



AGENDA
FERNANDINA BEACH CITY COMMISSION
REGULAR MEETING
MAY 2, 2017
6:00 PM
CITY HALL COMMISSION CHAMBERS
204 ASH STREET
FERNANDINA BEACH, FL 32034

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE / INVOCATION

Invocation by Reverend Anthony Daniel of Macedonia A.M.E. Church.

4. PROCLAMATIONS / PRESENTATION

4.1. **PROCLAMATION - 54TH ANNUAL ISLE OF EIGHT FLAGS SHRIMP FESTIVAL –** *Proclaims May 5, 2017, through May 7, 2017, as “The 54th Annual Isle of Eight Flags Shrimp Festival”. Members of the Isle of Eight Flags Shrimp Festival Committee will be present to accept the Proclamation.*

4.2. **PROCLAMATION - NATIONAL NURSES WEEK -** *Proclaims May 6-12, 2017, as "National Nurses Week". Members of the Baptist Health family will be present to accept the Proclamation.*

4.3. **PROCLAMATION - RECOGNITION OF ACHIEVEMENT OF THE EXCELLENCE IN PLANNING BRONZE LEVEL AWARD -** *Acknowledges efforts of the Planning Advisory Board and Planning staff in receiving a national award from the American Planning Association for excellence in planning by achieving bronze level status for Comprehensive Plan policies that create Sustaining Places. City Staff will be present to accept the Proclamation.*

4.4. **PROCLAMATION - SEA TURTLE NESTING SEASON -** *Proclaims the months of May through October as "Sea Turtle Nesting Season." The City's Code Enforcement staff and representatives of the Amelia Island Sea Turtle Watch will be present to accept the Proclamation.*

4.5. **PROCLAMATION - NATIONAL BIKE MONTH -** *Proclaims the month of May, 2017, as "National Bike Month." Mr. Phil Scanlan, a member of the Amelia Island Trails Association, will be present to accept the Proclamation and discuss future trail funding strategies with the City Commission.*

4.6. **PROCLAMATION - CODE ENFORCEMENT APPRECIATION WEEK -** *Proclaims the week of May 29, 2017, through June 2, 2017, as "Code Enforcement Appreciation Week." City Code Enforcement staff will be present to accept the Proclamation.*

4.7. **PRESENTATION - GOLF COURSE -** *Golf Course Manager Steve Murphy will discuss current and future Golf Course operations and projects.*

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

6. CONSENT AGENDA

- 6.1. **APPROVAL OF MINUTES** - *Special Meeting - January 10, 2017; Special Meeting - January 24, 2017; Regular Meeting - February 7, 2017; and Regular Meeting - February 21, 2017.*
- 6.2. **VOLUNTARY ANNEXATION AGREEMENT - 1401 SOUTH PIKE LANE** - RESOLUTION 2017-67 APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.20 ACRES LOCATED AT 1401 SOUTH PIKE LANE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property owners identified, whose property is located at 1401 South Pike Lane and noted as parcel 00-00-30-0411-0001-0000. Also approves the Voluntary Annexation Petition.*
- 6.3. **VOLUNTARY ANNEXATION AGREEMENT - 757 OLD AMELIA AVENUE** - RESOLUTION 2017-68 APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.26 ACRES LOCATED AT 757 OLD AMELIA AVENUE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the extension of water services to the property owners identified, whose property is located at 757 Old Amelia Avenue and noted as parcel 00-00-30-0620-0002-0090. Also approves the Voluntary Annexation Petition.*
- 6.4. **BUDGET AMENDMENT - BUILDING DEPARTMENT** - RESOLUTION 2017-69 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves a budget transfer of \$15,000 from the Building Temporary Salaries account to the Building Part-Time Salaries account.*
- 6.5. **AGREEMENT APPROVAL - VETERANS COUNCIL OF NASSAU COUNTY, INC.** - RESOLUTION 2017-70 REPEALING RESOLUTION 2011-125 AND TERMINATING THE LICENSE AGREEMENT WITH AMERICAN LEGION POST 54 FOR MAINTENANCE OF THE VETERANS MEMORIAL AT CENTRAL PARK; APPROVING A NEW LICENSE AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND VETERANS COUNCIL OF NASSAU COUNTY, INC. FOR MAINTENANCE OF THE VETERANS MEMORIAL AT CENTRAL PARK; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the License Agreement between the City of Fernandina Beach and the Veterans Council of Nassau County, Inc.*

7. RESOLUTIONS

- 7.1. **AGREEMENT APPROVAL - DIX. HITE + PARTNERS / BUDGET AMENDMENT** - RESOLUTION 2017-57 APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DIX. HITE + PARTNERS, INC. FOR CONSULTING SERVICES RELATED TO WATERFRONT REDEVELOPMENT; APPROVING A BUDGET AMENDMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Authorizes the City Manager to execute a professional services agreement for Waterfront Redevelopment Consulting Services with Dix. Hite + Partners, Inc. Approves an amendment to the FY 2016/2017 budget for related expenditures.*

- 7.2. **FINAL PLAT/ REPLAT - THE SURF UNIT II - RESOLUTION 2017-71** APPROVING FINAL PLAT/ REPLAT, PAB CASE 2017-04 TITLED, "THE SURF - UNIT II"; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Accepts and approves the plat titled, "The Surf- Unit II", as a final plat.*
- 7.3. **SOLE SOURCE PURCHASE APPROVAL - SENSUS USA, INC. - RESOLUTION 2017-72** APPROVING THE SOLE SOURCE PURCHASE OF WATER METERS WITH RELATED HOUSING AND COMPUTER SOFTWARE FROM SENSUS USA, INC. FOR THE UTILITIES DEPARTMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the sole source purchase of water meters in the amount of \$96,742.28 from Sensus USA, Inc.*
- 7.4. **BUDGET AMENDMENT - AIRPORT - RESOLUTION 2017-73** APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Approves the transfer of \$15,000 from the Airport Salaries account to the Airport Machine/Equipment account.*
- 7.5. **CITY COMMISSION QUASI-JUDICIAL HEARING PROCEDURES - RESOLUTION 2017-74** ADOPTING CERTAIN RULES OF PROCEDURE FOR THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH FOR THE CONDUCT OF QUASI-JUDICIAL HEARINGS; REPEALING ALL RESOLUTIONS AND POLICIES IN CONFLICT HERewith; PROVIDING DIRECTIONS TO CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Adopts Rules of Procedures for City Commission Quasi-Judicial Hearings.*

8. ORDINANCES - FIRST READING

- 8.1. **CODE AMENDMENT – BOSQUE BELLO CEMETERY - ORDINANCE 2017-10** AMENDING CHAPTER 30, CEMETERY, ARTICLES I-IV, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 30-1 PROVIDING FOR DEFINITIONS; AMENDING SECTION 30-39 BULK PURCHASES; AMENDING SECTION 30-43 TRANSFER OF OWNERSHIP; AMENDING SECTION 30-57 PERPETUAL CARE SERVICES AND FEES; AMENDING SECTION 30-109 MEMORIAL AND VAULT INSTALLATIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends various sections of the City Code pertaining to the Bosque Bello Cemetery.*
- 8.2. **LAND DEVELOPMENT CODE AMENDMENT - OUTDOOR LIGHTING - ORDINANCE 2017-11** AMENDING THE LAND DEVELOPMENT CODE CHAPTER 1, SECTION 1.00.07 DEFINITIONS, AND BY STRIKING AND REPLACING SECTION 3.06.00 OUTDOOR LIGHTING WITH WILDLIFE PLANNING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to outdoor lighting.*
- 8.3. **LAND DEVELOPMENT CODE AMENDMENT - DOWNTOWN DENSITY - ORDINANCE 2017-12** AMENDING THE LAND DEVELOPMENT CODE BY STRIKING SECTION 4.01.02 AND TABLE 4.01.02 (A) COMMUNITY REDEVELOPMENT AREA DENSITY BONUS INCENTIVE PROGRAM AND AMENDING SECTION 4.01.01 TO INCREASE THE BASE DENSITY WITHIN THE CENTRAL BUSINESS DISTRICT AND MODIFY PERMISSIBLE HOUSING TYPES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends the Land Development Code specific to downtown density.*

- 8.4. **FUTURE LAND USE MAP AMENDMENT - BROOME STREET - ORDINANCE 2017-13** CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) TO ASSIGN A LAND USE DESIGNATION OF CENTRAL BUSINESS DISTRICT (CBD) FOR FOUR PARCELS TOTALING APPROXIMATELY 0.32 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON BROOME STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Future Land Use Map designation of Central Business District (CBD) to 0.32 acres of land located on Broome Street.*
- 8.5. ***Quasi-Judicial* - ZONING MAP AMENDMENT - BROOME STREET - ORDINANCE 2017-14** CHANGING THE CITY'S ZONING MAP FROM INDUSTRIAL (I-1) TO ASSIGN A ZONING MAP CATEGORY OF CENTRAL BUSINESS DISTRICT (C-3) FOR FOUR PARCELS TOTALING APPROXIMATELY 0.32 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON BROOME STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Zoning Category of Central Business District (C-3) to approximately 0.32 acres located on Broome Street.*
- 8.6. **FUTURE LAND USE MAP AMENDMENT - NORTH 2ND STREET - ORDINANCE 2017-15** CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) TO ASSIGN A LAND USE DESIGNATION OF CENTRAL BUSINESS DISTRICT (CBD) FOR THREE PARCELS TOTALING APPROXIMATELY 0.59 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON NORTH 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Future Land Use Map designation of Central Business District (CBD) to 0.59 acres of land located on North 2nd Street.*
- 8.7. ***Quasi-judicial* - ZONING MAP AMENDMENT - NORTH 2ND STREET - ORDINANCE 2017-16** CHANGING THE CITY'S ZONING MAP FROM INDUSTRIAL (I-1) TO ASSIGN A ZONING MAP CATEGORY OF CENTRAL BUSINESS DISTRICT (C-3) FOR THREE PARCELS TOTALING APPROXIMATELY 0.59 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON NORTH 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Assigns a Zoning Category of Central Business District (C-3) to approximately 0.59 acres located on North 2nd Street.*

9. ORDINANCE - SECOND READING

- 9.1. **CODE AMENDMENT - NOISE - ORDINANCE 2017-08** AMENDING CHAPTER 42, ARTICLE V, NOISE, BY AMENDING SECTION 42-141, DEFINITIONS, TO ADD DEFINITION OF PLAINLY AUDIBLE; AMENDING SECTION 42-142 REGARDING UNNECESSARY AND EXCESSIVE NOISE SETTING FORTH PLAINLY AUDIBLE MEASUREMENT STANDARD; AMENDING SECTION 42-145 REGARDING EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. *Synopsis: Amends Chapter 42 of the City Code pertaining to noise.*

10. CITY MANAGER REPORTS

11. CITY ATTORNEY REPORTS

12. CITY CLERK REPORTS

13. MAYOR/COMMISSIONER COMMENTS

14. ADJOURNMENT

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- A THREE (3) MINUTE TIME LIMIT MAY BE IMPOSED FOR ALL SPEAKERS (EXCEPT IN A QUASI-JUDICIAL HEARING). A “REQUEST TO SPEAK” FORM IS AVAILABLE ON THE COUNTER AT THE ENTRANCE TO THE COMMISSION CHAMBERS. THE FORM SHOULD BE GIVEN TO THE CITY CLERK UPON COMPLETION.
 - THE MAYOR WILL DETERMINE THE ORDER OF THE SPEAKERS AND MAY IMPOSE MORE RESTRICTIVE TIME LIMITS.
 - ONE PERSON WILL SPEAK AT A TIME AND ADDRESS COMMENTS TO THE MAYOR, NOT INDIVIDUAL CITY COMMISSION MEMBERS.
 - THE CITY COMMISSION MAY ASK QUESTIONS OF SPEAKERS WHO WILL HAVE ONE MINUTE TO RESPOND. ADDITIONAL TIME MAY BE GRANTED AT THE DISCRETION OF THE MAYOR OR BY A MOTION BY THE CITY COMMISSION.
 - SPEAKERS MAY FILE COPIES OF THEIR REMARKS WITH THE CITY CLERK WHO WILL MAKE THEM AVAILABLE TO THE COMMISSION.
 - FERNANDINA BEACH CITIZENS WILL SPEAK BEFORE NONRESIDENTS AND SPEAKERS WILL LIMIT REMARKS TO THE SPECIFIC SUBJECT MATTER.
 - DISCUSSION – DIRECTION - ACTIONS ITEMS MAY BE ACTED UPON BY THE CITY COMMISSION BY EITHER A MOTION AND VOTE IN ACCORDANCE WITH ROBERTS RULES OF ORDER, OR BY A CONSENSUS OF THE CITY COMMISSION.
 - PURSUANT TO RESOLUTION 95-32, IF AN ITEM IS NOT ON THE AGENDA IT REQUIRES A FOUR-FIFTHS VOTE OF THE CITY COMMISSION DECLARING THE ITEM AN EMERGENCY BEFORE ACTION CAN BE TAKEN.
 - *QUASI-JUDICIAL* - DENOTES THAT THE ITEM MUST BE CONDUCTED AS A QUASI-JUDICIAL HEARING IN ACCORDANCE WITH CITY COMMISSION ESTABLISHED PROCEDURE AND FLORIDA STATUTES. ANY PERSON WISHING TO APPEAL ANY QUASI-JUDICIAL DECISION MADE BY THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.
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Persons with disabilities requiring accommodations in order to participate should contact the City Clerk at (904) 310-3115 or TTY/TDD 711 (for the hearing or speech impaired).

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
54th Annual Isle of Eight Flags Shrimp Festival

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming May 5, 2017, through May 7, 2017, as "The 54th Annual Isle of Eight Flags Shrimp Festival".

Members of the Isle of Eight Flags Shrimp Festival Committee will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, the first Annual Isle of Eight Flags Shrimp Festival took place in 1964 as the Shrimp Boat Races for the promotion of tourism and to recognize the City of Fernandina Beach as the Birthplace of the Modern Shrimping Industry; and

WHEREAS, the humble origins of the Shrimp Festival were an annual spring shrimp boat race, during which the shrimpers' wives served shrimp dishes. Today, Shrimp Festival is Fernandina Beach's longest-standing and largest special event. The festival still embraces shrimp boats and great food, but these days locals and visitors alike enjoy many other festivities which include a parade, a pirate invasion, music, entertainment, fine art, crafts, antiques and much more; and

WHEREAS, over the last fifty years, the Isle of Eight Flags Shrimp Festival has grown into a nationally recognized festival that provides a financial impact in excess of \$16,000,000 to the City of Fernandina Beach, Nassau County and surrounding areas; and

WHEREAS, this year commemorates the 54th Annual Isle of Eight Flags Shrimp Festival which will be celebrated May 5, 2017, through May 7, 2017, in the beautiful downtown historic district of Fernandina Beach on pristine Amelia Island, Florida; and

WHEREAS, the all-volunteer Shrimp Festival Committee partners with the City of Fernandina Beach, area businesses and approximately fifty local non-profit organizations to encourage community volunteerism while instilling a sense of pride through working together for the benefit of the Shrimp Festival; and

WHEREAS, the Fernandina Beach City Commission hereby extends its sincere appreciation and gratitude to the Isle of Eight Flags Shrimp Festival Committee for its dedication in keeping the time-honored traditions and reminders of the shrimping industry alive, and for introducing visitors to the gracious ambiance of downtown Fernandina Beach's historic district and the beauty of the Amelia River.

NOW, THEREFORE, I, Robin C. Lentz, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby proclaim May 5, 2017, through May 7, 2017, as the:

“54th ANNUAL ISLE OF EIGHT FLAGS SHRIMP FESTIVAL”

IN WITNESS WHEREOF, I hereunto set my hand and caused the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Mayor-Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
National Nurses Week

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming May 6-12, 2017, as "National Nurses Week".

Members of the Baptist Health family will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, until the mid-1800's, tending to those in need of medical care was considered exceedingly undesirable manual labor; the pay was extremely poor and working conditions were unsanitary and shockingly deplorable. Fortunately, all that changed when the late Ms. Florence Nightingale developed what is now known as the modern nursing profession. Fittingly, National Nurses Week begins each year on May 6 and ends on May 12 (Ms. Florence Nightingale's birthday); and ..

WHEREAS, there are more than 3.3 million registered nurses in the United States today. Together they constitute the nation's largest health care profession and would make Ms. Nightingale profoundly proud. The nursing profession is highly respected and still experiencing tremendous growth in over 200 medical specialty areas; each governed by federal, state, and local regulations designed to protect nurses and their patients; and

WHEREAS, as the American population ages, coupled with the expansion of life-sustaining technologies, so grows the demand for high-quality, compassionate, and cost-effective nursing care. The American Nurses Association is the voice for registered nurses across the country and has been diligently working to create a healthy nation by delivering primary and preventive health care; and

WHEREAS, the depth and breadth of the nursing profession continues to meet the challenging diversity of the health care needs of the American people with compassion, skill, competence and expertise.

NOW, THEREFORE, I, Robin C. Lentz, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby proclaim the week of May 6, 2017, through May 12, 2017, as

“NATIONAL NURSES WEEK”

and hereby honor the nation's registered nurses for their tireless commitment to providing professional health care services and celebrate their efforts and accomplishments to improve the health care system.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation acknowledging efforts of the Planning Advisory Board and Planning staff in receiving a national award from the American Planning Association for excellence in planning by achieving bronze level status for Comprehensive Plan policies that create Sustaining Places.

City Staff will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, community planning and community plans can help manage change in a way that provides better choices for how people live, work, travel and play; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning require public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the State of Florida and the City of Fernandina Beach have long recognized the importance of planning to engage the public, guide decision making, and manage growth in a way that is meaningful to and representative of the local community; and

WHEREAS, the City of Fernandina Beach adopted a significant update to its state-required Comprehensive Plan in 2012 by incorporating community desires and sound planning principles into a holistic policy document intended to assist current and future decision makers on growth-related matters; and

WHEREAS, the Northeast Florida Regional Council, recognized the City's 2030 Comprehensive Plan and selected it as recipient of the 2011 Regional Leadership Award for Excellence in Planning and Growth Management; and

WHEREAS, in April, 2017, the City of Fernandina Beach 2030 Comprehensive Plan ranked among the top five nationally recognized plans for its policies towards creating Sustainable Places by the American Planning Association (APA); and

WHEREAS, the APA has recognized the City of Fernandina Beach 2030 Comprehensive Plan as a bronze level award recipient for setting Standards for Sustaining Places, a program which recognizes plans that exemplify how communities today are working to create a sustainable future; and

WHEREAS, the APA cited the City's Plan for "creating distinctive and appealing communities with compact development and multi-modal transportation though an emphasis on environmental sustainability with particular focus on land use, energy, and the natural environment while addressing issues related to resiliency and hazards;" and

WHEREAS, the Fernandina Beach City Commission wishes to recognize the valuable contributions made by members of the community, members of the Planning Advisory Board, members of other City volunteer advisory committees, and members of the City planning staff in achieving this recognition and extend our appreciation for the continued commitment to public service by these volunteers and professionals.

NOW, THEREFORE, I, Robin C. Lentz, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby recognize members of the Planning Advisory

Board between the years of 2012 and 2017 and the current Planning Staff for their work in implementing the 2030 Comprehensive Plan as well as the original co-authors of the Plan;

2011-2012 PLANNING ADVISORY BOARD members:

- David Beal, Chair
- Eric Bartelt
- Paul Condit
- Richard Bradford
- Mark Bennett
- Commissioner Len Kreger
- Michael Harrison
- Ted Kostich, and
- Judith Lane

Current PLANNING STAFF members:

- Marshall McCrary,
- Kelly N. Gibson,
- Jacob Platt, and
- Salvatore Cumella

And, former PLANNING STAFF members:

- Adrienne Burke, and
- Jennifer Gooding

for their dedication, exemplary skills, and professionalism in updating and implementing the City's 2030 Comprehensive Plan in a form worthy of achieving Bronze Level national recognition for Sustaining Places by the American Planning Association in 2017.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor-Commissioner

Review Summary: City of Fernandina Beach 2030 Comprehensive Plan

The City of Fernandina Beach's comprehensive plan has a heavy focus on multi-modal transportation, compact development, and a focus on fostering distinctive, attractive communities with a strong sense of place. Policies address reducing emissions through denser development and promoting infrastructure for active transportation. Clear preference is giving to green certificated buildings for future development, and the conservation and access of natural resources is highly prioritized. Overall, the plan has an environmental sustainability feel with focuses on land use, energy and the natural environment. It also strongly addresses issues related to hazards and resilience.

Reviewers found that the plan could have more clearly addressed public engagement, there was a clear focus on regional stakeholder engagement, as well as civic-engagement through the lens of the city's Planning Advisory Board. The 2030 Comprehensive Plan could have had a stronger introduction including a summary of the community, clear vision statement for the community, and breakdown of the public participation process. Although the plan includes goals, objectives and policies, it does not provide supportive data, visuals, or detailed action statements. Lastly, while the plan does a great job of addressing environmental sustainability, it does not fully address comprehensive sustainability issues, including equity and public health.

Scorecard Summary

Principle	Score
Livable Built Environment	30
Harmony with Nature	28
Resilient Economy	17
Interwoven Equity	19
Healthy Community	14
Responsible Regionalism	15
TOTAL PRINCIPLES SCORE	123
Processes	
Authentic Participation	9
Accountable Implementation	21
TOTAL PROCESSES SCORE	30
Attributes	
Content	19
Characteristics	23
TOTAL ATTRIBUTES SCORE	42
INNOVATION POINTS	7
REVIEWER PLAN SCORE	202
TOTAL POINTS AVAILABLE	255
PLAN SCORE PERCENTAGE	79%

Level of Achievement

BRONZE



American Planning Association

Making Great Communities Happen

March 28, 2017

Kelly Gibson, AICP
Community Development Department
204 Ash Street
Fernandina Beach, FL 32034

Dear Kelly,

On behalf of the American Planning Association, I am pleased to inform you that *City of Fernandina Beach 2030 Comprehensive Plan* has received Bronze recognition from APA's Comprehensive Plan Standards Recognition Program Pilot. We are proud to recognize your plan as an example of excellence in comprehensive planning.

Attached to this letter you will find a summary scorecard and notes from plan reviewers. A web banner with the recognition level is attached as well, and you soon will receive an official certificate from APA. The week of April 10, APA will inform chapter leaders of the recognized plans and feature them on our website and in our member e-newsletter, *Interact*. We also will notify both national and local media of your achievement. APA will formally recognize your plan and others at the 2017 National Planning Conference in New York City at the Sustainable Communities Division Reception on Monday, May 8, at the NYU School of Law Greenberg Lounge. The awards ceremony will begin at 6:30 p.m.

We appreciate your participation in this pilot program and congratulate you on your achievement. Please feel free to contact Anna Read, AICP, at aread@planning.org if you have any questions or comments to share.

Sincerely,

A handwritten signature in black ink that reads 'David C. Rouse'.

David Rouse, FAICP, ASLA
Managing Director of Research and Advisory Services

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APA President
Cynthia A. Bowen, AICP

Chief Executive Officer
James M. Drinan, JD

planning.org

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
Sea Turtle Nesting Season

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming the months of May through October as "Sea Turtle Nesting Season."

The City's Code Enforcement staff and representatives of the Amelia Island Sea Turtle Watch will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, the City's beach shoreline and coastal environment provide important habitats for a variety of bird species and sea turtles; and

WHEREAS, many of these bird species and all three species of sea turtles that nest in Fernandina Beach are listed as endangered or threatened species and are protected by state, federal laws, and international laws; and

WHEREAS, the Leatherback, Loggerhead, and the Green Sea turtles come to the City's beach shoreline each year to nest and lay their eggs during "turtle season" which runs from May 1 through October 31 each year; and

WHEREAS, outdoor artificial lighting is a common interference for newly hatched sea turtles who rely on the moonlight to guide them to the sea; and

WHEREAS, the City wishes to recognize the conservation efforts of the Amelia Island Sea Turtle Watch and Florida Public Utilities for their protection and preservation of beach wildlife; and

WHEREAS, the City of Fernandina Beach works every year during turtle nesting season to monitor lights on the beach and limit light interference with turtle nesting activities.

NOW, THEREFORE, I, Robin C. Lentz, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby proclaim May through October, as:

"SEA TURTLE NESTING SEASON"

in Fernandina Beach, Florida, and urge all citizens to become familiar with ways that we can continue to protect our sea turtles and shore birds.

IN WITNESS WHEREOF, I, Robin C. Lentz, hereunto set my hand and cause the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Mayor - Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
National Bike Month

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming the month of May, 2017, as "National Bike Month."

Mr. Phil Scanlan, a member of the Amelia Island Trails Association, will be present to accept the Proclamation and discuss future trail funding strategies with the City Commission.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date: 04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, for the last 61 years, the month of May has been designated as “National Bike Month” by National, state and local governments; and

WHEREAS, for more than a century, the bicycle has been an important part of the lives of most Americans; and

WHEREAS, today, millions of Americans engage in bicycling because it is a viable and environmentally-sound form of transportation, an excellent form of fitness and provides quality family recreation; and

WHEREAS, bicycle commuting is an effective means to improve air quality, reduce traffic congestion, and conserve energy; and

WHEREAS, the League of American Bicyclists and independent cyclists throughout our state are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities for all; and

WHEREAS, the Friends of the Amelia Island Trails work tirelessly to maintain and improve trail systems for bicyclists, pedestrians, and runners island-wide with the primary objective of becoming the safest place in Florida for biking.

NOW, THEREFORE, I, Robin C. Lentz, by virtue of the authority vested in me as Mayor of the City of Fernandina Beach, Florida, do hereby proclaim the month of May, 2017, as:

"NATIONAL BIKE MONTH"

in Fernandina Beach and encourage citizens to recognize the importance of bicycle safety and be more aware of cyclists in our streets and highways.

IN WITNESS WHEREOF, I hereunto set my hand and caused the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Mayor - Commissioner

Proposal for Safe Multiuse Trails to downtown Fernandina Beach

2/15/17 Draft

Multi-use trails can be used by walkers, runners and bicyclists. They are paved and 10 ft wide to accommodate all three uses. A sidewalk is made of more costly cement and is only 5 ft. wide accommodating only walkers. Amelia Island has about 25,000 residents (with many guests) and about 500,000 tourists per year and many would like to have the opportunity to use multi-purpose trails that accommodate walkers, runners and bicyclists. Therefore, where feasible multi-use trails should be planned for new paths, rather than sidewalks. Older cracked 5 ft. wide cement sidewalks should be replaced, if possible, with paved 10 ft wide multi-use trails.

Reasons to support Safe Multiuse Trails to downtown Fernandina Beach:

1. Support the **goal** to help Amelia Island become the best place to walk, run and bicycle in Florida, **safely**.
2. Support the ability of Amelia Island to be recognized by the American Bicycle Association national assessment and award recognition program.
3. Dense population with lots of guests.
4. High number of Tourists and rentals.
5. Amelia Island land mass is only 3 miles by 12 miles.
6. Great weather, relatively flat small area, high density: suitable for trails.
7. Support the National East Coast Greenway (ECG) Trail which is along the coast of the U.S. The ECG has a high priority for Federal and State Trail Grants and has helped A.I. receive 2 Federal Trail grants already.
8. Help sustain high property values on Amelia Island (A.I. is 3% of land mass and 63% of Nassau County property taxes in 2016).
South of Amelia Island a great coastal trail network is developing in Big and Little Talbot State Parks and in the National Timucuan Preserve.
(Also part of the ECG).
9. North of Amelia Island Georgia is developing a coastal trail network that connects through St. Marys to Crooked River State Park.
(Also part of the ECG).
10. A water-taxi from Amelia Island to St. Marys could provide a safe water connection between FL and GA and a connection to the Cumberland Island National Park ferry. (Also part of the ECG)
11. Trails for walking, running and bicycling are a very desirable amenity by both home buyers and tourists.
12. Better safe trails to downtown Fernandina Beach could reduce vehicle traffic and help reduce the need for vehicle parking downtown.

North Florida Transportation Planning Organization (TPO) Study:
(Sprinkle Consulting)

Over the past several years Friends of the Amelia Island Trail, Inc. has worked with the city and county to obtain federal and state grants for Amelia Island Trails and for sidewalks to schools and for bike lanes along A1A on the coast. These state and federal grants amount to about \$6 million for trails, sidewalks, and bike lanes on Amelia Island. As a result; an Amelia Island Trail Network is developing. The Tourist Development Council (TDC) has printed 30,000 Amelia Island Trail flyers over the past 5 years and it is one of their most asked for brochures.

