



**AGENDA
PLANNING ADVISORY BOARD
REGULAR MEETING
MAY 14, 2025
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 Minutes for the Regular Meeting of April 9, 2025.
 - 3.2 Approval of Minutes for the Workshop of April 23, 2025.
- 4. OLD BUSINESS**
 - 4.1 PAB CASE 2025-0001: RON FLICK AGENT FOR FERNANDINA BEACH REALTY, INC., 3172 S. FLETCHER AVENUE (BEACHSIDE MOTEL)**

Requesting a Future Land Use Map amendment from High Density Residential (HDR) to General Commercial (GC) and requesting a Zoning Map change from High Density Residential (R-3) zoning district to the General Commercial (C-2) zoning district for approximately 1.11 acres of land located at 3172 S. Fletcher Avenue and identified as the Beachside Motel.

At the request of the applicant, this case was postponed to a date certain of June 11, 2025.
- 5. NEW BUSINESS**
 - 5.1 PAB 2025-0003 - COMPREHENSIVE PLAN TEXT AMENDMENT REQUEST TO PROVIDE UPDATES TO THE WATER SUPPLY FACILITIES WORK PLAN**

The City of Fernandina Beach requests a Comprehensive PlanText amendment to provide updates to the Water Supply Facilities Work Plan.
- 6. BOARD BUSINESS**
 - 6.1 **This item was discussed at the last PAB Regular Meeting of April 9, 2025, and the Board requested the discussion to continue to this Regular Meeting.**

PAB DISCUSSION OF LANDSCAPING, BUFFERS, AND TREE PROTECTION TEXT AMENDMENT RECOMMENDATIONS *(Formal consideration of any text amendments will be readvertized with a new case number and ordinance references at the June 11, 2025 regular PAB meeting.)*

LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT - LANDSCAPING, BUFFERS, AND TREE PROTECTION - ORDINANCE 2024-20 AMENDING THE LAND DEVELOPMENT CODE SECTION 4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION, SECTIONS 4.05.01 GENERALLY, 4.05.02 APPLICABILITY, 4.05.03 LANDSCAPE MATERIALS

STANDARDS, 4.05.04 REQUIREMENTS FOR LANDSCAPE PLANS AND 4.05.13 HARDSHIP RELIEF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code to modify landscaping sections and subsections contained in Chapter 4. - Staff added additional amendments recognized since the original application reviewed by the PAB in 2024.*

- 7. STAFF REPORT
- 8. PUBLIC COMMENT
- 9. ADJOURNMENT

NEXT PAB REGULAR MEETING IS SCHEDULED FOR JUNE 11, 2025.

All members of the public are invited to be present and be heard. Persons with disabilities requiring accommodations in order to participate in this program or activity should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired). All interested parties may appear at said meeting and be heard as to the advisability of any action, which may be considered with respect to such matter. For information regarding this matter, please contact the Planning Department (904) 310-3135.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Zoning Map Amendment < 10 Acres

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Kelly Gibson, Planning and
Conservation Director

Katie Newton, Paralegal

Date: April
30, 2025

Submitted By: Sylvie McCann,
 Administrative Coordinator



**MINUTES
PLANNING ADVISORY BOARD
REGULAR MEETING
APRIL 9, 2025
5:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER 5:00 PM

ROLL CALL / DETERMINATION OF QUORUM

Members Present: Richard Doster (Chair), Victoria Robas, Peter Stevenson,
Mark Bennett, Nick Gillette, Barbara Gingher

Members Absent: Daphne Forehand (Vice-Chair)

Others Present: Kelly Gibson, Director of Planning & Conservation
Margaret Pearson, Senior Planner
Harrison Poole, City Attorney Pro Tem
Morgan Ohlendorf, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING MINUTES

3.1 Approval of Minutes from the Regular Meeting of March 12, 2025.

Member Robas had a correction on the second page: correct "Chair Forehand" to "Vice-Chair Forehand".

ACTION TAKEN: A motion was made by Member Stevenson, seconded by Member Gingher, to approve the Minutes for the Regular Meeting of March 12, 2025, with the noted amendments.

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

4. NEW BUSINESS

4.1 **PAB CASE 2025-0001: RON FLICK AGENT FOR FERNANDINA BEACH REALTY, INC., BEACHSIDE MOTEL** - Requesting a Future Land Use Map amendment from High Density Residential (HDR) to General Commercial (GC) and requesting a Zoning Map change from High Density Residential (R-3) zoning district to the General Commercial (C-2) zoning district for approximately 1.11 acres of land located at 3172 S. Fletcher Avenue and identified as the Beachside Motel.

Margaret Pearson, Senior Planner, presented the Staff Report Analysis and invited the applicant to speak.

Ron Flick, 86119 Shell Island Drive, requested that the Board continue this case to the next meeting so that he has an opportunity to meet with Staff and provide additional information.

DRAFT

ACTION TAKEN: A motion was made by Member Gillette, seconded by Member Robas, to continue this discussion to the next regular meeting at a date certain of May 14, 2025.

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

Chair Doster opened the Public Hearing.

Pamela Brenner, 104 Eider Court, questioned why this property was being considered for General Commercial (C-2) when this zoning district is not typical for the area, but supports a C-1 zoning district.

Member Bennett asked Staff if they should discuss the Live Local Act to protect the density of areas like the one in this case.

Member Robas shared a similar sentiment about being aware of properties that are changing from residential to commercial or mixed-use zoning and the potential of the impact of a Live Local project.

Member Gillette noted that this property is not a good candidate for the Live Local Act but a great candidate for a PUD.

Public Hearing was closed.

5. OLD BUSINESS

5.1 PAB DISCUSSION OF LANDSCAPING, BUFFERS, AND TREE PROTECTION TEXT AMENDMENT RECOMMENDATIONS *(Formal consideration of any text amendments will be readvertised with a new case number and ordinance references at the June 11, 2025 regular PAB meeting.)*

LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT - LANDSCAPING, BUFFERS, AND TREE PROTECTION - ORDINANCE 2024-20 AMENDING THE LAND DEVELOPMENT CODE SECTION 4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION, SECTIONS 4.05.01 GENERALLY, 4.05.02 APPLICABILITY, 4.05.03 LANDSCAPE MATERIALS STANDARDS, 4.05.04 REQUIREMENTS FOR LANDSCAPE PLANS AND 4.05.13 HARDSHIP RELIEF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code to modify landscaping sections and subsections contained in Chapter 4. - Staff added additional amendments recognized since the original application reviewed by the PAB in 2024.*

Mrs. Pearson provided additional information about the proposed LDC text amendments and clarification of conflicts within Chapter 4, Section 4.05, Landscaping, Buffers, and Tree Protection, and invited Board Members to begin discussion.

Member Bennett asked for clarification about the use of the term “Florida-friendly” as opposed to “native”.

Chair Doster opened the Public Hearing.

Len Pearlstein, 1521 Franklin Street, shared concerns about the use of the term “Florida-friendly” and urged the Board to consider placing a greater emphasis on planting native plant species.

Member Stevenson asked Mr. Pearlstein if he agreed with the nine principles of IFAS Florida-friendly landscaping. Mr. Pearlstein answered in the affirmative, but restated his belief that native plants are preferable.

Member Gillette agreed with Mr. Pearlstein and opined that there should be different landscaping requirements in circumstances such as parking lots, commercial developments, and non-residential developments. He also commented on the changes affecting the width vs. the area.

Member Stevenson reiterated that he would prefer the LDC language to refer to all “Florida-friendly landscaping” as “native vegetation.”

DRAFT

Member Gingher added that she believes education about Florida-friendly/native landscaping should be shared.

Margaret Kirkland, 1377 Plantation Point Drive, shared a handout with the Board Members and Staff, and reminded the Board to only make changes to the LDC that would benefit and improve the environment around Fernandina Beach.

Member Gillette asked Mrs. Kirkland if incentivizing the maintenance of the native vegetation around the perimeter of development areas would be a good thing. Mrs. Kirkland answered in the affirmative.

Member Stevenson asked if there was a list available that showed which plants are native to Nassau County.

Elise Pearlstein, 1521 Franklin Street, shared a story about local wildlife and then stated that she believes that City Staff (or local specialized organizations) should provide a list of native plant species to make it easier for people to find information about local native species.

Member Stevenson suggested possibly adding incentives for using native plant species and penalizing those who use non-native plants.

Kelly Gibson, Planning & Conservation Director, shared her concerns with adding any one specific native plant list to the LDC because of the fluctuation between native/non-native status; however, she did agree with providing resources to find which plants are native.

Chair Doster clarified that the Board would like to eliminate “Florida-friendly” language and replace it with “native.” The Board agreed.

Mrs. Gibson reminded the Board that although the current LDC states that native vegetation is required they also need to meet the minimum landscaping requirements.

Mrs. Pearson asked for clarification about what changes the Board would like to see.

Member Robas emphasized that she would prefer to use the term “opportunities to utilize native vegetation” versus “incentivize using native vegetation.”

Member Gillette shared that he would like to propose a change within the Summary Comments of 4.05.07, regarding the C perimeters in C-3 and Mixed Use to say an understory tree because it fits better into the required footprint. The Board asked Staff to present all suggested amendments into a clean copy at the next meeting.

6. BOARD BUSINESS

This item was placed on agenda at the request of Member Robas.

6.1 DISCUSSION ITEMS:

- Reevaluate the list of priorities established for LDC items to be discussed and reviewed
- Water Supply Plan Update
- City Commission Discussion from 3/18/25 Meeting - Consolidation of PAB and BOA Boards

Mrs. Pearson shared the list of prioritized discussion items for upcoming Board meetings.

Chair Doster suggested forming a subcommittee comprised of Member Gillette, Member Bennett, and Vice-Chair Forehand to meet with Staff to discuss these priorities and bring their summary back to the Board during the regular meeting.

Member Stevenson mentioned that he believed that parking standards were the next topic to discuss. Mrs. Pearson clarified that the parking standards proposed to be discussed next are specifically for medical offices and beauty salons.

Member Robas added that she believes parking standards are a key part of the commercial redevelopment and that those topics should be addressed together.

DRAFT

Chair Doster asked Staff if they had preferences for which topics they would like to discuss next. Mrs. Gibson answered that this list is driven and initiated by the Board's priorities.

Member Bennett asked the Board and Staff to create a list of the most important topics to be discussed currently. Member Robas brought up that a list of priorities was partially recognized at the joint PAB/City Commission meeting and that Commercial Redevelopment was emphasized by Commissioner Ayscue.

Member Bennett emphasized that there needs to be specific direction to the Board from Staff to assist in providing opportunities for commercial redevelopment.

The Board set to meet for a Workshop on April 23, 2025, at 3:00 p.m. to discuss priorities for the subcommittee to concentrate on.

Member Stevenson asked about the LDC update. Mrs. Gibson noted that the Comprehensive Plan is set for an update in 2026.

Member Bennett asked about the water supply plan update. Mrs. Gibson shared that this was listed to alert the Board that this is upcoming and that this plan needs updates as per State Statutes and that these changes will be presented to the Board eventually.

Board Members discussed the existing water supply plan and possible updates. Member Gillette also commented on water supply agreements.

