOR TO THE DEVELOPER. 4. ELEVATIONS ARE BASED ON NGVD DATUM OF 1929. TOPOGRAPHIC AND BOUNDARY INFORMATION WAS PROVIDED BY: MRE OF JAX ENTERPRISES, LLC, 6005 POWERS AVENUE, SUITE 104, JACKSONVILLE, FL 32217 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY BUILDING, RIGHT-OF-WAY PERMITS NOT PROVIDED AND INSURANCE REQUIRED FOR THE PROJECT. 6. THE CONTRACTOR SHALL COORDINATE THE WORK WITHIN CITY, COUNTY OR STATE RIGHT-OF-WAY WITH THE PROPER AGENCIES FOR MAINTENANCE OF TRAFFIC AND METHOD OF CONSTRUCTION & REPAIR. 7. THE CONTRACTOR SHALL ADVISE THE OWNER'S AUTHORIZED REPRESENTATIVE OF PLANNED WORK SCHEDULE. THE CONTRACTOR SHALL COORDINATE THEIR CONSTRUCTION WITH ALL OTHER CONTRACTORS. IN THE EVENT OF ANY CONFLICT WHATSOEVER, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD, AND THE OWNER PRIOR TO PROCEEDING WITH CONSTRUCTION. 8. "AS-BUILT" DRAWINGS – AS-BUILTS ARE REQUIRED TO BE SIGNED AND SEALED BY A FLORIDA REGISTERED LAND SURVEYOR. THEREFORE, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTRACT WITH A LAND SURVEYOR REGISTERED IN THE STATE OF FLORIDA FOR THE PREPARATION, FIELD LOCATIONS, CERTIFICATION, AND SUBMITTAL OF AS-BUILT DRAWINGS. 9. "AS-BUILT" RECORD DATA AND INFORMATION SHALL BE MAINTAINED BY THE CONTRACTOR. RECORD DRAWINGS SHALL BE SUPPLIED TO THE ENGINEER. 10. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL SURVEY AND PROPERTY MONUMENTS. IF A MONUMENT IS DISTURBED, THE CONTRACTOR SHALL CONTRACT WITH THE SURVEYOR OF RECORD FOR REINSTALLATION OF THE MONUMENT. 11. ALL DEBRIS RESULTING FROM ALL ACTIVITIES SHALL BE DISPOSED OF OFF-SITE BY CONTRACTOR ON A DAILY BASIS. 12. ALL EXCESS SUITABLE AND UNSUITABLE MATERIALS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR UNLESS DIRECTED OTHERWISE BY THE ENGINEER. 13. ALL EXISTING TREES LISTED TO REMAIN SHALL BE PRESERVED AND PROTECTED. 14. THE LOCATION OF ALL EXISTING UTILITIES, STRUCTURES, AND IMPROVEMENTS ON THE DRAWINGS ARE BASED ON LIMITED INFORMATION AND MAY NOT HAVE BEEN FIELD VERIFIED. THE LOCATIONS ARE APPROXIMATE. THE CONTRACTOR SHALL NOTIFY RESPECTIVE UTILITY OWNERS AND FIELD VERIFY LOCATIONS OF EXISTING UTILITIES AND OTHER IMPROVEMENTS PRIOR TO COMMENCING ANY CONSTRUCTION. IF THE LOCATIONS SHOWN ARE CONTRARY TO ACTUAL FIELD LOCATIONS, THE CONTRACTOR SHALL NOTIFY THE OWNER AND ENGINEER OF THE DISCREPANCY. THE DISCREPANCY SHOULD BE RESOLVED PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN WORKING IN AREAS NEAR EXISTING UTILITY IMPROVEMENTS AND SHALL BE RESPONSIBLE FOR REPAIRS OR PAYMENTS FOR ALL DAMAGE MADE TO EXISTING UTILITIES OR OTHER IMPROVEMENTS. PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL GRADES, INVERTS, AND TYPE OF MATERIAL OF EXISTING UTILITIES TO WHICH THEY SHALL CONNECT. 15. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER ON ALL MATERIALS, FOR REVIEW AND APPROVAL, PRIOR TO PURCHASE OR CONSTRUCTION OF ANY UTILITY OR STRUCTURE. 17A. UNSUITABLE MATERIALS UNDER WATER, SEWER, OR STORM PIPE AND/OR STRUCTURES SHALL BE REMOVED AND REPLACED WITH SELECTED BACKFILL COMPACTED TO 98% OF ITS MAXIMUM DENSITY AS DETERMINED BY THE MODIFIED PROCTOR TEST (ASTM D1557). 17B. ALL FINISH FLOORS SHOWN ON THE PLANS ARE MINIMUM ELEVATIONS		1. WATER MAINS SHALL HAVE A MINIMUM OF 36" COVER UNDER PAVEMENT OR 30" COVER FROM FINISHED GRADE UNLESS OTHERWISE SHOWN. ALL WATER MAINS SHALL BE FLUSHED IN ACCORDANCE WITH, AND UNDER THE DIRECTION OF THE UTILITY COMPANY. 2. THRUST RESTRAINTS ARE REQUIRED IN ACCORDANCE WITH THE UTILITY COMPANY STANDARDS WHERE WATER MAINS ARE TERMINATED AND AT ALL BENDS AND TEES. 3. TIE RODS SHALL BE INSTALLED ON ALL VALVES LOCATED AT FITTINGS. ALL 10" AND LARGER VALVES AND LARGER SHALL REQUIRE (4) TIE RODS. MEGA LUG JOINT RESTRAINTS MAY BE USED IN LIEU OF THRUST BLOCKS OR TIE RODS. 4. UNLESS OTHERWISE NOTED, WATER MAINS ARE TO BE PVC DR18, DR-25, C-900 (BLUE), CLASS 150. 5. ALL WATER MAINS SHALL BE BACTERIOLOGICAL AND PRESSURE TESTED IN ACCORDANCE WITH AWWA C-600. NO CONNECTION TO EXISTING POTABLE WATER SYSTEM SHALL BE ALLOWED UNTIL ALL PROPOSED WATER MAINS HAVE BEEN PRESSURE TESTED, DISINFECTED, AND CLEARED FOR SERVICE. THE UTILITY COMPANY'S AUTHORIZED REPRESENTATIVE MUST BE NOTIFIED 48 HOURS PRIOR TO PERFORMING THE PRESSURE TEST AND MUST BE PRESENT. 6. THE CONTRACTOR SHALL AVOID SERVICE INTERRUPTIONS AND MAINTAIN ANY EXISTING WATER SERVICE TO MEET THE SYSTEM DEMANDS AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFICATION OF AFFECTED CUSTOMERS OF THE UTILITY A MINIMUM OF 48 HOURS IN ADVANCE OF ANY INTERRUPTION OF SERVICE. BOIL WATER NOTICES SHALL BE DELIVERED IN ACCORDANCE WITH THE UTILITY COMPANY BOIL WATER NOTICE REQUIREMENTS. 7. ALL MAIN FLUSHING POINTS SHALL BE SAME SIZE AS MAIN UP TO 8 INCH WATER MAINS. FLUSHING POINTS FOR MAINS LARGER THAN 8 INCH SHALL BE REDUCED TO 8 INCH. 8. ALL WATER MAINS SHALL BE DISINFECTED USING LIQUID CHLORINE OR HYPOCHLORITES IN ACCORDANCE TO AWWA C651-86. WATER IN MAIN SHALL MAINTAIN A CHLORINE RESIDUAL OF 50 MG/L FOR A MINIMUM OF 24 HOURS. WATER MAIN SHALL NOT BE PLACED IN SERVICE UNTIL CLEARANCE HAS BEEN PROVIDED BY THE APPROPRIATE REGULATING AGENCY AND CITY OFFERNANDINA BEACH UTILITIES DEPARTMENT. 9. IF SOLVENT CONTAMINATION IS FOUND IN THE PIPE TRENCH, WORK SHALL BE STOPPED AND THE PROPER AUTHORITIES NOTIFIED. BASED ON APPROVAL OF THE PERMITTING AGENCY, DUCTILE IRON PIPE, FITTINGS, AND SOLVENT RESISTANT GASKET MATERIAL SUCH AS FLUOROCARBON SHALL BE USED IN THE CONTAMINATED AREA. THE DUCTILE IRON PIPE SHALL EXTEND AT LEAST 100 FEET BEYOND ANY SOLVENT NOTED. ANY CONTAMINATED SOIL THAT IS EXCAVATED SHALL BE PLACED ON AN IMPERMEABLE MAT AND COVERED WITH A WATER PROOF COVERING. THE PROPER AUTHORITIES WILL BE NOTIFIED AND THE CONTAMINATED SOIL HELD FOR PROPER DISPOSAL. 10. 2" FLUSHING HYDRANTS SHALL BE INSTALLED AT ALL DEAD END LINES AND MAIN LINE STUB-OUTS. 11. A SEPARATE WATER SERVICE SHALL BE REQUIRED FOR EACH UNIT SERVED AND SHALL BE INSTALLED 3 FEET EITHER SIDE OF PROPERTY LINE. ALL WATER SERVICES SHALL BE MARKED WITH A "W" ETCHED ON THE CURB. ALL VALVES SHALL BE MARKED WITH A "V" ETCHED ON THE CURB. 12. ALL BACKFLOW PREVENTION ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH THE UTILITY COMPANY'S STANDARDS. 13. ALL BACKFLOW PREVENTION ASSEMBLIES SHALL BE INSTALLED AT THE CONSUMER'S METER OR AT THE PROPERTY LINE WHEN A METER IS NOT USED. 14. BACKFLOW PREVENTION ASSEMBLIES SHALL BE TESTED BY A CERTIFIED BACKFLOW TECHNICIAN. TEST RESULTS SHALL BE SUBMITTED TO AND APPROVED BY THE UTILITY COMPANY PRIOR TO ACCEPTANCE OF INSTALLATION. 15. MAXIMUM DEPTH ON WATER SERVICES TO METER TO BE 36".				
				1	CVR	COVER SHEET
				2	IN-1	INDEX SHEET
				3	PRE-1	PREDEVELOPED PLAN
				4	GE-1	SITE AND UTILITY PLAN
				5	DR-1	DRAINAGE PLAN
				6	TM-1	TREE MITIGATION PLAN
				7	LS-1	LANDSCAPE PLAN
				8	LS-2	LOT MITIGATION TABLES
				9	LS-3	LOT MITIGATION TABLES
				10	DT-1	MISCELLANEOUS DETAILS
11	DT-2	SEWER & WATER DETAILS				
FIRE NOTES						
1. WHERE UNDERGROUND WATER MAINS AND HYDRANTS ARE TO BE PROVIDED, THEY SHALL BE INSTALLED, COMPLETED, AND IN SERVICE PRIOR TO COMMENCING CONSTRUCTION WORK ON ANY STRUCTURE. (NFPA 1, 16.4.3.1.3, 2009 EDITION) 2. CLEARANCES OF SEVEN AND ONE HALF FEET (7 FT-6 IN.) IN FRONT OF AND TO THE SIDES OF THE FIRE HYDRANT, WITH A FOUR FOOT CLEARANCE TO THE REAR OF THE HYDRANT. (NFPA 1, 18.3.4.1, 2009) 3. NEW FIRE HYDRANT(S) SHALL BE INSTALLED SO THAT POSITIONED NOT MORE THAN 7 FEET 6 INCHES AWAY FROM CURB OR BERM OF THE ROADWAY.						
LEGEND		SEWER NOTES				
-----<----- EXISTING VALVE ----- WM ----- EXISTING WATER LINE ----- SAN ----- EXISTING SANITARY SEWER  EXISTING FIRE HYDRANT ----- SAN ----- PROPOSED SANITARY SEWER ----- WM ----- PROPOSED WATER LINE  PROPOSED FIRE HYDRANT ----- EXISTING EDGE OF PAVEMENT ----- EXISTING PROPERTY LINE		 PROPOSED SPOT ELEVATION S-5 DRAINAGE STRUCTURE P-1 PIPE ----- 15.0 ----- PROPOSED CONTOUR ----- PROPOSED EDGE OF PAVEMENT ----- PROPOSED PROPERTY LINE ----- PROPOSED R.O.W. LINE ----- 16 ----- EXISTING CONTOUR				

REGISTERED DESIGN PROFESSIONAL



ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 56177

GILLETTE & ASSOCIATES, INC.