In 2016 the North Florida Regional Transportation Planning Organization (TPO) funded Sprinkle Consulting to do a study of how to best to improve the Amelia Island Trail Network . Since City and County funding will be needed to fund most of the recommended local smaller improvements in the TPO- Sprinkle Study it was presented by the TPO and Sprinkle to both the Fernandina Beach City Commission and the Nassau County Commission for their consideration and action. This is an excellent study with many recommendations for improving the Amelia Island Trail Network. It is time to develop an action plan to implement some of those study recommendations.

It is suggested that this Amelia Island Trail Improvement Plan (AI-TIP) be developed in 2 steps:

1. A. Develop a prioritized list of the most important trail improvements.
B. Develop cost estimates for each project.
C. Develop annual Trail Budgets for funding AI-TIP.

Having a funded plan for trail improvements is one of the assessment criteria in the American Bicycle Association assessment and recognition program.

2. A. Propose appropriate annual funding for specific AI-TIP projects to be funded annually by Nassau County, FB City and possibly grants.
B. Authorize funds for specific project improvements.

Recommendation for Amelia Island trail improvement prioritization:

Since all the recommendations in the Sprinkle study cannot be implemented at once it is recommended that the priority be on making improvements that create a safe trail connection to downtown Fernandina Beach from existing and planned multiuse paths. This would support the Fernandina Beach Main Street Program efforts. It is further recommended that improvements begin from downtown Fernandina Beach and extend outward from downtown over time.

The following is a list of specific trail improvements recommended with a reference to the NF TPO - Sprinkle Consultant Study report recommendations:

1. 2nd St. (Beach St. to Broome St.) Sprinkle Index # 39.1 to 39.4
Shared Lane Markings (SLMs), Wayfinding Signs
2. 3rd St. (Gum St. to Broome St.) Sprinkle Index # 33.1 to 33.4
Shared Lane Markings (SLMs) and Wayfinding Signs
3. City Park at Lime St. (Clinch to 7th St.)
Pave path on west side of park to connect Clinch to 7th St.
4. Broome St. (2nd to 17th St.) Sprinkle Index # 40.1 to 40.4
Bike Boulevard, Wayfinding signs, pave 11th to 13th
5. Atlantic Ave. (15th to Main Beach) Sprinkle 38.4 to 38.6
Convert parking lanes to SLMs, Wayfinding signs,
6. Citrona Dr. (Sadler to Atlantic) Sprinkle Index # 21.2
Convert old 5 ft sidewalk to 10 ft multiuse path
SLM's and Wayfinding Signs
7. Will Hardee (Simmons to Citrona) Sprinkle Index # 21.1
Wayfinding Signs
8. 1st St. (Bill Melton to Simmons) Sprinkle Index # 9.1
Bike Boulevard, Wayfinding Signs
9. Dirt road used for mosquito spraying (Bill Melton to Alachua west of 1st)
Pave for use as a multi-use trail, Wayfinding signs
(The County and City have reviewed and planned this possible path)
10. A1A/SR200 (A.I. Pky to Bill Melton Rd.)
Obtain easement to use existing path along the private golf course
OR
Pave multi use path along west side (Perhaps a Fed. or State Grant)
Wayfinding Signs
11. A1A and Rt 17 and Rt. 40 (Fernandina Beach, FL to St. Marys, GA)
Provide incentives necessary for a private Water-Taxi
from Fernandina Beach, FL to St. Marys, GA Wayfinding Signs

There are many more TPO-Sprinkle Study recommendations for trail improvements on Amelia Island, however making the above would be a good start by improving safe trail access to downtown Fernandina Beach. The above improvements could be made over a 5 or 6 year improvement plan.

Trail Budgeting

In order to provide funding for Amelia Island Trail improvements a city and county annual budget item is needed for trail improvements. At the Federal and Florida State levels there is currently an annual budget item and funding for trails. That has been a source of grants obtained for Amelia Island Trails and could continue for major trail arteries along A1A and major roads. However, improvement of trail branches off the trail arteries is the responsibility of the local county and the city.

It is proposed that the County and City Road budget be changed to a Transportation Facility Budget and 90% of Nassau County and Fernandina Beach Transportation Facility Budgets be assigned for improvement of roads for vehicle use and 10% for be assigned for improvement of trails and paths for pedestrians, runners, and bicyclists use. The end goal is to help improve the Amelia Island Trail Network to become the best safe trail network in all of Florida. The County Trail budget (10% of the Transportation Facility Budget) could then be allocated each year across the county based on the property values in the county. For 2016 that would have been 63% for Amelia Island and 37% for the rest of Nassau County.

Estimated Trail Budget:

Nassau County Transportation Budget	\$5.0 M/yr.
<u>County Split for Road and Trails</u>	
90% for Road Budget	\$4.5 M/yr
10% for Trails	\$ 500 K/yr
<u>County Trail split for area.</u>	
63% for A.I. Trails	\$ 315 K/yr
37% for off-island trails	\$ 185 K/yr
 <u>Fernandina Beach Transportation Budget</u>	 \$1.0 M/yr
90% for Road Budget	\$ 900 K/yr
10% for A.I. F.B. Trails	<u>\$ 100 K/yr</u>
 Total A.I. Trail Budget	 \$ 415 K/yr.

Nassau County Commitment for Trails in the new East Nassau Private Dev.

Nassau County has made an \$8 Million commitment for Trails in the new East Nassau Private development: Assuming a 20 year development; that is $\$8\text{M}/20 = \400 K/yr for Trails from the county for this new development. This East Nassau Development does not support the Nassau Tourist Economy which contributes so much to county revenues, it will not provide the same high value property values and high percent of homes that are not homesteaded as on Amelia Island; and these trails will not be available for public use.

An Amelia Island Trail map along with a schedule of walking, running and cycling events can be found on the below web site.

Phillip Scanlan

Friends of the Amelia Island Trail, Inc. – CEO

www.AmeliaIslandTrail.org

phillipscanlan@att.net

Cell: 904-206-3334

A Decade of Key “Quality of Life” Improvements 6/6/16
on Amelia Island
(2006 to 2016)

Amelia Island is a wonderful place to work, live, or visit. We have fantastic beaches, wonderful weather, great tree canopy, historic buildings and terrific parks. We also have great places to play golf, tennis and ride a bike or walk. Since we have no bridge to GA on the north and state parks on the south we also have no through traffic. Fernandina Beach on the north end is a charming town and the Amelia Island Plantation and many more Home Owner Associations on the south end are also fantastic places to live or vacation.

However, Florida has many beach communities and Home Owner Associations with amenities. The economy of Amelia Island is primarily based on tourism and realty sales. For Amelia Island to remain one of the best places to live and visit continuous improvement is required.

It is easy to get caught up in a continued focus on the current community problem, and perhaps get the impression that all we have is problems and this wonderful place is not as great as it use to be. Attached is my list of some of the Key improvements that I am proud we have made in the past decade; and which I believe has made Amelia Island a lot better place than it was a decade ago. My thanks to all who have contributed to making the below list of improvements happen. Please read with pride.

GOVERNMENT

- 1. In 2006 the County Clerk and Tax Collector, both very long term elected officers, were replaced with new leaders that exposed mismanagement and corruption in those offices and corrected past problems.**

- 2. We have a new sheriff for the county and he is cracking down on crime as well as the underlying drug problems. Also we have much better cooperation between the County Sheriff and Fernandina Beach Police departments.**
- 3. Nassau Schools have improved to a sustained leadership position in all of Florida for High School Graduation rates.**
- 4. The Fernandina Beach Train Depot has been refurbished and modernized to meet tourists need for information.**
- 5. The old and abandon cement factory on A1A 8th St. at the entrance to the City of Fernandina Beach has been removed. The City of FB is working on an 8th St. improvement proposal.**
- 6. The Federal USPS has agreed to fund the restoration of the Fernandina Beach Historic Post Office.**
- 7. The Ocean Highway and Port Authority (OHPA) agreed to change their 10 year Strategic Plan to focus on Port success without harm to the Quality of Life on Amelia Island. The OHPA change cut planned peak truck traffic in half, removed plans for an oil refinery on Amelia Island, and removed plans for new HazMat Facilities.**

BUSINESS

- 1. The local mills have made significant improvements in reducing pollution which has resulted in cleaner air, recovery of the Amelia River that was dead from pollution, and less salinization of the drinking water aquifer. These improvements were driven by local community citizen involvement and DEP, St. Johns River Management, and the EPA.**

- 2. Amelia Island tourism is doing great with over \$500 million in revenue per year. Omni purchased the bankrupt AIP and invested to make it the lead national Omni property. The Ritz has also made major new investments. The Omni and Ritz are the largest business employers in all of Nassau County. Amelia Island Tourism marketing has been recognized as the best in the nation. The historic and charming city of Fernandina Beach is always a top attraction on Amelia Island tourist lists as there favorite place.**
- 3. The housing and realty market has bounced back with increased housing sales and several new developments active. Realty/housing revenues were more than \$450 million on Amelia Island.**

NON-PROFITS

- 1. New County tree ordinances were implemented on Amelia Island to provide protection for trees on Canopy Tree covered roads and the south end of Amelia Island. A new Tree Conservancy non-profit is taking a leadership position in helping to protect our island tree canopy.**
- 2. An Amelia Island Trail network is developing and in a few years the goal is to help make Amelia Island the best safe place to walk, run or bike in all of Florida. Friends of Amelia Island Trail is the non-profit leading this effort in partnership with bike clubs, running clubs, walking clubs, government and business.**
- 3. The Timucuan National Park has expanded to Nassau County with preservation of the largest Sand Dune on the South East Coast at American Beach.**

- 4. An American Beach Community Center has been built and it includes a non-profit American Beach History Museum. The A.L. Lewis non-profit has led this effort, working with Nassau County.**
- 5. The Nassau Humane Society has built a new facility and dog park and Nassau County has made significant improvements in the County Animal Control organization.**
- 6. A new Amelia Island playhouse has been established; Amelia Island Musical (AMP) playhouse. Amelia Community Theatre (ACT) as built a new larger theatre.**
- 7. Barnabas has established a new facility with expanded services for those who need help in our community during a difficult period in their lives.**
- 8. A new Boys and Girls Club has been established on Lime St. to serve the community in that area.**
- 9. A new tennis club has been established on Amelia Island; Kraft Tennis Club on Buccaneer Trail.**
- 10. A new city skate park, and a new children's park (Pirate's Playground) specifically built for disabled children.**
- 11. Refurbishment and expansion of the library in Fernandina Beach by the City, County and Friends of the Library (a non-profit) all working together.**

HOMEOWNERS

- 1. Amelia Island includes many Homeowner Associations that house about ½ the island. Many of these have worked hard to protect their tree cover on the island and maintain beautiful landscaping and other quality of life amenities.**
- 2. The FB Historic District is a wonderful and beautiful area that has been maintained to historic standards.**
- 3. Many streets on Amelia Island are charming and have great Canopy Tree covers. In fact we now have a County Canopy Tree ordinance that allows that canopy tree cover to be protected, if the homeowners on that street apply for it. The homeowners on those streets work to keep their streets clean and beautiful.**

I would guess many who read this list of 24 key improvements could also add to it. Please feel free to send me your candidates for this list: phillipscanlan@att.net.

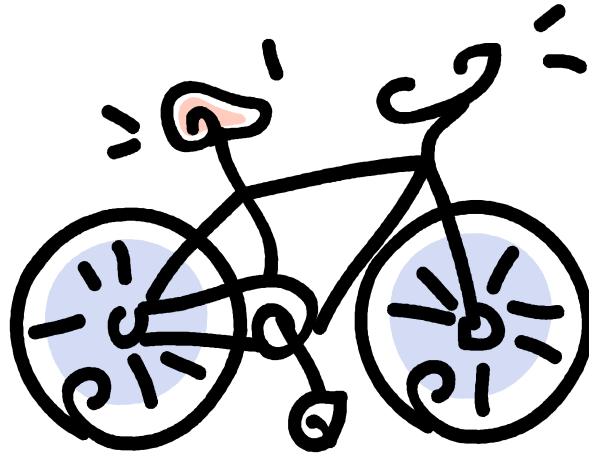
Many of the above improvements were made by Government, Business and Non-Profit organizations working together

To meet our goal of Amelia Island staying one of the top places to live and visit in all of Florida -- we need continued cooperation and continued improvement toward that goal year after year. Hopefully we can work together to continue to add to the above impressive list year after year.

Phil Scanlan

**HELP PEOPLE GET TO WORK
WITH A DONATION OF \$60
OR A USED ADULT BIKE
“Adult Bikes for Barnabas (ABB)”**

ABB
Since April 2011 the
ABB program has
provided about 60
refurbished bikes per
year to those seeking
jobs.



60 for 60
ABB needs 60 used
adult bike donations
and 60 donations of
\$60/bike for
refurbishment repair
parts.

Purpose: To provide bikes for adults in our community who
have jobs or are seeking jobs and have no transportation

Process: Used adult bikes and money are donated; the Cycling
and Fitness Center (on 8th St.) repairs and refurbishes those
bikes with no charge for labor; and Barnabas Center gives bikes
to qualified clients. Surplus bikes donated to ABB may be sold
at Barnabas “New to You” to help fund the ABB repair program.
On average \$60 refurbishes (with new lights and lock) one bike.

For more information:
For pickup of bike(s):

Phil Scanlan (904) 206-3334
Robert Prager (904) 206-9478

Bikes can also be dropped off at The Cycling and Fitness Center
at 11 South 8th St., Fernandina Beach, FL 32034.

Send tax deductible donations for bike refurbishment to
Barnabas Center, Inc., 1303 Jasmine Street, Suite 101,
Fernandina Beach, FL 32034. Barnabas Center, Inc., is a 501c3
non-profit organization. Note on check that the donation is for
Adult Bikes for Barnabas (ABB).

A partnership of The Barnabas Center, Inc., The Cycling and Fitness
Center, and the Fernandina Branch of Unitarian Universalist Church of Jax.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Proclamation
Code Enforcement Appreciation Week

ITEM TYPE: Proclamations

REQUESTED ACTION: Presentation

SYNOPSIS: Attached is a Proclamation proclaiming the week of May 29, 2017, through June 2, 2017, as "Code Enforcement Appreciation Week."

City Code Enforcement staff will be present to accept the Proclamation.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager Date:04/18/2017

COMMISSION ACTION:

Proclamation

WHEREAS, Code Enforcement Officers and staff provide for the safety, health and welfare of the citizens in this community through the enforcement of building, zoning, housing, business, resort rental, environmental and other codes and ordinances; and

WHEREAS, Code Enforcement Officers and staff are often not credited for the jobs that they do in saving lives, protecting property values, and improving neighborhoods and quality of life; and

WHEREAS, every day they attempt to provide quality customer service to the public for the betterment of the community; and

WHEREAS, too many times their efforts go unnoticed, even after code compliance has been accomplished due to their efforts and expertise; and

WHEREAS, Code Enforcement Officers are certified, dedicated, well-trained, and highly responsible individuals who take their jobs seriously and are proud of their department and the local government within which they serve; and

WHEREAS, the Florida Association of Code Enforcement (F.A.C.E.) has declared the first week of June be set aside by local government to honor and recognize their Code Enforcement Officers.

NOW THEREFORE, the City of Fernandina Beach, Florida, does hereby proclaim the week of May 29, 2017, through June 2, 2017 as:

“CODE ENFORCEMENT APPRECIATION WEEK”

in Fernandina Beach, Florida, in accordance with the statewide observance of the same, and encourages citizens of Fernandina Beach to join the City Commission in expressing appreciation for the dedication and outstanding service provided by the individuals who serve as our Code Enforcement staff.

IN WITNESS WHEREOF, I, Robin C. Lentz, as Mayor hereunto set my hand and cause the Official Seal of the City of Fernandina Beach, Florida, to be affixed this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz

Mayor-Commissioner

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Presentation
Golf Course

ITEM TYPE: Presentations

REQUESTED ACTION: N/A

SYNOPSIS: Golf Course Manager Steve Murphy will discuss current and future Golf Course operations and projects.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: N/A

CITY MANAGER RECOMMENDATION(S): N/A

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/06/2017

COMMISSION ACTION:

The City Commission of the City of Fernandina Beach, Florida, met on Tuesday January 10, 2017 at 6:00 pm in the City Hall Commission Chambers. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Tim Poynter, and Roy G. Smith. Also in attendance were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT REGARDING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROPOSED CONCEPT AND OTHER WATERFRONT REDEVELOPMENT: City Manager Dale Martin stated the most critical message the City Commission desires to share with the public at this meeting is that no Centre Street traffic reconfiguring decisions have been made or are expected to be made for several months. City Manager Martin presented a PowerPoint presentation highlighting a previously submitted Waterfront Community Development Area (CRA) Master Plan Traffic Circulation Study and Downtown Parking Study. City Manager Martin cautioned that the information in these studies is dated and should be reevaluated before being considered for implementation. The PowerPoint presentation also touched on other current downtown issues, flooding, traffic, railroad, parking, Front Street, Centre Street, Alachua Street, marina, waterfront and pedestrian foot traffic.

Ms. Marian Phillips, 724 South 6th Street, stated she is opposed to the proposed closing of Centre Street.

Ms. Faith Ross, 210 North 3rd Street, presented a PowerPoint on the history of the CRA and suggested a revision of the CRA would be in order at this time. She also stated opposition to the opening of the Alachua Street railroad crossing.

Dr. Chip Ross, 210 North 3rd Street, presented a slide presentation containing downtown photographs of problematic traffic and pedestrian flow and stated his opposition to the proposed closing of Centre Street.

Mr. David Clery, 27 S. 15TH Street, expressed deep concern regarding the proposed closing of Centre Street.

Mr. Leslie Rhode, 1520 Atlantic Avenue, expressed a request to know the process, what citizens' rights and options are and whether voicing an opinion matters.

Mr. Andrew Curtin, 1227 S. Fletcher Avenue, is opposed to closing Centre Street.

Mrs. Melba Whitaker, 222 Lighthouse Circle, is opposed to closing Centre Street.

Mr. Ron Sapp, 415 Alachua Street, stated that in his 25+ years of being a City Commissioner, he attended many meetings between the railroad and state and safety was never raised as an issue nor the opening of Alachua Street. He is concerned about the proposed closing of the Centre Street railroad crossing and the opening of Alachua Street railroad crossing, specifically the costs.

Mr. Anthony Oliva, 2865 West 6TH Street, inquired as to the history and why closing Centre Street is being considered.

Mayor Lentz gave a brief history of the Alachua Street opening and the redevelopment of the area and stated the railroad sited safety concerns related to the Centre Street railroad crossing.

Mr. Eric Bartelt, 3820 S. Fletcher, asked if the Master Plan will be on the ballot and commented about safety being the responsibility of the railroad and why fencing has not been constructed.

Ms. Jean Mann, 2048 Oak Marsh, is opposed to the closing of Centre Street.

Mr. Dale Spencer, 542 Patriots Way, expressed concern about the volume of information, transparency and asked about the rush to make decisions.

Ms. Joan Cory, 408 Beech Street, suggested that the \$800k estimate to open the Alachua Street railroad opening would be better spent constructing a parking garage behind the library and is opposed to the opening of Alachua Street railroad crossing and the proposed closing of the Centre Street railroad crossing. Her hope is that the process will be something other than the commission taking a vote, she would prefer this matter be placed on the ballot for referendum.

Mr. Tom Robertson, 1020 Magnolia Woods Court, commented the proposed closure of Centre Street is a troubling idea. He stated the city has not made residents aware of any serious safety issues and that he is only aware of two safety incidents in the last 22 years; a teen injuring himself by crawling between two moving railcars and a woman in a wheelchair toppling over trying to crossover the tracks, no train was involved and the area has since been regraded. Mr. Robertson asked that a coherent case be presented to the public to justify the spending of \$800k taxpayer dollars (to open the Alachua Street railroad crossing) and that a study be completed. Mayor Lentz answered that the opening of Alachua Street has a long history and studies have been done and that the City should put together a list of bulleted points of the issues and noted that the City continues to gather information.

Mr. Charles Corbett, 106 North 15th Street, remarked that the CRA is "broke". He noted that the Marina Restaurant has a driveway and that could be used as an opening. He asked City Attorney Tammi Bach if the restaurant driveway could be closed. City Attorney Bach replied "I don't think so, no."

Mr. Kenneth Lay, 403 Tarpon Avenue, noted the current ability to go from one side of the island to the other and asked that it not be changed. He said "If something is not broke, don't mess with it. Don't talk about changing Centre Street. Do not change what is working."

Ms. Norma Acosta, 22 South 2nd Street, stated she has lived here for 78 years and has never had the water come up (flood) to her home. "I think the City Commissioners should give us some consideration, instead of thinking about the other people you should think about the people of Fernandina."

Mr. Mac Morriss, 821 Park View Place East, said he originally agreed to the opening of Alachua Street but to open Alachua Street, in exchange for closing Centre Street does not make sense." Mr. Morriss feels the downtown business district has parking issues. He suggested installing roundabout style intersections from the Palace Saloon to the realty shop, not making the entire block pedestrian as it would preclude emergency vehicles from coming through.

Ms. Annette Acosta, 22 South 2nd Street, noted that long term City residents go to the Marina and park there, it would be a hardship for them to walk. There is not a need for a railroad crossing at Alachua Street.

Mr. Tony MacAdoo, 2048-A Natures Lane West, feels we must build a wall on Front and Centre Streets. And feels the residents of St. Mary's, Georgia should pay for the wall.

Ms. Anne Thomas, 402 Date Street, is opposed to the closing of Centre Street. She has served on the CRA board since 2015 and is concerned about the cost of \$800k.

Mr. Joseph Waas, 223 4th Street, is opposed to the closing of Centre Street and challenged the City Commission to make the right decisions.

Mr. David Truluck, 308 S. 17TH Street, said he did research and the railroad is the safest “in the world”. The safety issue is probably a smoke screen on the part of CSX to not have to pay for opening Alachua Street. He stated we are losing too much in this town, leave it as it is.

Ms. Joan Bean, 141 N. 15th Street, commented the City’s priorities should be the marina and the boat ramp. The railroad fixed the crossing after the wheelchair accident and it’s been in great shape and no one has ever been hurt. The previous City Manager Joe Gerrity said the railroad told him that an Alachua Street opening could be blocked for 4-6 hours per day by trains. Ms. Bean said isn’t that an argument against opening Alachua Street. She asked the City Commission to reconsider the Centre Street railroad closure.

Mr. Stephen Mason, 2418 Pirates Bay Drive, asked if the Commissioners were aware of traffic flow requirements and how traffic monitoring takes place. In order to get accurate traffic flow information, telemetered traffic monitoring sites are needed. He believes there is a bigger issue than talking about closing Centre Street. He asked that the traffic issue be addressed.

Commissioner Poynter commented that the goal of the City Commission is to develop an overall plan for downtown which includes the influx of traffic, the proposed hotel, the waterfront, and the parking plan. Commissioner Poynter expressed frustration in that the City Commission continues to discuss these issues but takes no action. He stated the Commissioners want to hear people’s concerns and then get to work on fixing the concerns.

Mr. Allen Mills, 1425 Broome Street, suggested that the new hotels be directed to pay for the construction of parking garages and not charge the taxpayers and suggested slowing the trains down to 5 miles per hour.

Mr. Stephen Colwell, 1848 Highland Drive, believes as a businessperson and a citizen, that the proposed closure of Centre Street is a gamble he does not want to take.

Mr. Clinch Kavanaugh, 102 N. 6th Street, also owns 10 North 2nd Street, commented he has always supported the opening of Alachua Street and is opposed to closing Centre Street. He questioned the safety concerns being brought up in present day yet the railroad issued a permit two years ago and the City did not follow through, stating nothing has changed in the past two years regarding safety. He asked that the Chief of Police start citing illegal cars parked on Centre Street.

5. CITY COMMISSION COMMENTS: Mayor Lentz thanked the public for their comments and asked the Commissioners to respond.

Vice Mayor Kreger said “I’ve gotten more comments on this and telephone calls on this than anything else I’ve gotten on the last year since I’ve been a Commissioner and I will not support the closing of

Centre Street.” He remarked that the discussions were about Alachua Street and safety and there are other issues, particularly Front Street, and that the closing of Centre Street is unacceptable.

Commissioner Smith agreed that he is not in favor of closing Centre Street.

Commissioner Miller noted that he did not know that opening Alachua Street would mean that Centre Street had to be closed. He stated he would not support the closing of Centre Street and noted his concern for public safety.

Commissioner Smith commented that safety is the railroads liability, it is their problem, and that the City Attorney Bach checked it for him and it’s not the City’s problem. Commissioner Miller responded it is the City’s responsibility to protect its citizens.

Commissioner Poynter addressed parking concerns, paid parking and developing an overall plan and noted Sunshine Law keeps everything transparent.

Mayor Lentz commented that she’s listened to citizens and done research yet was unaware, until recently, of the Florida Department of Transportation (FDOT) requirement of; when one railroad crossing is opened it means another must be closed. She commented that she’s had several conversations with First Coast railroad personnel who acknowledged that although there have been no accidents; there have been very close calls. Mayor Lentz stated the job of the City Commission is to process information. She noted she has examined pedestrian malls and the Alachua Street opening is a gateway to redevelopment. Mayor Lentz further noted that creating public space for pedestrians is something the City already does to accommodate special events; Sounds on Centre, Dickens on Centre, the Shrimp Boat Festival and the New Year’s Eve Shrimp Drop. Mayor Lentz explained she desires to improve the space and envisions it as an attraction; it does not need to be blocked off by a wall but with beautiful trees and planters, a beautiful space to be used by and for the people. Mayor Lenz indicated the parking issue could possibly be addressed by making streets one way for angled parking.

ADJOURNMENT: There being no further business to come before the Commission, the meeting was adjourned at 8:44 pm.

ATTEST:

CAROLINE BEST
City Clerk

Robin Lentz
Mayor

The City Commission of the City of Fernandina Beach, Florida, met on Tuesday January 24, 2017 at 6:00 pm in City Hall Commission Chambers. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Tim Poynter, and Roy G. Smith. Also in attendance were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag.

4. PUBLIC COMMENT REGARDING WATERFRONT REDEVELOPMENT: Mayor Lentz opened the meeting with a reminder that this is the second special meeting regarding downtown/waterfront redevelopment. She commented she would like to have respectful and meaningful discussion envisioning ideas and options.

Mr. Kevin McCarthy, 2220 Florida Avenue, owner of Amelia River Cruises and Charters, noted that from his perspective, as someone who crosses the railroad daily to work at the waterfront, if Centre Street is closed it would impact his life greatly and make it more difficult for his customers to access his business. If Centre Street stayed open and Alachua were open it would improve his life and business as well as traffic flow. He commented he has watched the City's waterfront deteriorate over the past 50 years and he takes about 40,000 visitors a year on rivers tours and they often wonder why it's been allowed to decay. Mr. McCarthy said we have a jewel, a treasure, and since Hurricane Matthew it has gotten worse. He believes that in 10-20 years Alachua will be open as access to the waterfront is needed.

City Manager Martin commented that following the City Commission meeting held two weeks ago (January 10, 2017), he contacted state transportation officials and relayed that based upon the City Commission meeting outcome, the proposed Centre Street railroad closure has been taken off the table. Mr. Martin further commented that following discussions with the City Commissioners, City staff is actively pursuing the opening of Alachua Street. We noted the City will keep everyone informed as they reach out to CSX and reinitiate discussions.

Mr. Jeff Kurtz, Main Street Director, 715 Centre Street, relayed that serving as liaison for downtown merchants as President of the Downtown Merchants Association; he appreciates City Manager Martins clarification. He is looking forward to a more positive discussion this evening to make the waterfront vision a reality.

Dr. Chip Ross, 210 N.3rd Street, presented a slide presentation on Front Street. He noted that CSX is controlling a lot of the development in the City and he would like to see the City partner and embrace the railroad. He questioned what is the real risk of the railroad to pedestrians, what is the cost and noted Jack London Square in Oakland, California as an example of a thriving harbor front with a railroad through the center.

Mr. Charles Corbett, 106 N. 15TH Street, noted the City has a plan called parking lot B and he would like to know where that is as it has been funded. Mr. Corbett commented he would like to see parking lot B voted on to get it started to show citizens the City is doing something and then use it as a model for lots A, C & D. He questioned City Manager Martin as to why Alachua should be opened. City Manager Martin replied that he is pursuing opening Alachua Street per instruction from the City Commission as that is his job (to take direction from the City Commission).