Member Robas spoke about an email regarding discussion by the City Commission considering the consolidation of the PAB and BOA boards. Mr. Poole gave some insight to the Board about the low possibility.

Mrs. Gibson noted that a final summary of the changes for Landscaping and Buffer will be presented for approval at the next regular meeting. Member Gillette noted that he will be absent from the May 2025 regular meeting.

7. **STAFF REPORT**
8. **PUBLIC COMMENT**
9. **ADJOURNMENT 6:49 PM**

Morgan Ohlendorf, Recording Secretary

Richard Doster, Chair

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Zoning Map Amendment < 10 Acres

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Kelly Gibson, Planning and
Conservation Director

Katie Newton, Paralegal



Sylvie McCann, Administrative

Date: May 07,
2025

Submitted By: Coordinator



**AGENDA
PLANNING ADVISORY BOARD WORKSHOP
APRIL 23, 2025
1:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034**

1. CALL TO ORDER 1:00 PM

ROLL CALL / DETERMINATION OF QUORUM

MEMBERS PRESENT:

Richard Doster (Chair)	Daphne Forehand (Vice-Chair)
Mark Bennett	Victoria Robas
Peter Stevenson	Nick Gillette
Barbara Gingher	

MEMBERS ABSENT:

OTHERS PRESENT:

Margaret Pearson, Senior Planner
Morgan Ohlendorf, Recording Secretary

2. PLEDGE OF ALLEGIANCE

3. NEW BUSINESS

- 3.1 COMMERCIAL REDEVELOPMENT** - *The Planning Advisory Board, at their March 12, 2025, Regular Meeting, directed staff to set up a Workshop and elected to discuss this matter, being one of their discussion items from their priority list.*

Chair Doster invited Board Members of the subcommittee to begin the discussion.

Member Bennett asked how this topic became one of their priorities. Member Robas shared that this is one of the first priorities that came out of the Joint Meeting with the City Commission.

Member Gingher asked for clarification about the difference between commercial development and redevelopment.

Vice-Chair Forehand emphasized the need to be wary of the Live Local Act and how it will impact commercial development.

Board Members discussed ways redevelopment could be encouraged. Member Gillette suggested lowering the impervious surface ratio requirements and encouraging the combination of smaller lots.

Margaret Pearson, Senior Planner, suggested that the Board considers discussing some of the common barriers to redevelopment, including community pushback and expediting the review processes.

DRAFT

Vice-Chair Forehand brought up Comprehensive Plan Policy 1.04.01 as a way to guide this discussion. The Board discussed adding regulations and policies that are specific to commercial redevelopment.

Member Stevenson mentioned creating redevelopment overlays for specific areas, including the Historic Districts, Waterfront areas, and suburban areas.

Vice-Chair Forehand pointed out that Comprehensive Plan Policy 1.04.04 states that the City will establish commercial overlay districts, specifically along the Sadler Road corridor and along S. 8th Street.

The Board discussed the best way to encourage redevelopment along Sadler Road while also promoting more walkability and pedestrian safety. They discussed increasing sidewalk requirements and landscaping buffers.

Member Bennett asked if the Board would be amenable to include S. 14th Street within the Sadler Road overlay. Board Members agreed that commercial redevelopment is a priority along S. 14th Street, but that Sadler Road belongs in a separate overlay on its own. Board Members suggested the order of priority for creating overlay districts as follow: Sadler Road, S. 14th Street, and then S. 8th Street.

The Board began to discuss the specific requirements they would like to include in the LDC updates, including changes to site design, impervious surface, landscaping, parking, and pedestrian walkability requirements.

Member Gillette asked if they should include the residential areas within the commercial redevelopment overlay. All members agreed that they would like to include everything along Sadler Road.

Member Bennett then spoke about creating a provision where residentially zoned parcels and properties not within City limits could possibly be included into a commercial redevelopment overlay, but that they shouldn't be automatically included. Vice-Chair Forehand disagreed and stated that every property should be included. Planning Staff assured the Board Members that they could provide several versions of the map.

The Board set up a subcommittee meeting, at City Hall, for May 7, 2025 at 1:00PM.

4. PUBLIC COMMENT

No members of the public wished to speak at this time.

5. ADJOURNMENT 2:43 PM

Morgan Ohlendorf, Recording Secretary

Richard Doster, Chair

ITEM TYPE: Zoning Map Amendment < 10 Acres

SYNOPSIS:

Katie Newton, Paralegal

Sylvie McCann

Date: April 21, 2025

Submitted By: Sylvie McCann,
Administrative Coordinator

From: [Ron Flick](#)
To: [Margaret Pearson](#); [Kelly Gibson](#)
Cc: [Ron Flick](#)
Subject: Zoning and FLUM Corrections for PAB CASE 2025-0001
Date: Wednesday, May 7, 2025 8:42:47 AM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

Based on discussions with staff we propose the following:

1. The applicant amends the zoning request to be C-1 versus C-2
2. The City and the Applicant intend to pursue a Development Agreement as a means to achieve conformance with zoning and the future land use with the property
3. Both parties agree to table the request until June 2025, allowing for the parties to reach agreement for presentation to the P&Z for its recommendation and approval by the City Commission to follow.

Ron V. Flick, MPA
CGC1515930
President, CEO
Compass Group, Inc.
463688 FL SR200, Suite 7
Yulee, Florida 32097
Cell (904) 753-9056
Ofc (904) 261-0059, Ext 28
Ron.flick@compassgrp.com



STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

**APPLICATION FOR SMALL SCALE FUTURE LAND USE MAP AMENDMENT &
ZONING CHANGE REQUEST**

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Fernandina Beach Realty Inc.				
AGENT:	Ron Flick, Compass Group				
REQUESTED ACTION:	Future Land Use Map Amendment and Zoning Change				
LOCATION:	Beachside Motel - 3172 S. Fletcher Avenue PIN#: 00-00-31-1720-0003-0010				
CURRENT LAND USE + ZONING:	High Density Residential (HDR) and R-3 (High Density Residential)				
PROPOSED LAND USE + ZONING:	General Commercial (GC)/ C-2 (General Commercial)				
EXISTING USES ON SITE:	Motel built in 1977 known as "The Beachside Motel"				
PROPERTY SIZE:	1.11 Acres				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Condos	1984	R-3	High Density Residential
	South	Condos	1983	R-3	High Density Residential
	East	Atlantic Ocean	N/A	N/A	N/A
	West	Restaurant & Motel	1959-1060	R-3	High Density Residential

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the City's website and at the Community Development Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant is requesting assignment of the General Commercial (GC) Future Land Use Map (FLUM) and the Community Commercial (C-2) zoning district for purposes of retaining the existing use of the property as a motel. Although the property has continuously operated as a motel for nearly fifty years, and according to a review of available land use and zoning map records, the property has maintained the same High Density Residential land use and R-3 zoning since the early 1990's.

The current owners seek to ensure continuation of the existing use on this property without fear of losing their nonconforming status and redevelopment in the event of casualty or maintenance and repairs beyond what would be permissible under the Land Development Code. Additionally, the application indicates that the age of this facility and its commercial value will require further improvements to sustain its life and economic value in the future, furthering the property's lifespan by reducing its potential of structural loss in a storm event. Under the current land use and zoning an expansion of a nonconforming use is not permissible. LDC Section 10.01.02 (F) prevents the expansion of a nonconforming use and Section 10.02.01 (C)(1) restricts the ability to grant a variance for a deviation from the aforementioned section. Therefore, the applicant is requesting the land use and zoning change to General Commercial/ C-2 to remedy their concerns for the continuation of the motel use on this parcel. The applicant asserts the property zoning on the Zoning Map and its designation on the FLUM are due to errors in the development of FLUM and Zoning Map updates and do not reflect the ongoing use of the property. The area's surrounding development contains the City's most densely populated resort-style condominiums and motels. The application does not contain plans for any proposed redevelopment or modifications to the existing



STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

motel, therefore, a site plan is not required to be submitted as part of this future land use map amendment and zoning change request.

CONSISTENCY WITH THE COMPREHENSIVE PLAN (PLAN):

The property contains a Future Land Use Designation of High Density Residential (HDR), Policy 1.07.06. The applicant is requesting a new land use assignment of General Commercial (GC), Policy 1.07.08.

Policy 1.02.04 provides nine (9) factors for Future Land Use Map decision making which include, the type and density of surrounding uses, zoning districts within the surrounding area, and compatibility of uses within the surrounding area. Policy 1.02.06, 1.02.08, and 1.02.09 directs land uses, which strive to protect the integrity and stability of established residential areas from encroachment by incompatible development and providing for orderly transition of incompatible uses.

The ocean front property is located along S. Fletcher Avenue and surrounded by High Density Residential Land Use developed with condominium dwelling units to each side, with another nonconforming motel and nonconforming restaurant located on the parcel across the street. The 1.11-acre property is adjacent to the Atlantic Ocean and has historically operated as a motel since 1977. This property and the property directly across the street have continued their non-residential uses under a nonconforming status since at least the early to mid-90's when the City's land use and zoning maps were updated. Although the FLUM designation for its given use was incompatible, the properties have served as a commercial node in an area surrounded by transient accommodations. The overall block in which the property is located has a designated land use of High Density Residential, with the nearest commercially designated land use being located approximately 650 feet to the south, which is General Commercial land use that encompasses the entire block on the west side of S Fletcher Avenue between Ocklawaha Avenue and Mantanzas Avenue.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

Section 2.01.11 of the Land Development Code states the intent of C-2 General Commercial, zoning classification.

The C-2 District is intended for the development of land uses to accommodate offices; commercial retail; personal services establishments; restaurants; transient accommodation; 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.

The application requests the C-2 zoning district and advocates for this designation because of the high densities surrounding the property along with its location along a major arterial within the City. However, the C-2 zoning district has been restricted to more intensely developed corridors throughout the City that contain a significant amount of commercial activity such as S. 14th Street, Sadler Road, and S. 8th Street. Along S. Fletcher, commercial nodes have historically carried the C-1 (Community Commercial) zoning district and currently there is not any parcels fronting Fletcher Avenue that are zoned C-2.

The requested C-2 zoning district would be inconsistent with how other commercial properties are zoned along S. Fletcher Avenue/ A1A. Staff is also concerned with the range of allowable uses in the C-2 zoning district that would be introduced along Fletcher Avenue, which would be characterized as more intense than uses allowed upon the C-1 zoned properties located along Fletcher Avenue. In addition to uses allowed in commercial zoning, the recent state statutes (166.0415, *Florida Statutes*) known as "Live Local" allows for the potential of an affordable residential multifamily project in any commercial, industrial and mixed-use zoning districts. The requested action, if approved for commercial land use and C-2 zoning could permit redevelopment of a "live



STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

local” project. A qualified live local project would be permitted to exceed the currently allowed height limit within 1,000 feet of the Coastal Construction Control Line (CCCL) of thirty-five (35) feet in building height and would permit construction of a for a forty -five (45) foot tall building. If commercial designation is applied to the property, a qualified live local project could also exceed the allowable density of up to 10 dwelling units per acre at a rate of up to 18 dwelling units per acre.