CIVIL, ENVIRONMENTAL, MECHANICAL, & STRUCTURAL ENGINEERING

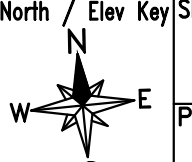
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL PE NO. 56177

SOUTH 13TH STREET DEVELOPMENT

1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24
PREDEVELOPED
SITE PLAN

North / Elev Key Sheet



PRE-1
Page 2 of

31 S. 4th STREET, SUITE 1 * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819 * www.gilletteassociates.com

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 ASA R. GILLETTE, P.E.
 FLORIDA P.E. NO. 56177

REV	DATE	ITEM
A	10/24/23	C.O.F.B. TECHNICAL REVIEW COMMITTEE SUBMITAL #1
B	01/08/24	C.O.F.B. TRC REVIEW - RESPONSE TO COMMENTS #1
C		
D		
E		

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SOUTH 13TH STREET DEVELOPMENT
 1110 SOUTH 13TH STREET,
 FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24

DRAINAGE PLAN

North / Elev Key Sheet

 DR-1
 Page 5 of

STRUCTURE TABLE					
NAME	TYPE	TOP/INLET ELEV.	INVERT ELEVATION		
			N	S	E W
S-1	ADS 18"Ø	21.0	-	-	18.50 -
S-2	ADS 18"Ø	20.8	-	-	18.30 18.30
S-3	ADS 18"Ø	20.5	-	18.00 -	18.00
S-4	ADS 18"Ø	20.0	17.50 -	-	-
S-5	ADS 18"Ø	20.2	-	-	17.70 -
S-6	TYPE C INLET	20.0	-	17.50 -	17.50
S-7	ADS 18"Ø	19.0	16.50 -	-	-
S-OUT-1	TYPE C MODIF.	20.8	-	-	18.30
S-OFF-1	TYPE C INLET	19.5	-	-	17.0 -
S-OFF-2	MES	-	19.70 -	-	-
S-OFF-3	MES	-	-	19.50 -	-

DRAINAGE NOTES:

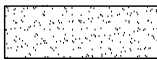
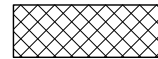
MULTIPLE DRY POND SYSTEMS UTILIZING TREATMENT VOLUME (POLUTION CONTROL):
 TREATMENT VOLUME CALCULATIONS:
 - 1.0" OVER TOTAL SITE: TVR = 4,677 CF
 - 1.5" OVER IMPERVIOUS AREA: TVR = 2,975 CF
 TOTAL TREATMENT VOLUME PROVIDED: 6,246 CF

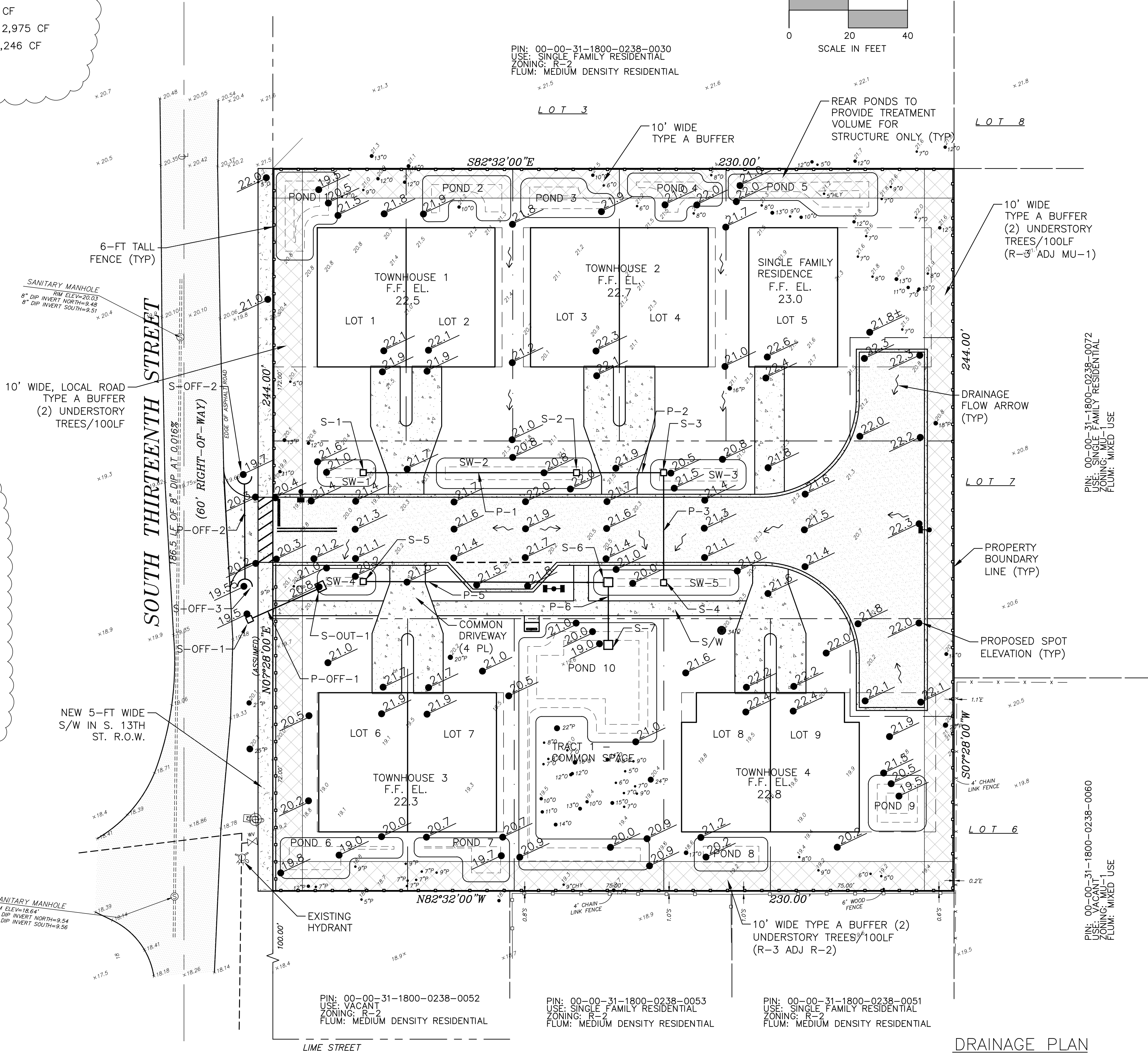
PIPE TABLE					
NAME	SIZE	TYPE	LENGTH	FROM	TO
P-1	15"	ADS HP	70'	S-1	S-2
P-2	15"	ADS HP	28'	S-2	S-3
P-3	15"	ADS HP	36'	S-3	S-4
P-5	15"	ADS HP	80'	S-5	S-6
P-6	15"	ADS HP	18'	S-6	S-7
P-OFF-1	15"	ADS HP	27'	S-OUT-1	S-OFF-1
P-OFF-2	15"	ADS HP	33'	S-OFF-2	S-OFF-3

LOT TABLE								
LOT #	LOT WIDTH	LOT LENGTH	MEASURED LOT AREA (SF)	CALCULATED DENSITY AREA (SF)	IMP. AREA (SF)	IMP. AREA (%)	TREATMENT VOLUME REQ'D (CF)	TREATMENT VOLUME PROVIDED (CF)
1	45'	92'	4140	5490	1,667	40.3%	345	542
2	36'	92'	3312	4392	1,667	50.3%	276	258
3	36'	92'	3312	4392	1,667	50.3%	276	338
4	36'	92'	3312	4392	1,667	50.3%	276	241
5	77'	92'	7084	9394	1,660	23.4%	590	548
6	45.5'	92'	4186	5551	1,667	39.8%	349	299
7	36'	92'	3312	4392	1,667	50.3%	276	216
8	36'	92'	3312	4392	1,615	50.3%	276	190
9	62'	92'	5704	7564	1,615	28.3%	475	381
TRACT 1	50.5'	92'	4646	-	-	-	-	-
R.O.W.	-	-	13,800	-	10,392	-	1,299	2,882