Mayor Lentz added that the advantages to opening Alachua Street are because there is no access to N. Front Street all the way up to the port, Broome is closed, Calhoun doesn't go through, and there is no access. There are businesses that could benefit and there is development potential there.

Vice Mayor Kreger said parking lot B is being held up because of Hurricane Matthew and asked that the City Manager give an overview of where we are from tonight, where we are going to move, and what the final result will be.

Mr. Charles Corbett, 106 N. 15TH Street, commented that evidently the City Commission thinks it is worth \$800k to \$1million that citizens would have to pay.

Commissioner Smith noted that question is a big one; it's a lot of money to build a block of roads. Commissioner Smith noted he was in the road construction business for years. It's not a done deal and there are some of us who have other thoughts about Alachua Street. Mr. Charles Corbett interjected why don't developers pay for it and open it up.

Mayor Lentz believed parking lot B, to the left of Brett's Waterway Café, is on hold due to Hurricane Matthew and the purchase of the Venturo property to move the marina further north. She noted City staff is looking at having someone come in to help pull all of the pieces of the puzzle together to get an overall downtown/waterfront plan. To address the flooding of N. Front Street, to build a park downtown, address parking and safety with the railroad, that is the goal. She noted sometimes it's better to slow down and come up with a good plan.

Commissioner Smith, stated parking lot B has been approved but to mobilize the equipment and materials to fix the marina it has to be accessed through parking lot B and is only on hold until the marina is done. Commissioner Miller agreed and said once the marina is finished it should be a top priority.

Mr. Scott Stewart, 2485 High Rigger Road, owner of Amelia Island Charters and a marina slip renter, stated his priorities would be to get the boat ramp open, address emergent repairs, and maintenance dredging. He noted existing slips cannot be gotten in and out of at low tide, which affects customer scheduling. He suggested that from Rayonier all the way up to the port build a waterfront park. He noted the ATM marina plan looks good and he likes it; expand the deck from parking lot B out to where the ramp is by 4 and 5 that could be used for a lot of sports events downtown. He also suggested planning live oaks, not palm trees.

Commissioner Miller, asked City Attorney Bach about a federal law that allows putting decking over fishable waters.

Mr. Lawrence Piper, 1705 Brookwood Road, Jacksonville Florida, owner of the Anglers Mark and with his wife owns a lot on S. 5th Street, stated he emailed the City Commissioners after Hurricane Matthew; right now he trailers his boat but wants to be able to pick up customers at the city marina. Mr. Piper asked that the marina be more of a working marina that visitors would see locals working.

Mr. Lynn Williams, 1899 S. Fletcher, noted he is originally from Chicago; home to Grant Park which has made the city of Chicago what it is and he advocates for a harbor front park.

Mr. Steven Mason, 2418 Pirates Bay Drive, thinks that traffic is an issue and we need more surveys to make the traffic flow better. He thanked the City Commission for the Centre Street closure being overturned and asked who he should email on the City Commission regarding issues. Mayor Lentz replied that she and all of the commissioners have email and he is welcome to email them.

Mr. Leslie Rhode, 1520 Atlantic Avenue, agrees with keeping Centre Street open and wonders how useable Alachua Street is and like Centre Street we should move away from Alachua and focus on the marina and Front Street first.

Mr. Jim Graposo, 2036-B Nature's Bend Drive, noted he worked as a Safety Director for CSX for 40 years and retired two years ago. When standing cars are on a railroad, what happens to people who are waiting...in his experience he has seen people feel safe to cross a blocked railroad and often with serious injury. Mayer Lentz responded that CSX has said they are not responsible for signing off on the permit for opening Alachua Street because since they own the property but don't operate cars there, First Coast/Genessee & Wyoming operate the cars, and they have been engaged in the conversation.

Mrs. Norma Acosta, 22 S. 2nd Street, asked the City Commissioners if they elected themselves or were they elected by the people, I believe you were elected by the people. She noted the last line of the flag says "And justice for all." "When you make decisions, make them for everybody, elected by the people for the people." She asked that the Commissioners consider all the people and keep the people in mind to serve them.

Mr. Andrew Curtin, 1227 S. Fletcher, commented he serves on the Community Redevelopment Area Advisory Board (CRAAB) and thanked the City Commission for taking the Centre Street closing proposal off the table. He noted the marina is the highest current priority; and said a comprehensive approach is the way to go.

Ms. Jo-an Bean, 141 N. 15th Street, came to this meeting to express positive remarks and suggested the City Commission and staff communicate with CSX before they go any further because the railroad is here to stay.

Ms. Ann Thomas, 402 Date Street, indicated she would like to be positive and agrees with keeping Centre Street open. She remarked the marina would be more profitable if both the existing docks were reoriented and expanded to the north. She would be interested in seeing a park near the Petanque courts and noted the railroad should pay for the opening of Alachua Street railroad crossing.

Mr. Allen Mills, 1425 Broome Street, commented he has worked for A/C Charters since 1983, he suggested the docks be oriented in north to south positions so the silt keeps moving. He requested the marina damage related to Hurricane Matthew be fixed and requested that parking not be taken away by putting in a park at parking lot B. Mr. Mills thanked the City Commission for keeping Centre Street open.

Mr. Clinch Kavanaugh, 102 N. 2nd Street, said there is a need to look at the plan holistically because sea level rising is real; raise the grade on Front Street, the river is bubbling up underneath and people can't drive down the flooded street. Mr. Kavanaugh commented CSX is not here to help us, they have an operating easement on 6th Street and by Florida law tracks are supposed to be level with the road and the only ones who can enforce that is the City and the City needs to tell them they are not going to be pushed around anymore. CSX is doing what's best for the railroad not the City. Look broader and advertise nationally for an RFP or an RFQ to look at the entire waterfront, look at flooding, beyond the marina.

Mr. Bill Tilson, 2328 Sadler Road, noted he attended the December 14, 2016 City Commission Visioning Workshop and was happy to see the ideas and thoughts put forth by the City Commissioners. Mr. Tilson stated he has been involved with the City on numerous projects, and was the principal author of the CRA

design guidelines and has always supported the Comprehensive Plan. He stated ideas are excellent but the waterfront is the key element and the City needs a company that knows waterfront design. He believes the City Commission has this in mind and he supports the City Commission.

Ms. Julie Ferreira, 501 Date Street, stated we do need a Comprehensive Plan and have spent thousands of dollars in the past, this town has gone through a lot of preparation for the waterfront and maybe it wasn't looked at holistically enough. Ms. Ferreira wants Fernandina preserved and to remain intimate and quaint.

Mr. Mark Silver, 9 S. Front Street, expressed interest in saving the manatees who were key to developing the HPV vaccine to offset cervical cancer. Mr. Silver commented that floating docks don't work, he doesn't know where the ideas are coming from but he was educated at MIT and would be happy to offer his expertise pro bono. He noted the 100 float is absurd and the ATM plan doesn't work. Mr. Silver stated he was a senior scientist and believes the consultant money has been wasted and the Coleman Langshaw plan didn't work.

Mr. Lou Goldman, 23 S. 6th Street, relayed the waterfront development reminds him of Georgetown, South Carolina which has a twelve foot wide harbor walk through historic downtown and he would like to see something similar happen here in Fernandina Beach.

5. CITY COMMISSION COMMENTS: Vice Mayor Kreger noted a lot of the ideas presented are positive and there are a lot of parks nearby as well i.e. St. Mary's harbor front. Vice Mayor Kreger noted he personally believes the economy will drive what happens.

Commissioner Poynter stated he is not sure why Alachua Street was originally closed. He does not support only parking lot B being developed, just opening Alachua Street and would like to see a plan. He wants the City Commission to have a plan with a cost and present it to the public.

Commissioner Smith commented he would be a proponent of a linear park similar to the one located in St. Mary's, Georgia. He noted the City needs fresh eyes to look at the downtown/waterfront redevelopment. He noted this evenings meeting has been good, with a good crowd and good ideas.

Commissioner Miller agreed that it's been a good night with good input. He further agreed that a linear park is the way to go and likes the idea of a shared water taxi with St. Mary's. The water (sea level rise) needs to be dealt with now.

Vice Mayor Kreger noted the public will approve the final plan. Commissioner Smith agreed.

Mayor Lentz, in closing, stated she appreciates the passion that is Fernandina Beach and believes getting the marina fixed and moving it north is number one, fixing the silt problem, and also supports creating a park on the waterfront. Noting that she is in favor of opening Alachua Street, addressing flooding, parking and traffic circulation with an updated traffic circulation study is needed. What we need to do is search and hire a qualified consultant, have all the boaters, the historic district residents, and general public surveyed. This project needs to go out for referendum.

Commissioner Poynter noted the downtown is important to the vitality of Fernandina and he is passionate about finding an experienced person to help the City move forward.

DRAFT

MINUTES

City Commission Special Meeting

January 24, 2017

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ADJOURNMENT: There being no further business to come before the Commission, the meeting was adjourned at 7:36pm

ATTEST:

CAROLINE BEST
City Clerk

Robin Lentz
Mayor

The City Commission of the City of Fernandina Beach, Florida, met on Tuesday February 07, 2017 at 6:00 pm in City Commission Chambers. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Tim Poynter, and Roy G. Smith. Also in attendance were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag. The invocation was then given by Reverend Richard Janey of Bible Baptist Church.

4. PRESENTATION & RECOGNITION: Fernandina Beach Fire Department, International Association of Fire Fighters Local 2836 Union President James Tucker recognized Fire Department Administrative Coordinator Ms. Kaleigh Simmons with a plaque and appreciation for all she does for the Fire Department. Mr. Tucker also presented a plaque to Fire Chief Ty Silcox recognizing his outstanding leadership, commitment and dedication to the Fire Department. Mr. Tucker then presented the Firefighter of the Year award to Fire Fighter/Paramedic Marcus Carter who was instrumental in getting the departments new engines decked out (that were approved by the commission) and also assisted in getting Station One's defunct fountain restored.

4.1 PRESENTATION AIRPORT TERMINAL PROJECT REPORT: Airport Advisory Commission (AAC) Chairman Mr. Sam Lane provided a presentation and report regarding the Airport Terminal Project. Mr. Lane explained the process of reporting the findings and information from holding separate interviews with City Manager Dale Martin, Mr. Andrew Holesko of Passero & Associates, reviewing bid documents and the recent presentation by Passero & Associates to the City Commission and the AAC. The first slide shown noted the progress on the invitation to bid leading to awarding a contract to the builder, the challenges of meeting the completion date, neither the City staff nor contractors will be able to access the currently leased aircraft ramp until the current lease with McGill Aviation expires which will delay the completion of the new terminal building construction currently scheduled for the end of February 2018. This would allow about a month for the Fixed Base Operator (FBO) to move in and start operating as soon as the existing FBO contract expires on April 1, 2018. The plan is to construct as much as possible before April 1, 2017, to begin operations on time. There are several options including completing the public access building, also known as the quonset hut, in time for the new FBO to begin operations. The six components of the project are 1) the main terminal building, 2) parking lot, 3) public use building, 4) the public use building parking lot, 5) the central access road and 6) the interior upgrades to the FBO. The estimate is approximately \$4 million dollars; however it's unclear what components comprise that figure. After the City receives bids it will be up to the Commissioners to allocate additional funds or decide how to finance the remaining costs or to cut back on the scope of the project. Eight Flags, the winner of the FBO competition, has proposed upgrading the interior finishes of the terminal building at their expense, the AAC is confident the upgrades will be first class. The AAC believes because the terminal is a City building, the City should approve all significant changes with the City Manager being the "decider". Mr. Andre Desilet, the newly hired City Stormwater Engineer, will provide counsel as able amongst his other responsibilities. The AAC is pleased that the design team will be the eyes and ears at the jobsite. Mr. Lane reported that contaminated waste was found a few years ago on Florida Public Utilities (FPU) property across the road from the terminal and this past year uncovered in a new subdivision nearby. Passero & Associates recommended, and the AAC concurs, that the City should dig several test pits to ascertain a clean site and avoid possible delays in the project. The AAC believes the project is somewhat risky due to access issue, bid cost, and funding sources however; there is a confidence in the daily oversight the project and the builder will remain transparent and contrary to errant reports, the project is not over budget. The cost estimate and anticipated funding indicates a possibility to re-evaluate expectations and suggests that the City make a list prioritizing cutbacks and costs as a

proactive, prohibitive measure to avoid last minute costly decisions. Mr. Lane displayed Passero & Associates updated elevation drawings of the actual terminal. Commissioner Poynter asked if there is a cost estimate on the tests to determine contamination or buried tanks. Mr. Lane, AAC Chair, responded "No".

Vice Mayor Kreger pointed out that boring's were made by Passero & Associates and the question of should the City do more is an incomplete question and noted that it would be worthy to find out what the costs would be to investigate for possible soil contamination. Passero & Associates Project Manager Mr. Andrew Holesko responded that so far in the process, borings have been completed where the foundations will be and determined the structural integrity of the soils beneath the foundation to determine if there was any type of contamination or organics. A Phase One site assessment and audit was completed by a Jacksonville firm and they did not have a recommendation to do additional test sites, which is in the report. Mr. Holesko anticipates the cost to be less than \$10k and suggested the City could use their own forces and equipment to test independently in an effort to circumvent risk. Commissioner Smith remarked that testing random areas may miss a potential danger and that the entire area would need to be dug. Mr. Holesko agreed that it is random in terms of where something may be buried and there is a possibility of missing a buried item. Commissioner Miller asked if there is any historical evidence that there is something buried out there. Mr. Holesko explained that nothing came up and the Jacksonville audit firm did the specific research and concluded there is no reason to test further.

Mayor Lentz thanked Mr. Lane for the excellent job on his presentation.

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

Dr. Chip Ross, 210 North 3rd Street, presented slides on the elusive Alachua Street closing. He noted his research indicates that from 1967 the Florida Department of Transportation (FDOT) has never recognized an opening at Alachua Street yet in 1986 there was an opening with a railroad crossing. FDOT agreed with the railroad to close the opening which the public did not exactly approve. Dr. Ross asked the City Commissioners to do a Notice of Intent to FDOT which states the City wants to move forward (with opening Alachua Street) and then a series of events begins with hearings and takes approximately six months. The bottom line is to file a Notice of Intent or decide not to pursue it any longer and his hope is that there will be a conversation this evening as to what the City Commission's intent is regarding opening or closing Alachua Street. FDOT is not involved in pedestrian crossings; there are no requirements for lights or sirens. A fresh idea would be to install a pedestrian crossing across the railroad that would cost less than \$10k as opposed to an \$800k vehicular crossing. Dr. Ross asked that the City Commission be in the sunshine and decide what their pleasure is moving forward. Vice Mayor Kreger responded that it will be discussed, to a degree, in the goals.

Mayor Lentz pondered what Alachua Street would look like and noted she has conversed with numerous people and believes moving forward with a Notice of Intent would lead to due process and brought before a Judge because the railroad has said no. She stated the best interest would be to bring people in and have a different eye to provide several different options albeit the ideas that Dr. Ross presented make sense. Commissioner Poynter conveyed there was an agreement to open Alachua three years ago that has expired.

Ms. Sheila Cocchi, 1553 Indigo Street, one of the organizers of the Amelia Island Solidarity March, on behalf of her fellow marchers and participants, Ms. Cocchi thanked the entire City of Fernandina Beach,

City Manager Dale Martin, Police Chief Hurley, and Parks & Recreation Manager Jay Robertson who was very helpful guiding the group through the special event permitting process. The event was successful and without incident due to the Police auxiliary and Police Department and she conveyed thanks to all involved. Commissioner Miller extended congratulations and acknowledged Ms. Cocchi for the success in implementing such a large event.

Mr. Richard Eckler, 4804 Safe Circle N. Jacksonville, a representative of the Project Hope Outreach explained that HOPE is an acronym for Helping Our People during Emergencies. The focus is on connecting stricken communities with resources to get help although clarifying that HOPE itself does not provide tangible resources, but connections. Project HOPE is still assisting Hurricane Matthew victims specifically the most vulnerable people i.e. the elderly, handicapped, and poor with navigating physical and emotional issues. Hope has partnered with the Lutheran Services Foundation to reach out and connect to resources and asked that the City Commission refer anyone in the community who may need assistance.

Mr. Philip Chapman, 2120 Florida Avenue, asked the City Commission to reconsider putting a Special Events Committee together as was previously suggested. Citizens get upset when events aren't organized and implemented well and asked that the Special Event Committee revisit forming a new committee. Vice Mayor Kreger reflected that there was a Special Event committee set up after the June workshop and it was led by Police Chief Hurley. Vice Mayor Kreger noted committee reformation will be readdressed at the goals workshop and assured all that it is being worked on. Mayor Lentz added that she has asked City Manager Dale Martin when a Special Events Coordinator will be hired and he remarked there is a hiring process underway.

6. CONSENT AGENDA: The following five items were on the Consent Agenda. Items 6.1 through 6.4 were approved with one motion. Consent Agenda Item 6.5 was removed from the Consent Agenda by Vice Mayor Kreger for additional discussion.

6.1 APPROVAL OF MINUTES: According to the agenda support documents, the Minutes of the Regular Meeting of December 20, 2016 were presented for approval. Staff recommended approval of the Minutes as presented. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller, to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.2 RESOLUTION 2017-14 APPROVING A FACILITIES USE AGREEMENT FOR THE GEORGIA AIR NATIONAL GUARD TO CONDUCT ANNUAL FIELD TRAINING FROM JUNE 19, 2017 THROUGH JUNE 30, 2017: According to the agenda support documents, Resolution 2017-14 approves the Facilities Use Agreement for the Georgia Air National Guard to conduct annual field training at the Fernandina Beach Municipal Airport from June 19, 2017 through June 30, 2017. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller, to approve Resolution 2017-14. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

6.3 RESOLUTION 2017-15 - APPROVING RANDSTAD US, LP, AS A SOLE SOURCE VENDOR FOR TEMPORARY STAFFING IN FY 2016/2017 IN AN AMOUNT NOT TO EXCEED \$68,000: According to the agenda support documents, Resolution 2017- 15 approves Randstad US, LP, as a sole source vendor for temporary staffing in FY 2016/2017 in an amount not to exceed \$68,000. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller, to approve Resolution 2017-15. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried**

6.4 RESOLUTION 2017-16 APPROVING AMENDMENTS TO THE BUDGET FOR FISCAL YEAR 2016/2017: According to the agenda support documents, Resolution 2017-16 approves a transfer of \$24,000 from the Wastewater Contractual Expense account to the Wastewater Overtime Expense account and a transfer of \$49,000 from the Water Contractual Expense account to the Water Overtime Expense account. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller to approve Resolution 2017-16. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

6.5 RESOLUTION 2017-17 APPROVING BARNEY'S PUMPS, INC. AS THE SOLE SOURCE VENDOR FOR HOMA WASTEWATER PUMPS AND REPAIRS: According to the agenda support documents, Resolution 2017-17 approves Barney's Pumps, Inc. as a sole source vendor for the FY 2016/2017 for HOMA pumps and repairs for the Utilities Department Wastewater Division. Vice Mayor Kreger explained his concern with the last "whereas" clause in Resolution 2017-17 which states: "the City Manager and City Clerk are hereby authorized to execute any document pertaining to the authorization of sole source upon review and approval of the City Attorney." Vice Mayor Kreger stated he asked for assurances and received them that this "whereas" clause does not usurp the City's purchasing policy and procedures. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-17. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

7.1 RESOLUTION 2017-18 AUTHORIZING THE USE OF AIRPORT PROPERTY DURING THE ANNUAL AMELIA ISLAND CONCOURS D'ELEGANCE EVENT ON MARCH 10-12, 2017 APPROVING THE METHODOLOGY FOR COLLECTION AND DISTRIBUTION PARKING FEES COLLECTED: According to the agenda support documents, Resolution 2017-18 approves the use of Airport property for the annual Amelia Island Concours D'Elegance event to be held March 10-12, 2017 and the Facilities Use Agreement authorizing use of Airport property from March 1-14, 2017 for parking. Also approves the use of the municipal parking lot located in vicinity of 3rd and Alachua Streets Thursday and Friday, March 9-10, 2017. **A motion was made by Commissioner Miller, seconded by Commissioner Poynter to approve Resolution 2017-18. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

7.2 RESOLUTION 2017-19 AUTHORIZING THE USE OF AIRPORT PROPERTY BY BONHAMS AND BUTTERFIELDS AUCTIONEER CORPORATION IN CONJUNCTION WITH ANNUAL AMELIA ISLAND CONCOURS D'ELEGANCE EVENT IN MARCH, 2017: According to the agenda support documents, Resolution 2017-19 approves the use of airport property for parking for the Bonhams Auction event to be held March 7-9, 2017 along with the Facilities Use Agreement. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger to approve Resolution 2017-19. Vote upon passage was taken by ayes and nays and being all, Ayes, carried.**

7.3 RESOLUTION 2017-20 APPROVING THE USE OF THE CITY SEAL IN ACCORDANCE WITH ORDINANCE #'S 2011-06 AND 2016-10 FOR THE SPORTSCAR VINTAGE RACING ASSOCIATION (SVRA) TO USE THE CITY SEAL ON BANNERS ADVERTISING THE AMELIA ISLAND VINTAGE GRAN PRIX: According to the agenda support documents, Resolution 2017-20 approves the use Of the City seal in black and white by Ms. Terry Ozment of the SVRA for use on Amelia Island Vintage Gran Prix banners. **A motion was made by Vice Mayor Kreger seconded by Commissioner Poynter, to approve Resolution 2017-20. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

7.4 RESOLUTION 2017-21 APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017: According to the agenda support documents, Resolution 2017-21 approves a transfer of \$15,000 from the Facilities Maintenance Part Time salaries account to the Non Departmental Contractual account, the Police Contractual account and the Peck contractual account. City Manager martin explained the various budget amendments are for retaining a cleaning service. The City is using unfilled personnel position funds to fund the contractual cleaning services. **A motion was made by Commissioner Poynter seconded by Vice Mayor Kreger, to approve Resolution 2017-21.** Vice Mayor Kreger acknowledged City Hall staff who picked up the slack when there was no cleaning company, noting they went above and beyond expectations. City Manager Martin commented that the kudos belong primarily to Community Development Department Building Official Mr. Tony Perez-Gerra and Community Development Department Plans Examiner Mr. Don Kukla. **Vote upon passage was taken by ayes and nays and being all ayes, carried.**

7.5 RESOLUTION 2017-22 DESIGNATING A 36" LIVE OAK HERITAGE TREE DESIGNATION – ASPIRE AT AMELIA ASSISTED LIVING FACILITY: According to the agenda support documents, Resolution 2017-22 grants the designation of "Heritage Tree" to a tree located on the Aspire at Amelia Assisted Living Facility property. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger, to approve Resolution 2017-22.** **Vote upon passage was taken by ayes and nays and being all ayes, carried.**

7.6 RESOLUTION 2017-23 ADOPTING THE CITY COMMISSION'S FISCAL YEAR 2017/2018 GOALS: According to the agenda support documents, Resolution 2017-23 adopts the City Commission Goals (and related measurements) opportunities and considerations. Mayor Lentz noted there are speakers who wish to speak regarding agenda Item 7.6.

Mr. Lynn Williams, 1899 South Fletcher Avenue, mentioned he reviewed the list of goals and accompanying deadline dates and feels two in particular should be reconsidered: 1) the demolition of the Venturo building and docks; there needs to be a demotion plan and construction plans at the same time to avoid any permitting issues. 2) the realignment of the south basin which, in his opinion, should be done this summer. Mayor Lentz responded that the Commission wants to do what is most efficient and that the timeline is a template that will need to be assessed as costs and plans are discussed.

City Manager Martin read correspondence from the Florida Department of Environmental Protection (FDEP) regarding the Venturo building being on Butler Act lands. He noted the letter indicates the Venturo demolition and construction permitting can be done with one permit and a lease. The building itself is currently located on lands not owned by the state and would not need proprietary authorization as long as the building and all associated non water dependent activities are built and contained over the Butler Act lands.

Mr. Williams replied that the lands are not Butler Act lands and current surveys show this, the Army Corps of Engineers controls the navigable waters in the US and they issue the permits, not the FDEP and he believes the FDEP letter is in error.

City Attorney Tammi Bach clarified that there is no legal difference between Butler Act owned lands and disclaimed lands. Ms. Bach confirmed that communication with the FDEP and the Army Corps of Engineers is needed before moving forward.

Mr. Ron Sapp, 415 Alachua Street, noted there has been much discussion recently in the community and in Commission Chambers and asked if the downtown increased density, from eight units an acre to thirty-four units per acre, has already been done or is it a goal and that he wanted it on the record that he is opposed to an increase and asked that the City Commission recognize that existing infrastructure does not support it. Mayor Lentz stated it was a goal that the City Commission set in the last Visioning Session meeting (December 14, 2016), it is not on this year's list of goals because the City Commission is in the process of working towards that goal.

Vice-Mayor Kreger noted the timelines and goals and suggested a workshop because it is time to follow up on the special events hiring and the street lighting. Mayor Lentz remarked that street lighting that came out of the Visioning Session, there are county roads within the city that are dark and are not lit by the county.

Commissioner Miller asked City Manager Martin about item number 6, the parking consultant, will it be rolled into the waterfront or will it be separate. City Manager Martin replied that the intent was to wait and see how the consultant who is selected is going to address the downtown and beach parking concerns raised by the Commission and general public. **A motion was made by Commissioner Poynter, seconded by Commissioner Miller, to approve the Resolution 2017-23. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

8.1 SECOND READING OF ORDINANCE 2017-01 RESTATING AND AMENDING THE CITY'S PERSONNEL POLICY MANUAL: City Attorney Bach read Ordinance 2017-01 by title only which was as follows: "AN ORDINANCE OF THE CITY COMMISSION OF CITY OF FERNANDINA BEACH, FLORIDA, RESTATING AND AMENDING THE CITY'S PERSONNEL POLICY MANUAL; PROVIDING FOR AMENDMENTS BY RESOLUTION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES, RESOLUTIONS AND POLICIES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE." The public hearing was opened at this time and there being no comments from the floor the public hearing was closed. According to the agenda support documents, Ordinance 2017-01 approves and adopts the restated and amended Personnel Policy Manual.

City Manager Martin remarked that following the direction of the City Commission at the first reading of Ordinance 2017-01, there are two changes to the Personnel Policy Manual 1) President's Day was removed per Mayor Lentz. 2) Probationary periods was revised and amended to reflect promoted employees. The language in the manual now reads "Give newly hired and/or promoted employees the opportunity to demonstrate their ability to achieve a satisfactory level." Vice Mayor Kreger clarified that if an employee is promoted they would then have the opportunity to go back to their original position. City Manager Martin replied "Yes and handled on a case by case basis".

Commissioner Miller commented that at the first reading of Ordinance 2017-01 he voted against President's Day being removed as a paid employee holiday because county, state and federal offices are closed on Presidents Day. He noted this makes it difficult for City employees to operate and citizens assume City offices are closed in observance of President's Day in conjunction with county, state and federal offices. **A motion was made by Commissioner Miller to approve Ordinance 2017-01 with an amendment to recognize President's Day as a paid employee holiday. Due to lack of a second, the motion failed.**

A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve the Ordinance 2017-01 with the City Managers recommended changes. Vote upon passage was taken by ayes and nays and being all ayes, carried.

9.1 BOARD APPOINTMENT - ARTS AND CULTURE: According to the agenda support documents there was one appointment for Arts and Culture. **A motion was made by Commissioner Poynter, seconded by Vice Mayor Kreger, to approve the appointment of Ms. Elizabeth Taylor. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

9.2 BOARD APPOINTMENT - BOARD OF TRUSTEES FOR THE FIRE AND POLICE PENSION PLAN: According to the agenda support documents there were two appointments for the Board of Trustees of the Fire and Police Pension Plan. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve the appointment of Mr. Walter Sturgis and Ms. Janet Griffin. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

9.3 BOARD APPOINTMENT - GREENS AND OVERSIGHT COMMITTEE: According to the agenda support documents there were two appointments for the Greens and Oversight Committee. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter, to approve the appointments of Mr. Lee Murray and Ms. Victoria Galphin. Vote upon passage was taken by ayes and nays and being all ayes, carried.**

9.4 BOARD APPOINTMENT - FERNANDINA BEACH HOUSING AUTHORITY: According to the agenda support documents there was one appointment for the Fernandina Beach Housing Authority. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Miller to approve the appointment of Ms. Kimberly Richo. Vote upon passage was taken by ayes and nays and being all ayes, carried**

10.1 DISCUSSION – DIRECTION – ACTION ITEMS NASSAU COUNTY SCHOOL BOARD PROPERTY - ATLANTIC AVENUE: This item was placed on the agenda at the request of Commissioner Smith. Commissioner Smith believes the property is being underutilized and could be a park or serve some other community purpose and would like to meet with the Nassau County School Board to discuss.