Additionally, policy 2.01.06 indicates that the existing R-3 designation does provide the opportunity for limited commercial activities within the R-3 zoning district when a PUD is applied. However, the size of this parcel and limited range of uses precludes the property for qualifying as a PUD.

CONCLUSION:

The requested application of a Commercial General Future Land Use Map category and General Commercial (C-2) zoning district for this one parcel would be inconsistent with the adjoining High Density Residential land use designation for each of the adjacent properties. The range of uses permissible for the C-2 zoning district are too intense for the surrounding area and inconsistent with the surrounding Residential R-3 zoning district designation for each of the adjacent properties (**EXHIBIT A**). This application is also inconsistent with how the City has applied its commercial designation to properties along the entire ocean front area along S. Fletcher Avenue that are zoned C-1 (**EXHIBIT B**). Commercial designation within the oceanfront areas applied to larger areas including entire blocks and portions of adjoining blocks. The City has historically applied commercial land use and zoning to more than a single parcel. Further, it is possible that the requested action could be interpreted or challenged as *spot zoning* as approval of the action would arguably confer a special benefit to an individual property owner that is not commonly enjoyed by other similarly situated owners within the same area. The existing FLUM category and zoning district have been in place for at least 30 years demonstrating the community desire for any new or re-development of this area to conform with the allowable range of uses and intensity permitted at under High Density Residential/ R-3 (**EXHIBIT C**). Therefore, staff recommends denial of the applicant’s request to change the land use from High Density Residential to General Commercial and the zoning designation from High Density Residential R-3 to General Commercial C-2 for the subject property.

MOTION(S) TO CONSIDER

I move to recommend (**approval or denial**) of PAB case number 2025-0001 to the City Commission requesting a Future Land Use Map assignment of General Commercial and zoning change to C-2 from High Density Residential land use and R-3 zoning, as described and that PAB case 2025-0001 as presented, (**is or is not**) sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Respectfully Submitted,
Margaret Pearson
Margaret Pearson
Senior Planner



STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

EXHIBIT A
Subject Property with Surrounding FLUM and Zoning Categories





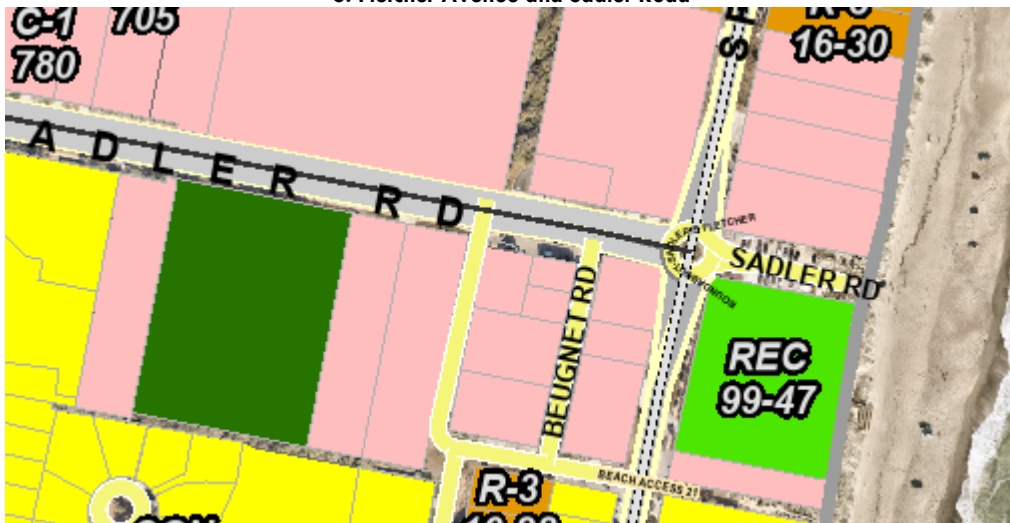
STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

EXHIBIT B
Commercial Nodes Along S. Fletcher Avenue

Fletcher Avenue and Atlantic Avenue



S. Fletcher Avenue and Sadler Road



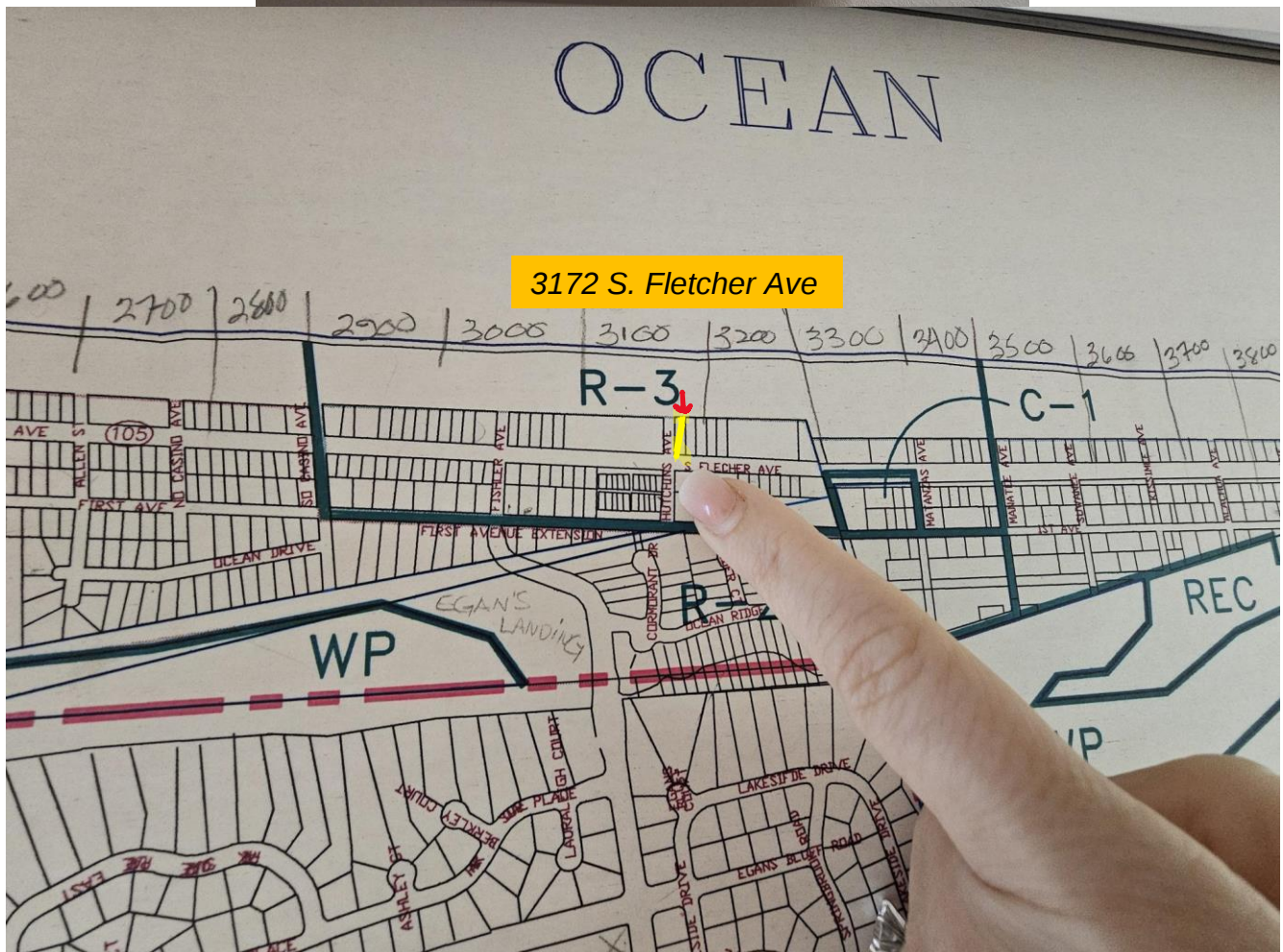
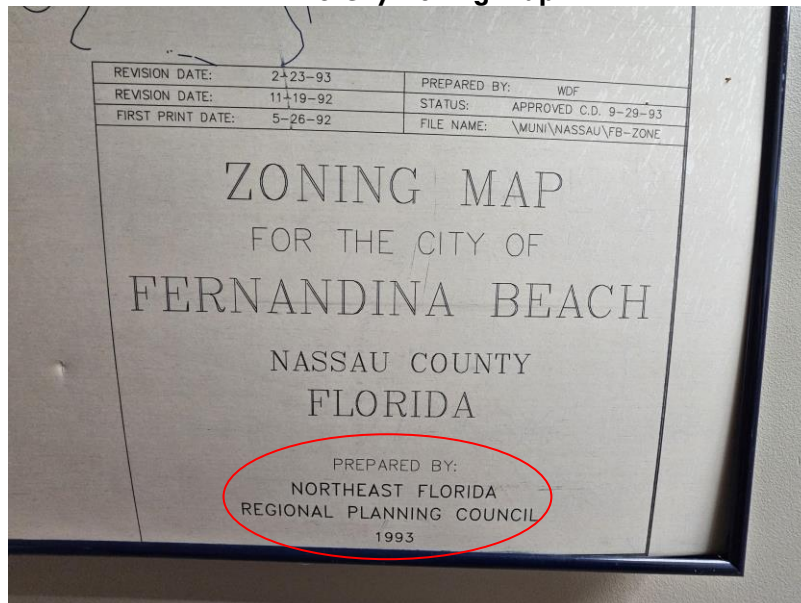
S. Fletcher Avenue and Mantanzas Avenue





STAFF REPORT
PAB (LU/ZC) 2025-0001
Planning Advisory Board Hearing
April 9, 2025

EXHIBIT C
1993 City Zoning Map



Planning Advisory Board (PAB) - Submission #15411

Date Submitted: 1/21/2025

Planning Advisory Board (PAB) Application

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

Fees

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

- ☒ Zoning Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)
- ☒ Land Use Map Amendment (≤ 10 acres \$2,500 / > 10acres \$5,000)
- ☐ LDC Text Amendment (\$1,500)
- ☐ Comp Plan Amendment (\$5,000)
- ☐ Subdivision Plat – Preliminary (≤ 20 units \$3,000 / > 20 units \$5,000)
- ☐ Subdivision Plat – Final (\$1,500)
- ☐ Vacation of R.O.W. (\$3,500)
- ☐ Small Cell Outside R.O.W. (per application) (\$500)
- ☐ Voluntary Annexation (\$2,000)
- ☐ Development of Regional Impact: Amend Development Order (\$1,500)
- ☐ New Telecommunications Structure (\$2,500)
- ☐ Revision to each PAB Application \$400

2025 Submission Deadlines + Meetings Calendar

Application Deadline (4:30pm)	Nov 01 2024	Nov 27 2024	Jan 02 2025	Jan 29 2025	Feb 26 2025	Apr 02 2025	Apr 30 2025	May 28 2025	July 02 2025	July 30 2025	Aug 27 2025	Oct 01 2025	Oct 29 2025	Dec 03 2025
Meeting Date	Dec 11 2024	Jan 08 2025	Feb 12 2025	Mar 12 2025	Apr 09 2025	May 14 2025	June 11 2025	Jul 09 2025	Aug TBD 2025	Sep 10 2025	Oct 08 2025	Nov 12 2025	Dec 10 2025	Jan 14 2026

IMPORTANT NOTES

Pre-Application Meeting

To guide you through the process and ensure that your application is understood and properly processed, you'll need to meet with a City Planner prior to submitting your application. Completed applications are due 42 days prior to the Planning Advisory Board meeting date.