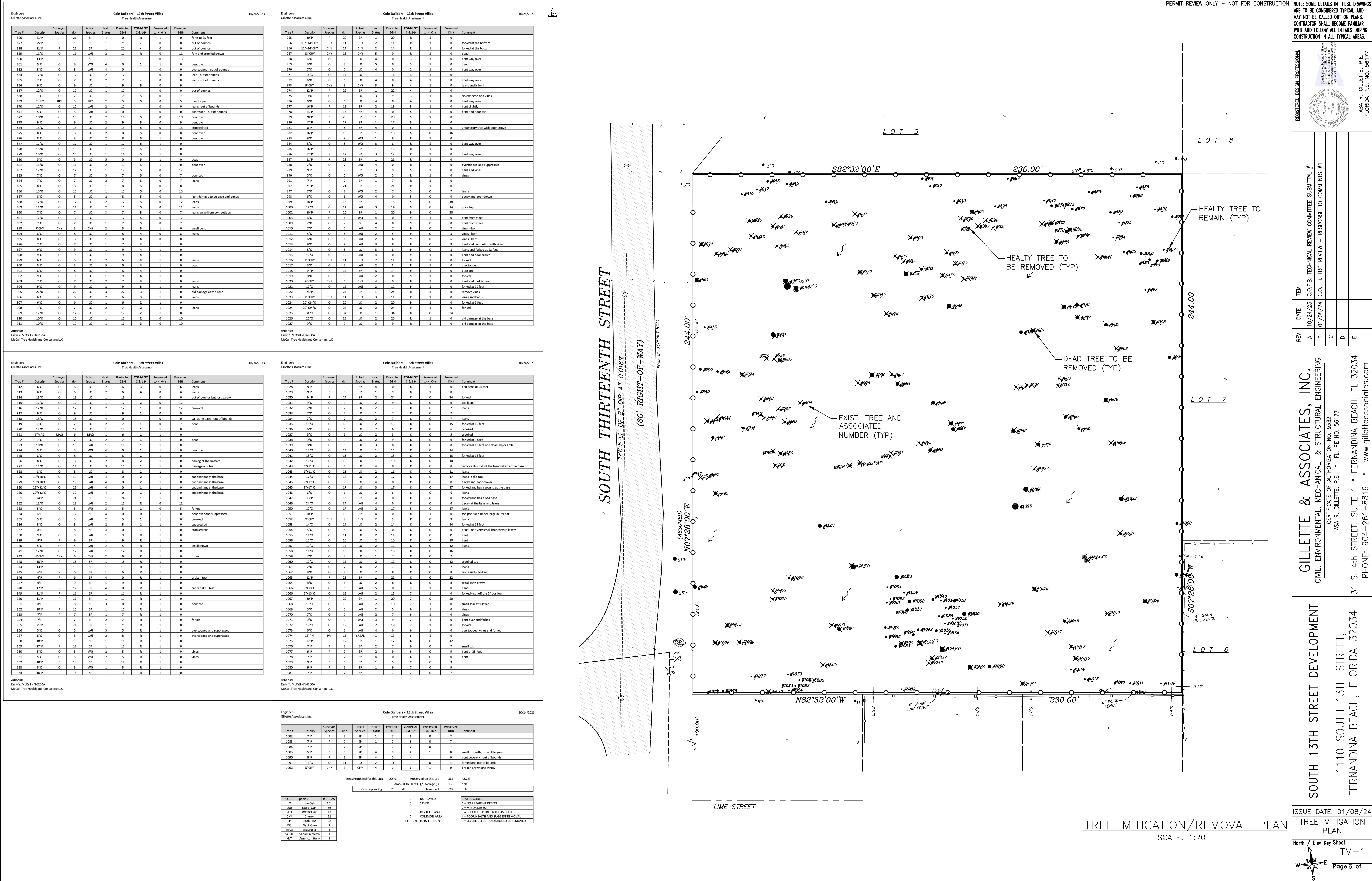
PROPERTY INFORMATION:

- PID#: 00-00-31-1800-0238-0040
- ACREAGE: 1.29 ACRES (56,120 SF)
- LOCATION: FERNANDINA BEACH, FL
- FLOOD ZONE: X
- ZONING: R-3
- FUTURE LAND USE: HIGH DENSITY RESIDENTIAL
- PROPOSED USE: SINGLE FAMILY RESIDENTIAL UNITS

LEGEND	
	ASPHALT
	CONCRETE
	LANDSCAPE BUFFER



DRAINAGE PLAN
 SCALE: 1:20



TREE MITIGATION AND PLANTING REQUIREMENTS							
LOT #	TOTAL LOT AREA (SF)	NO. OF SHADE TREES REQ'D PER LOT (2)/(2,500 SF)	NO. OF EXISTING SHADE TREES	REQ'D SHADE TREES PER LOT TO BE PLANTED	MITIGATION INCHES TO BE PLANTED	NO. OF MITIGATED TREES TO PLANT	NO. OF TREES TO TREE FUND
1	4,140	3	4	0	12.5	5	5
2	3,312	3	1	0	5.5	2	0
3	3,312	3	2	0	13	5	5
4	3,312	3	3	0	14	6	6
5	7,084	6	17	0	0	0	0
6	4,186	3	5	0	0	0	0
7	3,312	3	5	0	0	0	0
8	3,312	3	2	1	0	0	0
9	5,704	5	8	0	10	4	0

TABLE NOTES:
- SHADE TREES REQUIRED PER LOT IS PER LDC 4.05.05(A).
- SEE SHEETS LS-2 AND LS-3 FOR CALCULATED MITIGATION INCHES TO BE PLANTED PER LOT.
- NUMBER OF TREES FOR MITIGATION REQUIREMENTS ARE BASED ON 2.5" DBH PER TREE. IF LARGER DBH TREES ARE USED, ADJUST QUANTITY ACCORDINGLY BASED ON MITIGATION INCHES TO BE PLANTED. TREE FUND REQUIREMENTS ARE BASED ON 2.5" DBH PER TREE PER THE L.D.C.

LANDSCAPE BUFFER REQUIREMENTS

NORTH PROPERTY LINE:
ADJACENT ZONING: R-2
REQUIRED BUFFER TYPE: A
REQUIRED BUFFER WIDTH: 10 FT MIN.

REQUIRED TREES PER 100 FT:
- 2 UNDERSTORY TREES
- PLANTED TREES MUST BE A MINIMUM OF 3" CAL

PROPERTY LINE LENGTH: 230 FT
TREES REQUIRED: (230/100)*(2) = 5 U/S TREES
PROPOSED TREES:
- 8 EXISTING CANOPY TREES (SAVED)
- NO ADD'L TREES TO BE PLANTED

EAST PROPERTY LINE:
ADJACENT ZONING: MU-1
REQUIRED BUFFER TYPE: A
REQUIRED BUFFER WIDTH: 10 FT MIN.

REQUIRED TREES PER 100 FT:
- 2 UNDERSTORY TREES
- PLANTED TREES MUST BE A MINIMUM OF 3" CAL

PROPERTY LINE LENGTH: 244 FT
TREES REQUIRED: (244/100)*(2) = 5 U/S TREES
PROPOSED TREES:
- 6 EXISTING CANOPY TREES (SAVED)
- NO ADD'L TREES TO BE PLANTED

SOUTH PROPERTY LINE:
ADJACENT ZONING: R-2
REQUIRED BUFFER TYPE: A
REQUIRED BUFFER WIDTH: 10 FT MIN.

REQUIRED TREES PER 100 FT:
- 2 UNDERSTORY TREES
- PLANTED TREES MUST BE A MINIMUM OF 3" CAL

PROPERTY LINE LENGTH: 230 FT
TREES REQUIRED: (230/100)*(2) = 5 U/S TREES
PROPOSED TREES:
- 16 EXISTING CANOPY TREES (SAVED)
- NO ADD'L TREES TO BE PLANTED

WEST PROPERTY LINE:
ADJACENT ROADWAY: SOUTH 13TH STREET (LOCAL ROAD)
REQUIRED BUFFER TYPE: A
REQUIRED BUFFER WIDTH: 10 FT MIN.

REQUIRED TREES PER 100 FT:
- 2 UNDERSTORY TREES
- PLANTED TREES MUST BE A MINIMUM OF 3" CAL

PROPERTY LINE LENGTH: 244 FT
TREES REQUIRED: (244/100)*(2) = 5 U/S TREES
PROPOSED TREES:
- 4 EXISTING CANOPY TREES (SAVED)
- 2 ADD'L TREES TO BE PLANTED

I, Early Y. McCall, am a certified arborist through the International Society of Arboriculture and my certification number is FL6200A. I hereby attest that I have approved this tree protection and/or replacement plan. This includes not only the evaluation of individual trees, but also review of the complete construction plan set and the techniques that will be utilized to mitigate impacts to protected trees. Further, I attest that best practices, as supported by the International Society of Arboriculture, are being implemented to avoid and mitigate impacts to protected trees.

Signed,

Early Y. McCall

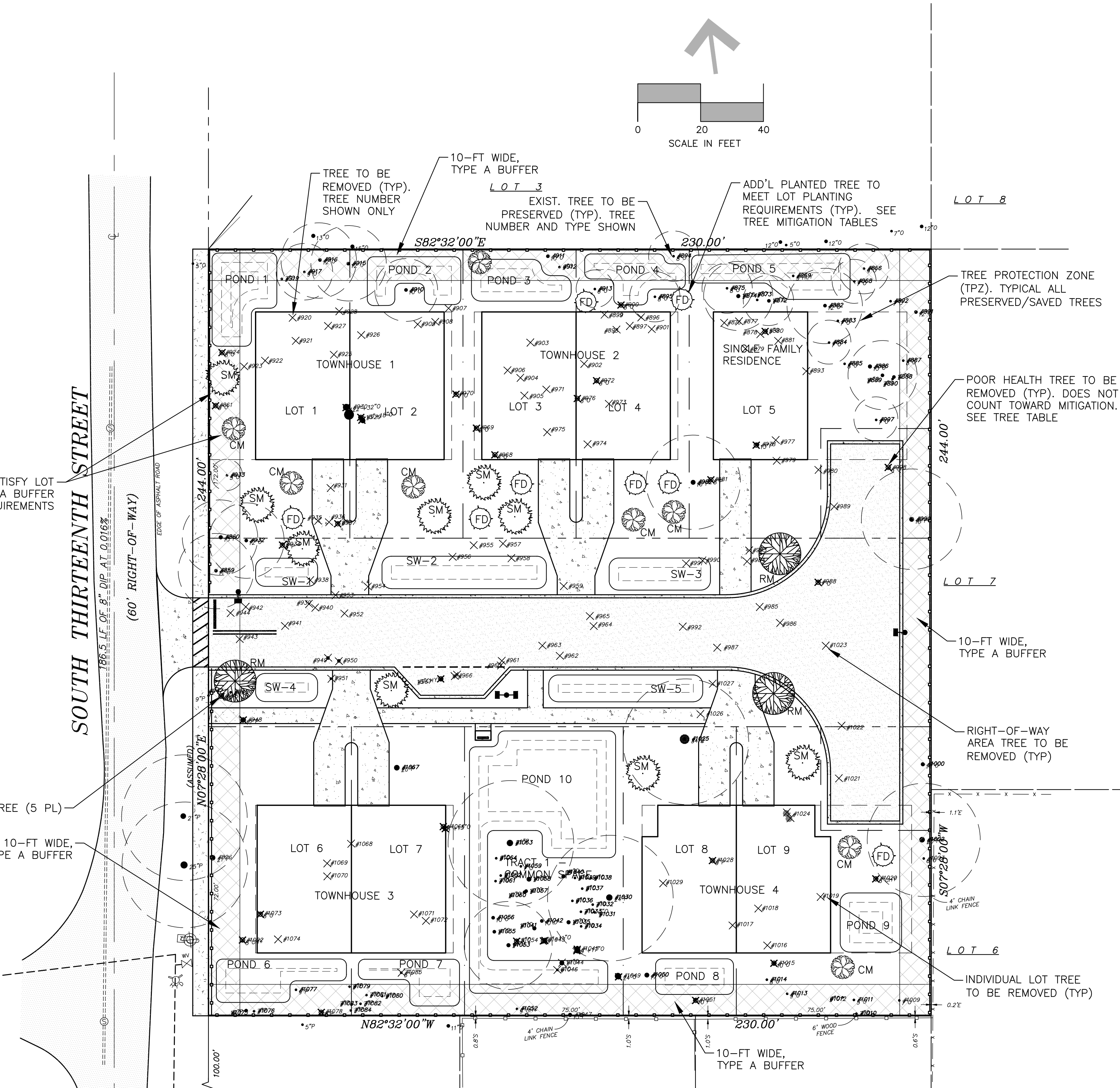
LDC 4.05.11(E) REQUIREMENT:
- STREET TREES REQUIREMENT:
(1) SHADE TREE/ 50 L.F.
- NEW ROAD FRONTAGE = 220 FEET
230 / 50 = 5 TREES REQ'D
- STREET TREES PROVIDED = 5

PLANT SCHEDULE				
SYMBOL	QTY.	KEY	SPECIES	SIZE/REMARKS
	5	RM	ACER RUBRUM	3" CAL MIN.
	7	SM	MAGNOLIA GRANDIFLORA	3" CAL MIN.
	5	CM	LAGERSTOEMIA SPP.	3" CAL MIN.
	4	WF	CHIONANTHUS VIRGINICUS	3" CAL MIN.
	6	FD	CORNUS FLORIDA	3" CAL MIN.
	5	LB	GORDONIA IASIANUS	3" CAL MIN.
			LOBLOLLY BAY	

NEW TREES TO SATISFY LOT 1 AND TYPE A BUFFER PLANTING REQUIREMENTS

STREET TREE (5 PL)

10-FT WIDE, TYPE A BUFFER



LANDSCAPE PLAN
SCALE: 1:20

NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.