City Attorney Tammi Bach indicated she researched the deed and spoke with Nassau County School Board Superintendent Dr. Kathy Burns who claimed the school board still uses the land for school activities and does not believe that the City could “muscle in” on the land. Mayor Lentz confirmed that the Nassau County School Board uses the land for Shrimp Boat Festival parking which raises money for the area schools and the land is used for band practice.

Commissioner Smith noted that it’s a beautiful piece of land and that discussions should be initiated with the Nassau County School Board. Commissioner Miller said he is the City Commission liaison to the Parks & Recreation Advisory Committee and agrees with Commissioner Smith.

Vice Mayor Kreger agreed that a discussion with the Nassau County School Board is necessary however a bigger concern for him is the Citrona property.

City Attorney Bach clarified that the Noble and Yulee families donated the land and offered that she and City Manager Martin would come up with an agenda and thoughts for using the space and alleviate any

concerns about opening it and taking down the fence. Mayor Lentz concurred with City Attorney Bach's recommendations.

CITY MANAGER REPORTS:

CONGRATULATIONS: City Manager Martin congratulated the Fernandina Beach Golf Course on the successful completion of their 60th Anniversary Golf Tournament.

FLORIDA CITY & COUNTY MANAGERS ASSOCIATION (FCCMA) CONFERENCE: City Manager Martin attended the FCCMA Conference last week and commented it was very informative, rewarding and uplifting to meet with peers from other municipalities and talk about some of the challenges City Managers face.

STORMWATER MANAGER: City Manager Martin welcomed new hire Mr. Andre Desilet as the Stormwater Manager.

CONGRATULATIONS: City Manager Martin stated that he and Mayor Lentz attended the retirement picnic of Nassau County Manager Mr. Ted Selby. City Manager Martin offered congratulations to Mr. Selby on his retirement and extended congratulations to Ms. Shanea Jones on her promotion to Nassau County Manager.

OCEAN & HIGHWAY PORT AUTHORITY (OHPA) MEETING: City Manager Martin met with OHPA Chairman Mr. Adam Salzburg, they discussed City and Port collaborative opportunities.

MUNICIPAL SERVICES TAXING UNIT (MSTU) FUNDING MEETING: City Manager Martin noted he and City Attorney Bach will meet with Nassau County officials tomorrow to discuss MSTU funding and how public safety matters will move forward.

WATERFRONT CONSULTANT REQUEST FOR QUALIFICATIONS (RFQ): City Manager Martin noted the Waterfront Consultant RFQ is scheduled for publication tomorrow.

AIRPORT ADVISORY COMMITTEE MEETING: City Manager Martin commented the AAC Meeting is scheduled for Thursday evening. The City has received special event approval from the Federal Aviation Administration (FAA) and the complaint that was filed to the FAA after last year's special events has been completely dismissed.

WORKDAY: City Manager Martin will have his "workday" next week at the Utility Billing and Finance Departments.

CITY ATTORNEY REPORTS

THANKS: City Attorney Bach thanked the Nassau County Fernandina Branch of the Public Library for inviting her to read poetry in honor of Black History Month.

CITY CLERK REPORTS

POLICE DEPARTMENT AWARDS BANQUET: City Clerk Best expressed thanks to Police Chief Hurley for the invitation to attend the Police Departments Annual Awards Banquet. City Clerk Best commented it was a wonderful and well attended event.

CONGRATUALTIONS: City Clerk Best congratulated the Fernandina Beach Fire Department Administrative Staff and Fire Fighter of the Year for the awards and special recognition they received this evening.

MAYOR/COMMISSIONER COMMENTS

CONDOLENCES: Commissioner Miller extended his condolences to the Bennett family on their recent loss of Ms. Mary Bennett.

THANKS: Commissioner Miller commented he recently had the privilege of meeting a renowned musician who happens to be confined to a wheelchair. Through conversation with the musician Commissioner Miller learned that the Main Beach Mobi Mats were not wheelchair accessible due to recent strong nor' easterly winds. Commissioner Miller thanked Maintenance Director Mr. Rex Lester for addressing the matter and quickly rendering the Mobi Mats wheelchair user friendly again.

MEETING: Vice Mayor Kreger stated he attended the Northeast Florida Regional Council meeting last week where he discussed the 14.3 acre Citrona property with the President of the Northeast Florida Land Trust Mr. Jim McCarthy who indicated they may have some ideas on how to acquire the property.

THANKS: Vice Mayor Kreger thanked the Nassau County Fernandina Branch of the Public Library for inviting him to read poetry in honor of Black History Month.

THIOKOL DISASTER MEMORIAL: Vice Mayor Kreger stated he and Fire Chief Ty Silcox attended the 47th Annual Thiokol Disaster Memorial where strong recognition was given to the City of Fernandina Beach Fire Department for their fast and critical civil defense response to the disaster all those years ago.

KUDOS: Commissioner Poynter expressed kudos to the Tourist Development Council (TDC) for assisting the Chamber of Commerce in bringing a wonderful and incredible concert to the island last night. Commissioner Poynter thanked the First Baptist Church for providing the concert venue.

MEETING: Commissioner Poynter reminded all he will be having his regular public meeting this Thursday evening from 6:00 pm - 8:00 pm at Café Karibo. He invited all to attend to share cookies, tea and ideas.

CONDOLENCES: Commissioner Poynter expressed condolences to the family of Ms. Louise Webb, a true pillar of the community and probably one of the sweetest ladies he has ever known.

SLIDERS RESTAURANT PARKING: Commissioner Smith requested a Sliders Restaurant parking update be provided at the next City Commission Regular Meeting.

CONGRATULATIONS: Mayor Lentz congratulated Nassau County Manager Mr. Ted Selby on his recent retirement and she looks forward to working with newly promoted Nassau County Manager Ms. Shanea Jones who is tremendously smart and will do an excellent job.

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MINUTES

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DESSERTS OF AMELIA: Mayor Lentz, along with Fire Chief Silcox and City Manager Martin, attended the Desserts of Amelia special event where she was a judge. Mayor Lentz thanked the community for supporting the event and noted that Nana Teresa's Bake Shoppe won top prize.

THANKS: Mayor Lentz remarked one of the things she is involved in is the Amelia Island Runners and Pirates on the Run which are 5K and 10K runs whose routes include Atlantic Avenue and the Egans Creek Greenway. Mayor Lentz commented that the safety of runners is always a top concern and thanked Police Chief Hurley for putting Officer Marty Scott in charge of the events. Mayor Lentz noted that Officer Scott worked with Detective Evatt, Detective Josh Simmons and Police Department Officer of the Year, Josh Paetsch; all of whom worked hard to ensure the event was safe and successful.

AIRPORT TERMINAL PROJECT: Mayor Lentz referred to Item 4.1 of this meeting where AAC Chairman Mr. Sam Lane provided a presentation on the Airport Terminal Project and noted that looking forward; the City should have a list of potential cutbacks ahead of time. Mayor Lentz stated she felt staff would address the matter but encouraged her fellow Commissioners to plan ahead.

ADJOURNMENT: There being no further business to come before the Commission, the meeting was adjourned at 7:46pm.

ATTEST:

CAROLINE BEST
City Clerk

Robin Lentz
Mayor

The City Commission of the City of Fernandina Beach, Florida met in a Regular Meeting on Tuesday, February 21, 2017 at 6:00 pm in the City Commission Chambers. Present were Mayor Robin C. Lentz presiding, Vice Mayor Len Kreger, Commissioners John A. Miller, Roy G. Smith, and Tim Poynter. Also present were City Clerk Caroline Best, City Manager Dale L. Martin and City Attorney Tammi Bach.

Mayor Lentz called the meeting to order and led the Pledge of Allegiance to the Flag. The invocation was then given by Reverend Wardell Avant of Kingdom Ministries.

AGENDA CHANGES: Item 8.1 LEASE AGREEMENT MAHARAJ TENNIS CLINIC LLC was removed from the agenda for consideration.

4.1 PROCLAMATION – TAKE STOCK IN CHILDREN MONTH: Mayor Lentz read the Proclamation recognizing the month of March 2017 as “Take Stock in Children Month.” Mayor Lentz introduced Take Stock in Children’s Executive Director Andrea Cummings, Executive Board President Robert Henderson and Development Chair Dee Torre. Take Stock in Children’s Executive Director Ms. Cummings thanked the Commission and noted this year as the 20th anniversary of the program, inviting all to the upcoming fundraising gala on March 2nd noting tickets are still available. Mayor Lentz offered that there are two seats still available at her table and reflected on her personal interaction with the innovative, successful program that greatly benefit one of her own former students, Bella Gonzales, who joined Take Stock in Children in middle school. Mayor Lentz beamed saying “it has been awesome to watch Bella blossom and be a great college student.” Mayor Lentz recognized several mentors in the audience, thanked them and encouraged others who have a free hour to consider volunteering.

4.2 PROCLAMATION – AFRICAN AMERICAN HISTORY MONTH: Mayor Lentz the Proclamation recognizing February 2017 as “African American History Month.” Mr. Stanley Lofton humbly accepted the Proclamation with a deep sense of gratitude from those who deemed it worthy to accept it on behalf of the African Americans of Nassau County, Fernandina Beach and everyone. Mr. Lofton thanked the Commission and extended an invitation to the public to attend the Monday February 22nd 6-8pm program on the topic of African American history in Nassau County at the Fernandina Public, guest speakers will be Mr. Neal Frink, Mr. Charles Albert, Ms. Marsha Dean Felt and Ms. Maple Pratt and audience participation is welcome.

4.3 PRESENTATION – FERNANDINA BEACH MAIN STREET PROGRAM: Fernandina Beach Main Street Director Mr. Jeff Kurtz, 715 Centre Street, stated that the last time he presented before the City Commission it was about wrapping up the first year accomplishments and tonight, he will try to set the tone for year two, beginning with the big picture point of view and his guiding principles since he approached this job over a year ago. In an attempt to solidify the relationship between the Fernandina Beach Main Street program and the downtown business community Mr. Kurtz sees it as his job to wrap his arms around and distill what is happening and try and represent that as effectively as possible. One of the aspects is working with the existing Downtown Merchants Association and that has been a process as well as working through building trust and establishing greater levels of responsibility. As the incoming Downtown Merchants Association President, Mr. Kurtz stated it’s a good step in the right direction to solidify all of the different things happening

downtown. Secondly, solidifying a good relationship between the Fernandina Beach Main Street Program and the City Commission ensuring there is good communication in place. Mr. Kurtz stated further aspects of improving the visibility of the Fernandina Beach Main Street program include letting people know why and what they do, the priorities of the organization, historic preservation and economic development for the benefit of Fernandina Beach's downtown. Mr. Kurtz continued that having a good relationship between the local program and the state of Florida, who is the governing oversight body, to assure being in a good position to capitalize on any available opportunities. Noting items requiring careful navigation and focus in the second year include economic vitality, waterfront redevelopment, proposed hotel construction, downtown density, and the recent issue of potentially closing Centre Street. Mr. Kurtz takes the responsibility very seriously of trying to have a good link between what the public says and what the City Commission says. From a design point of view, there has been a good start getting plans on paper for improved streetscape elements but it's important to see things actually happening this year. Mr. Kurtz wants to work with all on the newspaper box ordinance completion. There is also an opportunity for some state assistance for better wayfinding and linking with the Historic District Council and having Parks & Recreation Manager Jay Robinson as a point person for Special Events has greatly improved communication. Mr. Kurtz said that he will be working with the Shrimp Boat Festival and other events for fundraising and in mid-August will attend the Florida Main Street Conference to showcase our city.

4.4 PRESENTATION - GREENWAY NATURE CENTER - Mr. Chris Occhuizzo, 1585 Canopy Drive, thanked the Commissioners and City Manager Martin for the time to provide his presentation that is based on an idea that will further enhance the appeal of Amelia Island's natural beauty through ecotourism using one of the islands most valuable natural assets - Egan's Creek Greenway Preserve. Mr. Occhuizzo began by outlining an initiative to establish a world-class Egans Creek Greenway Nature Center, proposing to use the former dive shop space at the Atlantic Recreation Center at inception. The Egans Creek Greenway is a jewel in the center of the island, a preserve for residents and tourists alike to enjoy beauty, peace, flora and fauna in a pristine, natural environment. In 2015 an open meeting was held by a group of concerned citizens whose goals were to address any concerns relating to island environment and ecology. From that meeting emerged the mission of Amelia Island Earthkeepers which is to educate, encourage and galvanize residents, businesses and visitors to become environmental stewards of the land and sea. Mr. Occhuizzo explained it's been proven that if you give people a connection to something they will work to protect it and sees their mission as the perfect fit to the Egans Creek Greenway master plan vision that includes conservation, recreation, education, wetlands restoration, stormwater management and protection of the maritime forest. Since its inception, Amelia Island Earthkeepers is registered as a 501c3 which opens the organization to various funding opportunities. Amelia Island Earthkeepers have had several successful open meetings and found the community enthusiastically interested in the Greenway. Mr. Occhuizzo offered that ecotourism has grown by leaps and bounds this decade and data from Florida Fish and Wildlife shows that an abundance of wildlife lives on the Egans Creek Greenway that is viewable without using any mode of transportation. The District Council statistics shows that wildlife, environment and exercising market account for 37% of responses to activities enjoyed in the area. To put a value on Greenway visits, Mr. Occhuizzo referenced a News Leader newspaper article that quoted the island as having just fewer than 1.3 million visitors with a total economic impact of \$746 million dollars. Amelia Island Earthkeepers survey shows 35% of those using the trails at the Greenway were visitors, approximately 80 people per day or 350 people per week on average. By

promoting Egans Creek Greenway, its nature center and the image of a world class island there are many more visitors that could potentially be captured with Egans Creek Greenway ecotourism. Revenue aside, the Amelia Island Earthkeepers main goal is the sanctity of the Egans Creek Greenway as management works to protect the area from future development, safeguard the wildlife corridor from the adjacent Ft. Clinch State Park and to support outdoor recreational activities that are compatible with the conservation and protection of the site. Vice Mayor Kreger commended the Amelia Island Earth Keepers as a very positive effort and believes the Egans Creek Greenway is one of the crown jewels of the City of Fernandina Beach, he also believes that residents agree because it was established as a referendum. Vice Mayor Kreger personally would support the project and noted that Parks and Recreation Director Nan Voit can address the facility aspect. He believes we do need to do something and the greenway needs to improve.

Mayor Lentz asked Mr. Occhuizzo if it had already been presented to the Parks & Recreation Advisory Committee and if so, what the outcome was. Mr. Occhuizzo responded yes and the idea was well received. Mayor Lentz believes it is a fantastic idea as she is a proponent of education and believes Egans Creek Greenway is a wonderful space. However, she is interested to know how it would be paid for and manned. Mr. Occhuizzo responded that although it will not happen “overnight” the organization is not looking for a “blank check” as they are applying for grants and will hold fund raisers. He believes that it will cost approximately \$30k to get started.

Commissioner Smith added that it is a great idea and a beautiful feature of the island. Commissioner Poynter inquired as to what other areas are being considered for the welcome center. Mr. Occhuizzo said they are looking into other buildings however, at this time, it’s a matter of funding. He queried the City Commissioners as to whether they believed that the center is a good idea overall. Mayor Lentz, noting the previous Commissioner approvals asked Commissioner Miller who replied yes.

Mayor Lentz asked Parks & Recreation Director Nan Voit, what the former dive shop space is being used for and Director Voit responded it is an over flow space for meetings and other small programs. She added that the Amelia Island Earthkeepers are doing a good job and have cohabitated with the other programs on occasion. She likes the idea of expanding the pavilion at the trail head, because that is where people enter and exit and they don’t necessarily see the back of the pool where the dive shop is located. Commissioner Poynter agreed that it would make the most sense to put it at the pavilion.

Mayor Lentz voiced her biggest concern, staffing, stating as the project forward staffing could be an issue both the teen center and sundry shop were difficult to staff.

Parks & Recreation Director Ms. Voit interjected that although the teen center program was budgeted, it fizzled because participation dropped dramatically. The sundry shop struggled with costly overhead. Ms. Voit remarked that the Amelia Island Earthkeepers will have people to staff and do presentations, market and draw people into the center and she believes it can be very successful. Mayor Lentz acknowledged Ms. Voit’s remarks and noted all are in agreement. Ms. Voit concurred and stated a plan is needed.

Mr. Coleman Langshaw, 308 S. 15th Street, is a board member on the Amelia Island Earthkeepers and stated there are dedicated funds however they will need the City’s commitment, continued great

relationship with Parks & Recreation and additional funds. Mr. Langshaw stated that it will be important to have a workshop and hopes that will be pushed up on a recent agenda.

Vice Mayor Kreger agreed that the restroom is the best location and that in the beginning could have a skeleton staff which progressively increases over time. He reiterated that he really likes the idea. Commissioner Poynter suggested that prior to a workshop he would like the Amelia Island Earthkeepers to come up with a plan and an actual cost and what the City would need to contribute. He noted the Pirates Playground as a successful example and conveyed that the City Commission is in favor of the idea and asked that if they are going to do it, do it right. Commissioner Miller asked Mr. Occhuizzo if he had all his questions answered and the reply was yes and that he would meet with Ms. Voit and her team. Commissioner Miller stated that he would be happy to liaise with Mr. Occhuizzo. Mayor Lentz thanked the Amelia Island Earthkeepers for all they do and expressed her appreciation.

Mrs. Faith Ross, 210 N. 3rd Street, stated she is on the board of Amelia Island Earthkeepers and showed a presentation about a conference she attended in Lakeland, Florida at their world class nature center, a venue that competes with Disney World. The center is a success and consistently gets 4-5 star reviews. It has classrooms and conference space that generates revenue and is well funded by the community, state and grants.

4.5 BUDGET SUMMARY - Comptroller Patti Clifford was in attendance to answer any questions regarding the budget summary for January 2017. There were no questions at this time.

5. PUBLIC COMMENT REGARDING THE DRAFT ENVIRONMENTAL ASSESSMENT REPORT FOR THE GENERAL AVIATION TERMINAL PROJECT AS ADVERTISED IN THE NEWS LEADER ON JANUARY 25, 2017: Passero & Associates Program Manager Mr. Andrew Holesko explained the draft Environmental Assessment Report for the General Aviation Terminal Project was advertised by the City in the Fernandina Beach in the January, 2017 edition of the Fernandina Beach News Leader. Mr. Holesko noted the draft Environmental Assessment Report for the General Aviation Terminal Project is available for review in the City Clerk's office and with the Federal Aviation Administration (FAA) Orlando office. The Report contains a review of the Federal level environmental impact categories for both the general aviation terminal site and the adjacent development. It Report follows the environmental review procedure and the specific environmental impact categories and criteria for review.

6. PUBLIC COMMENT REGARDING ITEMS NOT ON THE AGENDA OR ITEMS ON THE CONSENT AGENDA:

AIRPORT TERMINAL PROJECT: Mr. Lynn Williams, 1899 S. Fletcher Avenue, referred to the fable of the Emperor's New Clothes with the moral being that whatever the Emperor likes is a swell thing and believes there is a similarity between the fable and the proposed airport terminal. Mr. Williams has heard public comments regarding the plan, described as bizarre, silly and "what was anybody thinking." He believes the project is very costly and noted it is difficult to construct aligned curved surfaces in a building and feels the project is a "nightmare" and asked the City Commission to reconsider the plan.

7. CONSENT AGENDA: The following three items were on the Consent Agenda and were approved by one motion.

7.1 RESOLUTION 2017-24 AMENDING RESOLUTION 2016-69 PERTAINING TO ARTS AND CULTURE NASSAU BY AMENDING THE NUMBER OF VOTING MEMBERS; ALLOWING MEMBER ORGANIZATIONS TO BE AMENDED; ESTABLISHING A QUORUM; ESTABLISHING TWO YEAR TERMS FOR ALL MEMBERS; ALLOWING ALTERNATE MEMBERS: According to the agenda support documents, this Resolution approves various changes to Arts and Culture Nassau membership. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Amended Resolution 2016-69, Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.2 RESOLUTION 2017-25 AUTHORIZING THE AWARD OF BID #17-01 TO RANDSTAD FOR STORMWATER LABOR: According to the agenda support documents, Resolution 2017-25 approves the award of Bid #17-01 to Randstad. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-25. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

7.3 RESOLUTION 2017-26 APPROVING AN AMENDMENT TO THE STORMWATER BUDGET FOR FISCAL YEAR 2016/2017: According to the agenda support documents Resolution 2017-26 approves a budget transfer in the amount of \$10,200 from Stormwater Professional Services account to various accounts within the Stormwater fund. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter to approve Resolution 2017-26. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

8.1 LEASE AGREEMENT — MAHARAJ TENNIS, LLC — RESOLUTION 2017-27 APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND MAHARAJ TENNIS, LLC TO LEASE THE NORTHERN CLUSTER OF TENNIS COURTS LOCATED AT 1218 ATLANTIC AVENUE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE. According to the agenda support documents this Resolution, approves the Lease Agreement between the City of Fernandina Beach and Maharaj Tennis, LLC to lease the northern cluster of tennis courts (Courts 1 and 2) located at 1218 Atlantic Avenue. This item was removed from the agenda for consideration.

8.2 RESOLUTION 2017-28 APPROVING FINAL PLAT, PAB CASE 2017-01 TITLED, "RIVERBEND": According to the agenda support documents Resolution 2017-28, accepts and approves the plat titled, "Riverbend," as a final plat. Riverbend Developer Mr. Greg Matovina, 2955 Hartley Road, Jacksonville, Florida, explained Riverbend is a completed thirty four lot custom, gated, residential development. He stated his company went through painstaking efforts to save as many trees as possible, home site lots are larger than what is required, and the preserved tree canopy, particularly leading up to the marsh, is beautiful. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Poynter, to approve Resolution 2017-28. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

8.3 RESOLUTION 2017-29 AUTHORIZING THE EXECUTION OF A QUIT CLAIM DEED TO FERNANDINA LUMBER AND SUPPLY COMPANY: According to the agenda support documents Resolution 2017-29 accepts and authorizes the execution of the quit claim deed to Fernandina Lumber and Supply Company. City Attorney Tammi Bach explained the Fernandina Lumber and Supply Company property, located directly behind City Hall, is for sale. Through title research and due diligence, the realtor and title company found that the City is occupying Fernandina Lumber and Supply land specifically; two parking spaces and the dumpster enclosure area. For title insurance reasons the City needs to vacate these areas. City Attorney Bach confirmed this property does not belong to the City and there was an easement in draft form from the 1990's for the City to use the property however it was never recorded. City Attorney Bach also stated she asked them to send her (City Attorney Bach) an email saying they would pay for the removal of the dumpster enclosure and parking lot pavement. City Attorney Bach recommends approval. **A motion was made by Commissioner Poynter, seconded by Commissioner Smith, to approve the recommendation. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

8.4 RESOLUTION 2017-30 AMENDING THE CITY CLERK'S EMPLOYMENT AGREEMENT TO CLARIFY THAT VACATION TIME IS ACCRUED AT THE SAME RATE AS EXEMPT EMPLOYEES WITH THE SAME YEARS OF SERVICE: According to the agenda support documents Resolution 2017-30 accepts and approves the amendment to City Clerk Best's employment agreement. City Manager Martin explained during the last fiscal year audit discrepancies were discovered between the personnel policy and Ms. Best's contract relating to vacation and sick leave accruals. The proposed resolution clarifies the amendment and brings it into appropriate compliance. **A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith, to approve Resolution 2017-30. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

9.1 SECOND READING OF ORDINANCE 2017-03 CHANGING THE CITY'S FUTURE LAND USE MAP TO ASSIGN A LAND USE DESIGNATION OF GENERAL COMMERCIAL (GC) FOR A PARCEL TOTALING 4.73 ACRES OF LAND LOCATED AT 2700 ATLANTIC AVENUE: City Attorney Bach read Ordinance 2017-03 by title only, which was as follows: "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S FUTURE LAND USE MAP TO ASSIGN A LAND USE DESIGNATION OF GENERAL COMMERCIAL (GC) FOR A PAREL TOTALING 4.73 ACRES OF LAND LOCATED AT 2700 ATLANTIC AVENUE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE." The public hearing was opened at this time and there being no comments from the floor, the public hearing was closed. According to the agenda support documents Ordinance 2017-03 assigns a Future Land Use Map designation of General Commercial (GC) to 4.73 acres located at 2700 Atlantic Avenue. **A motion was made by Commissioner Smith, seconded by Commissioner Poynter, to approve Ordinance 2017-03. Vote upon passage of the motion was taken by ayes and nays and was as follows:**

Vice Mayor Kreger:	Aye
Commissioner Poynter	Aye
Commissioner Smith	Aye
Commissioner Miller	Nay
Mayor Lentz	Aye

Motion carried.

9.2 Quasi-judicial – SECOND READING OF ORDINANCE 2017-04 CHANGING THE CITY’S ZONING MAP TO ASSIGN A ZONING DISTRICT OF COMMUNITY COMMERCIAL (C-1) FOR A PARCEL TOTALING 4.73 ACRES OF LAND LOCATED AT 2700 ATLANTIC AVENUE: City Attorney Bach read Ordinance 2017-04 by title only, which was as follows: “AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY’S ZONING MAP TO ASSIGN A ZONING DISTRICT OF COMMUNITY COMMERCIAL (C-1) FOR A PAREL TOTALING 4.73 ACRES OF LAND LOCATED AT 2700 ATLANTIC AVENUE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.” According to the agenda support documents Ordinance 2017-04 assigns a Zoning Category of Community Commercial (C-1) to 4.73 acres of land located at 2700 Atlantic Avenue. The quasi-judicial public hearing was opened at this time. City Attorney Bach explained the quasi-judicial hearing proceedings; first Community Development Department Senior Planner Kelly Gibson will give a brief presentation introducing evidence into the record including the staff report. Then the applicant and or their agent will come to the podium and introduce evidence into the record; either side may call witnesses, cross examine each other’s witnesses and one another. City Attorney Bach further explained that any affected parties here tonight may come to the podium; they are not limited in the amount of time they get to speak, if any speakers will be introducing evidence into the record they need to be sworn in. If there is an appeal to be taken based on the City Commissions decision tonight on the Zoning Map Amendment, that Appeal needs to be filed within thirty days of the written Findings of Fact. City attorney Bach asked of there were any affected parties in the audience who wished to introduce evidence into the record. City Attorney Bach then asked the applicant, staff and effected audience members to please stand and take the oath.

At this time, Community Development Department Senior Planner Kelly Gibson explained she provided a staff report as part of the backup materials contained in the agenda item. Within the staff report Ms. Gibson indicated staffs review for consistency with the Comprehensive Plan, Land Development Code and applicable State Statute and recommended favorably for the zoning change. Additionally, the Planning Advisory Board (PAB) reviewed this in a public hearing and also issued a recommendation of approval to the City Commission.

The applicants’ agent, Compass Group Mr. Ron Flick asked for a right to respond to any rebuttals should there be any questions based on other evidence presented. City Attorney Bach allowed.

Mr. Philip Chapman, 2120 Florida Avenue, stated he is confused about the change from residential to a hotel that will bring more people to the island to work who cannot afford to live here. Mr. Chapman remarked that if the zoning remains as is there could be as many as forty single family homes built on that land that is 2/3 of the housing requirement for the high paying jobs that Ligno Tech is bringing to the island. He finds that changing from residential to commercial is not in the best interest of the island. He is concerned about the traffic, especially during special events, and asked the Commission to consider what will happen when another commercial hotel is constructed. He has heard others express concerns about the quality of our beach and the items left behind with the influx of visitors, who will walk to the beach with plastic bags, an environmental issue. He asked the City

Commissioners to seriously think about this contradiction, residential vs. more commercial and hopes that four of the City Commissioners will change their minds and vote no for this project.