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

- ☐ LDC Text Amendment – see LDC Section 11.01.08.
- ☐ Preliminary Subdivision Plat – see LDC Section 11.01.05.
- ☐ Final Subdivision Plat – LDC Section 11.01.05.
- ☒ Zoning Map Changes – See LDC Section 11.01.07.

The LDC is available for review at

www.fbfl.us/LDC

Application Requirements

- ☒ A complete application filed at least forty-two (42) days before the date of the Planning Advisory Board's public hearing;
- ☒ Proof of Ownership (copy of deed or tax statement);
- ☐ A current survey of the property (no older than two years);
- ☒ If applying as an agent, Owner's Authorization for Agent Representation form needs to be signed/ notarized and included in application;
- ☒ A detailed letter of intent stating the following:
 - ☒ o The consistency of the proposed amendment(s) or action(s) with the City's Comprehensive Plan.
 - ☒ o A justification for the proposed amendment(s) or action(s).

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

Yes



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

5/24/2024

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

mm/dd/yyyy

hh:mm am/pm

PROPERTY INFORMATION

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

Site Address*

3172 S. Fletcher Ave

City*

Fernandina Beach

State*

FL

Zip*

32034

Parcel ID #(s)*

00-00-31-1720-0003-0010

Lot*

1 and 2

Block*

3

Subdivision*

OR 1370/698

Zoning District*

R-3

Future Land Use Designation*

High Density Residential

Do you authorize the installation of a temporary City notice sign on your property?*

YES

City posting sign must remain on the property until the meeting is held. The sign will then be picked up by City Staff or can be returned to City Hall by the applicant.

REVIEW TYPE*

☒ Zoning Map Amendment ≤ 10 acres

☐ Zoning Map Amendment > 10 acres

☐ LDC Text Amendment

☒ Comp Plan Amendment

☐ Subdivision Plat – Preliminary ≤ 20 units

☐ Subdivision Plat – Preliminary > 20 units

☐ Subdivision Plat – Final

☐ Vacation of R.O.W.

☐ Voluntary Annexation

☐ Revision to PAB Application

OWNER OF RECORD

As recorded with the Nassau County Property Appraiser

First Name*

Steve

Last Name*

Simmons

Company (if applicable)

Fernandina Beach Realty, INC

Mailing Address*

2057 South Fletcher AV

City*

Fernandina Beach

State*

FL

Zip*

32034

Telephone Number*

904 261-4017

Email Address*

steve@amelia-era.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

Ron

Last Name

Flick

Mailing Address

463688 SR200 Ste 7

City

Yulee

State

FL

Zip

32097

Telephone Number

(904) 753-9056

E-mail Address

ron.flick@compassgrp.com

PROJECT INFORMATION**Previous Planning/Zoning Approvals**

NA

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

This is a request to correct the FLUM on the parcel from HDR to General Commercial and also correct the Zoning Map to reflect the current and historical zoning from R3 to C-2. See LOI

We have requested to be exempt from the fees to complete the follow through of what was proposed by the City Commission in 2019 and the PAB in Jan 13th of 2021 to correct this correction of the FLUM and the Zoning Map designation to consistently reflect the zoning and land use with the current and historical uses.

Certification*

- ☒ By signing below, I certify that the information contained in this application is true and correct to the best of my knowledge at the time of the application.
- ☒ I acknowledge that I understand and have complied with all of the submittal requirements and procedures.
- ☒ I AGREE THAT A POSTING NOTICE WILL BE INSTALLED ON THE PROPERTY(IES) IN QUESTION AND THAT SAID SIGN WILL ONLY BE REMOVED BY STAFF AFTER THE MEETING OR BROUGHT BACK TO CITY HALL BY APPLICANT.

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

Applicant First Name*

Ron

Applicant Last Name*

Flick

Today's Date*

1/21/2025

Upload Supporting Documentation*

Warranty Deed ori.pdf



Upload 2

LOI for 3157 S.
Fletcher.pdf

Upload 3

Fully Executed COFB
Agent Authorization.pdf

Upload 4

PAB 2021-0001.pdf

DEPARTMENT OF PLANNING & CONSERVATION

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

January 21, 2025

Kelly Gibson, AICP
Director, City of Fernandina Beach Planning and Conservation
204 Ash Street
Fernandina Beach, Florida 32034
Email: kgibson@fbfl.org

Subject: Letter of Intent (LOI) for FLUM and Zoning Change for Parcel 00-00-31-1720-0003-0010, 3172 S. Fletcher Avenue

Dear Ms. Gibson:

These applications are submitted to the City of Fernandina Beach to correct the error on the Zoning Map and the Future Land Use Map (FLUM). The parcel 00-00-31-1720-0003-0010 which is addressed at 3172 S. Fletcher Avenue, Fernandina Beach, Florida has been identified as FLUM/Zoning Conflicts by the City of FB and requires corrections to both the FLUM and the Zoning Map to be consistent with its use, both historically and currently.

Background Information:

1. The Owner requested and was provided a development order to construct and Hotel on this site in 1977 as reflected on the Property Card and original construction testimony provided in PAB hearings to be as early as 1972. Permit was approved and issued for the construction. This site has also been issued other permits for improvements on the hotel site since that timeframe.
2. The parcel 00-00-31-1720-0003-0010 is currently identified on the Future Land Use Map (FLUM) as High Density Residential (HDR) and Zoned on the Zoning Map as R3.
3. This property was one of 12 properties:
 - a. The inconsistencies and/or conflicts on the FLUM and Zoning Map were requested to be resolved by the City Commission in 2019; first to be studied by Staff and proposed resolution by the PAB to the Commission.
 - b. List of 12 were studied and presented by FB Planning Staff to be corrected and applied to do so on November 9th, 2020. This was titled Board Business, 4.1 **Outstanding FLUM/Zoning Conflicts List**. PAB Chair, Minshew directed further study and communications with Owners of properties.
 - c. During January 13th, 2020, PAB the Staff presented details on several properties still under consideration and needing PAB direction.

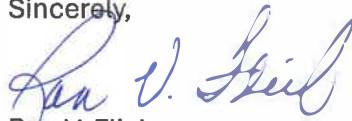
- d. This property located at 3172 S. Fletcher Avenue was presented as a Boundary Error. Further discussion resulted in PAB members supporting the intent to propose amending the controlling documents (FLUM and Zoning Map) to correctly reflect the use with the consent of the ownership.
 - e. During the PAB, it was directed by the PAB Chair Minshew, and other members present, that the property should be proposed with consent of the Owner to be corrected to show a correction in the FLUM from HDR to General Commercial and the Zoning from R3 to Commercial, to reflect its use. The current land development code further reflects the most appropriate use being C-2 for a hotel.
 - f. March 10th, 2021, the PAB held a hearing and only proposed two of the changes previously proposed for correction and did not include this property.
- 4. The age of this facility and its commercial value will require further improvements to sustain its life and economic value in the future, furthering the property's lifespan by reducing its potential of structural loss in a storm event.
 - 5. The property sustainability and its resiliency to meet FBC and other coastal requirements are needed for its guests, owners, and operators in the coming months, therefore the correct Zoning and Land Use declarations in the public records must be corrected for its use and maintainability.
 - 6. This property requires significant financial investments to assure it is a viable property to withstand the vigorous demands of an ocean front property.
 - 7. The errors of zoning on the Zoning Map and its designation on the FLUM are due to errors because of the development of FLUM and Zoning Map, not reflecting the ongoing use of the properties.

In conclusion, the property was one of 12 properties which the City Planning Staff and now the Owner must seek this corrective action to complete this corrective action.

The Owner proposes the property stated herein be designated on the FLUM from HDR to General Commercial and the Zoning Map from R-3 to C-2 District. The Owner further requests that this action be without requirements for fees or other survey requirements until the property is properly designated. Proof of ownership is provided as required. Upon completion of this administrative corrective action by the Planning Board and approval by the City Commission, the developer/owner acknowledges his and or her duty to fulfill any associated fees or site development requirements in accordance with the LDC and City Ordinances.

Please feel free to contact me should you have any questions or concerns.

Sincerely,



Ron V. Flick

Agent for Fernandina Beach Realty Inc.



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I /WE Fernandina Beach Realty, INC

(print name of property owner(s))

hereby authorize: Ron V. Flick, Compass Group

(print name of agent)

to represent me/us in processing an application for: any and all land entitlements and development

(type of application)

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

Richard S. Simmons

(Signature of owner)

(Signature of owner)

Richard S. Simmons

(Print name of owner)

(Print name of owner)

Parcel No: 00-00-31-1720-0003-0010

STATE OF FLORIDA

COUNTY OF NASSAU

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 25th day

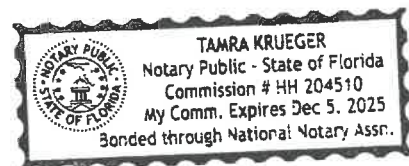
of June, 20 24, by Richard Simmons

Tamra Krueger
Notary Public

Tamra Krueger
Printed Name

12/05/2025
My Commission Expires

Personally Known ☒ OR Produced Identification ☐ ID Produced: ☐



MAP OF BOUNDARY SURVEY
LOTS 1 & 2, BLOCK 3, SOUTH BEACH

AS RECORDED IN PLAT BOOK 3, PAGE 11 OF THE PUBLIC RECORDS
OF NASSAU COUNTY, FLORIDA.

CERTIFIED TO:
STEVE SIMMONS

PROPERTY ADDRESS:
3172 SOUTH FLETCHER AVENUE
FERNANDINA BEACH, FLORIDA 32034

GRAPHIC SCALE

0 10 20 40
(IN FEET) 1 inch = 20 ft.



LOT 1 & 2
BLOCK 2

BEACH ACCESS #31
HUTCHINS AVENUE
(50-FOOT RIGHT-OF-WAY)

TWO STORY BUILDING
STUCCO SIDING
#3172 SOUTH FLETCHER

LOT 3

LEGEND
[Symbol] = COMMUNICATIONS PEDESTAL
[Symbol] = CONCRETE FLATWORK
[Symbol] = ELECTRICITY METER
[Symbol] = LIGHT POLE
[Symbol] = COVERED AREA
[Symbol] = WATER METER
[Symbol] = WOOD OR VINYL FENCE
[Symbol] = WOOD FLATWORK
[Symbol] = WOOD POWER POLE
(P) = PLAT
(M) = MEASURED
E = CENTERLINE
P/E = POOL EQUIPMENT
x-x-x = CHAIN LINK OR WIRE FENCE

SPECIAL NOTE:

It is our interpretation of the record plat that the lots shown nearest to the Atlantic Ocean extent to the Mean High Water Line of the Atlantic Ocean.