REGISTERED DESIGN PROFESSIONAL
ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 56177

REV	DATE	ITEM	DESCRIPTION
A	10/24/23	C.O.F.B.	TECHNICAL REVIEW COMMITTEE SUBMITTAL #1
B	01/08/24	C.O.F.B.	TRC REVIEW - RESPONSE TO COMMENTS #1
C			
D			
E			

GILLETTE & ASSOCIATES, INC.
CIVIL, ENVIRONMENTAL, MECHANICAL & STRUCTURAL ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL PE NO. 56177
31 S. 4th STREET, SUITE 1 * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819 * www.gilletteassociates.com

SOUTH 13TH STREET DEVELOPMENT
1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24

LANDSCAPE PLAN

North / Elev Key Sheet
W N E S
LS-1
Page 7 of

Engineer:
Gillette Associates, Inc.

LOT 1 – TREE MITIGATION TABLE
Cole Builders - 13th Street Villas
Tree Health Assessment

10/24/2023

Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
860	13"P	P	13	SP	1	13	1	0	13	
861	9"O	O	9	WO	4	0	1	1	0	bent over
916	12"O	O	12	LO	2	12	1	0	12	crooked
917	9"O	O	9	LO	1	9	1	0	9	
919	7"O	O	7	LO	2	7	1	0	7	bent
920	12"O	O	12	LO	1	12	1	1	0	
921	6" MAG	MAG	6	MAG	1	6	1	1	0	
922	7"O	O	7	LO	2	7	1	1	0	bent
923	10"O	O	10	LAU	1	10	1	1	0	
924	5"O	O	5	WO	4	0	1	1	0	bent over
925	8"O	O	8	LO	1	8	1	1	0	
927	11"O	O	11	LO	3	11	1	1	0	damage at 8 feet
928	8"O	O	8	LO	1	8	1	1	0	
930	22"+32"O	O	22	LAU	4	0	1	1	0	codominant at the base
930	22"+32"O	O	32	LAU	4	0	1	1	0	codominant at the base
931	24"P	P	24	SP	1	24	1	1	0	
933	5"O	O	5	WO	3	5	1	0	5	forked
935	5"O	O	5	LAU	2	5	1	1	0	crooked
936	5"O	O	5	LAU	2	5	1	1	0	suppressed
937	8"P	P	8	SP	4	0	1	1	0	crooked bad

Trees Protected for this Lot: 142 Preserved on this Lot: 46 32.4%

Amount to Plant (+) / Overage (-): 25 dbh

Onsite planting: 12.5 dbh Tree fund: 12.5 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED
0 SAVED
R RIGHT OF WAY
C COMMON AREA
1 THRU 9 LOTS 1 THRU 9

STATUS CODES
1 = NO APPARENT DEFECT
2 = MINOR DEFECT
3 = COULD KEEP TREE BUT HAS DEFECTS
4 = POOR HEALTH AND SUGGEST REMOVAL
5 = SEVERE DEFECT AND SHOULD BE REMOVED

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

LOT 2 – TREE MITIGATION TABLE
Cole Builders - 13th Street Villas
Tree Health Assessment

10/24/2023

Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
907	6"O	O	6	LO	1	6	2	1	0	
908	7"O	O	7	LO	2	7	2	1	0	leans
909	12"O	O	12	LO	1	12	2	1	0	
910	10"O	O	10	LO	1	10	2	0	10	
915	12"O	O	12	LO	1	12	2	0	12	
926	8"O	O	8	LO	2	8	2	1	0	damag at the bottom
929	13"+18"O	O	13	LAU	4	0	2	1	0	codominant at the base
929	13"+18"O	O	18	LAU	4	0	2	1	0	codominant at the base
970	7"O	O	7	LO	4	0	2	1	0	bent way over

Trees Protected for this Lot: 55 Preserved on this Lot: 22 40.0%

Amount to Plant (+) / Overage (-): 5.5 dbh

Onsite planting: 5.5 dbh Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED
0 SAVED
R RIGHT OF WAY
C COMMON AREA
1 THRU 9 LOTS 1 THRU 9

STATUS CODES
1 = NO APPARENT DEFECT
2 = MINOR DEFECT
3 = COULD KEEP TREE BUT HAS DEFECTS
4 = POOR HEALTH AND SUGGEST REMOVAL
5 = SEVERE DEFECT AND SHOULD BE REMOVED

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

Engineer:
Gillette Associates, Inc.

LOT 3 – TREE MITIGATION TABLE
Cole Builders - 13th Street Villas
Tree Health Assessment

10/24/2023

Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
903	7"O	O	7	LO	2	7	3	1	0	leans
904	9"O	O	9	LO	2	9	3	1	0	leans
905	22"O	O	22	LO	3	22	3	1	0	old damage at the base
906	6"O	O	6	LO	2	6	3	1	0	leans
911	10"O	O	10	LO	1	10	3	0	10	
912	6"O	O	6	LO	2	6	3	0	6	leans
968	6"O	O	6	LO	4	0	3	1	0	bent way over
969	9"O	O	9	LO	5	0	3	1	0	dead
971	14"O	O	14	LO	1	14	3	1	0	
975	9"O	O	9	LO	3	9	3	1	0	severe bend and vines

Trees Protected for this Lot: 83 Preserved on this Lot: 16 19.3%

Amount to Plant (+) / Overage (-): 25.5 dbh

Onsite planting: 13 dbh Tree fund: 13 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED
0 SAVED
R RIGHT OF WAY
C COMMON AREA
1 THRU 9 LOTS 1 THRU 9

STATUS CODES
1 = NO APPARENT DEFECT
2 = MINOR DEFECT
3 = COULD KEEP TREE BUT HAS DEFECTS
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5 = SEVERE DEFECT AND SHOULD BE REMOVED

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

LOT 4 – TREE MITIGATION TABLE
Cole Builders - 13th Street Villas
Tree Health Assessment

10/24/2023

Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
894	8"O	O	8	LO	2	8	4	0	8	leans
895	8"O	O	8	LO	1	8	4	0	8	
896	7"O	O	7	LO	1	7	4	1	0	
897	9"O	O	9	LO	1	9	4	1	0	
898	9"O	O	9	LO	1	9	4	1	0	
899	6"O	O	6	LO	2	6	4	1	0	leans
900	5"O	O	5	LO	5	0	4	1	0	dead
901	8"O	O	8	LO	1	8	4	1	0	
902	9"O	O	9	LO	1	9	4	1	0	
913	6"O	O	6	LO	2	6	4	0	6	leans
972	6"O	O	6	LO	4	0	4	1	0	bent way over
973	9"CHY	CHY	9	CHY	3	9	4	1	0	leans and is bent
974	22"P	P	22	SP	1	22	4	1	0	
976	6"O	O	6	LO	4	0	4	1	0	bent way over

Trees Protected for this Lot: 101 Preserved on this Lot: 22 21.8%

Amount to Plant (+) / Overage (-): 28.5 dbh

Onsite planting: 14 dbh Tree fund: 14 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED
0 SAVED
R RIGHT OF WAY
C COMMON AREA
1 THRU 9 LOTS 1 THRU 9

STATUS CODES
1 = NO APPARENT DEFECT
2 = MINOR DEFECT
3 = COULD KEEP TREE BUT HAS DEFECTS
4 = POOR HEALTH AND SUGGEST REMOVAL
5 = SEVERE DEFECT AND SHOULD BE REMOVED

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

Engineer:
Gillette Associates, Inc.

LOT 5 – TREE MITIGATION TABLE
Cole Builders - 13th Street Villas
Tree Health Assessment

10/24/2023

Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
866	9"O	O	9	LO	1	9	5	0	9	
868	7"O	O	7	LO	1	7	5	0	7	
869	5"HLV	HLV	5	HLV	2	5	5	0	5	overtopped
872	10"O	O	10	LO	2	10	5	0	10	bent over
873	9"O	O	9	LO	2	9	5	0	9	bent over
874	13"O	O	13	LO	2	13	5	0	13	crooked top
875	8"O	O	8	LO	2	8	5	0	8	bent over
876	8"O	O	8	LO	2	8	5	1	0	bent over
877	17"O	O	17	LO	1	17	5	1	0	
878	15"O	O	15	LO	1	15	5	1	0	
879	16"O	O	16	LO	1	16	5	1	0	
880	5"O	O	5	LO	5	0	5	1	0	dead
881	11"O	O	11	LO	2	11	5	1	0	bent over
882	12"O	O	12	LO	1	12	5	0	12	
883	7"O	O	7	LO	3	7	5	0	7	poor top
884	7"O	O	7	LO	2	7	5	0	7	leans
885	8"O	O	8	LO	1	8	5	0	8	
886	13"O	O	13	LO	1	13	5	0	13	
887	8"O	O	8	LO	2	8	5	0	8	light damage to be base and bends
888	12"O	O	12	LO	2	12	5	0	12	leans
889	11"O	O	11	LO	2	11	5	0	11	leans
890	7"O	O	7	LO	3	7	5	0	7	leans away from competition
891	12"O	O	12	LO	1	12	5	0	12	
892	7"O	O	7	LO	1	7	5	0	7	
893	5"CHY	CHY	5	CHY	2	5	5	1	0	small bend
977	16"P	P	16	SP	2	16	5	1	0	bent slightly
978	13"P	P	13	SP	4	0	5	1	0	bent and poor top
979	20"P	P	20	SP	1	20	5	1	0	
980	17"P	P	17	SP	1	17	5	1	0	
981	8"P	P	8	SP	4	0	5	1	0	understory tree with poor crown
982	16"P	P	16	SP	1	16	5	0	16	
989	9"P	P	9	SP	3	9	5	1	0	bent and vines
997	7"O	O	7	WO	2	7	5	0	7	leans
998	6"O	O	6	WO	4	0	5	0	0	decay and poor crown
999	18"P	P	18	SP	1	18	5	0	18	

Trees Protected for this Lot: 340 Preserved on this Lot: 206 60.6%

Amount to Plant (+) / Overage (-): -36 dbh

Onsite planting: -36 dbh Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED
0 SAVED
R RIGHT OF WAY
C COMMON AREA
1 THRU 9 LOTS 1 THRU 9

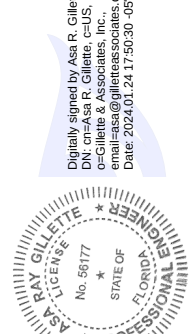
STATUS CODES
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2 = MINOR DEFECT
3 = COULD KEEP TREE BUT HAS DEFECTS
4 = POOR HEALTH AND SUGGEST REMOVAL
5 = SEVERE DEFECT AND SHOULD BE REMOVED

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

PERMIT REVIEW ONLY – NOT FOR CONSTRUCTION

NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.