The applicants' agent, Compass Group Mr. Flick responded with a presentation showing the advantages of the site and explained the potential incoming revenue and tax base. The location is surrounded to the East with C-1, across the roadway is C-1 and would also include recreation to the West with residential to the South. Mr. Flick is seeking to change from R-2 zoning to C-1 zoning that would be compatible with land use category of General Commercial (GC) and the surrounding areas. Suitable to that zoning is hospitality, ideally generating revenue from visitors and locals, which can generate several million dollars of tax base and revenues per year property tax base. The Comprehensive Plan is consistent with the staff report and is in the record. Focusing on compatibility issues and the Comprehensive Plan Policy 1.0609; this allows for a pedestrian friendly/oriented area for visitors and island occupants. The site meets the off street parking requirements and possibly some additional parking to take some of the strain off Fletcher Avenue where there may be an opportunity because if they master plan transportation with the neighbors they may be able to absorb some of the current parking dilemma. Mr. Flick has had discussions with two of the neighboring land owners. He believes this development could set the standard for the Main Beach area. Mr. Flick explained that parking will be arranged differently with a focus on being pedestrian friendly so they will move the buildings and activity center closer to the roadway as was explained in the concept plans for pedestrian center features. Showing an example of another property that has similar elements to the Comprehensive Plan, it was developed in a coastal town and mimics an "old Florida" feel which Mr. Flick believes is great character for the beach. At the rear of the property during discussion with neighbors, Mr. Flick pointed out that the idea is to pull the building forward away from the residential element and allows enough space to use the dunes and natural environmental systems that are in place already to create good earthen barriers and less activity toward the neighborhood and more to the street side which is approximately 800-900 feet away. The goal is a chance to spur growth and stabilize sustained growth at Main Beach. Mr. Flick and his company see this redevelopment as a great opportunity.

Commissioner Miller questioned Mr. Flick when speaking with the neighbors had he talked with neighbors who lived on the North side, specifically Gregor McGregor Blvd that abuts the property. Mr. Flick replied that he had spoken with two neighbors to the rear who attended the last City Commission meeting and their concerns were the proximity of activity and tree removal. It will be met in the review process and we will abide by the rules. Mr. Flick does not have the final topography but thinks the dunes that flank and surround will be preserved, not all of them of course, but where it abuts another property. They are not going to wipe something out but will have as much natural transition is possible is the goal similar to Gateway development where they created a buffer and is treed all around.

Commissioner Miller asked if there were any gopher tortoises in the area. Mr. Flick replied that there would have to be a survey done and verified because if there are gopher tortoises he will have to mitigate and manage that aspect.

Mr. Robert Hearn, 2613 Gregor McGregor Blvd., asked to see the slide showing the location of the property and asked how far Mr. Flick intended to intrude into the hammock and asked if the dune will be taken out. Mr. Flick responded that it would not be known until the study was completed but

that they would have to use some of the dune and preserve some of the dune, noting that some of the hammock extends south on the residential property but the hammock is what is to be preserved and protected. Mr. Hearn replied that this would go against many of the things he has heard tonight about the environment, natural dunes, live oaks and natural barriers and as a new resident he would not have purchased his property if he had known these would be taken out. Mr. Flick said that there are some terrain features and he will preserve as much as possible.

Mayor Lentz closed the quasi-judicial hearing.

A motion was made by Vice Mayor Kreger, seconded by Commissioner Smith to approve Ordinance 2017-04. Vote upon passage of the motion was taken by ayes and nays and was as follows:

Commissioner Poynter:	Aye
Commissioner Smith:	Aye
Commissioner Miller:	Nay
Vice Mayor Kreger:	Aye
Mayor Lentz:	Aye

Motion carried.

10.1 BOARD APPOINTMENT - GREENS AND OVERSIGHT COMMITTEE: According to the agenda support documents there was one appointment for the Greens and Oversight Committee. **A motion was made by Commissioner Poynter and seconded by Vice Mayor Kreger, to approve the appointment of Ms. Jane Page. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

10.2 BOARD APPOINTMENT - BOARD OF TRUSTEES OF THE FIREFIGHTERS' AND POLICE OFFICERS' PENSION PLAN: According to the agenda support documents there was one appointment for the Board of Trustees of the Firefighters' and Police Officers Pension Plan. **A motion was made by Vice Mayor Kreger and seconded by Commissioner Poynter, to approve the appointment of Mr. Carl Ashley. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

10.3 BOARD APPOINTMENT - HISTORIC DISTRICT COUNCIL: According to the agenda support documents there was one appointment for the Board of Trustees. **A motion was made by Commissioner Smith and seconded by Commissioner Poynter, to approve the appointment of Mr. Mike Spino. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

10.4 BOARD APPOINTMENT - PARKS & RECREATION ADVISORY COMMITTEE: According to the agenda support documents there was one appointment for the Parks and Recreation Advisory committee. **A motion was made by Vice Mayor Kreger and seconded by Commissioner Miller, to approve the appointment of Ms. Joy Behan. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

11.1 NATURAL HAZARD ADAPTION AND RESILIENCE – This item is placed on the agenda at the request of Vice Mayor Kreger. Vice Mayor Kreger gave a presentation to address natural hazard adaption and resilience showing slides of North Front Street with and without water. Vice Mayor Kreger stated a request is in for \$850k from the \$1.1 million from state funding and we are hoping to proceed as it is a priority. The considerations that come in to natural hazard which the waterfront development is driving it, on March 1st proposals will be open for consultants. The wave, wind and weather are relatively the same affect, land subsiding sets the land dropping and there has been a question about that for example Charleston, South Carolina has dropped six inches in seventy years and Vice Mayor Kreger asked that be kept in mind where we are already with water that he has heard stories of it going a mile inland or as far as the post office but he does not know. Broaching this point because it is more than just dealing with Front Street, it is dealing with historic downtown. Presenting slides showing sea level predictions noting “we are already there, already at the flood stage.” Vice Mayor Kreger stated flooding is going to be happening and showed a photo slide that he had taken of Second Street with a two foot sea level rise. The question is what we, the City Commission going to do. There are two engineers, three planners, and one flood plain manager on City staff and all the data needed to make a decision. Mayor Lentz asked if all of the items would be included in the waterfront redevelopment plan.

Vice Mayor Kreger stated he is proposing that the City Commission sets the standard and tells the developer what the plan is and not to have them come back with a report that gives us a slide that we already know. The Department of Defense, Mayport and Kings Bay Naval Stations are planning to be flooded 20% of the time by 2050. Vice Mayor Kreger stated it’s up to the City Commission to set a standard to tell the consultant, not pay a lot of money, when the City has all the staff and data needed to make a decision. The engineering issue is a later step but does the City Commission want to say to our Community Development Department Planning staff we want a plan for ¼ by 2060 e.g. and that’s the number we give the consultant because it will affect what can be done at that property. Mayor Lentz asked City Manager Dale Martin if it would be appropriate to ask City staff to bring back a recommendation for short term and long term for the City Commissions review and discussion. City Manager Martin answered yes. Vice Mayor Kreger noted the incoming state funding of \$850k.

Commissioner Miller acknowledged Vice Mayor Kreger agreeing 100% when reviewing old City Commission meeting minutes and 50-100 years from now someone else will look back and say there was an opportunity to get this done. The fact that the waterfront is underway it’s a good time to set the standards; it’s happening, the water is coming so planning for it now is extremely important. Commissioner Miller is in agreement to develop a standard and give it to the consultant because now is the time as one can’t put a Band-Aid on a sucking chest wound. Mayor Lentz agreed and thanked Vice Mayor Kreger for his presentation.

11.2 SLIDERS SEASIDE GRILL PARKING: This item is placed on the agenda at the request of Commissioner Smith.

Mr. David Sampson, 1866 First Avenue, remarked on Sliders Restaurant’s proposal to cut through First Avenue to create beach parking and additional parking for Sliders Restaurant. Mr. Sampson asked that rather than one parking lot be constructed; craft a parking plan for the entire City. His neighbors have put together surveys showing where beach parking would be available outside of

residential areas. He added it could be a win/win if we all work together and try to plan first and not do anything “spur of the moment.”

Mr. Lynn Williams, 1899 South Fletcher Avenue, agreed with Mr. Sampson’s suggestion, and asked for a holistic view. He believes that visitors should be paying for beach parking. A lot of money has been invested in the beaches and the time has come to revisit paid parking to help solve a large portion of our parking problem.

Commissioner Smith noted the reason he wanted this matter put back on the agenda is that he has a problem with the way the issue has been dealt with in the past. Sliders Restaurant had an agreement with the Days Inn hotel to use their parking lot and last March, unbeknownst to the City, the agreement was cancelled. The City Commission found out accidentally. Commissioner Smith pondered how the City Commission can allow this when Sliders Restaurant was granted an expansion based on their ability to provide parking. Commissioner Smith would like to see agreements honored, improved and monitored as it is not fair to the taxpayers. City Attorney Bach responded there is legal recourse if there is an agreement that meets the City’s parking flexibility standards and they are no longer part of that agreement; there are notice provisions that the City should have been notified and if they are not in compliance the City intends and will enforce its code. In answer to Commissioner Smith’s question, this is the first and only parking agreement that City Attorney Bach is aware of since the Land Development Code (LDC) was adopted in 2006. The newest development is that Sliders Restaurant is in a legal dispute – not a lawsuit - that claims Sliders has a valid agreement extended from March 2016. Sliders Restaurant attorney shared a letter with the City Commission that said to the ownership of Days Inn that Sliders Restaurant has a valid agreement that they intend to enforce. If there is a lawsuit or injunction that stops the ability of Sliders from using the Days Inn parking lot then the City will need to get back to enforcing the code. Sliders Restaurant was issued a Code Enforcement Notice of Violation.

Commissioner Smith inquired as to what Sliders Restaurant penalty is for not having required parking and how the penalty would be enforced. City Attorney Bach replied the LDC provides that Sliders Restaurant has to provide parking, if Sliders Restaurant is in violation, an Occupational License is needed, e.g. Alvin’s Island, a retailer, was in violation because their sign was too big, thus the City would not issue a new Occupational License which is now called a Local Business Tax Receipt and if they are in violation of their Business Tax Receipt then there is a State Statute that says they have pay the City Attorney’s fees and we take them to court. The Attorney fees can be motivating as they are expensive, the City can also ask the Judge, in the same lawsuit, to prohibit Sliders Restaurant from using the upstairs addition that requires additional parking. The City does have recourse and a Notice of Violation has been issued and in response Sliders attorney issued the said letter stating they have a valid agreement. In the future, the same way that the City would enforce this agreement and any future agreements, thus any owner that decides to enter into an agreement that is not perpetual, takes some risk, that they would be in violation of the City code – or the business would have to get the code changed. Commissioner Smith responded that it needs to be tied down better so that it is known up front if a deal is backed out. City Attorney Bach replied that the City can articulate in the agreement what the penalties would be. Mayor Lentz interjected it depends on what businesses ask for it. Commissioner Smith replied it has to be something that makes them take notice. City Attorney Bach replied “Understood” noting that retail store Alvin’s Island paid the City \$50k because their sign was not in compliance and they ignored the City.

Commissioner Smith asked if Alvin's Island new sign is the correct size. City Attorney Bach confirmed "yes, they are in compliance. That was a code enforcement action however the City did not feel that was getting Alvin's Island attention which prompted filing the lawsuit that got their attention, very quickly. Within 90 days it was settled."

Commissioner Miller asked City Attorney Bach to clarify if Fernandina Beach Hotel Group is Days Inn and that they cancelled the policy and that the landlord would give the City ninety days' notice prior to cancelling the agreement. City Attorney Bach confirmed yes and the required ninety days' notice was not given. However, City Attorney Bach will have a harder time trying to legally enforce and decide what to do against them. City Attorney Bach responded that the background is that Mr. Stewart, the owner of Sliders, was in verbal negotiations with the Days Inn owners and that they had come to a verbal agreement with emails as verification. Ms. Bach surmised that Mr. Stewart was taking it seriously, had hired an attorney who gave an opinion and sent a letter to Days Inn. She thinks that the City needs to take the Attorney's letter at face value that there is an agreement. If they don't have an agreement, the City will enforce the code. Commissioner Miller responded hence the City is in a stay tuned mode, that it's "fluid". City Attorney Bach confirmed.

Commissioner Smith questioned that the agreement was still in effect but yet Sliders Restaurant changed the amount of the rent to 1/3. Mayor Lentz replied no. Commissioner Poynter interjected that was not what happened. City Attorney Bach proffered that there is correspondence going back and forth about the \$3500 and the \$1100. The bottom line is that Slider's owner conveyed to Ms. Bach that they expect to pay \$1100 per month, increasing yearly etc. It is not the City's concern what they are paying, we realize that the dispute is about what was paid but there are other issues. For example, Sliders was under an agreement that expired to purchase a parcel that they potentially could have rezoned for parking however that fell through because the Days Inn agreement was pending.

Mayor Lentz invited Mr. Sapp to the podium for enlightenment on the subject.

Mr. Ron Sapp, 415 Alachua Street, commended Vice Mayor Kreger on his Stormwater presentation and Commissioner Smith for bringing forward the Sliders parking issue. Mr. Sapp remarked that he does not envy the tough decisions before the City Commission. The Sliders Restaurant parking issue is very convoluted and seemingly has legal issues and asked that the City Commissioners look at it not in a micro sense but in a macro sense. Mr. Sapp asked the City Commissioners to think about the 4,000 homes being built at Wild light in Yulee, the 27,000 homes being built in Terra Point, and 13,000 city residents, 26,000 during the summer months and weekends and dealing with an infrastructure on the beach in terms of places to park that is finite. Thus there are thousands and thousands of beach goers who have no place to park. Mr. Sapp encouraged the City Commissioners to look at it not as a Slider's Restaurant issue but as a beach parking issue for the thousands of people that come here every weekend searching for parking. Numerous people have expressed that to go to the beach there is no place to park.

Vice Mayor Kreger agreed and noted his discussion with City Manager Martin regarding Comprehensive Plan Policy 21504 and 21505 needs assessments at the beaches believes that the City is doing that spurred by the Sliders issue. There are different requirements, specific parking requirements tied to the beach re-nourishment where parking will be needed with Sadler Road a

possible option that is being discussed with Nassau County. There was also discussion in the past about building a parking garage for the beaches and believes that is where the City is headed and going to do it.

Mayor Lentz thanked Commissioner Smith for raising the point and agrees regarding the enforcement, moving forward to tighten up the agreements and acknowledging having a City Attorney to do that. Addressing the parking flexibility standard which is good though harder to enforce however Mayor Lentz appreciates that the City offers that because parking can hinder things and appreciates the City code however the City needs to be able to enforce it. Commissioner Smith suggested having a beach parking workshop. Commissioner Miller concurred on having a workshop and stated its time to take a hard look at the paid parking in the beach area. One pushback Commissioner Miller noted is that he does not want residents to have to pay for beach parking. Commissioner Miller attended a parking convention at the Ritz Carlton a few years ago and learned there is no need for parking meters any longer; validation can be done at restaurants. Commissioner Smith agreed and noted that the tourists are welcomed but would like them to help pay for the parking. Commissioner Miller had called the Virginia Beach City Clerk because they had done a similar program the stickers became a badge of honor for the locals who are proud to display that they live there.

Commissioner Poynter stated he has been in favor of beach parking since he was on the City Commission the first time and the public spoke out against beach parking, saying it was unfriendly and would ruin the hometown feel and that's why paid beach parking hasn't been embraced. Commissioner Poynter is not in favor of a workshop as there is a parking study done if the City Commission wants to get out in front of it the narrative needs to be controlled. By not doing anything the island will be overrun with people and cars parking on streets, lawns and in spots where they are not supposed to park. Parking does not need to be supplied for everybody but parking that is very well located is needed and absolutely charge people. The City spends over half a million dollars a year to maintain the beaches that visitors use for free. Mayor Lentz noted that City Manager Martin pulled up the City Commission Visioning Workshop goals where beach parking is listed as number six and states "examine paid parking for downtown and the beach." Suggesting that within the next few months, due to the March calendar filling up, it would allow City staff to research suggestions. Recalling when the study was done it was discussed that enforcement would be expensive but Mr. Williams brought up a point that there is new technology and outsourcing that present new opportunities.

CITY MANAGER REPORTS

FLORIDA PUBLIC UTILITIES: City Manager Martin reported that Florida Public Utilities (FPU) will be installing two electric vehicle charging stations, the first at the parking lot at 2nd & Alachua Streets and the second at the parking lot behind the library at 3rd & Alachua Streets.

BARNABAS MEETING: City Manager Martin and City Attorney Bach attended the Barnabas annual meeting where an endowment campaign was announced to raise money to assist the residents of Nassau County with a goal of reaching \$1.5 million dollars.

LIGNOTECH RECEPTION: City Manager Martin attended the Lignotech reception and welcomed the Norwegian Beauregard officials.

NASSAU YOUTH LEADERSHIP: City Manager Martin stated that he will be speaking in front of the Nassau Youth Leadership Council of Nassau County tomorrow.

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT): City Manager Martin stated that on Thursday FDOT has an aerial airport inspection.

MUNICIPAL SERVICES TAXING UNIT (MSTU) FUNDING MEETING: City Manager Martin noted he and City Attorney Bach will meet with Nassau County officials tomorrow to discuss MSTU funding and how public safety matters will move forward.

WATERFRONT REQUEST FOR QUALIFICATIONS (RFQ): City Manager Martin noted that on March 1st Waterfront RFQ submittals are due.

AIRPORT: City Manager Martin stated on March 8th the bids are due for the terminal airport.

PUBLIC SERVICE ANNOUNCEMENT: City Manager Martin announced that Fort Clinch is holding a public hearing on Wednesday, March 15 to accept comments on their management plans and objectives.

CITY ATTORNEY REPORTS:

ETHICS TRAINING: City Attorney Bach announced on March 1st she will be conducting Florida Statute required Ethics Training for elected officials and Advisory Board members. Ms. Bach will conduct two hours of training and outside attorneys will conduct two hours of Sunshine Law training. The session will last four hours.

CITY CLERK REPORTS: City Clerk Best had no comments at this time.

MAYOR/COMMISSIONER COMMENTS:

CONFERENCE: Vice-Mayor Kreger will attend the Sea Turtle Permit Holder conference this weekend.

PROGRESS: Commissioner Smith reported on Lignotech's positive progress.

THANKS: Commissioner Miller thanked City Clerk Caroline Best for her research on the Black History Month Proclamation and expressed his appreciation for her dedication and skills.

THANKS: Mayor Lentz thanked City Clerk Caroline Best for writing outstanding Proclamations.

KUDOS: Mayor Lentz remarked on her recent judging of the Quilt Show and the impressive talents and artistry of the crafters.

DRAFT

MINUTES

City Commission Regular Meeting

February 21, 2017

Page 15 of 18

CONGRATULATIONS: Mayor Lentz thanked the community for the success of the Amelia Island Book Festival.

ADJOURNMENT: There being no further business to come before the City Commission the meeting was adjourned at 8:10pm

ATTEST:

CAROLINE BEST
City Clerk

ROBIN C. LENTZ
Mayor-Commissioner

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution
Voluntary Annexation Agreement - 1401 South Pike Lane

2017-67

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-67 for the extension of water services to property outside the municipal limits and acceptance of a petition for voluntary annexation.

SYNOPSIS:

Ms. Dorothy Paul, the property owner of 1401 South Pike Lane, has submitted an application for water services outside the municipal limits. In accordance with Municipal Code Sections 82-44 and 82-403, this application is also accompanied by a petition for voluntary annexation. The application applies to a 0.20 acre parcel located at 1401 South Pike Lane (Parcel ID# 00-00-30-0411-0001-0000). This is a residential property and is not currently contiguous to the municipal limits.

Action on this application will not immediately annex the subject property, but will authorize the extension of water utilities to serve the property. Because this approval includes acceptance of a voluntary annexation petition, the property may be annexed as soon as it becomes contiguous to municipal limits.

FISCAL IMPACT: 25% surcharge on utilities services based on monthly usage to be paid to the City Utilities Department until such time that the property is annexed into the municipal limits.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-67.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:04/25/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-67

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.20 ACRES LOCATED AT 1401 SOUTH PIKE LANE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, property owner, Ms. Dorothy Picatagi-Paul, has completed the City of Fernandina Beach Voluntary Annexation Petition/ Water/Sewer Annexation Agreement Application pursuant to Chapter 171.044, Florida Statutes, for one parcel containing approximately 0.20 acres located at 1401 South Pike Lane (Parcel ID Number: 00-00-30-0411-0001-0000); and

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

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

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

SECTION 1. The City Commission hereby authorizes the extension of water services to the property owners identified, whose property is located outside the corporate limits of the City at 1401 South Pike Lane and noted as parcel 00-00-30-0411-0001-0000, and approves the Voluntary Annexation Petition, attached hereto as Exhibit "1".

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

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

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

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

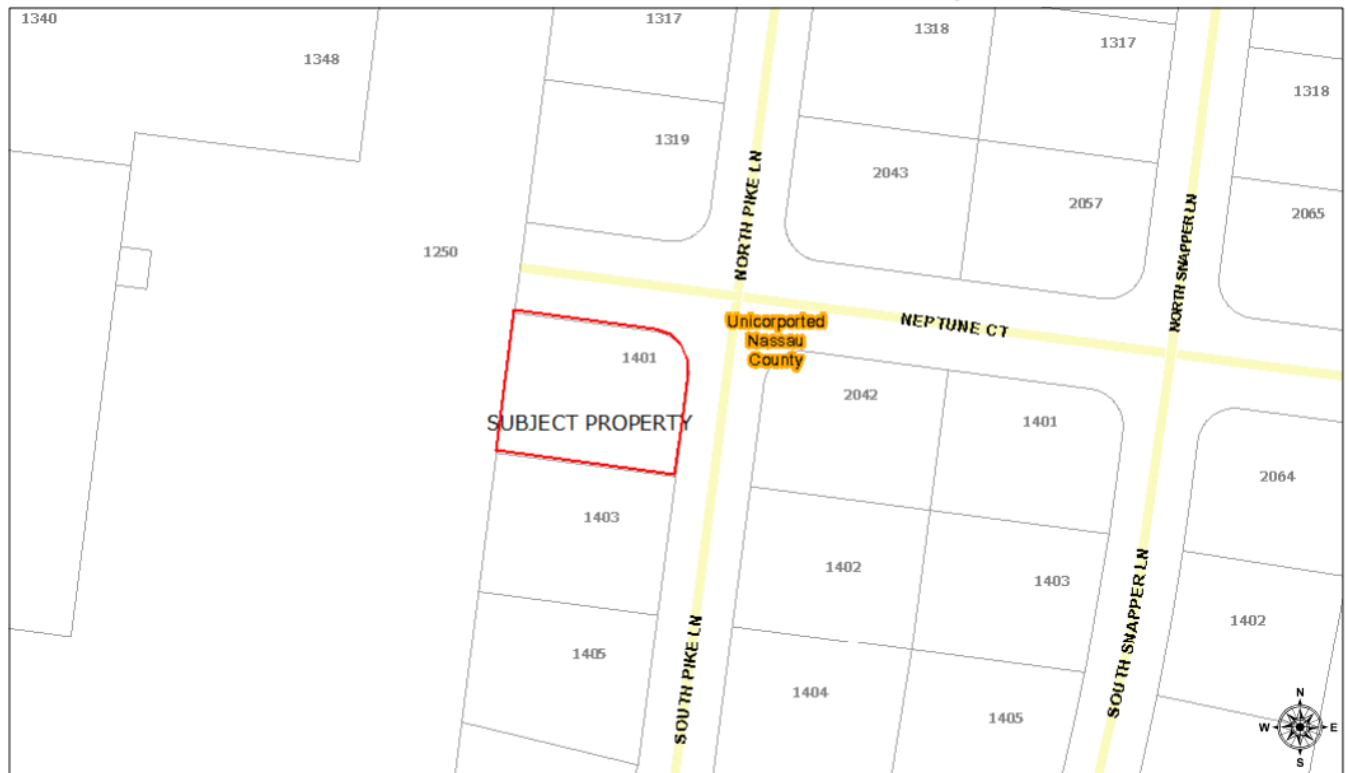


CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

RESOLUTION 2017-
EXHIBIT "A"

1401 S. Pike Lane- Water and Sewer Annexation Agreement

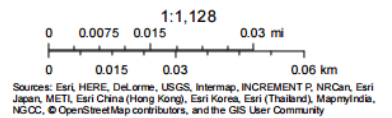


April 6, 2017

Municipal Boundary

-  City of Fernandina Beach
-  Town of Callahan

-  Town of Hilliard
-  Land Parcels



OFFICE USE ONLY

REC'D: KG BY: 2/21/17
PAYMENT: \$ 300 TYPE: MasterCard no fee
APPLICATION #: 2017-0000 281
CASE #:
CC MEETING DATE: MARCH 21, 2017

**WATER/SEWER & VOLUNTARY ANNEXATION
APPLICATION****APPLICANT INFORMATION**

Owner Name: Dorothy Paul (DOROTHY PICATAGI-PAUL)
Mailing Address: 1401 South Pike Lane
Telephone: 904 753 4410 Fax: —
Email: DLP7962@aol.com

Agent Name: —
Mailing Address: —
Telephone: — Fax: —
Email: —

PROPERTY INFORMATION

Street Address: 1401 S. Pike Lane
Parcel Identification Number(s): 00-00-30-0411-0001-0000

PROJECT INFORMATION

Total Number of Lots/Parcels: (1) / ~ 0.20 acres
Less than One (1) acre Sq. Footage: ~ 8,092 One (1) Acre or Greater: —
Existing Zoning Classification: Residential General 1 (RS1)
Existing Future Land Use Classification: Residential - Nassau County

NASSAU**A. Michael Hickox, CFA, Cert.Res.RD1941****Nassau County Property Appraiser**

Property Search

Sales Search

Nassau Home

OWNER NAME PICATAGI-PAUL DOROTHY L
MAILING ADDRESS 1401 S PIKE LN
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS 1401 SOUTH PIKE LN
 FERNANDINA BEACH 32034
SHORT LEGAL LOT 1 IN OR 1355/1141 OAK CREST #2 PB 5/204

PARCEL NUMBER 00-00-30-0411-0001-0000
TAX DISTRICT UNINCORPORATED MIDDLE ISLAND (DISTRICT 8)
MILLAGE 15.6117
PROPERTY USAGE SINGLE FAMILY
DEED ACRES 0
HOMESTEAD Y
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$60,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$125,150
TOTAL MISC VALUE	\$6,246
JUST OR CLASSIFIED TOTAL VALUE	\$191,396
ASSESSED VALUE	\$143,409
EXEMPT VALUE	\$50,000
TAXABLE VALUE	\$93,409

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	1	LT	13-2N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SNGL FAM	2,400	1,766	4	2	AVERAGE	CEDAR	AIR DUCTED	FORCED AIR	1989	SHOW SKETCH

Miscellaneous Information

DESCRIPTION	DIMENSIONS L x W	UNITS	YEAR BUILT
FP-PRFB-GD	0 X 0	1	1989
FP-PRFB-GD	0 X 0	803	1989
STRG-A-WD	0 X 0	192	1989
POOL 525 G	31 X 15	465	1990
KOOL DECK	0 X 0	655	1990

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
10/04/2005	1355/1141	1355/1141	269000	WD	Q	Y	GERRIOR RAYMOND A & PAMELA F	PICATAGI-PAUL DOROTHY L
02/07/1989	562/1016	562/1016	87200	WD	Q	Y	MASTER CRAFT PROP	GERRIOR RAYMOND A
11/30/1988	558/11	558/11	57000	WD	U	N	MIDLAND PROPERTIES	MASTER CRAFT PROP

LOT 1
IN OR 1355/1141
JAK CREST #2 PB 5/204

PICATAGI-PAUL DOROTHY L
1401 S PIKE LN
FERNANDINA BEACH, FL 32034

00-00-30-0411-0001-0000

Nassau County 2016 R
CARD 001 of 001
BY MHICKOX

PRINTED 7/19/2016 19:03
APPR 5/10/2013 PHX

BUSE	000900	SNGL	FAM	AE?	Y	1766	HTD AREA	101.665	INDEX	2008.00	OAK	RIDGE/CREST	PUSE	000100	SINGLE FAMILY
MOD	1	SFR	BATH	2.00		2007	EFF AREA	69.132	E-RATE	100.000	INDX	STR 13- 2N- 28			
EXW	05	AVERAGE	FIXT			138,748	RCN			1989	AYB	MKT AREA 02		125,150	BLDG
20%	12	CEDAR	BDRM	4		90.20	%GOOD	125,150	B BLDG VAL	1995	EYB	APPR 5		6,246	XFOB
RSTR	03	GABLE/HIP	RMS									AC		60,000	LAND
RCVR	12	MODULAR MT	UNTS									NTCD		0	CLAS
%			C-W%									APPR CD		0	MKTUSE
INTW	05	DRYWALL	HGHT									CNDO		191,396	JUST
%			PMTR									SUBD		191,396	APPR
FLOR	08	SHT VINYL	STYS	1.0								BLK			
80%	14	CARPET	ECON									LOT		47,987	SOHD
HTTP	04	AIR DUCTED	FUNC									MAP# 6C/25S		143,409	ASSD
A/C	03	CENTRAL	SPCD									HX		50,000	EXPT*
QUAL	02	CLASS	DEPR	60								TXDT 008		93,409	COTXBL
FNDN			ADDS									93,409 CITXBL		93,409	OTTXBL
SIZE	04	IRREGULAR	UD-2												
CEIL			UD-3												
ARCH			UD-4												
FRME	02	WOOD FRAME	UD-5												
KTCH			UD-6												
WINDO			UD-7												
CLAS			UD-8												
OCC			UD-9												
COND			%												
SUB	A-AREA	%	E-AREA												
BAS93	1766	100	1766												
PTO93	216	5	11												
FGR93	418	55	230												

TOTAL	2400	2007	125150													
AE	BN	CODE	DESC	LEN	WID	HGHT	QTY	QL	YR	ADJ	UNITS	UT	PRICE	ADJ	UT	PR
Y		0499	FP-PRFB-GD				1		1989	1.00	1.000	UT	1500.000		1500.000	
Y		0810	CONCRETE A				1		1989	1.00	803.000	SF	2.750		2.750	
Y		0945	STRG-A-WD				1		1989	.70	192.000	SF	10.000		7.005	
Y		0863	POOL 525 G	31	15		1		1990	1.00	465.000	SF	25.000		25.000	
Y		0845	KOOL DECK				1		1990	1.00	655.000	SF	3.000		3.000	

LAND	DESC	ZONE	ROAD	{UD1	{UD3	FRONT	DEPTH	FIELD CK:								
AE	CODE	TOPO	UTIL	{UD2	{UD4	BACK	DT	ADJUSTMENTS			UNITS	UT	PRICE	ADJ	UT	PR

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

THIS VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION dated this 20 day of FEBRUARY, 2016 by and between the CITY OF FERNANDINA BEACH, a municipal corporation, (hereinafter referred to as "City"); and DOROTHY PICKTAGI-PAUL (hereinafter collectively referred to as the "Applicants").