We have researched all surveys of property in the vicinity of the subject property on file dating back to the early 1960's. All surveys performed by this firm (and there have been numerous) show the platted lot lines being extending to the (current at the time of the survey) Mean High Water Line of the Atlantic Ocean. The plat of record showing the subject property (South Beach, Plat Book 3, Page 11) was recorded in 1944 and does not specifically state that the easterly plat line is the Mean High Water Line. However, it has long been assumed to do so, and has been the locally accepted intent of the original plat. The sub-title on the original plat under the title states "A Subdivision of the South 2175.8 feet of Section Six, Township Two North - Range Twenty-Nine East, Nassau County, Florida". The Government Land Office township plat for this township and range shows the easterly line of this section to be the Atlantic Ocean. It is commonly accepted practice when referring to the waters of the Atlantic Ocean to be the Mean High Water Line. All plats along the Atlantic Ocean on Amelia Island have been treated in the same manner. There has never been a logical reason discovered to the contrary. It would not make sense to deny ocean front lots their riparian rights by leaving an unplatted strip between the Mean High Water Line of the Atlantic Ocean and the lot line.

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.

[] MICHAEL A. MANZIE, P.L.S. 4069
[] MELANIE G. PLATT, P.S.M. 7605

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: 16595 DATE: 02/12/2025 CADD: LP
F.B. NO: X-396 PAGE NO: 3 CREW: JM FILE NO: C-213

Return to: (enclose self-addressed stamped envelope)

Name: **Olde Towne Title Company**

Address: **21 North 3rd Street
Fernandina Beach, Florida 32034**

This Instrument Prepared by:

Address: **Olde Towne Title Company
21 North 3rd Street
Fernandina Beach, Florida 32034**

Property Appraisers Parcel Identification (Folio) Number(s):
00-00-31-1720-0003-0010

Grantee(s) S.S. #(s):

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

INSTR # **200545423**

OR BK **01370** PGS **0698-0699**

RECORDED 11/30/2005 10:08:29 AM

JOHN A. CRAWFORD

CLERK OF CIRCUIT COURT

NASSAU COUNTY, FLORIDA

DOC TAX PD (F.S. 201.02) 17,850.00

RECORDING FEES 18.50

Warranty Deed

(The terms "grantor" and "grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)

Made this **29th** day of **November 2005**, BETWEEN

Jerry E. Kight and Joy L. Kight as Tenants in Common

whose post office address is: **P.O. Box 2735, Blairsville**

of the County of _____, State of **Georgia 30514**, grantor, and
Fernandina Beach Realty, Inc. a Florida corporation

whose post office address is: **2057 South Fletcher Avenue, Fernandina Beach**

of the County of **NASSAU**, State of **Florida 32034**, grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of **Ten and no/100** _____
_____ (**\$10.00**) Dollars,

and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in **Nassau**

County, Florida, to-wit:

All of that certain piece, parcel or tract of land lying and being in the County of Nassau and the State of Florida known and described as follows:

LOTS ONE (1) AND TWO (2), BLOCK THREE (3), SOUTH BEACH, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 3 AT PAGE 11 OF THE PUBLIC RECORDS OF NASSAU COUNTY, FLORIDA.

THE REAL PROPERTY DESCRIBED HEREIN IS NOT THE CONSTITUTIONAL HOMESTEAD NOR THE PRIMARY RESIDENCE OF THE GRANTOR.

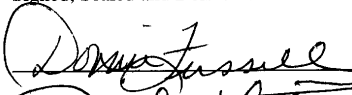
and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

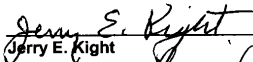
ITEM 7381L1 (9511) FLORIDA

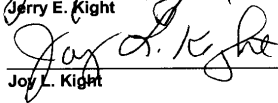
(Page 1 of 2 pages)

GREATLAND ■
To Order Call: 1-800-530-9393 ☐ Fax 616-791-1131

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.
Signed, Sealed and Delivered in Our Presence:





Jerry E. Kight (Seal)


Joy L. Kight (Seal)

____ (Seal)

____ (Seal)

____ (Seal)

____ (Seal)

STATE OF FLORIDA
COUNTY OF **Nassau**

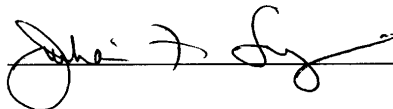
The foregoing instrument was acknowledged before me this **29th** day of **November 2005** by
Jerry E. Kight and Joy L. Kight

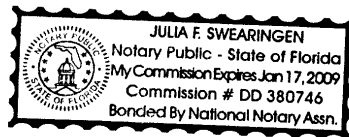
who is personally known to me or who has produced **drivers licenses**

as identification.

My Commission expires:

(Seal)


Notary Public



From: [Ron Flick](#)
To: [Margaret Pearson](#); [Kelly Gibson](#)
Cc: [Ron Flick](#)
Subject: Zoning and FLUM Corrections for PAB CASE 2025-0001
Date: Wednesday, May 7, 2025 8:42:47 AM

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender, were expecting this email, and know the content is safe.

Based on discussions with staff we propose the following:

1. The applicant amends the zoning request to be C-1 versus C-2
2. The City and the Applicant intend to pursue a Development Agreement as a means to achieve conformance with zoning and the future land use with the property
3. Both parties agree to table the request until June 2025, allowing for the parties to reach agreement for presentation to the P&Z for its recommendation and approval by the City Commission to follow.

Ron V. Flick, MPA
CGC1515930
President, CEO
Compass Group, Inc.
463688 FL SR200, Suite 7
Yulee, Florida 32097
Cell (904) 753-9056
Ofc (904) 261-0059, Ext 28
Ron.flick@compassgrp.com

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: Comprehensive Plan Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Kelly Gibson, Planning and
Conservation Director

Katie Newton, Paralegal

Date: April
24, 2025

Submitted By: Sylvie McCann,
Administrative Coordinator



APPLICATIONS FOR COMPREHENSIVE PLAN AMENDMENTS

SUMMARY BACKGROUND:

The City's current 2020-2035 Water Supply Facilities Work Plan is referenced in the 2030 Comprehensive Plan as Exhibit A. According to the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.), each local government is required to amend its local government comprehensive plan every 5 years to include a minimum 10-year water supply facilities work plan following the approval of an updated regional water supply plan (2023 NFRWSP, December 2023). The mandated 10-year Water Supply Facilities Work Plan is specifically developed to address the following:

- Projects for water supply.
- Projects for water supply treatment, storage, and distribution facilities; and
- Water conservation and reuse.

The Fernandina Beach Water Supply Facilities Work Plan and related Comprehensive Plan amendment aims to identify the water sources and facilities needed to serve the community for the next 10 years. Attached is the updated water supply plan.

PROPOSED SOLUTION:

Amended the following sections of the 2030 Comprehensive Plan

GOAL 4 | Public Facilities ELEMENT

OBJECTIVE 4.03. POTABLE WATER SYSTEM AND GROUND WATER RESOURCES

Policy 4.03.05.

~~By December 2013, the City shall~~ must evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City must establish a reclaimed water program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.

OBJECTIVE 4.12. WATER SUPPLY FACILITIES WORK PLAN

The City must maintain a Water Supply Facilities Work Plan as required by Florida Statutes.

Policy 4.12.02.

The City's Water Supply Facilities Work Plan (~~2020~~2025-2035) is incorporated into the comprehensive plan as Exhibit A of the Public Facilities Element.

RATIONALE:

To remain in compliance with the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.).

Respectfully Submitted by:
Planning and Conservation Staff



City of Fernandina Beach Water Supply Facilities Work Plan

2025-2035 Exhibit A

Prepared by:

City of Fernandina Beach

Planning and Conservation Department

May 14, 2025



Table of Contents

Section 1: Introduction

Section 2: Potable Water Supplier(s) and Service Agreement(s)

2.1 Potable and Non-Potable Water Supplier(s) Information

2.2 Water Supply Agreements

2.3 Voluntary Annexation Agreements

Section 3: Potable Water Sources, Demand, Supply, and Facilities

3.1 Water Sources

3.2 Potable Water Demand, Supply, and Facility Capacity

Section 4: Non-Potable Water Suppliers, Sources, Services, and Facilities

4.1 Non-Potable Water Services

Section 5: Water Supply and Facility Concurrency

5.1 Potable Water Level of Service

5.2 Water Supply and Facility Concurrency

Section 6: Water Supply and Facility Capacity Projects- Alternative and Traditional; Potable and Non-Potable

6.1 Fernandina Beach Water Supply Projects

Section 7: Water Conservation Practices

7.1 Water Source Protection Practices

Section 8: Non-Potable Water (Reuse) Practices

8.1 Reuse Practices

Exhibit B: 2030 Comprehensive Plan, Public Facilities Element

List of Figures

Figure 1: City of Fernandina Beach Water Supply Service Area

Section 1: Introduction

According to the Community Planning Act and the Water Resources Act, Sections 373.709 and 163.3177(6)(c)4, Florida Statutes (F.S.), each local government is required to amend its local government comprehensive plan to update to include a minimum 10-year water supply facilities work plan following the approval of an updated regional water supply plan (2023 NFRWSP, December 2023). The mandated 10-year Water Supply Facilities Work Plan is specifically developed to address the following:

- Projects for water supply;
- Projects for water supply treatment, storage, and distribution facilities; and
- Water conservation and reuse.

The Fernandina Beach Water Supply Facilities Work Plan and related Comprehensive Plan amendment aims to identify the water sources and facilities needed to serve the community for the next 10 years. These plans require review from the Florida Department of Commerce and the SJRWMD. The Work Plan examines current and future growth, water needs, and whether existing production and treatment facilities can meet these demands over the 10-year planning period.

At a minimum, it will be necessary to update this document prior to the end of the planning period. In addition, in accordance with Section 163.3177(6)(c), and Section 163.3177(4)(a), F.S., the City must ensure coordination of its comprehensive plan with the plans of SJRWMD. Therefore, if SJRWMD updates its NFRWSP and affects the City, it will be necessary to update the Work Plan during the planning period. Public Facilities Element Policy 4.12.01 and related policies contains enabling language to ensure coordination with SJRWMD's plans. The City shall continue to coordinate with the SJRWMD in preparing amendments to the Water Facilities Work Plan and the Consumptive Use Permit process.

Section 2: Potable Water Supplier(s) and Service Agreement(s)

2.1 Potable and Nonpotable Water Supplier(s) Information

Figure 1 contains a map of the City's potable water service area, with well station locations identified. Within the City's municipal limits, there are six active stations (#53, #54, #55, #56, #57, and #58) permitted for public supply use. The City of Fernandina Beach supplies its own potable water and does not have any agreements with outside water suppliers.

Figure 1: City of Fernandina Beach Water Supply Service Area



2.2 Water Supply Agreements

Nassau County

The City provides potable water and sanitary sewer services to a portion of unincorporated areas within Nassau County. However, the City does not currently have a written agreement with Nassau County regarding these services. The City plans on exploring options for establishing an agreement with Nassau County regarding its provision of utility services.