REGISTERED DESIGN PROFESSIONAL



ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 9332

REV	DATE	ITEM
A	10/24/23	C.O.F.B. TECHNICAL REVIEW COMMITTEE SUBMITAL #1
B	01/08/24	C.O.F.B. TRC REVIEW – RESPONSE TO COMMENTS #1
C		
D		
E		

GILLETTE & ASSOCIATES, INC.
CIVIL, ENVIRONMENTAL, MECHANICAL & STRUCTURAL ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL PE NO. 56177
31 S. 4th STREET, SUITE 1 * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819 * www.gilletteassociates.com

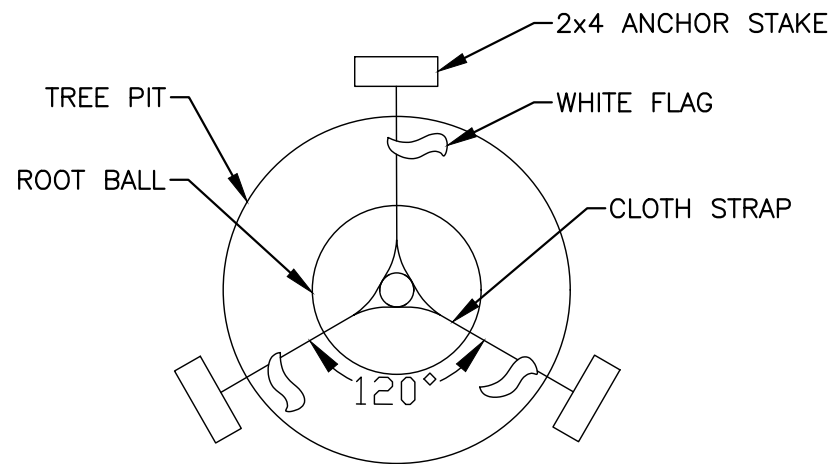
SOUTH 13TH STREET DEVELOPMENT
1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24

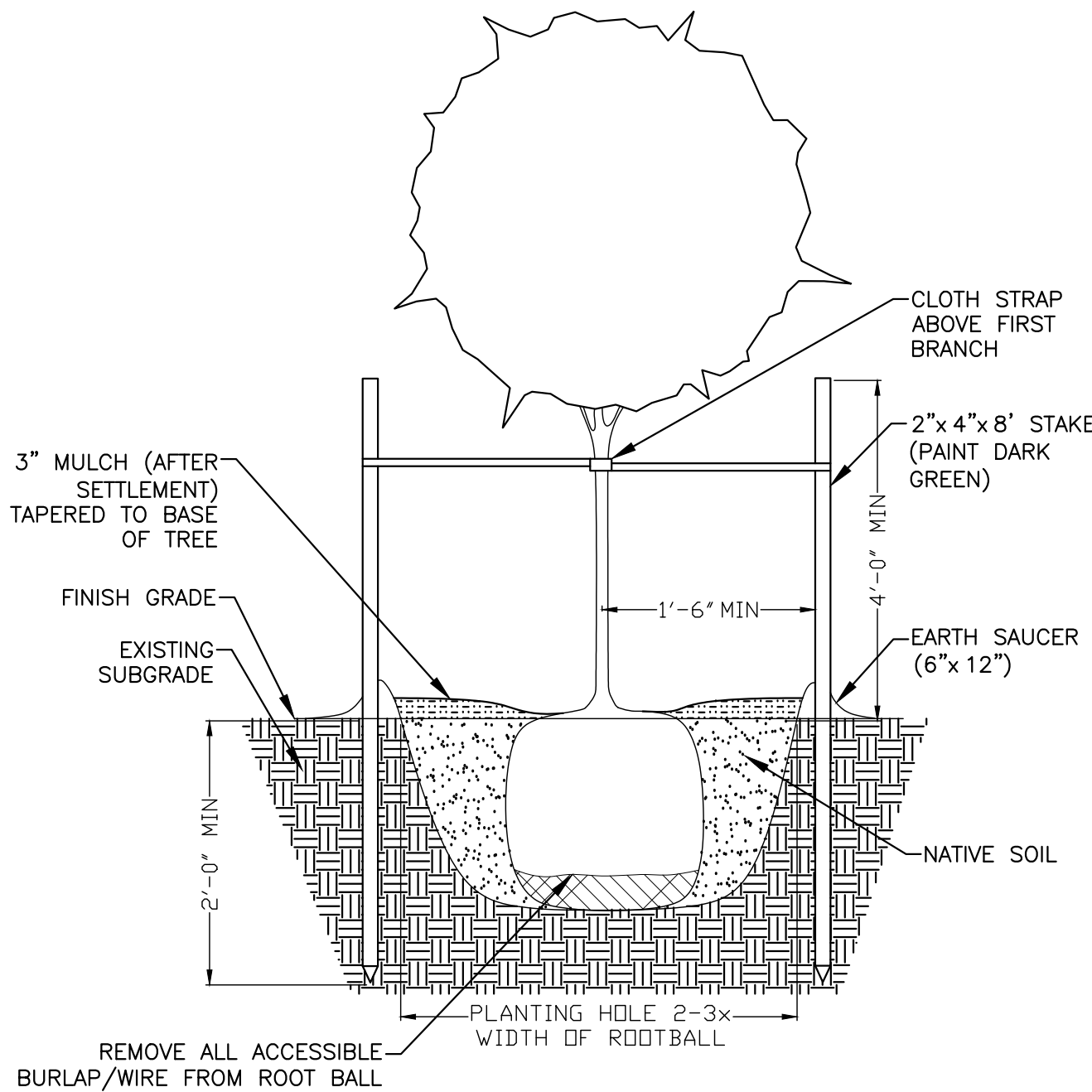
TREE MITIGATION
TABLES BY LOT

PLANT MATERIAL NOTES

ALL INSTALLED TREES, SHRUBS AND GROUNDCOVERS SHALL CONFORM TO THE STANDARDS FOR FLORIDA GRADE #1 OR BETTER ACCORDING TO THE CURRENT EDITION OF "GRADES AND STANDARDS FOR NURSERY PLANTS" PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF PLANT INDUSTRY. SYNTHETIC OR ARTIFICIAL TREES, SHRUBS, GROUNDCOVERS OR VINES ARE NOT ACCEPTABLE SUBSTITUTES. IN CHOOSING PLANT MATERIALS, CONSIDERATION SHOULD BE GIVEN TO THE AMOUNT OF SUN OR SHADE, THE WETNESS OR DRYNESS OF THE SOIL, THE EFFECTS OF SALT SPRAY (WHERE APPLICABLE), THE AMOUNT OF IRRIGATION REQUIRED AND THE MATURE SIZE AND SPATIAL NEEDS OF PLANTS CHOSEN.



DETAIL 1
TREE STAKING PLAN



DETAIL 2
TREE PLANTING ELEVATION

LOT 6 — TREE MITIGATION TABLE										
Cole Builders - 13th Street Villas										
Tree Health Assessment										
Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
1069	5"O	O	5	LAU	2	5	6	1	0	vines
1070	7"O	O	7	LAU	2	7	6	1	0	vines
1073	6"O	O	6	LAU	4	0	6	1	0	overtopped, vines and forked
1074	13"PM	PM	13	SABAL	1	13	6	1	0	
1075	12"P	P	12	SP	1	12	6	0	12	
1076	7"P	P	7	SP	2	7	6	0	7	small top
1077	9"P	P	9	SP	2	9	6	0	9	bent at 25 feet
1078	7"P	P	7	SP	4	0	6	0	0	bent
1083	7"P	P	7	SP	1	7	6	0	7	
1092	5"CHY	CHY	5	CHY	4	0	6	1	0	broken crown and vines.

Trees Protected for this Lot: 60

Preserved on this Lot: 35

58.3%

Amount to Plant (+) / Overage (-): -5 dbh

Onsite planting: -5 dbh

Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED

0 SAVED

R RIGHT OF WAY

C COMMON AREA

1 THRU 9 LOTS 1 THRU 9

STATUS CODES	
1 = NO APPARENT DEFECT	
2 = MINOR DEFECT	
3 = COULD KEEP TREE BUT HAS DEFECTS	
4 = POOR HEALTH AND SUGGEST REMOVAL	
5 = SEVERE DEFECT AND SHOULD BE REMOVED	

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

LOT 8 — TREE MITIGATION TABLE										
Cole Builders - 13th Street Villas										
Tree Health Assessment										
Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
1017	5"O	O	5	LAU	2	5	8	1	0	overtopped
1025	34"O	O	34	LO	1	34	8	0	34	
1028	9"P	P	9	SP	4	0	8	1	0	bad bend at 20 feet
1029	9"P	P	9	SP	1	9	8	1	0	
1050	17"O	O	17	LAU	2	17	8	0	17	leans
1051	10"P	P	10	SP	4	0	8	1	0	top poor and under large laurel oak

Trees Protected for this Lot: 65

Preserved on this Lot: 51

78.5%

Amount to Plant (+) / Overage (-): -18.5 dbh

Onsite planting: -19 dbh

Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED

0 SAVED

R RIGHT OF WAY

C COMMON AREA

1 THRU 9 LOTS 1 THRU 9

STATUS CODES	
1 = NO APPARENT DEFECT	
2 = MINOR DEFECT	
3 = COULD KEEP TREE BUT HAS DEFECTS	
4 = POOR HEALTH AND SUGGEST REMOVAL	
5 = SEVERE DEFECT AND SHOULD BE REMOVED	