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

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

PARCEL ID#: 00-00-30-0411-0001-0000

GENERALLY DESCRIBED AS: Lot 1 Oak Crest subdivision #2

ADDRESSED AS: 1401 South Pike Lane

See Attached Exhibit "A"

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

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

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

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

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

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

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

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

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

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

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

CITY OF FERNANDINA BEACH

ATTEST:

DALE L. MARTIN
City Manager

CAROLINE BEST
City Clerk

Description of Request: Hooking into City sewer.

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

Feb. 21, 2017 Dorothy Picatayo Paul
Date Signature of Applicant

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 21 day of February, 2017.

Karen M. Austin Karen M. Austin _____
Notary Public: Signature Printed Name My Commission Expires

Personally Known _____ OR Produced Identification ✓ ID Produced: FL DL

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
City Attorney

APPLICANT(S)

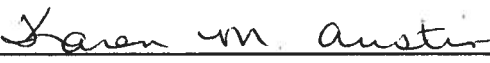
By: 
Applicant

By: _____
Applicant

STATE OF FLORIDA
COUNTY OF Nassau

Sworn and subscribed before me this 21 day of February, ²⁰¹⁷~~2016~~.

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104


Signature of Notary

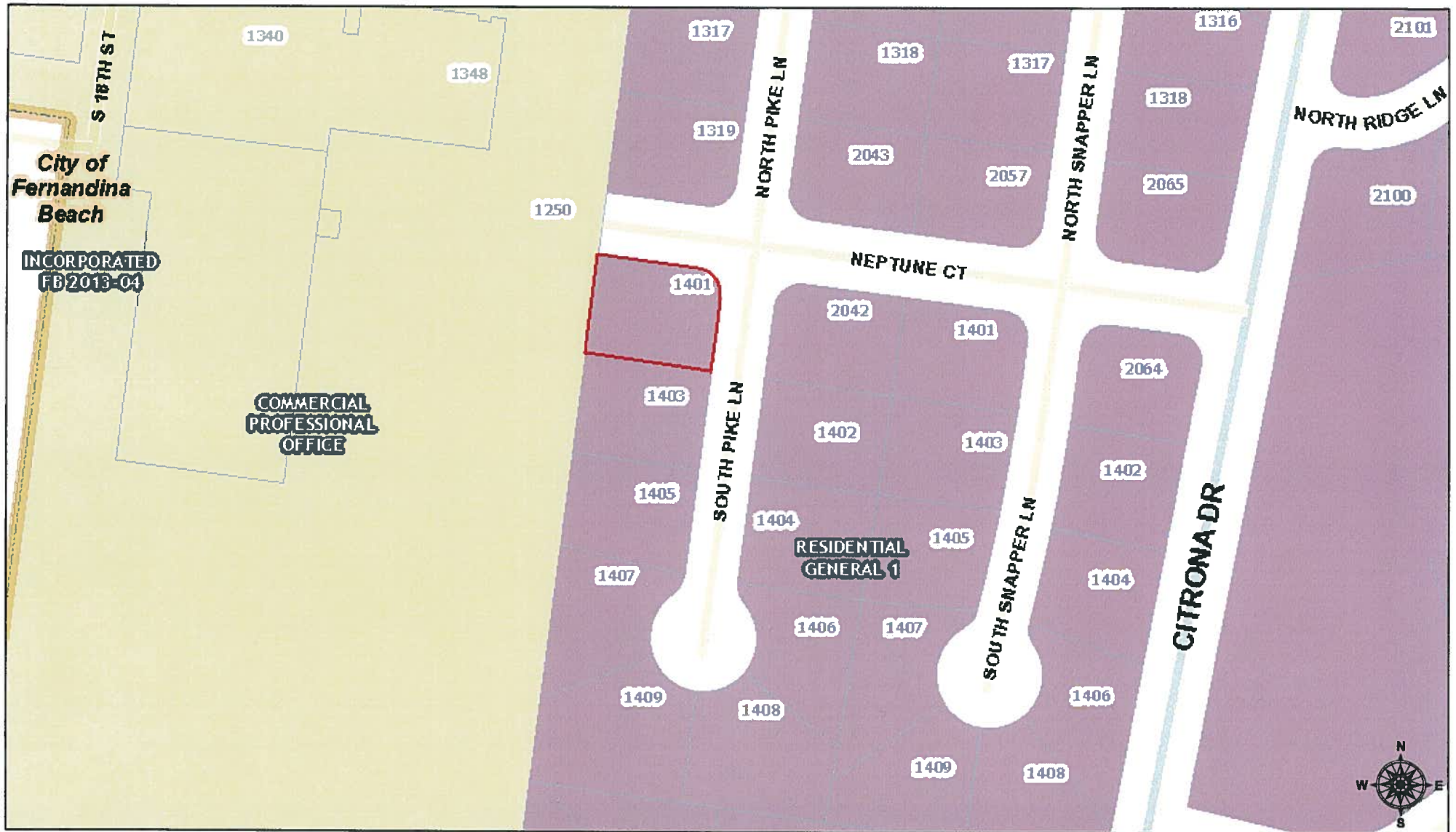
My Commission Expires:

Type of Identification Produced FL DL Dorothy P. Paul
exp 7-9-18

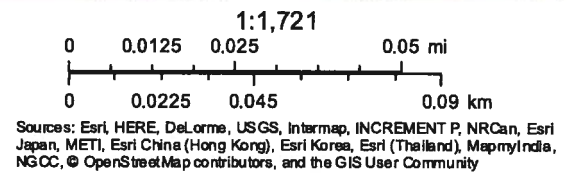
EXHIBIT A

NASSAU COUNTY PROPERTY APPRAISER
PARCEL REPORT

1401 S. PIKE LANE



February 21, 2017



CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Voluntary Annexation Agreement - 757 Old Amelia Avenue

2017-68

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-68 for the extension of water services to property outside the municipal limits and acceptance of a petition for voluntary annexation.

SYNOPSIS:

Jennifer Beach and Dana Beach, the property owners of 757 Old Amelia Avenue, have submitted an application for water services outside the municipal limits. In accordance with Municipal Code Sections 82-44 and 82-403, this application is also accompanied by a petition for voluntary annexation. The application applies to a 0.26 acre parcel located at 757 Old Amelia Avenue (Parcel ID# 00-00-30-0620-0002-0090). This is a residential property and is not currently contiguous to the municipal limits.

Action on this application will not immediately annex the subject property, but will authorize the extension of water utilities to serve the property. Because this approval includes acceptance of a voluntary annexation petition, the property may be annexed as soon as it becomes contiguous to municipal limits.

FISCAL IMPACT: 25% surcharge on utilities services based on monthly usage to be paid to the City Utilities Department until such time that the property is annexed into the municipal limits.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-68.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/25/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-68

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, APPROVING THE EXTENSION OF WATER SERVICES OUTSIDE THE CORPORATE LIMITS; ACCEPTING THE VOLUNTARY ANNEXATION PETITION FOR ONE PARCEL CONTAINING APPROXIMATELY 0.26 ACRES LOCATED AT 757 OLD AMELIA AVENUE; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, property owners, Jennifer and Dana Beach, have completed the City of Fernandina Beach Voluntary Annexation Petition/ Water/Sewer Annexation Agreement Application pursuant to Chapter 171.044, Florida Statutes, for one parcel containing approximately 0.26 acres located at 757 Old Amelia Avenue (Parcel ID Number: 00-00-30-0620-0002-0090); and

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

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

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

SECTION 1. The City Commission hereby authorizes the extension of water services to the property owners identified, whose property is located outside the corporate limits of the City at 757 Old Amelia Avenue and noted as parcel 00-00-30-0620-0002-0090, and approves the Voluntary Annexation Petition, attached hereto as Exhibit "1".

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

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

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

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

RESOLUTION 2017-
EXHIBIT "A"

757 Old Amelia Avenue- Water and Sewer Annexation Agreement



April 6, 2017

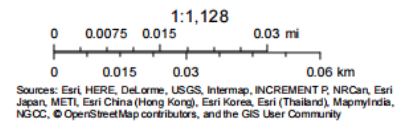
Municipal Boundary



City of Fernandina Beach
Town of Callahan



Town of Hilliard
Land Parcels



OFFICE USE ONLY

REC'D: 4/6/17 BY: mm
PAYMENT: \$ 300.00 TYPE: CK # 3234
APPLICATION #: 2017-000516
CASE #: VA 2017-
CC MEETING DATE: 5/2/2017



**WATER/SEWER & VOLUNTARY ANNEXATION
APPLICATION**

APPLICANT INFORMATION

Owner Name: Jennifer and Dana Beach
Mailing Address: 757 Old Amelia Ave.
Telephone: 904.206.2291/904.998.8102 Fax: _____
Email: jbeach@carecredit.com
Agent Name: N/A
Mailing Address: _____
Telephone: _____ Fax: _____
Email: _____

PROPERTY INFORMATION

Street Address: 757 Old Amelia Ave. Fernandina Beach, FL 32134
Parcel Identification Number(s): 00-00-30-0620-0002-0090

PROJECT INFORMATION

Total Number of Lots/Parcels: 1
Less than One (1) acre Sq. Footage: 0.26 acres One (1) Acre or Greater: _____
Existing Zoning Classification: Nassau County RS-2
Existing Future Land Use Classification: Nassau County medium density res-

Description of Request: Hook up water/sewer to City

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

4/5/17
Date

Jennifer J. Bead
Signature of Applicant

Dennis J. Bead

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 5 day of April, 2017.

Amanda C. Graves
Notary Public: Signature

Amanda C. Graves
Printed Name

My Commission Expires

Personally Known X OR Produced Identification _____ ID Produced: _____





OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I/WE Jennifer and Dana Beach
(print name of property owner(s))

hereby authorize: _____
(print name of agent)

to represent me/us in processing an application for: _____
(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.

Jennifer J. Beach
(Signature of owner)

Jennifer J. Beach.
(Print name of owner)

Dana J. Beach
(Signature of owner)

Dana J. Beach.
(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

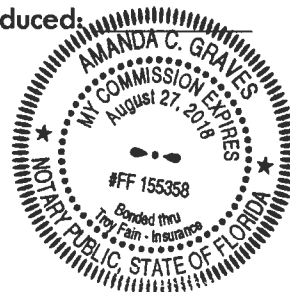
Subscribed and sworn to before me this 5 day of April, 2017.

Amanda C. Graves
Notary Public: Signature

Amanda C. Graves
Printed Name

My Commission Expires _____

Personally Known X OR Produced Identification _____ ID Produced: _____



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

THIS VOLUNTARY ANNEXATION AGREEMENT / PETITION FOR ANNEXATION dated this 6th day of April, 2017 by and between the CITY OF FERNANDINA BEACH, a municipal corporation, (hereinafter referred to as "City"); and Jennifer Beach (hereinafter collectively referred to as the "Applicants").

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

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

PARCEL ID#: 06-00-30-6620-0002-0090

GENERALLY DESCRIBED AS: see deed

ADDRESSED AS: 757 Old Amelia Ave FB, FL 32034

See Attached Exhibit "A"

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

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

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

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

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

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

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

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

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

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

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

CITY OF FERNANDINA BEACH

ATTEST:

DALE L. MARTIN
City Manager

CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
City Attorney

APPLICANT(S)

By: *[Signature]*
Applicant

By: *[Signature]*
Applicant

STATE OF FLORIDA
COUNTY OF Nassau

Sworn and subscribed before me this 7 day of April, 2017.

Harriet Davis

Signature of Notary

My Commission Expires:

Type of Identification Produced FL DL

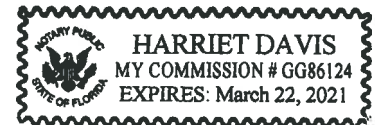


EXHIBIT A

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME BEACH JENNIFER J & DANA J
MAILING ADDRESS 85052 CHAMPLAIN DR

LOCATION ADDRESS FERNANDINA BEACH, FL 32034
 757 OLD AMELIA AVE
 FERNANDINA BEACH 32034
SHORT LEGAL BLK 2 LOTS 9,10 & PT LOT 8 IN OR
 2104/1094 SHEFFIELD SUB PBK 2/43

PARCEL NUMBER 00-00-30-0620-0002-0090
TAX DISTRICT UNINCORPORATED MIDDLE ISLAND (DISTRICT 8)
MILLAGE 15.6117
PROPERTY USAGE SINGLE FAMILY
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$49,500
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$17,549
TOTAL MISC VALUE	\$669
JUST OR CLASSIFIED TOTAL VALUE	\$67,718
ASSESSED VALUE	\$109,396
EXEMPT VALUE	\$0
TAXABLE VALUE	\$109,396

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	110	FF	4-2N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SINGLE FAM	2,648	1,666	3	1	CEDAR	CB STUCCO	CONVECTION	NONE	1950	SHOW SKETCH

Miscellaneous Information

DESCRIPTION	DIMENSIONS L x W	UNITS	YEAR BUILT
A/C UNIT	0 X 0	1	1980
A/C UNIT	16 X 12	192	1991
CONCRETE A	0 X 0	519	1991
WD DECK A	0 X 0	158	1991

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
02/28/2017	2104/1094	2104/1094	55000	WD	U	Y	TINER JUDY &	BEACH JENNIFER J & DANA J M/C (JT/RS)
09/20/2002	1081/1911	1081/1911	100	WD	U	Y	ABEL WM M & GEORGIE & JUDY & BRIAN TINER	ABEL WM M & GEORGIE & JUDY & BRIAN TINER(JTRO
09/20/2002	1081/1914	1081/1914	100	QC	U	N	CASON SAMUEL J & CAROL S	ABEL WM M & GEORGIE & JUDY & BRIAN TINER (JTR
06/14/2002	1062/1506	1062/1506	100	WD	U	Y	ABEL WM M & GEORGIE & JUDY & BRIAN TINER	ABEL WM M & GEORGIE & JUDY & BRIAN TINER (JTR
06/14/2002	1062/1499	1062/1499	100	QC	U	Y	CASON SAMUEL J & CAROL S	ABEL WM M & GEORGIE & JUDY & BRIAN TINER (JTR
08/16/2001	1003/914	1003/914	100	WD	U	Y	ABEL WILLIAM MASON	ABEL WM & GEORGIE & JUDY & BRIAN TINER (JTROS
04/01/1979	289/34	289/34	11800	WD	U	Y		
05/01/1977	239/684	239/684	10900	WD	Q	Y		

7

Record and Return to:
Andrea F. Lennon, P.A.
961687 Gateway Blvd. Suite 101L
Amelia Island, Florida 32034

File Number: 17-108

General Warranty Deed

Made this February 28, 2017 A.D. By Judy Tiner and Brian Tiner wife and husband, whose post office address is: 702 Pixie Lane, Hinesville, Georgia 31313, hereinafter called the grantor, to Jennifer J. Beach and Dana J. Beach, a married couple, Joint Tenants with Right of Survivorship, whose post office address is: 85052 Champlain Drive, Fernandina Beach, Florida 32034, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Nassau County, Florida, viz:

A PORTION OF LOT 8 AND ALL LOTS 9 AND 10, BLOCK 2, SHEFFIELD SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 43, OF THE PUBLIC RECORDS OF NASSAU COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, BEGIN AT THE SOUTHWEST CORNER OF LOT 10, SHEFFIELD SUBDIVISION AND GO NORTHERLY, A DISTANCE OF 104.54 FEET; THENCE EASTERLY AT AN ANGLE TO THE LEFT OF 89 DEGREES 12 MINUTES 30 SECONDS, A DISTANCE OF 111.20 FEET; THENCE SOUTHERLY AT AN ANGLE TO THE LEFT OF 86 DEGREES 55 MINUTES 32 SECONDS, A DISTANCE OF 25.79 FEET; THENCE EASTERLY AT AN ANGLE TO THE LEFT OF 90 DEGREES 23 MINUTES 41 SECONDS, A DISTANCE OF 5.00 FEET; THENCE SOUTHERLY AT AN ANGLE TO THE LEFT OF 90 DEGREES 26 MINUTES 41 SECONDS, A DISTANCE OF 79.11 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF AMELIA AVENUE (A 40-FOOT RIGHT-OF-WAY); THENCE RUN WESTERLY ALONG SAID RIGHT-OF-WAY AT AN ANGLE OF 92 DEGREES 50 MINUTES 12 SECONDS, A DISTANCE OF 109.13 FEET TO THE POINT OF BEGINNING.

Parcel ID Number: 00-00-30-0620-0002-0090

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2016.

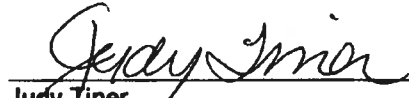
Record and Return to:
Andrea F. Lennon, P.A.
961687 Gateway Blvd. Suite 101L
Amelia Island, Florida 32034

File Number: 17-108

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:


Witness
Printed Name: Andrea F. Lennon

 (Seal)
Judy Tiner
Address: 702 Pixie Lane, Hinesville, Georgia
31313


Witness
Printed Name: Kelly F. Morris

 (Seal)
Brian Tiner
Address:

State of Florida
County of Nassau

The foregoing instrument was acknowledged before me this 28th day of February, 2017, by Judy Tiner and Brian Tiner, wife and husband, who is/are personally known to me or who has produced Driver's Licenses as identification.


Notary Public
Print Name: Andrea F. Lennon

My Commission Expires:

ANDREA F. LENNON
Notary Public - State of Florida
Commission # FF 245315
My Comm. Expires Aug 31, 2019

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Resolution
Budget Amendment - Building Department

2017-69

ITEM TYPE: Consent Agenda

REQUESTED ACTION: Adopt Resolution 2017-69

SYNOPSIS: According to Code Sec 2-412 and Charter section 74, the City Commission must approve any budget transfers over \$7,500.

The purpose of the budget transfer is to transfer funds for the purpose of aligning salary funds with employee classification. The salary amount for a part-time Building Department employee was budgeted under Temporary. This transfer will move these budgeted dollars from the Temporary employee account to the Part Time employee account.

FISCAL IMPACT: Funds in the amount of \$15,000 are available in the Building Temporary Salaries account, 0012400 51300 for a transfer to the Building Part-Time Salaries account, 0012400 51350.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-69.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/25/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-69

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and the City Charter and Code requires that the City Commission approve any budget amendment over \$7,500; and

WHEREAS, the Building Department budgeted for a part-time employee for scanning and archiving activities; and

WHEREAS, the approved budget allocated funds for this employee as a Temporary employee rather than a Part-Time employee; and

WHEREAS, this employee is expected to serve the City beyond the time-frame normally associated with a Temporary status; and

WHEREAS, staff recommends the budget transfer of \$15,000 from the Building Temporary Salaries account, 0012400 51300 to the Building Part-Time Salaries account, 0012400 51350 to properly allocate funds for this Part-Time employee.

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

SECTION 1. The City Commission hereby approves a budget transfer of \$15,000 from the Building Temporary Salaries account, 0012400 51300 to the Building Part-Time Salaries account, 0012400 51350.

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 2nd day of May, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Agreement Approval - Veterans Council of Nassau County, Inc.

2017-70

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-70

SYNOPSIS: The Veterans Memorial at Central Park is currently maintained by American Legion Post 54. American Legion Post 54 has requested that the City allow the Veterans Council of Nassau County to take over maintenance of the Veterans Memorial at Central Park. This Resolution and License Agreement approve the transfer of maintenance responsibility to the Veterans Council of Nassau County.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: See above.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-70.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:04/26/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-70

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, REPEALING RESOLUTION 2011-125 AND TERMINATING THE LICENSE AGREEMENT WITH AMERICAN LEGION POST 54 FOR MAINTENANCE OF THE VETERANS MEMORIAL AT CENTRAL PARK; APPROVING A NEW LICENSE AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND VETERANS COUNCIL OF NASSAU COUNTY, INC. FOR MAINTENANCE OF THE VETERANS MEMORIAL AT CENTRAL PARK; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the American Legion Post 54 has requested that the City transfer responsibility of maintenance and care for the Veterans Memorial at Central Park to the Veterans Council of Nassau County, Inc.; and

WHEREAS, the Veterans Council of Nassau County, Inc. is willing to take over maintenance and care for the Veterans Memorial at Central Park as evidenced by minutes of their meeting on April 7, 2017; and

WHEREAS, the Veterans Memorial at Central Park will be maintained at no cost to the City.

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

SECTION 1. The City Commission hereby repeals Resolution 2011-125 and terminates the License Agreement with American Legion Post 54 at their request.

SECTION 2. The City Commission hereby approves the License Agreement between the City of Fernandina Beach and the Veterans Council of Nassau County, Inc., attached hereto as Exhibit "1", to occupy and utilize City property located at 1200 Atlantic Avenue for the limited purpose of maintaining the Veterans Memorial at Central Park.

SECTION 3. The City Manager and City Clerk are hereby authorized to execute said agreement upon approval of the City Attorney.

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

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Mayor – Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

LICENSE AGREEMENT
FOR VETERANS COUNCIL OF NASSAU COUNTY TO
MAINTAIN THE VETERANS MEMORIAL AT CENTRAL PARK

This LICENSE AGREEMENT ("Agreement") is entered into on _____, 2017, by and between the VETERANS COUNCIL OF NASSAU COUNTY, INC., a Florida non profit corporation, whose principal address is 76347 Veterans Way, Veterans Service Office, Yulee, FL 32097, and CITY OF FERNANDINA BEACH, a municipal corporation existing under the laws of the State of Florida, whose address is 204 Ash Street, Fernandina Beach, FL 32034 ("City"), with reference to the following facts:

WHEREAS, the City is owner of that certain real property whose address is 1200 Atlantic Avenue and whose Nassau County Parcel ID# is 00-00-31-1800-0217-00CP, located in Fernandina Beach, Nassau County, Florida ("Property"); and

WHEREAS, the Veterans Council of Nassau County wishes to occupy and utilize the Property for the limited purpose of maintaining the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it; located on the Property as depicted on a sketch attached hereto as Exhibit "A"; and

WHEREAS, the City is willing to allow the Veterans Council of Nassau County to use the Property, on a temporary basis, subject to the terms and conditions set forth in this Agreement.

IN WITNESS WHEREOF, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. Recitals; Exhibits. The foregoing recitals and Exhibits attached hereto are hereby incorporated into this Agreement by this reference, and are true and complete.
2. Limited Permitted Use. The City hereby agrees and consents to allow the Veterans Council of Nassau County to occupy and utilize the Property attached as Exhibit "A", for the limited purpose of maintaining the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it provided, however, that such consent shall constitute a license only, subject to the terms and conditions of this Agreement, and shall not constitute an easement nor give rise to any claim of adverse possession or prescriptive easement by the Veterans Council of Nassau County. The Veterans Council of Nassau County hereby waives all rights it may have to make any such claims. In addition, the Veterans Council of Nassau County understands and agrees that any and all alterations, additions or other changes to the Veterans Memorial at Central Park, be approved by the City and it's designated officials, prior to such alterations, additions or other changes being made to the historic chimney.
3. Termination. The City may terminate this Agreement, without cause and with no liability, by providing the Veterans Council of Nassau County with thirty (30) days written notice.
4. Binding Effect. The terms of this Agreement shall be binding upon the City, the Veterans Council of Nassau County and the heirs, successors, and assigns of the Veterans Council of Nassau County and the City.

5. Maintenance and Ownership. The Veterans Council of Nassau County is agreeing to maintain the Veterans Memorial at Central Park on the Property including the placement of plaques and brick pavers. The Veterans Council of Nassau County understands and agrees that it has full responsibility for maintenance of any plaques or brick pavers placed on the Property. If for any reason the City or Veterans Council of Nassau County terminates this License Agreement, the City shall have full rights and title to any and all improvements made by the Veterans Council of Nassau County on the Property, including but not limited to plaques and engraved brick pavers. Upon termination of this Agreement, the City shall also have maintenance responsibility for the improvements on the Property made by the Veterans Council of Nassau County.

6. Release and Indemnification. The Veterans Council of Nassau County understands acknowledges and agrees to assume all risks and hazards incidental to the Veterans Council of Nassau County's maintenance of the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it on the Property. The Veterans Council of Nassau County does hereby agree to waive, release, absolve, and covenants not to sue the City, its mayor, commissioners, officers, employees, contractors, consultants, volunteers, representatives, attorneys and agents, for any and all claims, including claims for equitable or injunctive relief, damages, loss or injury of any kind resulting from or in any way arising directly or indirectly out of this Agreement and/or the Veterans Council of Nassau County's maintenance of the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it on the Property. The Veterans Council of Nassau County further promises and agrees to indemnify, defend and hold harmless the City, its mayor, commissioners, officers, employees, contractors, consultants, representatives, volunteers, attorneys and agents from and against all liability, claims and expense, including reasonable attorneys' fees and costs, in connection with any and all claims whatsoever for personal or bodily injury or death, including loss of use, or property damage of any kind and character in connection with and arising directly or indirectly out of this Agreement and/or the Veterans Council of Nassau County's maintenance of the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it. This indemnity agreement encompasses all damages and claims, including claims for equitable or injunctive relief, arising out of the Veterans Council of Nassau County's maintenance of the Veterans Memorial at Central Park on the Property, including the placing of plaques on the edifice of the standing chimney as well as engraved brick pavers in the area immediately surrounding it. This indemnification obligation shall survive the termination or expiration of this Agreement for any reason whatsoever. Notwithstanding the foregoing, nothing herein shall constitute a waiver of immunity or limitation of liability the City may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

7. Representation and Warranty. The City represents and warrants that it is the fee simple owner of the Property. The City further represents and warrants that it is authorized to enter into this Agreement without the joinder and consent of any other party, and that the party executing this Agreement on behalf of the City has full power and authority to bind the City to the terms hereof. The Veterans Council of Nassau County further represents and warrants that it is authorized to enter into this Agreement without the joinder and consent of any other party, and that the party executing this Agreement on behalf of the Veterans Council of Nassau County has full power and authority to bind the Veterans Council of Nassau County to the terms hereof.

8. Severability. If any clause or provision of this Agreement is illegal, invalid, or unenforceable under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the parties to this Agreement that the remainder of this Agreement shall not be affected by any such provision.