2.3 Voluntary Annexation Agreements

City of Fernandina Beach and Property Owners

In accordance with sections 82-44 and 82-403 of the Municipal Code, the City provides potable water and sanitary sewer services to properties located in unincorporated areas of Nassau County after a voluntary annexation agreement is signed. The other properties will continue to receive City services while incurring a 25% surcharge on their monthly bills until they become contiguous and qualify for annexation. The City shall continue to improve coordination with Nassau County planning activities planning where the city provides potable water and sanitary sewer services to properties located in unincorporated areas of the county.

Section 3: Potable Water Sources, Demand, Supply, and Facilities

3.1 Water Sources

The City's current Consumptive Use Permit (CUP #122-7) expires in 2029. The CUP authorizes the use of 1,489 million gallons per year (mgy) [4.08 million gallons per day (mgd), annual average] of groundwater from the Upper and Lower Floridan aquifers for public supply use (household, commercial, irrigation, and water utility).

3.2 Potable Water Demand, Supply, and Facility Capacity

Table 2 contains projected population and water demand for the City's potable water service area. The table shows the City's CUP allocation and WTP facility data.

Table 2. City of Fernandina Beach Water Supply Service Area Projections

	2025	2030	2035
2023 NFRWSP Population ¹	20,476	20,478	20,476
2023 NFRWSP Water Demand ² (mgd)	3.46	3.46	3.46
CUP Allocation (mgd) ³	4.08	4.08	4.08
WTP Capacity (mgd) ⁴	18.2	18.2	18.2

*The current CUP is valid through 2029. Values are projections.

Table 2 demonstrates that the City has adequate potable water supply and facility capacity to accommodate the existing population and projected growth within its service area throughout the planning period.

Section 4: Non-potable Water Suppliers, Sources, Services, and Facilities

4.1 Non-Potable Water Services

The City of Fernandina Beach owns and operates a 3.5 MGD wastewater treatment plant. One hundred percent of the discharge of wastewater from the WWTP is sent into the Amelia River. In 2024, the average daily flow is 2.327 MGD. The wastewater facility is located at 1007 S. 5th Street in Fernandina Beach, Florida. Recognizing that this discharge is a potential source of nonpotable water, the City has future intentions to study this issue. Policy 4.03.05 addresses the timing and development of a reclaimed water program.

¹ City's Consumptive Use Permit.

² City's Consumptive Use Permit.

³ City's Consumptive Use Permit.

⁴ City of Fernandina Beach Utilities Department.

Section 5: Water Supply and Facility Concurrency

5.1 Potable Water Level of Service

The City is ultimately responsible for authorizing development within its municipal limits. All future development and redevelopment in the City must be compatible with the adopted LOS standards. Policy 4.01.01 contains enabling language that establishes the City's potable water facilities level of service.

5.2 Water Supply and Facility Concurrency

The current legislative requirements for concurrency [i.e., Section 163.3180(2)(a), F.S.] require that the City's comprehensive plan and land development regulations to ensure that adequate water supplies and facilities are available to serve new development no later than the date on which the City anticipates issuing a certificate of occupancy. In addition, the City must, prior to the approval of a building permit, determine whether adequate water supplies will be available to serve the development by the anticipated issuance date of the certificate of occupancy. Policy 4.03.02 contains language that addresses water supply concurrency statute provisions.

Section 6: Water Supply and Facility Capacity Projects – Alternative and Traditional; Potable and Nonpotable

6.1 Fernandina Beach Water Supply Projects

As part of the City's requirement to eliminate non-beneficial surface water discharge, as required by Senate Bill 64, the City is pursuing options to send reclaimed water to nearby projects, including golf courses, which would offset groundwater withdrawals at these locations. The City anticipates construction of the treatment and delivery system will begin in 2029, after engineering design planning and permitting is complete, and construction of the treatment and delivery system will be finished by 2031. It is anticipated that the reclaimed water system will be fully operational by January 2032.

Section 7: Water Conservation Practices

The City currently implements water conservation practices, including some that are enabled by comprehensive plan policies.

7.1 Water Source Protection Practices

Water conservation is important to reduce potable water demand. The City's water conservation practices include the following:

- Provide a safe and adequate supply of potable water to meet demands of residents (Policy 4.03.01) (Public Facilities)
- Establish water conservation programs and methods (Policy 4.03.06) (Public Facilities)
- Include standards in City's land development regulations that will assist in achieving a reduction in the current rates of water consumption (Policy 4.03.08) (Public Facilities)
- Promote Voluntary Water Conservation measures and enforce mandate of measures during water shortage emergencies (Policy 4.03.2) (Public Facilities)
- Implement water conservation practices as detailed in the City's CUP (Policy 4.03.15) (Public Facilities)

Section 8: Nonpotable Water (reuse) Practices

The City currently implements reuse practices, including some that are enabled by comprehensive plan policies.

8.1 Reuse Practices

Utilization of reuse water is important to reduce potable water demand. The City's reuse practices include the following:

- Encourage City facilities and other feasible uses in the reuse of reclaimed wastewater (Policy 4.03.07) (Public Facilities)
- Evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water (Policy 4.03.05) (Public Facilities)
- Include standard in City's land development regulations allowing for installation of irrigation systems designed to accept non potable water and connection to a nonpotable water distribution system, when feasible, and available (Policy 4.03.08) (Public Facilities)
- Retrofit existing public irrigation systems to utilize reclaimed water or other non-potable water sources as soon as it becomes available (Policy 4.03.11) (Public Facilities)

Exhibit B

2030 Comprehensive Plan, Public Facilities Element

Referenced in the Water Supply Facilities Work Plan depicting through strikethrough/underline the changes made for Consistency with Section 163.3177(6)(c) ~~3~~ 4, Florida Statutes

Policy 4.03.05.

~~By December 2013, the City shall~~ must evaluate the feasibility of a reclaimed water program for uses, such as irrigation, that do not require potable water. When a reclaimed water program is determined to be feasible, the City must establish a reclaimed water program. The City will expand the availability of reclaimed water as the City determines it is economically feasible and practical to expand the program.

Policy 4.03.12.

The City must cooperate with SJRWMD during declared water shortage emergencies by conserving water resources and assisting with enforcement of water shortage emergency declaration, orders, and plans (Rule 40C-21, F.A.C., SJRWMD water shortage plan).

OBJECTIVE 4.12.

The City must maintain a Water Supply Facilities Work Plan as required by Florida Statutes.

Policy 4.12.01.

The City must maintain a Water Supply Facilities Work Plan (Work Plan) that is coordinated with SJRWMD's North Florida Regional Water Supply Plan (NFRWSP). The Work Plan and related comprehensive plan policies will be updated, as necessary, within 18 months of an update of the NFRWSP that affects the City.

Policy 4.12.02.

The City's Water Supply Facilities Work Plan (~~2020~~2025-2035) is incorporated into the comprehensive plan as Exhibit A of the Public Facilities Element.

Policy 4.12.03.

The Water Supply Facilities Work Plan must identify the water conservation and reuse practices, along with the traditional and alternative water supply projects, necessary to meet existing and future water demands.

Policy 4.12.04.

The Water Supply Facilities Work Plan will incorporate and identify the projects contained in the North Florida Regional Water Supply Plan and selected by the City for implementation (if any).

Policy 4.12.05.

The City will participate in the development of updates to the St. Johns River Water Management District (SJRWMD) Regional Water Supply Plan and other water supply development-related initiatives facilitated by the SJRWMD that affect the City.

PLANNING ADVISORY BOARD AGENDA ITEM
City of Fernandina Beach



SUBJECT:

ITEM TYPE: LDC Text Amendment

REQUESTED ACTION:

SYNOPSIS:

CITY ATTORNEY COMMENTS:

Kelly Gibson, Planning and
Conservation Director

Katie Newton, Paralegal



Sylvie McCann, Administrative

Date: May 05,
2025

Submitted By: Coordinator

~~*GREEN BOLD TEXT~~ – PAB EDITS FOLLOWING 4/9/25

ALL OTHER TEXT WAS PREVIOUSLY VETTED.

4.05.00 LANDSCAPING, BUFFERS, AND TREE PROTECTION

4.05.01 GENERALLY

- A. It is the intent of the City to provide standards and regulations which: protect and preserve native tree species and the natural landscape; foster and encourage maintenance of natural vegetation; minimize loss of trees to development; reduce disturbance of native soil, improve ground and surface water quality; and promote energy and water conservation through use of native ~~plants~~ and Florida-Friendly landscaping principles.
- 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 and reducing heat island effects;
 - 3. Buffering and protection from wind and storm damage;
 - 4. Buffering adjacent potentially incompatible land uses;
 - 5. Screening vehicular movement from pedestrian and public view;
 - 6. Providing for the protection and preservation of trees and native vegetation;
 - 7. Ensuring the local stock of native trees and vegetation is replenished;
 - 8. Improving ground and surface water quality through reduced run-off and decreased use of fertilizers and pesticides; and
 - 9. ~~Encouraging~~ Requiring ~~that~~ Florida-Friendly landscaping principles ~~and native plants~~ will be utilized in the ~~into~~ landscape design.
 - 10. Removing and properly disposing of invasive plants and trees within the City.

Explanation: Requires use of Florida-Friendly landscaping principles in required landscape designs, rather than encouragement. Adds a tenth number to the list of specific purposes which supports removal of invasive plants and trees to support native plant materials: 10. Removing invasive plants/trees within the city. The City continues to offer a Free native tree exchange program for those wishing to remove an invasive tree from their property. Additionally, the City continues to partner with the Invader Raiders in weekly invasive plant and tree removal from its managed areas including City Parks, conservation lands, and the Ron Sapp Egans Creek Greenway. Larger initiatives have been supported for invasive removal within the greenway as part of routine management and state-funded grants.

4.05.02 APPLICABILITY

- A. The types of development listed below ~~shall~~ **must** provide a landscaped buffer between uses, provide landscaping for parking lots, submit a tree survey prepared by a licensed Florida surveyor or a tree inventory prepared by a certified arborist 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~~ **must** demonstrate compliance with the standards of Section 4.05.00.
1. All new construction;
 2. All development of regional impact;
 3. Any change of use which results in any increase in the required off-street parking, as determined by the standards in Section 7.01.04;
 4. All commercial redevelopment which results in an increased building footprint, reconfiguration of existing parking, parking lot expansions, or development of outparcels within an existing shopping center.
 - A. Clearing of any site, including root-rake clearing, ~~shall~~ **must** be subject to the requirements for tree protection, submittal of a tree survey or a tree inventory prepared by a certified arborist, and obtaining a tree removal permit.
 - B. An application for a building permit for a single-family or two-family dwelling proposed on an existing platted lot ~~shall~~ **must** include a tree survey or a tree inventory prepared by a certified arborist. The tree survey or a tree inventory prepared by a certified arborist ~~shall~~ **must** comply with the requirements of Section 4.05.04 regarding landscaping, but ~~shall~~ **must** not be required to provide a buffer or landscaping for a parking area.
- C. The following situations are exempt from the requirements of Section 4.05.00:
1. Any interior construction, renovation, or remodeling which does not increase the footprint of the building.
 2. Licensed plant or tree nurseries or botanical gardens with respect to those plants and trees grown for sale to the general public in the ordinary course of the licensed business or for public purposes.
 3. The removal of underbrush and removal of trees which are less than four (4) inches Diameter at Breast Height (DBH).
 4. The removal of ~~prohibited~~ invasive trees identified on the most recent Florida ~~Exotic Pest Plant~~ **Invasive Species** Council Plant list, ~~as amended~~.
 5. Heavy Industrial (I-2) 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 residentially zoned and/or used property. Within the exemption area, LDC Section 4.05.00 applies only within the project's extent occurring in the 75-foot area. The exemption exists with the intent that Heavy Industrial (I-2) zoned properties would seek to minimize an overall impact on the existing tree canopy.