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

LOT 7 — TREE MITIGATION TABLE										
Cole Builders - 13th Street Villas										
Tree Health Assessment										
Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
1066	5"+13"O	O	5	LAU	5	0	7	1	0	dead
1066	5"+13"O	O	13	LAU	2	13	7	1	0	forked - cut off the 5" portion.
1067	20"P	P	20	SP	1	20	7	0	20	
1068	10"O	O	10	LAU	2	10	7	1	0	small scar at 10 feet.
1071	9"O	O	9	WO	3	9	7	1	0	bent over and forked
1072	19"O	O	19	LAU	2	19	7	1	0	forked
1079	9"P	P	9	SP	1	9	7	0	9	
1080	9"P	P	9	SP	1	9	7	0	9	
1081	7"P	P	7	SP	1	7	7	0	7	
1082	7"P	P	7	SP	1	7	7	0	7	
1084	7"P	P	7	SP	1	7	7	0	7	
1085	5"P	P	5	SP	4	0	7	1	0	small top with just a little green

Trees Protected for this Lot: 110

Preserved on this Lot: 59

53.6%

Amount to Plant (+) / Overage (-): -4 dbh

Onsite planting: -4 dbh

Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED

0 SAVED

R RIGHT OF WAY

C COMMON AREA

1 THRU 9 LOTS 1 THRU 9

STATUS CODES	
1 = NO APPARENT DEFECT	
2 = MINOR DEFECT	
3 = COULD KEEP TREE BUT HAS DEFECTS	
4 = POOR HEALTH AND SUGGEST REMOVAL	
5 = SEVERE DEFECT AND SHOULD BE REMOVED	

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

LOT 9 — TREE MITIGATION TABLE										
Cole Builders - 13th Street Villas										
Tree Health Assessment										
Tree #	Descrip	Surveyor Species	dbh	Actual Species	Health Status	Protected DBH	COM/LOT C & 1-9	Preserved 1=N; 0=Y	Preserved DHB	Comment
1000	14"O	O	14	LAU	3	14	9	0	14	poor top
1002	20"P	P	20	SP	1	20	9	0	20	
1003	6"O	O	6	WO	4	0	9	1	0	bent from vines
1009	7"O	O	7	BG	4	0	9	0	0	bent from vines
1010	7"O	O	7	LAU	2	7	9	0	7	vines - bent
1011	5"O	O	5	LAU	2	5	9	0	5	vines - bent
1012	6"O	O	6	LAU	2	6	9	0	6	vines - bent
1013	9"O	O	9	LAU	3	9	9	0	9	bent and competition with vines
1014	8"O	O	8	LO	3	8	9	0	8	leans and forked at 12 feet
1015	10"O	O	10	LAU	4	0	9	1	0	bent and poor crown
1016	11"CHY	CHY	11	CHY	2	11	9	1	0	forked
1018	14"P	P	14	SP	3	14	9	1	0	poor top
1019	8"O	O	8	LAU	2	8	9	1	0	forked
1020	6"CHY	CHY	6	CHY	4	0	9	1	0	bent and part is dead
1021	12"O	O	12	LAU	2	12	9	1	0	forked at 20 feet
1024	20"+24"O	O	20	LO	2	20	9	1	0	forked at 5 feet
1024	20"+24"O	O	24	LO	2	24	9	1	0	forked

Trees Protected for this Lot: 158

Preserved on this Lot: 69

43.7%

Amount to Plant (+) / Overage (-): 10 dbh

Onsite planting: 10 dbh

Tree fund: 0 dbh

CODE	Species	# STEMS
LO	Live Oak	101
LAU	Laurel Oak	36
WO	Water Oak	13
CHY	Cherry	11
SP	Slash Pine	62
BG	Black Gum	1
MAG	Magnolia	1
SABAL	Sabal Palmetto	1
HLY	American Holly	1

1 NOT SAVED

0 SAVED

R RIGHT OF WAY

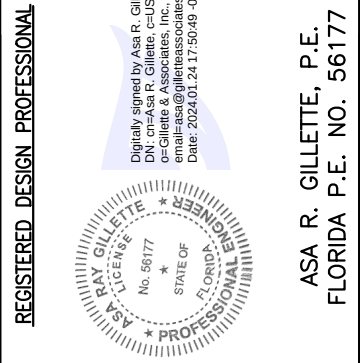
C COMMON AREA

1 THRU 9 LOTS 1 THRU 9

STATUS CODES	
1 = NO APPARENT DEFECT	
2 = MINOR DEFECT	
3 = COULD KEEP TREE BUT HAS DEFECTS	
4 = POOR HEALTH AND SUGGEST REMOVAL	
5 = SEVERE DEFECT AND SHOULD BE REMOVED	

Arborist:
Early Y. McCall - FL6200A
McCall Tree Health and Consulting LLC

NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.



REV	DATE	ITEM	DESCRIPTION
A	10/24/23	C.O.F.B.	TECHNICAL REVIEW COMMITTEE SUBMITAL #1
B	01/08/24	C.O.F.B.	TRC REVIEW - RESPONSE TO COMMENTS #1
C			
D			
E			

GILLETTE & ASSOCIATES, INC.
CIVIL, ENVIRONMENTAL, MECHANICAL & STRUCTURAL ENGINEERING
CERTIFICATE OF AUTHORIZATION NO. 9332
ASA R. GILLETTE, P.E. * FL PE NO. 56177
31 S. 4th STREET, SUITE 1 * FERNANDINA BEACH, FL 32034
PHONE: 904-261-8819 * www.gilletteassociates.com

SOUTH 13TH STREET DEVELOPMENT
1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24

TREE MITIGATION
TABLES BY LOT

NOTE: SOME DETAILS IN THESE DRAWINGS ARE TO BE CONSIDERED TYPICAL AND MAY NOT BE CALLED OUT ON PLANS. CONTRACTOR SHALL BECOME FAMILIAR WITH AND FOLLOW ALL DETAILS DURING CONSTRUCTION IN ALL TYPICAL AREAS.

REGISTERED DESIGN PROFESSIONAL

Seal of the State of Florida
Professional Engineer
No. 9332
Date 02/01/2017 to 12/31/2025

ASA R. GILLETTE, P.E.
FLORIDA P.E. NO. 9332

REV	DATE	ITEM	DESCRIPTION
A	10/24/23	C.O.F.B. TECHNICAL REVIEW COMMITTEE SUBMITTAL #1	
B	01/08/24	C.O.F.B. TRC REVIEW – RESPONSE TO COMMENTS #1	
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SOUTH 13TH STREET DEVELOPMENT

1110 SOUTH 13TH STREET,
FERNANDINA BEACH, FLORIDA 32034

ISSUE DATE: 01/08/24
SEWER AND WATER
DETAILS

North / Elev Key Sheet

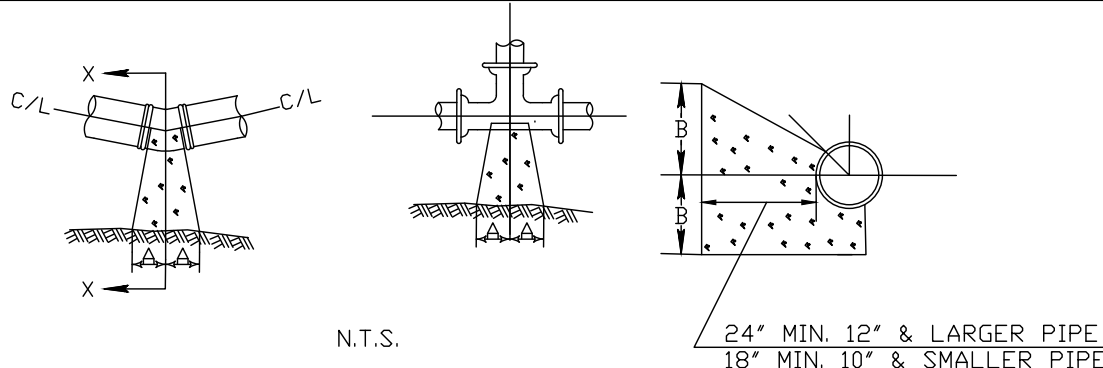
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N