9. Entire Agreement. This Agreement contains the entire agreement between the Veterans Council of Nassau County and the City with regard to the matters set forth herein, and other prior or contemporaneous agreements and understandings, whether oral or written, express or implied, are hereby superseded and of no further force or effect. No amendments shall be made to this Agreement unless it is in writing and signed by both parties to this Agreement.

10. Notices. All notices to be provided hereunder shall be delivered to the parties at their addresses stated above either by certified mail, return receipt requested, in which case such notice shall be deemed given on the third business day after deposit in the U.S. Mail, or by hand delivery, in which case such notice shall be deemed given upon delivery to the above-specified address.

11. Counterparts. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed and delivered shall be deemed an original and all of which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this instrument on the date first above written.

WITNESSES :

VETERANS COUNCIL OF NASSAU COUNTY


Signature of Witness #1
Printed Name: CAROL R. CARTER

By: 
Print Name: W. Patrick "Doc" Monaghan
Title: 24 April 2017 Chairman


Signature of Witness #2
Printed Name: CAROL A. CURTIN

"CITY"

FERNANDINA BEACH, FLORIDA
a municipal corporation

Dale L. Martin, City Manager

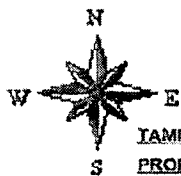
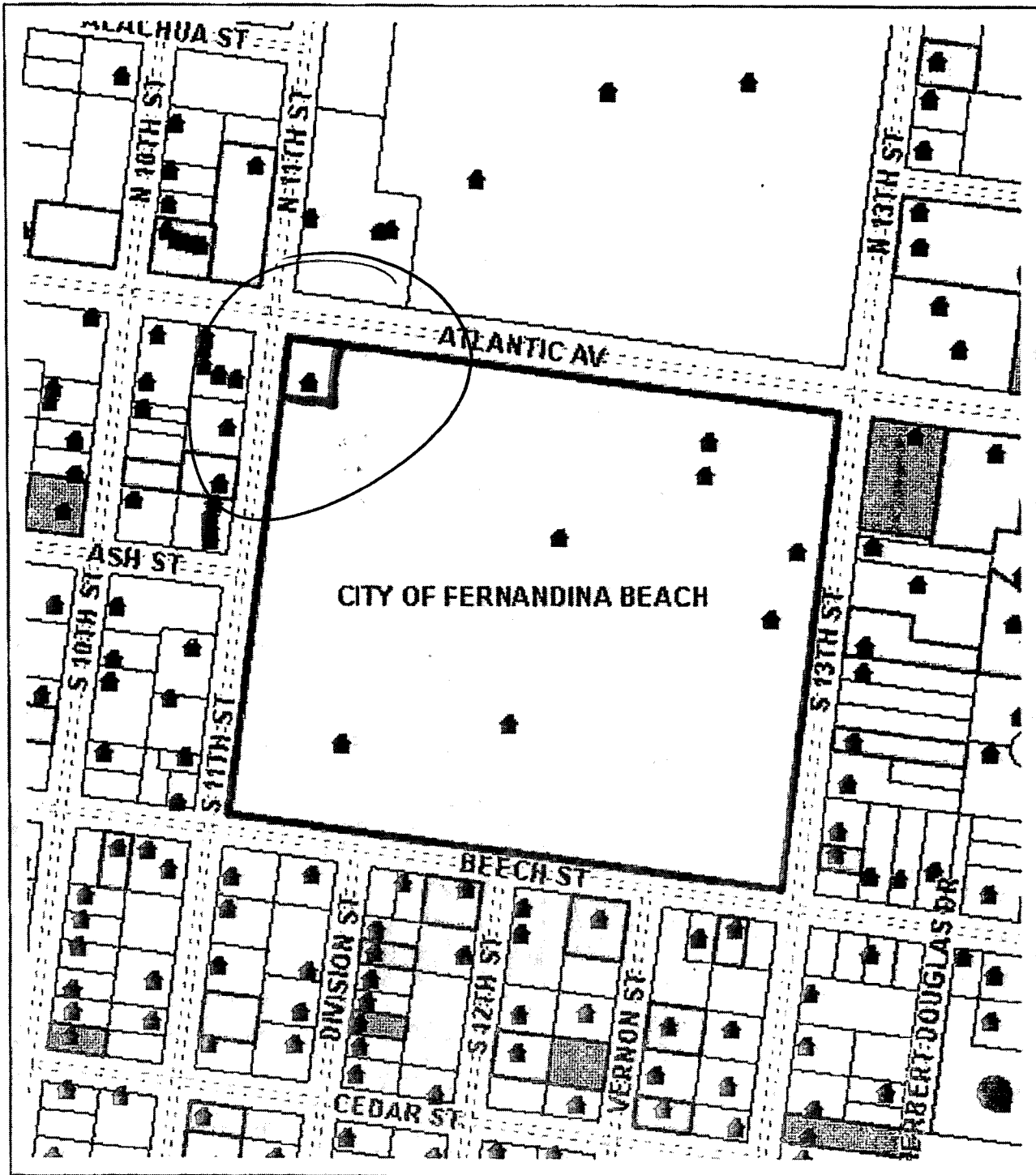
APPROVED AS TO FORM AND
LEGALITY:



Tammi E. Bach, City Attorney

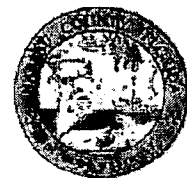
ATTEST:

Caroline Best, City Clerk



TAMMY C. STILES, CFA NASSAU COUNTY
PROPERTY APPRAISER

THIS MAP HAS BEEN COMPILED FROM THE MOST AUTHENTIC INFORMATION
AVAILABLE NEITHER NASSAU COUNTY, ITS MUNICIPALITIES, NOR THE NASSAU
COUNTY PROPERTY APPRAISER'S OFFICE ASSUMES RESPONSIBILITY FOR
ERRORS OR OMISSIONS CONTAINED HEREIN. THIS IS NOT A SURVEY.



Printed: Aug 31, 2011

Theodore H. Hernandez American Legion Post 54

626 South 3rd Street • Fernandina Beach, Florida 32034 • (904) 261-7900

George B. Terwilliger - Commander
G. Patrick Beamer - 1st Vice Commander

Susan L. Marden - Adjutant
Russell Jahn - Finance Officer

April 7, 2017

Tammi E. Bach, J.D., B.C.S.
City of Fernandina Beach Attorney
204 Ash St
Fernandina Beach, FL 32034

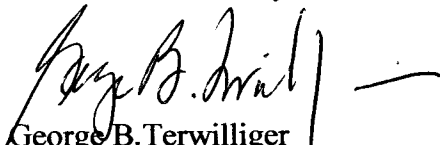
RE: Veterans Memorial at Central Park

Dear Ms. Bach:

In response to your Email of March 15 to Carol Carter of the Veterans Council of Nassau County; at a regularly convened meeting of the Theodore H. Hernandez American Legion Post 54 General Assembly in March 2016, a motion was made, seconded and passed to transfer responsibility of the Veterans Memorial at Central Park from Post 54 to the Veterans Council of Nassau County.

The above action was coordinated with the Council and deemed entirely fitting and proper as the Council's mission is to support all Nassau County veterans through the collective effort of veteran's organizations, civic associations and the local community.

For God and Country,


George B. Terwilliger
Commander

cc: Veterans Council of Nassau County



Veterans Council of Nassau County

"In Service to Veterans of All Eras and Their Families"

76347 Veterans Way, Veterans' Service Office, Yulee, Florida 32097 +
904.548.4670

Minutes April 7, 2016

Chairman Monaghan called the meeting to order at 1903 on Thursday, April 7, 2016. Members in attendance: WP "Doc" Monaghan, VVA 1088, John Martin, County Veterans Service Officer, Roger Allen, Am Vets 2007 and American Legion Post 401, Paul Kicker, Marine Corp League, Pat Beamer, American Legion Post 54, Woody Held, Military Officers Association, Carol Carter, Navy SEAL Foundation.

Chairman Monaghan reported that as a result of Janice Ancrum, Council on Aging speaking at our monthly meeting VVA 1088 invited her to speak at their last monthly meeting and the MOAA is having her speak at their upcoming monthly meeting.

Pat Beamer moved and Roger Allen provided a second to approve the minutes from our March meeting.

An update was provided on Veterans Memorial Park and the responsibility for the Park has been moved to the Veterans Council of Nassau County. The funds have been transferred from the American Legion Veterans Memorial Park account to the Veterans Council savings account. Paul Kicker has placed 7 new bricks and we have two additional orders. Carol Carter advised that Cara Curtin is researching the history of Veterans Memorial Park in order to properly capture its origins and relationship with the City of Fernandina Beach. Cara provided three articles from the News Leader about the Park. (November 11, 2015, Veterans Voice; April 29, 2015, City Sidebar; October 25, 2013, City Sidebar.)

Marketing of Veterans Memorial Park was discussed and Carol Carter advised Cara Curtin plans to work on a marketing/PR plan.

American Legion Post 54 report from Pat Beamer:

May 21, 2016 flags will be placed at the 11 cemeteries on all Veterans graves. If you would like to assist meet at the American Legion on May 21 - time TBD.

May 26, 2016 the flags will be placed on the Shave Bridge.

November 5, 2016 is the date for the Veterans Day Parade. The American Legion has created a committee to be responsible for the parade with the departure of past chair Lenora Staples.

Marine Corp League report from Paul Kicker:

No activities to report from the Marine Corp. League.

Kicker recommended that with the new responsibility of Veterans Memorial Park and additional revenue streams that the council create a committee to develop a budget for the council. After much discussion Paul Kicker moved and Pat Beamer provided the second to move our fiscal year to a July 1- June 30. Motion carried. Officer elections will remain in December. A strategic planning meeting will be held in June.

Military Officers Association of America from Wood Held:

Last month the MOAA traveled to Kings Bay for a submarine tour.

Janice Ancrum, Council on Aging will be the guest speaker at their monthly meeting.

Am Vets, American Legion Post 401 and VVA 1088 report from Roger Allen:

American Legion Post 401 is hosting a BBQ fund raiser for the JRROTC program at West Nassau High School on Saturday, April 9, 2016. The day will begin with a flag retirement ceremony.

Saturday, April 16, 2016 at Railroad Days VVA 1088 will have a booth.

VVA 1088 is also working very hard on the Memorial Day Service. They have even secured 50 chairs for the audience.

John Martin, CVSO:

Dr. Kathleen Thomas is a local acupuncturist that is certified by the VA. She is part of the Veterans Choice program. Thomas Clinic of Acupuncture, 5422 First Coast Highway, Suite 112, Amelia Island, FL 32034. Dr. Thomas will be our guest speaker next month.

Vet Ready - 2016 Resource and Career Fair will be held April 27, 2016, Hilton Garden Inn, 13503 Ranch Road, Jacksonville, FL 32218, 11 am - 2pm. For more information www.vetready.org

John distributed copies of the Florida Veterans Guide - 2016.

John also advised that Congressman Crenshaw is one of the co-sponsors for the Agent Orange bill.

WP "Doc" Monaghan reported that the Vietnam Vets Memorial dedication was held March 28, 2016 at the Jacksonville National Cemetery. Doc and John Scherer attended. This dedication was part of the 50 year commemoration programs.

Pat Beamer reported that HB 7099 that exempts veterans groups from sales tax (effective July 1, 2016) is on the Governor's desk for signature. HB 7099 also includes providing disabled veterans free airport parking.

The Shrimp Festival is the first weekend in May. VVA 1088 and the Marine Corp League plan to participate in the parade.

Vets 4 Vets meeting was held at the Jacksonville Veterans Memorial Arena on April 2, 2016. No one from the council was able to attend. Anyone interested in receiving the email communications from Vets 4 Vets contact Roger Allen. Email: CAMPREDDEVIL@GMAIL.COM

Navy SEAL Foundation report from Carol Carter:

September 10, 2016, Joggin for Frogmen 5K race at the City of Fernandina Beach Recreation Center. Greenway course for the race.

September 11, 2016, 3rd Annual Patriots Day Brunch at the Fernandina Beach Golf Club.

November 5, 2016, 6th Annual Golf Classic at the Long Point course on Amelia Island Plantation.

Carol Carter provided the treasurers report. Balance in our account is \$7,203.42. \$2,226.15 was received from the American Legion Veterans Memorial Park fund.

A Conflict of Interest policy and Conflict of Interest Annual Statement was distributed and reviewed. Pat Beamer made a motion to approve and Roger Allen provided the second - motion carried. All members in attendance completed the Conflict of Interest annual statement.

A hard copy of the council by-laws was provided to each member in attendance.

The 501(c)3 application will be submitted the week of April 18, 2016.

Carol Carter moved to spend approximately \$24 to order new checks with the correct address of the council. Roger Allen provided the second and motion carried.

Chairman Monaghan concluded the meeting at 2013. Our meet meeting will be May 5, 2016 at 1900.

Respectfully submitted,

Carol Carter

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution Agreement Approval - Dix. Hite + 2017-57 Partners
Budget Amendment

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-57.

SYNOPSIS: The City Commission established waterfront redevelopment as a primary goal. City staff solicited qualifications from interested consultants to assist with the redevelopment, and received twelve submissions. An Evaluation Committee recommended three consultants for consideration, and on March 21, the City Commission authorized the City Manager and City Attorney to enter into negotiations with Dix.Hite & Partners. Additional discussions between Dix.Hite officials and City Commissioners took place at the April 4 City Commission meeting. The draft agreement attached is the result of those discussions and directions.

FISCAL IMPACT: This project is expected to be funded by monies received from the Ocean Highway and Port Authority. Staff is recommending a budget amendment increasing the Commission's Professional Services account, 0011100 53100 and the Ocean Highway and Port Authority revenue account, 001 33910. This budget amendment will increase the City's Total Budget by \$150,000. The remaining \$12,000 for the proposed Agreement will be transferred into the Commission's Professional Services account from the City's Contingency account.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-57.

Dale Martin, City Manager

Tammi Bach, City Attorney

Tammi E. Bach, City Attorney

Date:04/27/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH DIX. HITE + PARTNERS, INC. FOR CONSULTING SERVICES RELATED TO WATERFRONT REDEVELOPMENT; APPROVING A BUDGET AMENDMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City solicited qualifications, via RFQ # 17-01, for a consulting firm on the City of Fernandina Beach's website, Onvia DemandStar's website, and in the Fernandina Beach Newsleader newspaper in accordance with City Purchasing Policies and Procedures; and

WHEREAS, twelve proposals were received and opened on March 1, 2017; and

WHEREAS, with City Commission approval, the City Manager and City Attorney negotiated an agreement with Dix. Hite + Partners, Inc.; and

WHEREAS, funds were not included in the FY 2016/2017 Budget; therefore, staff recommends amending the budget by increasing the Ocean Highway and Port Authority revenue account, 001 33910 by \$150,000 and increasing the Commission Professional Services account, 0011100 53100 by the same amount. This Budget Amendment will increase the Total City Budget from \$115,335,356 to \$115,485,356. The remaining \$12,000 of the proposed fee will be funded by a transfer to the Commission's Professional Services account, 0011100 53100, from the City's Contingency account 0018200 59900, to allow for a total of \$162,000 for the consulting agreement.

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

SECTION 1. The City Manager and City Clerk are hereby authorized to execute a professional services agreement, attached hereto as Exhibit "A", for Waterfront Redevelopment Consulting Services with Dix. Hite + Partners, Inc., upon review and approval by the City Attorney.

SECTION 2. The City Commission hereby approves an amendment to the budget by increasing the Ocean Highway and Port Authority revenue account, 001 33910, by \$150,000 and increasing the Commission Professional Services account, 0011100 53100, by the same amount. This Budget Amendment will increase the Total City Budget from \$115,335,356 to \$115,485,356. Additionally, the City Commission approves transferring \$12,000 to the Commission's Professional Services account, 0011100 53100, from the City's Contingency account 0018200 59900, to allow for a total of \$162,000 for the consulting agreement.

SECTION 3. This Resolution shall be effective immediately upon passage.

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

AGREEMENT TO FURNISH SERVICES TO THE CITY OF FERNANDINA BEACH

This AGREEMENT made on the 2nd day of May, 2017, between the **City of Fernandina Beach**, a municipal corporation whose address at 204 Ash Street, Fernandina Beach, Florida 32034 ("CITY") and the consultant, **DIX.HITE + PARTNERS, INC.**, a Florida corporation, whose address is 150 W. Jessup Avenue, Longwood, FL 32750 ("CONSULTANT").

ARTICLE 1 - SCOPE OF SERVICES

The parties hereto agree that under this Agreement, the CONSULTANT will provide professional services of a specified nature as described in Exhibit "A" - Scope of Services, attached hereto and incorporated as if fully set forth herein, when and if the City of Fernandina Beach requests the CONSULTANT to provide such services.

ARTICLE 2 - TERM OF AGREEMENT

This Agreement shall commence on the 2nd day of May, 2017—Day of May, 2017. The Agreement shall terminate one year from the date first written above.

A. Fees

1. Lump Sum Method - As consideration for providing the services enumerated in Article I, the City of Fernandina Beach shall pay the CONSULTANT fees as defined in the purchase or task order. The CONSULTANT's fees shall be paid in a Lump Sum Amount, which includes all of the CONSULTANT's Direct Salary, Overhead Costs, Direct Expenses, Sub-contractors, and Profit. The Lump Sum Amount shall not exceed One hundred sixty-two thousand dollars (\$162,000), the basis of which is detailed in Exhibit "A"—and Exhibit "B,"—attached hereto and incorporated as if fully set forth herein.

2. Standard Hourly Rate Method - Wherein the City of Fernandina Beach shall pay the CONSULTANT the agreed upon hourly rates contained in Exhibit "BA" for time actually engaged on certain work for additional services as defined in the purchase or task order and covered by this Agreement.

B. Reimbursable Expenses

The CONSULTANT's out-of-pocket expenses including, but not limited to, travel and living expenses of the CONSULTANT's employees when they are away from their home office in accordance with the CITY's policies when engaged on work under this agreement, long-distance telephone, and postage charges will be included in the Lump Sum Price.

C. Direct Project Expenses

Charges for printing, reproduction, and use of computer-aided design equipment and field equipment performed by the CONSULTANT, and the use of the CONSULTANT's and employee's automobiles will be included in the Lump Sum Price.

D. Status Report

The CONSULTANT shall complete and submit a technical summary and budgetary status report with each invoice (format to be provided by City). In no case shall the CONSULTANT bill the City of Fernandina Beach for more than one hundred (100) percent of the previously agreed upon purchase order or task order fee, unless

authorized by the City of Fernandina Beach in writing.

E. Standard Hourly-Rate--Definition

The CONSULTANT's standard hourly rates shall be provided to the City of Fernandina Beach if required for future purchase or task orders.

ARTICLE 3 - TERMS OF PAYMENT

A. Monthly Invoices

The CONSULTANT shall submit invoices once each month to the City of Fernandina Beach for the services performed and the expenses and other charges accounted for under this Agreement during the preceding month. Separate invoices shall be submitted for each task order or purchase order. Payment as prescribed in Article 2 for services rendered by the CONSULTANT during the previous billing period shall be processed in accordance with the Florida Prompt Payment Act, Section 218.70, Florida Statutes.

B. Payment of Expenses

Payments on account of expenses shall be made upon completion of the project and acceptance of deliverables by the City. Documentation supporting the reimbursable expenses must be attached to the statement of expenses incurred. The documentation may include, but is not limited to, copies of invoices and log sheets. The City Manager or his designee shall make a final determination as to whether documentation is sufficient to process invoices for payment.

C. Sales Tax

The CONSULTANT shall pay all applicable sales taxes; or the City of Fernandina Beach shall provide to the CONSULTANT the tax exemption information, where appropriate.

ARTICLE 4 - TERMS OF PERFORMANCE

It is further mutually agreed by the parties hereto that:

A. Starting Work

The CONSULTANT will not begin work on any of the services listed in Article I until authorized in writing to proceed.

B. Information Provided by Owner

The City of Fernandina Beach shall make available to the CONSULTANT all technical data in the City of Fernandina Beach's possession, including previous studies, analytical data, maps, surveys, and other information required by the CONSULTANT. The City shall not be liable for the accuracy of information supplied to the CONSULTANT; the CONSULTANT shall verify the accuracy of supplied information.

C. Suspension of Work

If any services covered by this agreement to be carried out by the CONSULTANT shall be suspended, abated, or abandoned at the direction of the City of Fernandina Beach for reasons unrelated to the quality of work provided by the CONSULTANT, the City of Fernandina Beach shall pay the CONSULTANT for services actually rendered for such suspended, abated, or abandoned work, and any reasonable additional documented costs incurred in an orderly closing of its activities, with the payment to be based on the fees as established in this agreement.

D. Services in Connection with Claims and Litigation

The scope and extent of services to be provided under a purchase order or task order does not include personnel time of the CONSULTANT or time of personnel working under sub-agreements and related expenses required or requested to support, document, bring, defend, or assist in litigation and/or claims, undertaken by or defended by the City of Fernandina Beach. All such services required or requested of the CONSULTANT shall be considered additional services entitling the CONSULTANT to additional compensation under this agreement. The amount of such additional compensation shall be set forth in a separate task order as reviewed and approved by the City. The CONSULTANT shall be entitled to such additional compensation until and unless there is a finding by a court of competent jurisdiction that the CONSULTANT is liable for damages to the City of Fernandina Beach for the acts giving rise to and requiring the requested services and expenses.

E. Ownership of Documents

The drawings, specifications, calculations, supporting documents, or other work products which are listed as deliverables in a purchase order or task order shall become the property of the City of Fernandina Beach upon delivery. The CONSULTANT may keep copies or samples thereof and shall have the right to use such drawings, specifications, calculations, supporting documents, or other documents. The City of Fernandina Beach Accepts sole responsibility for the reuse of any such documents in a manner other than as initially intended, or for any use of incomplete documents unless prior written approval is obtained from the CONSULTANT. Any such deliverables should be used solely for the stated purpose.

F. Account Records

The CONSULTANT's accounting records, insofar as they pertain to invoicing the City of Fernandina Beach or to disbursements made from the CONSULTANT's account for work under this agreement, shall be open to City of Fernandina Beach's inspection and audit at the CONSULTANT's office upon reasonable prior notice and during normal business hours. Backup documentation for out-of-pocket expenses exceeding Twenty-Five and 00/100 Dollars (\$25.00) each shall be available at the CONSULTANT's office. These records will be retained by the CONSULTANT for three (3) years after the calendar year in which the services to which they pertain were rendered or the disbursements were made.

G. Force Majeure

Neither party hereto shall be liable for its failure to perform hereunder due to any circumstances beyond its reasonable control, such as acts of God, wars, riots, national emergencies, sabotage, strikes, labor disputes, accidents, and governmental laws, ordinances, rules, or regulations. The CONSULTANT or City of Fernandina Beach may suspend its performance on any assignment as a result of a force majeure without being in default of this agreement, but upon the removal of such force majeure, the CONSULTANT or City of Fernandina Beach shall resume its performance as soon as is reasonably possible.

H. Approval of Changes

The City of Fernandina Beach must approve any changes in the scope, specifications, or other conditions under which the services specified or referred to herein are to be performed which result in additional costs or expenses to the City of Fernandina Beach or which would change the underlying purpose of the purchase or task order. Changes include, but are not limited to: issuing additional instructions, requesting additional work, direct omission of work previously ordered, or changes in time of performance.

I. Authorized Representative

Before starting work, the CONSULTANT shall designate an authorized representative acceptable to the City of Fernandina Beach to represent and act for the CONSULTANT and shall inform the City of Fernandina Beach in writing of the name and address of such representative together with a clear definition of the scope of their authority. The CONSULTANT shall keep the City of Fernandina Beach informed of any subsequent changes in the foregoing. All notices, determinations, instructions, and other communications given to the authorized representative by the City of Fernandina Beach shall be binding upon the CONSULTANT and City of Fernandina Beach. The authorized representative of the City of Fernandina Beach shall be the City Manager or his designee.

J. Termination

The City of Fernandina Beach or the CONSULTANT may terminate, suspend, or delay this agreement for any reason by giving at least thirty (30) days written notice to the other party of their intent to terminate, suspend, or delay. In the event the agreement is terminated, suspended or delayed by the City of Fernandina Beach for reasons unrelated to the quality of work provided by the CONSULTANT, the City of Fernandina Beach shall forthwith pay the CONSULTANT in full for all work previously authorized and actually performed prior to the effective date provided in the Notice of Termination, Suspension or Delay. This payment shall be the sole financial obligation or responsibility of the City of Fernandina Beach for compensation hereunder in the event of termination, suspension or delay in accordance with the provisions of this paragraph. This agreement shall continue in effect until a Notice of Termination, Suspension or Delay is given by either party as set forth above. Upon termination, suspension or delay, at the City of Fernandina Beach's request, the CONSULTANT shall turn over to the City of Fernandina Beach all work products and deliverables completed or partially completed up to the date of termination, suspension or delay, including but not limited to, subcontractor work products, surveys, drawings, model results, and specifications as long as the City of Fernandina Beach has paid the CONSULTANT to the date of said termination. The City of Fernandina Beach shall have full rights to use all such work products and deliverables for any project, and in any manner, in the sole discretion of the City. The City of Fernandina Beach accepts sole responsibility for the use of the above-referenced work products and deliverables unless prior written approval is obtained from the CONSULTANT. However, in no event shall CONSULTANT's internal work products, work papers, proprietary information, software, internal spreadsheets, etc. be turned over.

ARTICLE 5 - INSURANCE AND INDEMNIFICATION

A. Indemnification

The parties recognize that the CONSULTANT is an independent contractor. The CONSULTANT agrees to assume liability for and indemnify, hold harmless, and ~~defend~~ the City, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorney's fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the CONSULTANT, its agents, officers, contractors, subcontractors, employees, or anyone else employed or utilized by the CONSULTANT in the performance of this Agreement. The CONSULTANT's liability hereunder shall include all attorney's fees and costs incurred by the City in the enforcement of this indemnification provision. This includes claims made by the employees of the CONSULTANT against the City and the CONSULTANT hereby waives its entitlement, if any, to immunity under Section 440.11, Florida Statutes. The obligations contained in this provision shall survive termination of this Agreement and shall not be limited by the amount of any insurance required to be obtained or maintained under this Agreement.

Subject to the limitations set forth in this Section, the CONSULTANT shall assume control of the defense of any claim asserted by a third party against the City and, in connection with such defense, shall appoint lead counsel, in each case at the CONSULTANT's expense. The City shall have the right, at its option, to participate in the

~~defense of any third party claim, without relieving CONSULTANT of any of its obligations hereunder. If the CONSULTANT assumes control of the defense of any third party claim in accordance with this paragraph, the CONSULTANT shall obtain the prior written consent of the City before entering into any settlement of such claim. Notwithstanding anything to the contrary in this Section, the CONSULTANT shall not assume or maintain control of the defense of any third party claim, but shall pay the fees of counsel retained by the City and all expenses, including experts' fees, if (i) an adverse determination with respect to the third party claim would, in the good faith judgment of the City, be detrimental in any material respect to the City's reputation; (ii) the third party claim seeks an injunction or equitable relief against the City; or (iii) the CONSULTANT has failed or is failing to prosecute or defend vigorously the third party claim. Each party shall cooperate, and cause its agents to cooperate, in the defense or prosecution of any third party claim and shall furnish or cause to be furnished such records and information, and attend such conferences, discovery proceedings, hearings, trials, or appeals, as may be reasonably requested in connection therewith.~~

It is the specific intent of the parties hereto that the foregoing indemnification complies with Section 725.08, Florida Statutes, as amended. CONSULTANT expressly agrees that it will not claim, and waives any claim, that this indemnification violates Section 725.08, Florida Statutes, as amended. Nothing contained in the foregoing indemnification shall be construed as a waiver of any immunity or limitation of liability the City may have under the doctrine of sovereign immunity or Section 768.28, Florida Statutes.

B. CONSULTANT's Status as an Independent Contractor

That status of the CONSULTANT under this agreement is that of an independent contractor. Nothing in this agreement shall create or be construed as creating a partnership between the City of Fernandina Beach and the CONSULTANT, nor shall the CONSULTANT be an agent of the City of Fernandina Beach.

C. Waiver of Subrogation

The City of Fernandina Beach and the CONSULTANT waive all rights against each other for damages caused by perils covered by insurance provided under this agreement to the extent covered by such insurance, except such rights as they may have to the proceeds of such insurance held by the City of Fernandina Beach and the CONSULTANT as trustees.

The City of Fernandina Beach and the CONSULTANT waive all rights against each other for loss or damage to any equipment used in connection with performance under this agreement and covered by any property insurance.