Explanation: Delete C.4 exemption which states: The removal of prohibited invasive trees identified on the most recent Florida Exotic Pest Plant Council Invasive Plant list. Contradicts 4.05.03 A.2. – Changes serves to correct this and amend the name of the list to the updated terms. All other changes are to support plain language as directed by the City Commission to update shall to must.

4.05.03 LANDSCAPE MATERIALS STANDARDS

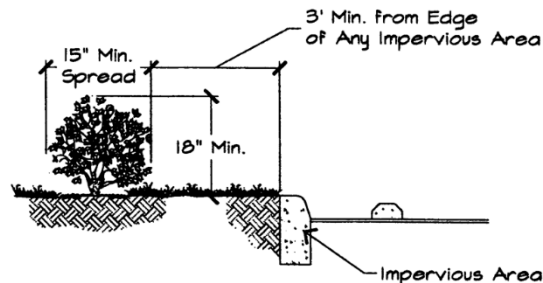
A. Plant materials

1. Trees, Shrubs, and groundcovers **shall must** be selected by using the Florida-friendly Plant Database.
2. Plants identified as “prohibited” or “noxious weeds” **invasive species, Class I or Class II in North Florida on the most recent Florida Invasive Species Council Plant List Florida Exotic Pest Plant Council Invasive Plant list or any plant listed as ‘Prohibited’, ‘Invasive’, ‘Invasive (No Uses)’, or ‘High Invasion Risk’, in North Florida from UF/IFAS Assessment of Non-Native Plants in Florida’s Natural Areas shall must be removed and disposed of properly as part of the site development process and development of new single family homes, major additions, or new accessory structures. Plants identified as “invasive” may be retained on a development site but shall not count toward meeting landscaping and buffering requirements.**

B. Minimum specifications for plant materials

1. All plants used as part of any landscape plan **shall must** be healthy, well proportioned, disease-free, pest-free, and hardy for the North Florida Region. Plant materials **shall must** meet the standards for Florida No. 1 or better, as set out in *Grades and Standards for Nursery Plants*, Department of Agriculture, State of Florida.
2. Shrubs **shall must** be at least eighteen (18) inches in height and have a minimum spread of at least fifteen (15) inches at the time of installation. Shrubs **shall must** be installed at least thirty-six (36) inches apart, measured on center and may not be placed closer than three feet from the edge of any impervious area.

Example:

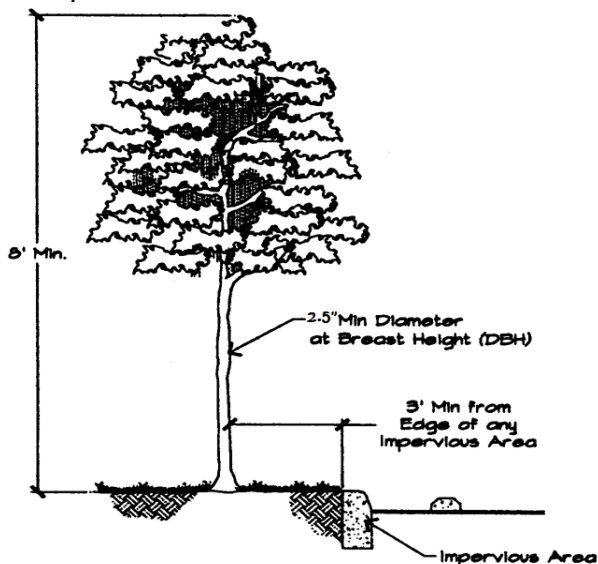


3. Hedges **shall must** be planted to create a continuous, unbroken, solid visual screen within one (1) year of planting allowing for full mature height and spread.
4. All landscaped areas **shall must** be sodded or covered with ground cover. Grassed areas **shall must** be consolidated and limited to those areas on the site which receive pedestrian traffic, provide for recreational use, provide cover for required drain fields or retention areas, or provide soil erosion control such as on slopes or in swales; and where grass is used as a design unifier or other similar practical use. Grassed areas **shall must** be planted with warm season grass species normally grown on permanent lawns in Nassau County. Special care should be taken when selecting turf grasses for shaded sites. A soil sample should be tested specifically for pH to determine which grass species is most suitable for the site. Grassed areas may be sodded, plugged, sprigged, or seeded to provide full coverage **shall must** be achieved within one (1) year after planting. Solid sod **shall must** be used in swales or areas subject to erosion. Grass sod **shall must** be clean and reasonably free of weeds and noxious pests or diseases. Grass seed **shall must** be delivered to

the job site in bags with Florida Department of Agriculture tags attached indicating the quality control program.

5. Ground cover used in lieu of grass **shall must** be planted so as to present a finished appearance and reasonably complete coverage within three (3) months of installation.
6. Vines **shall must** be a minimum of thirty (30) inches in height at planting and may be used in conjunction with fences, screens, or walls.
7. Natural mulch **shall must** be designed and installed in all planting areas to a depth of three (3) inches. The type of mulch **shall must** be specified on the landscape plan. Use of artificial mulch **shall must** not be permissible within required planting areas. Cypress mulch is strongly discouraged. Mulches are typically wood bark chips, wood grindings, pine straw, nut shells, small gravel, and shredded landscape clippings. Mulch is not required in identified annual beds. Mulch rings should extend to at least three (3) feet around freestanding trees and shrubs. All mulch should be renewed periodically. Mulches should be kept six (6) inches away from any portion of a building or structure, or trunks of trees. Plastic sheeting and other impervious materials **shall must** not be used under mulched areas.
8. Retention of native and drought tolerant species is preferred. At least fifty (50) percent of the required plants installed in landscaped buffers, landscaped parking areas, and for replacement **shall must** be native species.
9. At least fifty (50) percent of the required trees installed in landscaped buffers, landscaped parking areas, and to meet tree planting requirements **shall must** be shade trees. Existing trees, other than invasive or prohibited species, which are five (5) inches DBH or larger, and shrubs may be counted toward meeting the requirements for landscaped buffers, landscaped parking areas, and tree retention.
10. Trees **shall must** be a minimum of two and a half (2.5) inches DBH and no less than eight (8) feet tall at the time of installation. Trees **shall must** not be planted closer than three (3) feet from the edge of any impervious area. Planted trees must be a species with an average mature spread of at least twenty (20) feet, or they must be grouped so as to create a crown spread of at least twenty (20) feet.

Example:



11. *When palm trees are used to satisfy minimum landscape requirements, three (3) palm trees shall count as one (1) shade tree **for a total of 2.5 inches of the**

minimum landscape requirement. Palm trees must be a minimum of 8 feet tall at time of installation.

12. Shade trees shall must not be installed under any overhead utility line, over any buried utilities, or within a utility easement.
13. Where utilities conflict with proposed plantings, trees shall must be selected from a list provided by the City. Where underground utilities conflict with proposed plantings, tree placement shall must be a minimum of ten feet from the underground utility and a root barrier of two (2) feet deep shall must be installed.

C. Specific requirements for drought-tolerant Florida Friendly or and xeriscape landscape principles materials and use of native plant materials

- a. All development for which landscaping is required by Section 4.05.00 shall comply with the xeriscape requirements set forth in Table 4.05.03(C). The selected design options listed below and the accompanying points necessary to meet the following xeriscape requirements shall be clearly tabulated on the landscape plan.
- b. A minimum of fifty (50) points shall be accumulated by choosing from the following table of design options. As used in Table 4.05.03(C), "list" means the list of drought tolerant species set forth in the SJRWMD edition of the *Xeriscape Plant Guide*.

Table 4.05.03(C). Design Options for Xeriscape Landscaping

Design Feature	Standard	Points
Irrigation	Moisture sensing controller other than rain switch	5
	Landscape plan depicts low, moderate, and high water usage zones and grouping of plants into hydrozones	5
Grass	25% to 50% of the grass areas use drought tolerant species	5
	51% or more of the grass areas use drought tolerant species	10
	Less than 75% of the landscaped area contains sod	10
	Compacted mulched planting beds at least 3" deep are used in all planting areas except ground cover	10
Shrubs	25% to 50% of the required shrubs are drought tolerant species	5
	51% or more of the required shrubs are drought tolerant species	10
Trees	25% to 50% of the required trees are drought tolerant species	5
	51% or more of the required trees are drought tolerant species	10
	25% increase over the required number of shade trees in vehicular use areas, provided the planting area is large enough to ensure that the additional trees will thrive	5
	50% increase over the required number of shade trees in vehicular use areas, provided the planting area is large enough to ensure that the additional trees will thrive	10

Replacement Sub-section C.

C. Standards. Development requiring landscaping or perimeter buffers in accordance with this section must comply with the following xeriscape standards:

1. *Preserve and maintain native vegetation.* Existing and native vegetation must be maintained and preserved to the maximum extent practicable.
2. *Group plant material into water use zones based on water needs.* Plant material must be in water use zones according to the water needs of the genus and species, as follows:
3. *High-water use zones.* Where plant material associated with moist soils is located requires supplemental water in addition to natural rainfall. Plant material that falls in the high-water use zone shall be limited to 49 percent of the total landscaped area of the site.
4. *Moderate-water use zones.* Where plant material can survive on natural rainfall with supplemental water during seasonal dry periods.
5. *Low-water use zones.* Where plant material can survive on natural rainfall with no supplemental water.
6. *Ensure plant types are appropriate for soils.* Plant types appropriate for the soil(s) on the site must be used, and enhanced, if needed, to give the soil more moisture retention capabilities.
7. *Use of low water use plants.* Plants must be selected based on their adaptability to the site based on water use, desired effect, color, texture, and mature size. The landscape should be designed to give the desired aesthetic effect and plants should be grouped in accordance with their respective water needs. The use of native or Florida-Friendly species must be used, to the maximum extent practicable.

Explanation: *Proposed changes to LDC Section 4.05.03 (C.) serve to provide an update to current language for reference to the Florida Invasive Species Council Plan List since that organization has changed its name. The removal of table 4.05.03 C. with replacement of more current guidance from the Florida Friendly model ordinances specifically relying on terminology and guidance provided in Alachua County ordinance. The changes also eliminate duplication of terms as described in specific subsections for landscaping requirements such as installation and maintenance requirements. This is requested to be amended to reflect staff interpretation when applying the standard for minimum landscape requirements for use of palm trees.*

D. Installation

1. All required landscaping installed pursuant to this section **shall must** be installed according to accepted horticultural practice.
2. Trees may not need to be staked if appropriate canopy to root ratio is achieved. However, trees **shall must** be guyed, braced, and/or staked at the time of planting to ensure establishment of the tree and erect growth, as specified by the landscape designer or architect and compliant with the ISA staking and guying guidelines. Nail staking or other methods that cause cosmetic or biological damage to the tree are prohibited. Trees **shall must** be re-staked within twenty-four (24) hours in the event of a failure in the staking or guying. Stakes **shall must** be removed not later than twelve (12) months after installation. All areas where trees are to be planted shall be excavated to the width and depth of the root ball with the upper twelve (12) inches excavated to at least three (3) times the width of the root ball prior to being backfilled with the required topsoil mix.
3. Shade trees **shall must** be provided with at least 250 square feet of planting area per tree.