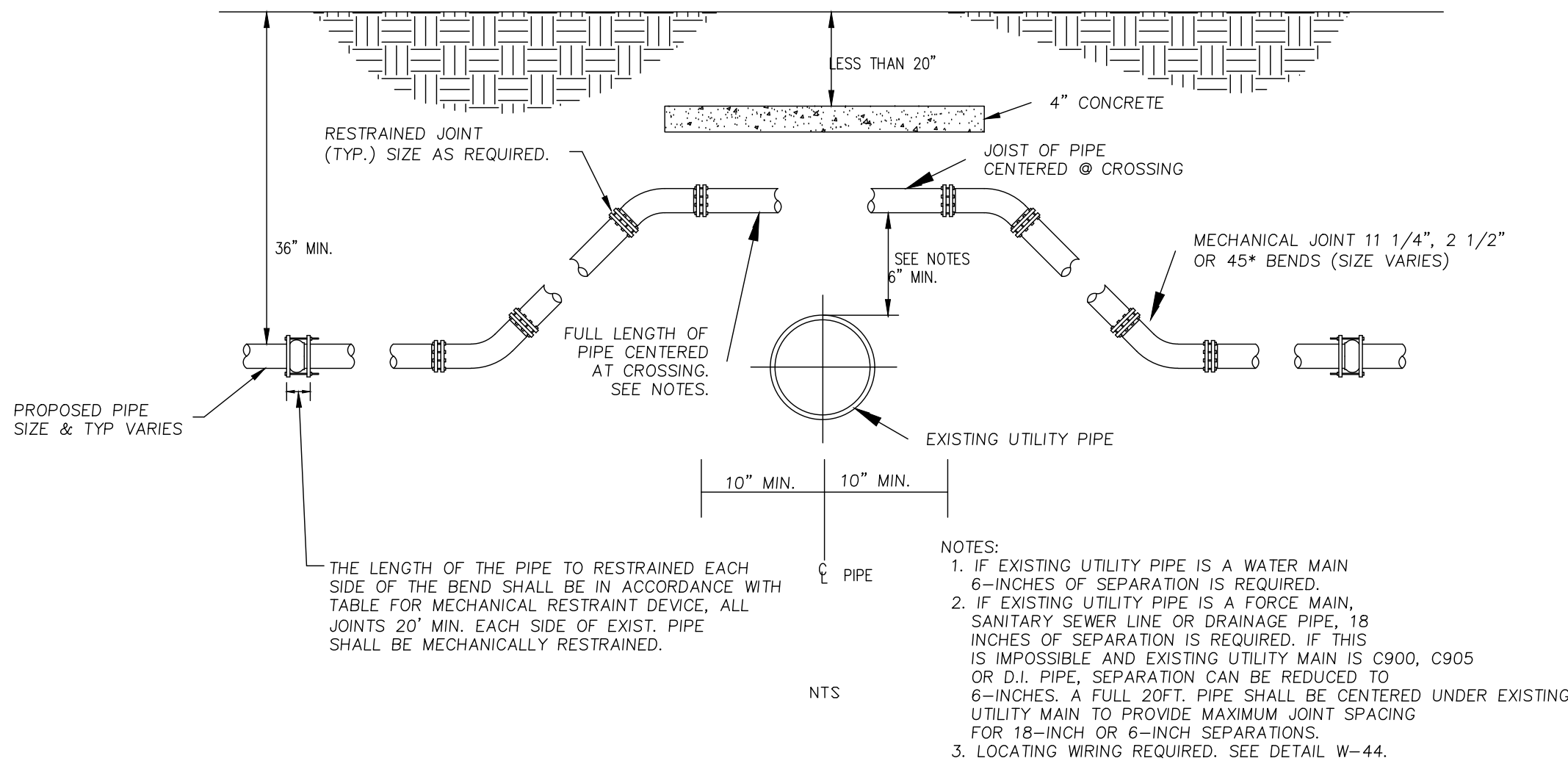
DT-2
Page 11 of 1



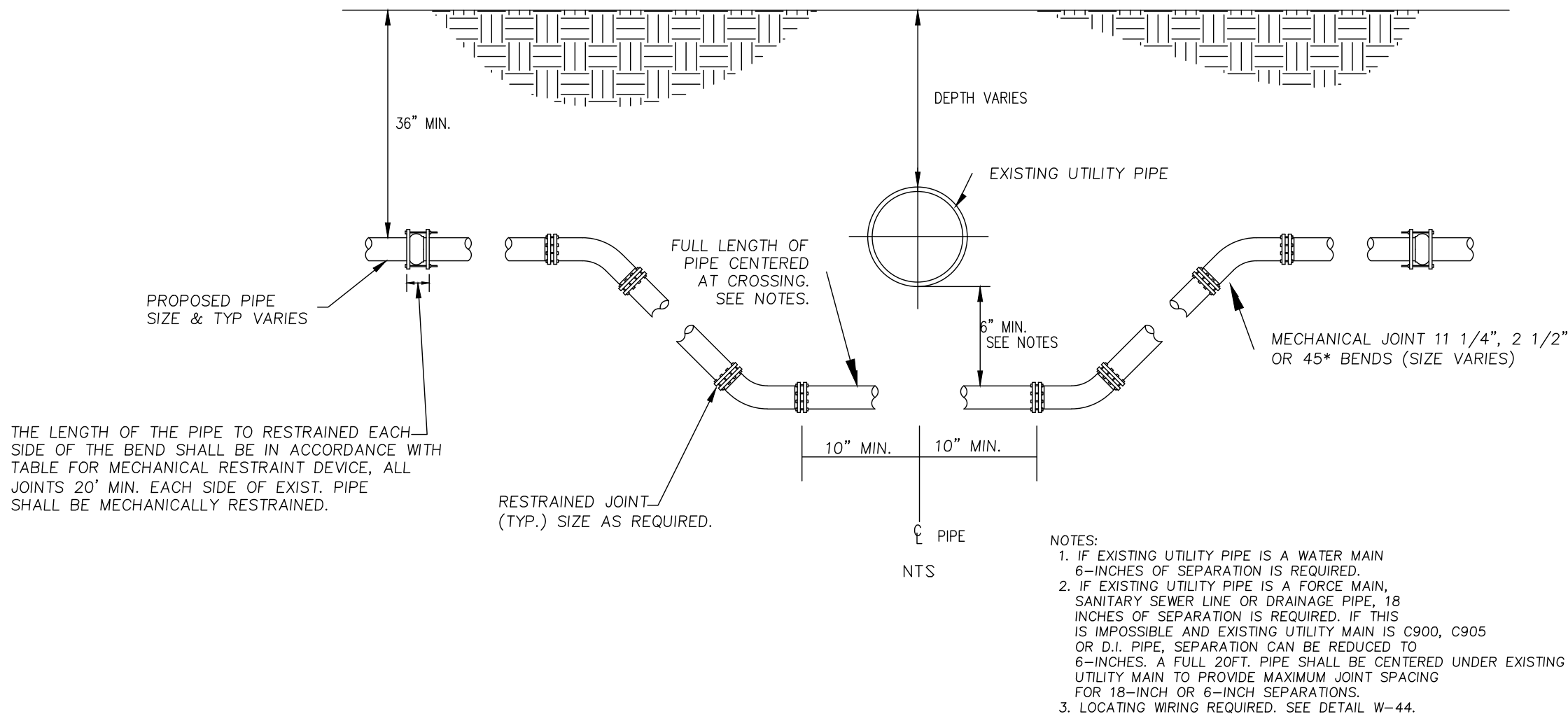
1/4 BENDS			1/8 BENDS			1/16 BENDS			TEE		
SIZE	A	B	CONC.	A	B	CONC.	A	B	CONC.	A	B
6"	16"	10"	3.2	9"	10"	3.0	6"	8"	1.3	6"	10"
8"	22"	13"	7.5	12"	13"	3.7	8"	10"	2.1	8"	13"
10"	26"	17"	11.5	14"	17"	5.9	10"	13"	3.6	10"	16"
12"	29"	21"	21.1	16"	21"	8.6	11"	16"	6.6	12"	18"
14"	35"	24"	23.8	19"	24"	14.5	12"	20"	8.5	14"	22"
16"	38"	27"	37.8	21"	27"	18.1	12"	24"	11.2	16"	24"
20"	47"									20"	30"

- NOTE:
- ALL BEARING SURFACES TO BE CARRIED TO UNDISTURBED SOIL.
 - THESE TABLES SHOW MINIMUM SIZE THRUST BLOCKS FOR GOOD SOIL, (A-1 THROUGH A-3, CLEAN SAND AND GRAVELS)
 - POOR SOIL (A-4 THROUGH A-8, SILTY SOILS, CLAYS, MUCK AND PEAT) WILL REQUIRE LARGER THRUST BLOCKS.

THRUST BLOCKS FOR BENDS & TEE'S



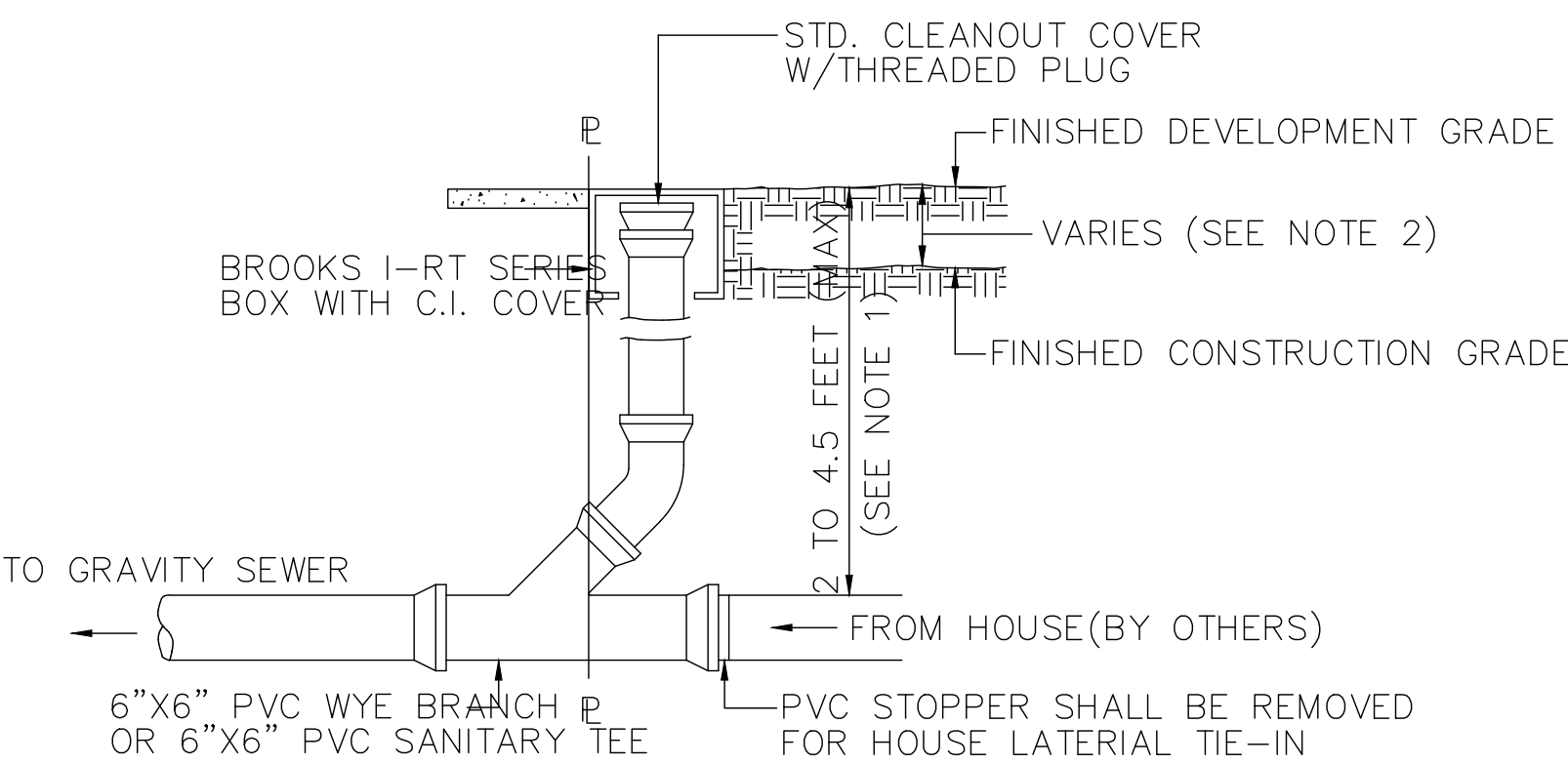
UTILITY CONFLICT DETAIL "A"



UTILITY CONFLICT DETAIL "B"

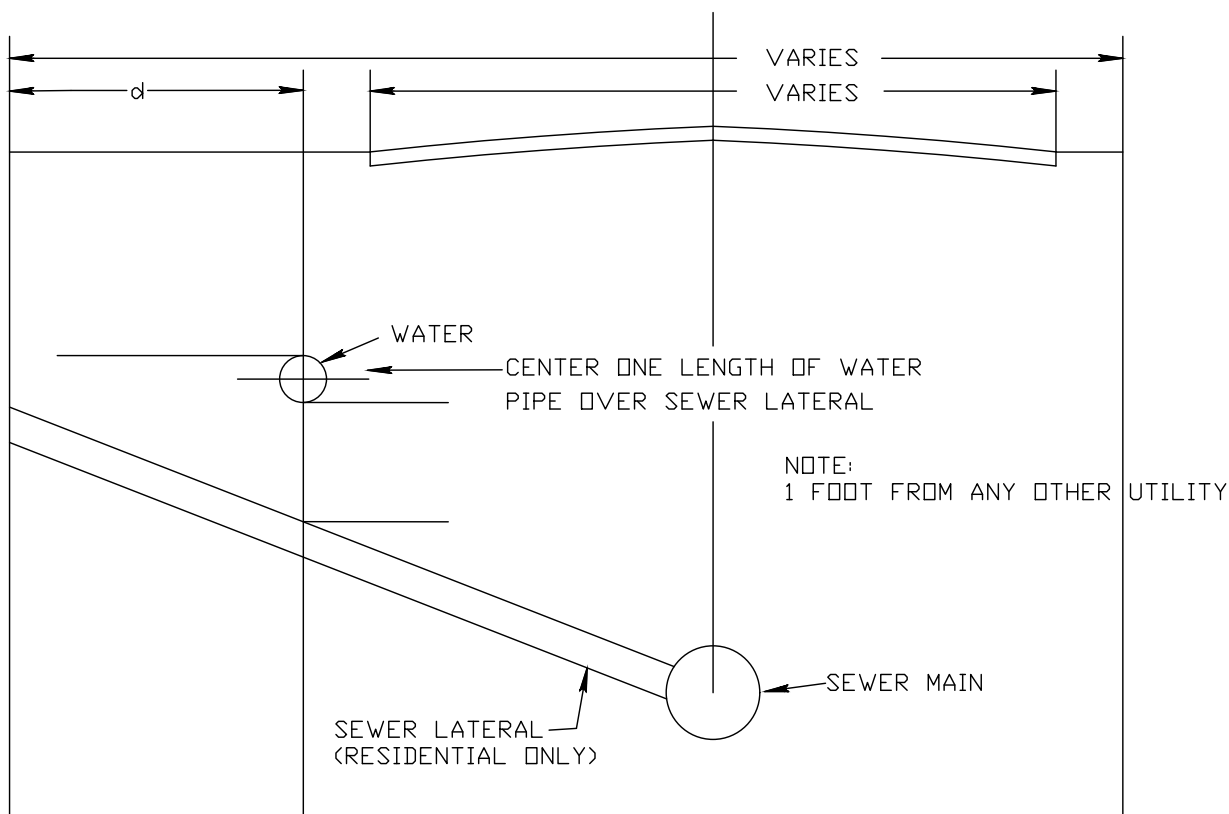
- ALL MANHOLES SHALL BE PRECAST CONCRETE AND CONFORM TO ASTM C-478 STANDARDS. MANHOLE CONES AND RISERS SHALL BE CONSTRUCTED OF 4,000 PSI, TYPE II CEMENT WITH RIVER ROCK OR GRANITE AGGREGATE.
- ALL PIPES SHALL BE CONNECTED TO THE MANHOLE USING A LOCK JOINT FLEXIBLE MANHOLE SLEEVE (ASTM C-923) OR APPROVED EQUAL.
- THE EXTERIOR AND INTERIOR OF THE MANHOLE SHALL BE COATED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS WITH FABERTITE AS MANUFACTURED BY BRIGGS BITUMINOUS COMPOSITION COMPANY.
- AN INSIDE PVC DROP MANHOLE (TYPE "B") SHALL BE REQUIRED FOR MANHOLES WHICH HAVE A DISTANCE OF 18 INCHES OR GREATER BETWEEN INFLUENT PIPE INVERT AND EFFLUENT PIPE INVERT. ALL OTHER DROPS SHALL HAVE A SLIDE CONSTRUCTED TO DIRECT THE FLOW INTO THE INVERT CHANNEL.
- SEWER SERVICES SHALL BE CAST IRON IF 2 FEET OF GROUND COVER CANNOT BE MAINTAINED OVER THE SERVICE LINE.

GRAVITY SEWER NOTES



- NOTE:
- DEPTH OF CLEANOUT SHALL BE SET BY DISTANCE TO HOUSE CONNECTION @ 1/4" PER FOOT, PLUS ONE FOOT.
 - CONTRACTOR TO COORDINATE DEPTH WITH DEVELOPER.

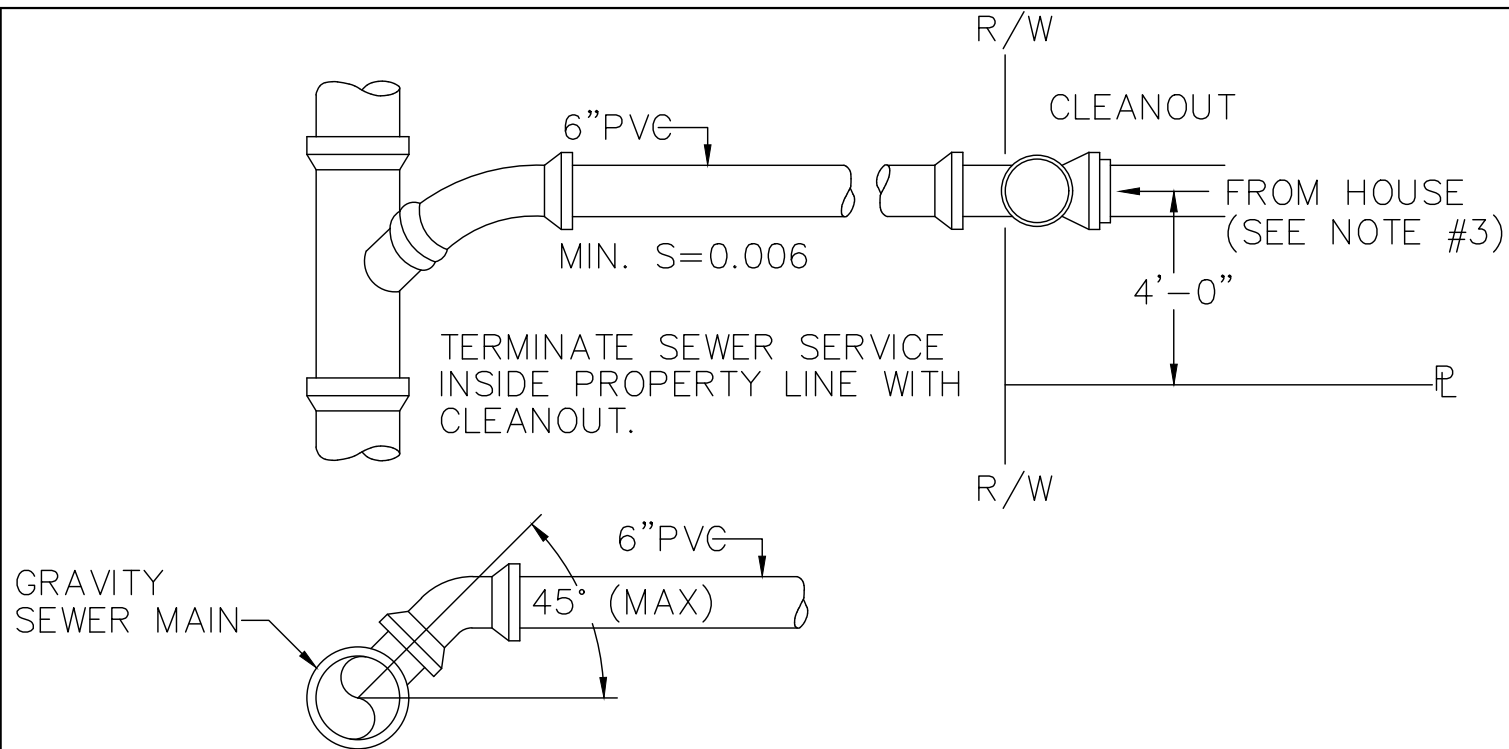
CLEANOUT



- NOTES:
- MAINTAIN MINIMUM 6' HORIZONTAL SEPARATION BETWEEN WATER AND WASTE WATER MAINS. WHERE THIS IS NOT POSSIBLE REPLACE WASTE WATER MAIN WITH DUCTILE IRON FOR THE LENGTH IN WHICH THE 10' HORIZONTAL SEPARATION CANNOT BE MAINTAINED (BY OTHERS)
 - MAINTAIN MINIMUM 6" VERTICAL SEPARATION BETWEEN ALL WATER AND WASTE WATER MAINS.
 - MAINTAIN MINIMUM 12" SEPARATION BETWEEN ALL OTHER FACILITIES

HORIZONTAL AND VERTICAL CLEARANCES

- ALL DUCTILE IRON SEWER PIPE, WHERE SPECIFIED, SHALL BE CLASS 51 AND COMPLY WITH ANSI/AWWA C150/A21.50 AND ANSI/AWWA C151/A21.51. DUCTILE IRON PIPE SHALL BE PROVIDED WITH A FACTORY APPLIED INTERIOR POLYETHYLENE LINING IN ACCORDANCE WITH ANSI/ASTM D1248.
- THE MAXIMUM NUMBER OF DIPS IS ONE, 1-INCH DIP PER 135 LF OF PIPE. NO MORE THAN ONE DIP PER 135 LF OF PIPE. A DIP IS DEFINED AS A CHANGE IN ELEVATION OF 0.5" OR GREATER.



- NOTE:
- SEWER SERVICE SHALL BE INSTALLED 4'-0" INSIDE PROPERTY LINES.
 - TEMPORARY 4"x4"x8" POST, PAINTED RED AT TOP, TO BE INSTALLED FOR AIDING IN THE PROTECTION OF SEWER CLEAN OUTS. THE POST SHALL EXTEND 4' ABOVE GRADE.
 - CONNECTION FROM HOUSE TO UWF SYSTEMS SHALL BE A HARD CONNECTION. FLEXIBLE CONNECTIONS SHALL NOT BE USED.

TYPICAL SEWER SERVICE

CONTRACTORS ARE REQUIRED TO PAINT NEW HYDRANTS SAFETY YELLOW AND MARK HYDRANTS. THE TOPS AND NOZZLE CAPS SHALL BE PAINTED WITH THE FOLLOWING CAPACITY INDICATOR:

COLOR SCHEME:	
BLUE (SW4079)	1500GPM AND HIGHER
GREEN (SW4085)	1000-1499 GPM
ORANGE (SW4083)	500-999 GPM
RED (SW4081)	LESS THAN 500 GPM

IT IS REQUIRED THAT ALL NEW AND RELOCATED WATER MAINS BE PRESSURE TESTED AND LEAKAGE TESTED IN ACCORDANCE WITH AWWA STANDARD C600.

IT IS REQUIRED THAT ALL NEW AND RELOCATED WATER MAINS BE DISINFECTED IN ACCORDANCE WITH AWWA STANDARD C651 AND RULE 62-555.345, F.A.C..

ALL WATER MAINS WILL BE CONSTRUCTED WITH BLUE C900-DR25 PIPE. ALL WATER SERVICES WILL CONSTRUCTED WITH WHITE PVC SCHEDULE 80 PIPE. BLUE SPRAY PAINT WILL BE APPLIED TO THE TOP SURFACE. JOINT RESTRAINERS MAY BE USED IN PLACE OF THRUST BLOCKS ON C900, DR25 PIPE. WITH APPROVAL OF THE CITY UTILITIES DEPARTMENT.

POTABLE WATER NOTES