4. Understory trees **shall must** be provided with at least 100 square feet of planting area.
5. Landscaped areas **shall must** be protected from vehicular encroachment by car stops, curbs, or other appropriate means.
6. Trees **shall must** be installed a minimum of three (3) feet from a paved area. A root barrier **shall must** be required prior to installation of replacement trees.
7. Landscaped areas **shall must** be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition. All irrigation systems shall be designed, installed, and maintained in such a manner as not to be a nuisance to adjacent properties and uses and to the general public. Irrigation systems shall include moisture sensors.
8. Irrigation systems **shall must** be designed to “*Standards and Specifications for Turf and Landscape Irrigation Systems*”, Fifth Edition, 2005, Florida Irrigation Society, Inc and as subsequently amended.
9. Xeriscape areas must have a readily available water supply to provide temporary irrigation until plantings are established.
10. Natural areas and native vegetation left undisturbed by development may be excluded from the irrigation system.

E. Maintenance requirements

1. All plantings must be continually maintained in an attractive and healthy condition. Maintenance must 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 must be replaced not later than three (3) months following the loss of the plant.
3. Replacement trees **shall must** be maintained and warranted to survive for a period of three (3) years from installation. Trees which do not survive three (3) year must be replaced with new trees of the same size. Replacement trees must comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of planting.
4. All trees may be pruned to maintain shape and promote their shade-giving qualities and to remove diseased or dying portions in areas where falling limbs could be a hazard. The property owner is responsible for the maintenance of all required landscaping in a healthy, thriving condition. Trees **shall must** be pruned only as necessary to promote healthy growth or to avoid power lines. Trees **shall must** not be severely pruned or "hatracked," "lionstailed," or "topped" in order to permanently maintain growth at a reduced height. Pruning **shall must** comply with current International Society of Arboriculture (ISA) standards. No more than 20% of the crown **shall must** be removed within a one (1)-year period.
5. Fertilizers: It **shall must** be the goal of each landscape plan to select plant materials capable of thriving without regular fertilizer application, with exception of palms which need quarterly fertilizer to avoid nutrient deficiencies.
6. Pesticides: It **shall must** be the goal of each landscape plan to establish an Integrated Pest Management approach and reduce or eliminate the need for pesticide application.

Explanation: *Proposed changes to LDC Section subsections 4.05.03 renumbered as E. and F. serve solely to use plain language direction of the City Commission. The most recent amendments to these sections were fully vetted and approved in 2021. There are no directive changes proposed.*

4.05.04 REQUIREMENTS FOR LANDSCAPE PLANS

- A. A landscaping plan **shall must** be provided to demonstrate compliance with the standards of this section and prepared in accordance with all applicable Florida Statutes. Landscaping plans **shall must** utilize the principles for creating a Florida Friendly landscape, utilize native drought tolerant plant materials to conserve water, avoid invasive exotic species, reduce need for fertilizers, and establish integrated pest management to reduce or eliminate pesticide use. The use of plant material, site design techniques, and planting design techniques which enhance wildlife habitat benefits is strongly encouraged. The publication “Planting a Refuge for Wildlife,” available from the Florida Fish and Wildlife Conservation Commission, may be used as a guide.
- B. The landscape plan **shall must** include the following elements:
 - 1. The name, address, and telephone number of the applicant, as well as the registered landscape architect or landscape designer.
 - 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, perimeter and interior landscape area plantings, existing trees and planting areas. The plan **shall must** illustrate the proposed irrigation hydrozones. The plan **shall must** 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).
 - 3. New landscape plans **shall must** account for plant watering needs and group plants into “hydrozones.” Hydrozones and their corresponding irrigation category **shall must** be identified on the landscape plan.

Explanation: *Proposed changes to LDC Section 4.05.04 serve solely to use plain language direction of the City Commission. The most recent amendments to these sections were fully vetted and approved in 2021. There are no directive changes proposed.*

4.05.05 MINIMUM REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT

It is the intent of this section to provide minimum landscaping requirements for residential development. **Use of Existing plant materials is preferred**, other than invasive species, may be counted toward meeting the landscaping requirements set forth in this section.

A. Single-family Detached and Two-family Duplex Residential Development

Single-family and two-family development must include, at a minimum, two (2) native, shade trees for every 2,500 square feet of lot area or fraction thereof. At least four (4) native trees may be located in the front, side, or rear yard. Relocation **and/or mitigation of** existing healthy trees on the project site measuring at least 2.5" DBH and at least 8 feet tall may be **relocated and/or mitigated** on the site **and utilized for use** as a credit to satisfy minimum landscape requirements. Tree identification and placement must be shown on a site plan but may not be required to meet the requirements of 4.05.04(A) above.

B. Tri-plex and Multi-family Residential Development

Multi-family residential development sites must meet the following standards, in addition to the requirements set forth in Section 4.05.04(A) above:

1. There must be at least two (2) native, shade trees for each 1,500 square feet, or fraction thereof, of development site. Relocation **and/or mitigation of** existing healthy trees on the project site measuring at least 2.5" DBH and at least 8 feet tall may be **relocated and/or mitigated** on the site **and utilized for use** as a credit to satisfy minimum landscape requirements. There must be a planting area not less than ten (10) feet in width between the building walls and parking areas. Landscape materials must 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 must be shade trees; and
 - c. A continuous hedge must be placed along the building walls.
2. There must be a planting area not less than ten (10) feet in width between an abutting right-of-way and parking areas. Landscape materials must meet the following standards:
 - a. One (1) tree must be provided for every 250 square feet of planting area or fraction thereof;
 - b. At least seventy-five (75) percent of the trees must be shade trees;
 - c. A continuous hedge or a berm with native plantings, at least three (3) feet in height, must be provided; and
 - d. The entire site, outside of the planting areas immediately surrounding the trees and shrubs, must contain grass or ground cover.

4.05.06 MINIMUM REQUIREMENTS FOR NON-RESIDENTIAL AND MIXED-USE DEVELOPMENT

A. Minimum Landscaped Area

At least twenty (20) percent of the total gross land area of a development site **shall must** be landscaped except within the Central Business District/ C-3 zoned and the 8th street Mixed Use (MU8)/MU-8 zoning properties where a minimum of 10% of the total gross land area **shall must** be landscaped. New construction and landscaped areas shall be located on the site in such manner as to maximize preservation of existing trees with priority given to specimen trees.

Minimum landscaped area requirements may be achieved through the use of planters and rooftop gardens. Planting areas which fulfill landscape design strategies located within public rights-of-way **shall must** count towards the minimum planting area, if installed and paid for by the developer or property owner.

B. Minimum Tree Planting

Nonresidential development **shall must** provide one (1) shade tree for each 1,500 square feet of gross site area, or fraction thereof. **Relocation and/or mitigation of existing healthy trees on the project site measuring at least 2.5" DBH and at least 8 feet tall may be relocated and/or mitigated on the site for use as a credit to satisfy minimum landscape requirements.**

Explanation: *Proposed changes to LDC Section 4.05.06 serve to encourage the overall health of the existing City's canopy and retention of existing healthy trees, avoid overcrowding, support understory plantings and take into consideration existing environmental factors such as light, wind, as well as urban conditions such as overhead wires, street and security lights, adjacent buildings and signs. Specifically, the requested minimum tree planting amendments reflect staff interpretation of how to consider existing healthy trees on a given site when applying the minimum landscape requirements. Existing interpretation supports and encourages the retention of healthy mature trees on a site while continuing to support additional landscape trees as may be needed without overcrowding.*

***4.05.07 PARKING LOT LANDSCAPING**

- A. Intent: It is the intent of this section to promote vehicular and pedestrian safety; limit physical site access to established points of ingress and egress; delineate and buffer the bounds of abutting vehicular use areas so that distractions of movement, noise and glare from one area do not adversely affect the activity in another area; break up large expanses of pavement; and to reduce heat island effect within the vehicular use areas of a site.
- B. Off-Street Parking: All off-street parking lots with ~~six (6)~~ **nine (9)** or more required parking spaces and vehicular use areas (access driveways, service drives, and loading areas) are required to include landscaping. Required parking lot landscaping ~~shall~~ **must** be in addition to requirements for protection of existing trees.
- C. Perimeter Landscaping:
1. A landscaped area not less than ten (10) feet in width, exclusive of impervious area, using vertical layering of landscape materials ~~shall~~ **must** be located around the perimeter of the parking lot in order to provide visual screening from the right-of-way. Perimeter landscape area requirements ~~shall~~ **must** not apply to shared vehicular access areas or to the portion of the perimeter areas where physical interconnections exist. **Perimeter landscape area requirements are reduced to a minimum of five (5) feet and permits use of understory trees for properties located within the Central Business District or 8th Street Mixed Use Overlay.**

Explanation: *The proposed amendments directly address previously articulated concerns from both staff and property owners regarding the 8th Street redevelopment goals. Specifically, these changes aim to:*

- **Align Standards** - *The current parking lot landscaping requirement triggers at 6 spaces, while landscape islands are mandated at 10 spaces, creating an inconsistency. The change applies to all new and redeveloped parking lots.*
- **Resolve identified obstacles within the 8th Street Mixed Use (8MU) Overlay** *that are preventing the desired integration of diverse land uses.*
- **Improve corridor interconnectivity**, *a key concern for both pedestrian and vehicular traffic flow.*
- **Facilitate efficient shared parking arrangements**, *responding to concerns about excessive parking requirements while ensuring adequate availability during peak operational hours.*

It is important to note that these amendments are not intended as a final, comprehensive solution to all 8th Street redevelopment challenges. Rather, they represent a small, targeted measure designed to support current and future projects in moving forward. By addressing these previously raised issues, the amendments seek to streamline the 8MU Overlay and ensure the 8th Street redevelopment achieves its intended vibrancy, connectivity, and optimized parking solutions. Additional solutions may materialize as the board continues to consider measures to support redevelopment generally.

4.05.13 HARDSHIP RELIEF

- A. Where a landowner is unduly burdened by the strict application of this ~~the landscape sections covered in 4.05 chapter~~, said landowner may apply in writing to the ~~community development department director~~ City Manager for hardship relief.

Explanation: *Proposed changes to LDC Section 4.05.13 serve to eliminate the term “chapter” as this has the potential to be arguably applied as the entirety of Chapter 4 being eligible for administrative approval relief. It is Staff’s understanding that the intent of this section is to provide a minor degree of administrative latitude in allowing limited deviations to landscape requirements when a documented hardship occurs on an individual property. It was never the intention to allow administrative hardship relief requests against the entire chapter. This change is requested to better reflect the intent of only allowing that limited relief for landscape standards as approved by the City Manager.*