If the insurance policies referred to in this article require an endorsement to provide for continued coverage where there is a waiver of subrogation, the owner of such policies will cause them to be so endorsed; failure to obtain endorsement nullifies the waiver of subrogation.

D. CONSULTANT's Insurance

The CONSULTANT shall not commence any work in connection with this agreement until he has obtained all of the following types of insurance and such insurance has been approved by the City of Fernandina Beach, and has named the City of Fernandina Beach as an additional insured by separate written endorsement, except for Worker's Compensation Coverage.

Such insurer shall have a currently valid Certificate of Authority issued by the State of Florida, Department of Insurance authorizing it to write insurance policies in the State of Florida and be doing business in the State of Florida. Insurers shall have at least a Policy Holders Rating of A-, and Financial Rating of Class IV as identified in the latest issue of "Bests Key Rating Guide" unless otherwise accepted by the City of Fernandina Beach in writing.

The CONSULTANT's insurance, and the insurance of any other party bound to the CONSULTANT shall be considered primary. The City of Fernandina Beach's insurance, if any, shall be considered excess, as may be applicable to claims which arise out of indemnifications, insurance, certificates of insurance and any additional insurance provisions of this agreement.

E. Loss Deductible

The City of Fernandina Beach shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of deductibles shall be the sole responsibility of the CONSULTANT.

F. Certificate of Insurance

The City of Fernandina Beach shall be furnished proof of insurance coverage as follows:

- The name of the insured, the name of the insurer, the number of the policy, its effective date, and its termination date;
- Statement that the insurer will mail notice to the City of Fernandina Beach and a copy to the CONSULTANT at least thirty (30) days prior to any material changes in provisions, cancellation, renewal, or non-renewal of the policy;
- Certificate of Insurance shall be in the form as approved by the City of Fernandina Beach and such Certificate shall clearly state all the coverage required in this Article;
- If requested by the City of Fernandina Beach, the CONSULTANT shall furnish complete copies of all insurance policies, forms and endorsements; and
- Receipt of certificates or other documentation of insurance or policies or copies of policies by the City of Fernandina Beach or by any of its representatives which indicate less coverage than required by this agreement does not constitute a waiver of the CONSULTANT's obligations to fulfill the requirements of this Article.

G. Workers' Compensation Insurance

The CONSULTANT shall have in full force, during the life of this agreement, Workers' Compensation and Employer's Liability Insurance for all its employees connected with work under this agreement. The CONSULTANT may provide a workers' compensation waiver in lieu of workers' compensation insurance where such waiver is properly approved by the Florida Department of Labor and Employment Security and accepted by the City of Fernandina Beach in writing. Such insurance or waiver shall comply with the Florida Workers' Compensation Law. In case any class of work conducted under this agreement is not protected under the Workers' Compensation statute, the CONSULTANT shall provide adequate insurance, satisfactory to the City of Fernandina Beach, for the protection of employees not otherwise protected.

H. Liability Insurance

The CONSULTANT shall have in full force, during the life of this agreement, Commercial General Liability and Commercial Automobile Liability Insurance that shall protect the City of Fernandina Beach from claims for damage for bodily injury and personal injury, including accidental death, as well as claims for property damages which may arise from tasks associated with or carried out under this agreement, whether such operations are by itself or by anyone directly or indirectly employed by them, and the amount of such insurance shall be minimum limits as follows:

- Commercial General Liability:
 - Minimum Coverage is \$1,000,000 per occurrence
 - Coverage shall include premises, operations, products, completed operations, independent contractors, contractual liability covering this agreement, contracts and leases, broad form property damage coverage, personal injury and bodily injury.
 - If Umbrella or Excess liability coverage is used to satisfy the requirements of this Article, it shall not be more restrictive than the underlying insurance policy coverage.

I. Professional Liability Insurance

During the term of this Agreement, the CONSULTANT will carry Errors and Omission insurance which will cover liability for any damage or non-performance on account of any error, omission, or other provable negligence caused by the CONSULTANT. The amount of insurance shall not be less than \$1,000,000 per occurrence and aggregate. The City of Fernandina Beach may require a higher limit as mutually agreed with the CONSULTANT for specific task orders.

ARTICLE 6 - SUCCESSORS AND ASSIGNS

The City of Fernandina Beach and CONSULTANT each binds themselves and their partners, successors, executors, administrators, and assigns to the other party of this agreement and to the partners, successors, executors, administrators, and assignees of such other party in respect to all covenants of this agreement. Neither the City of Fernandina Beach nor the CONSULTANT shall assign, sublet, or transfer any interest in this agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any elected official, officer, employee or agent of the City of Fernandina Beach, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the City of Fernandina Beach and CONSULTANT.

ARTICLE 7 - REMEDIES

A. Claims, Counter-Claims, Disputes, Etc.

All claims, counter-claims, disputes, and other matters in questions between the CONSULTANT and the City of Fernandina Beach will be first reviewed by authorized representatives of both parties for a recommended solution. If no solution or resolution is forthcoming, such disputes will be decided by a court of competent jurisdiction convened in the State of Florida.

B. Governing Laws

This agreement shall be governed by the laws of the State of Florida.

C: Venue

This Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Florida. Each of the parties hereto (a) irrevocably submits itself to the exclusive jurisdiction of the Fourth Judicial Circuit Court, in and for Nassau County, Florida, and the jurisdiction of the United States District Court for the Middle District of Florida, Jacksonville Division, for the purposes of any suit, action or other proceeding arising out of, or relating to, this Agreement; (b) waives and agrees not to assert against any party hereto, by way of motion, as a defense or otherwise in any suit, action or other proceeding, (i) any claim that it is not personally subject to the jurisdiction of the above-named courts for any reason whatsoever, and (ii) to the extent permitted by applicable law, any claim that such suit, action or proceeding by any party hereto is brought in an inconvenient forum, or that the venue of such suit, action or proceeding is improper or that this Agreement or the subject matter hereof may not be enforced in or by such courts.

D. Attorney's Fees and Costs

In the event of any action brought by either party against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for fees, costs, and expenses, including attorney's fees, as may be set

by the Court.

E. ~~_____~~ Damages

Neither party will be responsible for or accept any claims and demands for loss of profits or other incidental, consequential, liquidated and/or punitive damages arising out of or in connection with this Agreement.

ARTICLE 8 - NONEXCLUSIVE AGREEMENT

This Agreement is not intended to be and shall not be construed as an exclusive contract, and the City of Fernandina Beach may employ additional or other professional consulting firms to perform work contemplated by this agreement without liability to the City of Fernandina Beach.

ARTICLE 9 - CLOSING

A. Validity, Severability and Reformation

The validity, interpretation, construction, and effect of this agreement shall be in accordance with and be governed by the laws of the State of Florida. Any provision or part of this agreement held to be void or unenforceable under any law shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

B. Headings

The headings of the sections of this agreement and capitalizations are for the purpose of convenience only and shall not be deemed to expand or limit the provisions contained in such sections.

C. Entire Agreement

This agreement, including the exhibits hereto, constitutes the entire agreement between the parties hereto and supersedes any prior negotiations, representations, agreements, and understandings, either written or oral.

~~(SIGNATURES ON NEXT PAGE)~~

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the day and date first above written:

CITY OF FERNANDINA BEACH, FLORIDA,
a municipal corporation

"CONSULTANT"
DIX.HITE + PARTNERS, INC.

Dale L. Martin, City Manager

By.: _____
Print Name: _____

Title: _____

ATTEST:

WITNESS/ATTEST:

Name: _____

Sign: _____

Caroline Best, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Tammi E. Bach, City Attorney

ATTACHMENT A**SCOPE OF SERVICES****City of Fernandina Beach Waterfront Park****Date: April 27, 2017**

The Scope of Services proposed herein addresses the desire of The City of Fernandina Beach, Florida (the "Client") to create a Waterfront Park (the "Project") that enhances the aesthetics, pedestrian, and public realm qualities of the Amelia River waterfront. Proposed improvements include removing two (2) existing parking lots and replacing them with an open lawn area, adding pedestrian circulation, and a vehicular/service area drop-off. The Project is located west of Front Street to the edge of the existing Amelia River boardwalk and from Ash Street to Alachua Street. The Project area is approximately 1.7 acres. The Scope of Services will also include improvements to Parking Lot 'E' located in the southwest corner of Ash Street and 2nd Street. The parking lot area is approximately 0.65 Acres and includes the existing corner park. Please refer to Exhibits 'A' and 'B' for the Phase 1 Limits of Work. The Client has established a budget of \$800,000 for the construction of the Waterfront Park and improvements to Parking Lot 'E'. This Scope of Services is for Phase I of a multi-phased Project. The Consultant understands the Client wants to "fast-track" the schedule for design, engineering, and permitting effort with the goal of having Construction Documents available for bidders by August of this year for the Waterfront Park Project. It is anticipated Parking Lot 'E' will be on a separate schedule due to permitting associated with the improvements to Parking Lot 'E'.

PROJECT DESIGN TEAM:

The following professionals shall provide the services indicated in support of the work:

Dix.Hite + Partners	-	Project Management, Landscape Architecture
Applied Technology & Management	-	Civil Engineering
Planning Solutions	-	Strategy, Funding Research
Clear Engineering	-	Electrical Engineering
Prevost Stamper Irrigation	-	Irrigation Design

PHASE I DESIGN SERVICES:**Task 1: Pre-Design Services****A. Project Coordination**

1. Coordinate Project tasks, scheduling and communication with Design Team. In addition to the specific services detailed below (the "Services"), Consultant shall coordinate our work with the Client's representative and the Client's Project team, monitor the Project schedule as it relates to the scope contained herein, and provide timely invoicing and reporting of Project progress. Due to the "fast track" schedule for the Waterfront Park Project, the Client will facilitate timely reviews and responses to all work submitted by the Consultant.

B. Base Preparation and Changes

1. Assist Client with list of base data needed to prepare base sheets for Project utilizing a single AutoCAD base file, with all pertinent Project information compiled and provided by Client from previous planning & design efforts. Base data will include, but not limited to: a topographic survey of the Project limits

including the location of any subsurface utilities, geotechnical services to determine seasonal high groundwater and soil survey, existing stormwater permits, railroad R.O.W., jurisdictional lines, easements, and property lines.*

2. Consultant will coordinate the need for additional site information with Client that is necessary to complete and/or clarify any base information prior to the beginning of work. Additional work required due to inaccurate, incorrect, or incomplete information supplied by the Client shall be completed as an Additional Service.
3. The limits of work is limited to the area shown on the attached Exhibits. To meet the determined construction budget and schedule requirements, any conflicts within the limits of work (i.e. utilities, easements, buried structures, etc.) will be noted and avoided in the design and planning of the Construction Documents.
4. Consultant will update an AutoCAD base file as the Design Team's background files are updated.

***Consultant assumes no responsibility for the accuracy of the base data information provided by the Client.**

Deliverables: One (1) digital copy of List of Needed Base Data Information (11x17 PDF)

Task 2: Workshop Preparation

1. Synthesis/validation of previous studies – Consultant shall review previous transportation and parking studies, park planning documents, stormwater plans, and known future immediate development for commonalities, perceived influences, and impact on the Project. Information will be summarized and communicated in graphic format to the greatest extent possible.
2. Consultant will visit the site one (1) time to review the limit of work as described above in order to develop an understanding of the site's opportunities and constraints by observing existing conditions.
3. SWOT Analysis (Strengths, Weaknesses, Opportunities, and Threats) – Following the Site Visit Consultant will prepare a graphic depicting findings.

Meetings: One (1) Site Visit

Deliverables: One (1) digital copy of Previous Studies Synthesis Graphic (11x17 PDF); and
One (1) digital copy of SWOT Analysis Graphic (11x17 PDF).

Task 3: Kick-off Meeting

Consultant will organize a half-day meeting with the Client in the Client's offices to kick-off the Project the morning of the Workshop. As part of this meeting, the Client and Consultant will review the limits of work, overall schedule, and provide preliminary Project input. Consultant shall consider the input and utilize the information from kick-off meeting during the Workshop. The agenda for the meeting will include:

1. Understand/clarify the WHY? for the Project;
2. Establish Client goals & objectives;
3. Review the synthesis/validation of previous studies and program;
4. Review List of Needed Base Data Information, if any;
5. Review previous park development program(s);
6. Discuss Team member responsibilities;
7. Review Project Schedule; and
8. Review of Agenda for Workshop.

Deliverables: One (1) digital copy of Meeting Minutes from Kick-off Meeting

Task 4: Workshop*

Consultant will host a Workshop as a half-day event beginning the afternoon after the kick-off meeting with the Client and the public. The afternoon Workshop will cover the following elements:

1. Project introduction + schedule;
2. Present previous work synthesis;
3. Great waterfronts primer + case studies;
4. Review goals & objectives;
5. Placemaking presentation
6. Develop Guiding Principles; and
7. Park programming exercise.

During the Workshop, Consultant will prepare a Waterfront Park Functional Diagram reflective of the vision, public input, and feedback received from the Client. This document will be presented to the City Commission for approval and will become the basis of design for the Waterfront Park Concept Plan.

Deliverables: One (1) digital copy of DREAM + DISCOVERY Document (11' x 17" PDF format); and
One (1) digital copy of Meeting Minutes from Workshop #1.

****The Client shall be responsible for arranging the locations of the Workshops, identifying and inviting appropriate City representatives and Key Stakeholders, advertising to the public, and providing room set up including, but not limited to, tables, chairs, and break-out areas.***

Task 5: City Commission Presentation

Consultant will present the Waterfront Park Functional Diagram to the City of Fernandina Beach Commission during a City Commission meeting. At the end of the presentation, the City Commission shall vote for approval of the Waterfront Park Functional Diagram. Comments received or modifications requested during this presentation will be incorporated in the Concept Plan. Upon approval by the City Commission, the Consultant will start the next phase of work.

Deliverables: One (1) digital copy of Waterfront Park Functional Diagram

Task 6: Concept Plan

Consultant will prepare a Waterfront Park Concept Plan for the area identified as Phase I on Exhibit 'A' and 'B.' The concept plan will be based on the vision and park program established during Workshop. The Concept Plan will address major park program features and connectivity to marina. Consultant will prepare a conceptual statement of probable cost for the elements detailed in the Concept Plan. The Client will review the Concept Plan and provide written review comments to the Consultant. Consultant will attend one (1) meeting with the Client to present the Waterfront Park Concept Plan, review the Clients written comments, and review the conceptual statement of probable cost. The conceptual statement of probable costs will establish the Construction Budget for the Project. Minor comments received or modifications requested during this presentation will be incorporated in the Construction Documents phase of work. Major changes that represent a significant departure from the original design program, budget, and approved Waterfront Park Functional Diagram will be considered an Additional Service and may require an adjustment to the proposed deliverable schedule. Upon approval by the City, the Consultant will start the next phase of work.

Meetings: One (1) Client meeting
Deliverables: One (1) digital copy of Waterfront Park Concept Plan (11' x 17" PDF format);
One (1) digital copy of Concept Illustrative Graphic – one (1) perspective; and
One (1) digital copy of the Conceptual Statement of Probable Cost; and
One (1) digital copy of Funding Strategy.

CONSTRUCTION DOCUMENTS:

Task 7: 60% Construction Documents

Based upon the reviewed and approved Waterfront Park Concept Plan and approved construction budget, the Consultant will prepare plans and details for the development of the Project Elements. This will include:

- Site demolition plan;
- Curb improvements along the western edge of Front Street;
- Vehicular drop-off and service area;
- Hardscape plans and details;
- Grading plans;
- Site furnishings and materials plans;
- Landscape and irrigation plans; and
- Site lighting and event power electrical plans.

Specifically, the Consultant will prepare civil plans, hardscape layout plans, landscape plans, electrical plans, and irrigation plans for the elements identified above, as well as:

- Construction details, including details, elevations, and sections as necessary to communicate the design intent and construction materials; and
- Technical specifications that define materials and methods appropriate for construction.

Exclusions to Consultants' design services which may be necessary or required:

- Stormwater engineering and design services are limited to grading plans.
- No efforts to evaluate the existing stormwater treatment system or to incorporate other existing drainage areas, structures, or other impervious areas is a part of the Work. The Consultant assumes the existing stormwater conveyances belong to the Client and are currently in compliance with all regulatory requirements.
- Proposed drainage structures of any sort that need to be added are not included.
- Structural engineering is not included.
- Utility engineering is not included.
- Soil contamination or other unforeseen site conditions exist requiring engineering or design considerations is not included.
- Subgrade utilities or structures will be noted and avoided and will not be identified for relocation or removal.

If the items above need to be addressed, the Consultant will inform the Client and provide an Additional Service Request which may include a request for additional time to complete the Work.

Consultant will prepare a statement of probable cost for all elements detailed in the Construction Documents. The Client will review the Construction Document submittal and the Statement of Probable Costs and provide a consolidated set of written review comments from all City departments to Consultant within one (1) week of receiving the submittal. Consultant will attend one (1) meeting with the Client to review the progress of the construction documents and the Client's written review comments. Minor revisions will be incorporated into the 100% Construction Documents based on review comments. Major changes that represent a significant departure from the original design program, budget, and approved concept will be considered an Additional Service.

Meetings:	One (1) Client meeting
Deliverables:	One (1) digital set of Construction Documents; One (1) digital copy of the Statement of Probable Costs; and One (1) digital set of Technical Specifications.

Task 8: 100% Construction Documents

Consultant will prepare the final set of Construction Documents, incorporating review comments from the 60% Client review meeting. The documents will be suitable for bidding, permitting, and construction of the park design elements of the Project as detailed in this Scope of Services. Once the 100% Construction Documents are delivered, changes requested will be considered an Additional Service.

Deliverables: Five (5) digital set of Construction Documents, Signed and Sealed;
One (1) digital copy of the Statement of Probable Costs; and
One (1) digital set of Technical Specifications.

Task 9: Permitting

Following the approval of the Final Waterfront Park Concept Plan, Consultant will prepare and submit all documents required for the approval of governmental authorities having jurisdiction over the Project in support of gaining necessary permits for construction of the Project relative to the work prepared by the Consultant. The Client is responsible for paying all permitting fees. Anticipated permits are limited to:

1. Works associated with applying for an exemption from the Environmental Resource Permit (ERP);
2. Submittal of the ERP exemption package to St. Johns River Water Management District (SJRWMD); and
3. City building permits.

Due to “fast-tracking” the schedule of the Project, City permitting requirements will be minimal and the City’s Project Management Team will support these activities to expedite the approval process. Assumptions and exclusions to Consultants’ design services which may be necessary or required:

1. There are no existing permitted stormwater treatment or conveyance structures on site or supposed to be onsite.
2. The exemption application will be accepted due to the reduction in impervious area by the governmental agencies. No water quality treatment determinations, calculations or other engineering is included in this Scope of Work.
3. Stormwater system design will not be necessary and will be limited to the grading of removed paved areas towards existing, in-place drainage features.
4. Design of pre-treatment systems if required is not included.
5. Wetland delineations, environmental impact assessment and/or addressing any potential contamination/remediation issues is not included.
6. Planning and zoning approval process, Development of Regional Impact (DRI) work/preparation and/or other planning services is not included.

Consultant will respond to one (1) set of agency Request for Additional Information (RAI) relative to the work prepared by the Consultant. Consultant will meet one (1) time with appropriate governmental officials and shall coordinate our work with the Client in support of the governmental approval process.

Meetings: One (1) Governmental agency meeting
Deliverables: One (1) digital copy of the exemption application submitted to SJRWMD

Task 10: Bidding Assistance

Consultant will attend one (1) pre-bid meeting in Fernandina Beach with the Client and potential bidders. Consultant will respond to bidder RFI’s relative to the work prepared by Consultant. Consultant will issue one (1) addendum to the Construction Documents in response to bidder’s request for information (RFI), clarification of the Construction Documents, or additional information.

Significant changes to the documents during or after bidding due to unknown site conditions, inaccurate information provided by the Client, substantial deviations in materials, design or methods previously approved by the Client, regulatory agency requirements after permit approvals and/or construction budget changes will be provided as an Additional Service.

Meetings: One (1) Pre-bid Meeting
 Deliverables: One (1) Addendum to the Construction Documents

CONSTRUCTION PHASE SERVICES (Optional Services):

Task 11: Construction Observation

In order to be as efficient as possible during construction, Consultant will rely on the Client's construction team to maintain and communicate records of work items that are included in the scope of our design services. Consultant will limit site visits to the number necessary to provide periodic observation of the work. Attendance at regular construction meetings or conference calls is not anticipated or included in the scope of this proposal.

1. Respond to RFIs as well as the Contractor's informal requests for information. Review shop drawings.
2. Make minor revisions to plans for corrections and clarifications of the design intent. Drawing revisions due to a modification of the scope for budget reasons or Client changes are not included and will be Additional Services.
3. Field visits:
 - A. Hardscape Construction
 - Conduct limited periodic field visits during construction to observe and report if work is being performed in general accordance with plans and specifications.
 - Prepare site visit reports and preliminary punch lists for each visit as needed
 - B. Landscape Construction
 - Visit the site prior to landscape installation to review field conditions.
 - Correspond with the selected landscape contractor to determine if alternate plant material and associated values could be considered.
 - Based on field conditions or contractor discussions, revise landscape plans, maintaining focus on important areas such as the entrance and clubhouse.
 - Perform one nursery visit to review available plant material.
 - Conduct limited periodic field visits during construction to observe and report if work is being performed in general accordance with plans and specifications.
 - Prepare site visit reports and preliminary punch lists for each visit as needed
4. Provide a final walk through to generally review that the work was performed in general accordance with plans and specifications.

Meetings Included: 1 Meeting
 2 Site Visits/Punch Walks (Hardscape & Pre-Landscape Installation)
 1 Nursery Visit (if required)
 2 Site Visits/Punch Walks (Landscape)
 1 Final Walk Through

PROJECT SCHEDULE:

Consultant is prepared to begin work on the Project immediately upon receipt of this executed Agreement. Consultant, in consultation with the Client, shall perform its work in such a manner as described below:

Contract Approval by Client/Authorization to Proceed	-	May 2, 2017
Site Visit	-	May 15, 2017
Kick-off Meeting + Public Workshop + City Commission Approval	-	May 16, 2017
Concept Plan and City Commission Presentation	-	May 30, 2017
60% Construction Documents	-	June 27, 2017

Client Review Meeting	-	July 10, 2017
100% Construction Documents	-	August 1, 2017
Pre-bid Meeting	-	August 8, 2017

ADDITIONAL SERVICES (NOT INCLUDED IN CONTRACT):

Consultant will present a Request for Additional Services including an estimate of the time (and sub-consultant fee if necessary) required to complete additional services as mutually agreed between Consultant and Client. Work on Additional Services will begin upon Client approval of the Request. The following services are examples of work not included in the above scope which would be considered Additional Services (this list is not meant to be all-inclusive):

- A. Tasks, Meetings and Presentations not specifically outlined in the Scope of Services.
- B. Signage, Logo, Marketing and/or other graphics.
- C. Surveys, including but not limited to: locating and determining utilities, structures, vegetation, boundary lines and/or topography.
- D. Design services related to replacing existing stormwater infrastructure.
- E. Engineering plans for Project Elements, including but not limited to: Architectural, Structural, Mechanical, and/or Plumbing plans.
- F. Soil Improvement Plans, including but not limited to: subsurface conditions, level of compaction, content, and/or suitability for plant material.
- G. Revisions to completed plans, including but not limited to: modifications to design requested by the client, value engineering, scope changes and any revisions to construction documents due to base changes after Design Development is complete.
- H. Drawings and exhibits prepared for municipal or authority review in addition to documents specifically outlined above.
- I. Design of Interactive Pool Features, including but not limited to: fountains, splash pads, and/or waterslides.
- J. Property Services, including but not limited to: determining zoning, applying for rezoning, variances, and/or subdivision of property.
- K. Record Drawing Services, including but not limited to: revising construction documents to show actual construction.

ATTACHMENT B

COMPENSATION

City of Fernandina Beach Waterfront Park

Date: April 27, 2017

Phase 1 Design Services	\$ 56,100
Construction Documents	\$ 105,900
	=====
	\$ 162,000
Direct and Reimbursable Expenses	Included
Construction Phase Services (Optional Services)	\$ 25,300
	=====
	\$ 25,300
Direct and Reimbursable Expenses	Included

ATTACHMENT C

RATE SCHEDULE

City of Fernandina Beach Waterfront Park

Date: April 27, 2017

Time Charge services (including Additional Services) will be billed on an hourly basis at the following rates*:

Principal II.	\$ 185.00/hr.
Principal I.	\$ 165.00/hr.
Financial Manager	\$ 165.00/hr.
Studio Leader	\$ 150.00/hr.
Senior Project Manager	\$ 130.00/hr.
Color Studio Project Manager	\$ 130.00/hr.
Communications Director	\$ 130.00/hr.
Project Manager	\$ 115.00/hr.
Designer III	\$ 95.00/hr.
Designer II	\$ 85.00/hr.
Designer I	\$ 75.00/hr.
Client Services	\$ 75.00/hr.
Office Manager	\$ 75.00/hr.
Marketing Manager	\$ 75.00/hr.
Administration	\$ 60.00/hr.
Technical	\$ 60.00/hr.

* Rates are subject to change.

To meet schedule and funding objectives, existing structures and utilities will be left in place and avoided

PROPOSED PROJECT LIMITS

Electrical power considerations for events, lighting, etc.

Considerations for restaurant access and ADA compliance

Parking Area A

Remove asphalt and underlayment - sod and landscape

Curb improvements along roadway

Drop off loop

Paved walks through new park area

Parking Area B

Remove asphalt and underlayment - sod and landscape

To meet schedule and funding objectives, works will be limited to those that qualify for an exemption from the Environmental Resource Permit (ERP) requirements of Part IV of Chapter 373, F.S., and Chapter 62-330.050-0511, F.A.C.

FERNANDINA BEACH WATERFRONT PLANNING

Revised Approach Discussion

April 2017



DIX.HITE
+ PARTNERS
LANDSCAPE ARCHITECTURE
URBAN DESIGN
LAND PLANNING





Waterfront Park

This is an aerial photograph of a city area. A red arrow originates from a white text box labeled 'Waterfront Park' and points towards the top-left corner of the image. The area contains various urban features: a large parking lot with many cars, a railroad track running vertically on the left, a street labeled 'S Front St' running vertically on the left, a street labeled 'Ash St' running horizontally across the middle, and a street labeled 'S 2nd St' running vertically on the right. A red-outlined rectangle highlights a specific area in the center-right, labeled 'PARKING LOT 'E''. The overall scene shows a mix of developed land, parking, and transportation infrastructure.

PARKING LOT 'E'

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Final Plat/Replat - The Surf Unit II

2017-71

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-71

SYNOPSIS:

The applicant is requesting approval of a Final Plat/ Replat for property identified as The Surf Unit 2. The request is to modify the previously approved plat to allow for eight single family home sites totaling on average 0.16 acres with lot widths not exceeding 75 feet in width. In 2007, The Surf Unit 2 plat was approved for a total of ten single family home sites on this 1.28 acre combined tract of land.

The Planning Advisory Board considered the applicant's request at a public meeting on March 8, 2017. Due to concerns raised by the adjoining residents concerning vehicular circulation and use of a driveway, the Board issued a recommendation of denial. The applicant has since modified the requested replat for the Surf Unit II to address the concerns and eliminated the shared connection. Staff recommends approval of the applicant's amended request.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-71.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:04/25/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-71

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING FINAL PLAT/ REPLAT, PAB CASE 2017-04 TITLED, "THE SURF - UNIT II"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Riverside Homes of North Florida, Inc. has applied to the City Commission of the City of Fernandina Beach, Florida, for approval of a final plat / re-plat titled, "The Surf - Unit II"; and

WHEREAS, The Surf - Unit II replat reduces the number of lots from ten platted lots to eight platted lots for single family home sites; and

WHEREAS, staff has reviewed the applicant's request for final plat / re-plat and found the request to be compliant with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, on March 8, 2017, the Planning Advisory Board reviewed the final plat and issued a recommendation of denial citing concerns with requirements for vehicle circulation; and

WHEREAS, the applicant, Riverside Homes of North Florida, Inc. has modified the requested application for "The Surf- Unit II Replat" to address the concerns raised by the residents of The Surf - Unit I by eliminating the vehicular through access connection; and

WHEREAS, the Technical Review Committee has reviewed the requested replat and no comments were issued.

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

SECTION 1. The plat titled, "The Surf- Unit II," is hereby accepted and approved as a final plat.

SECTION 2. This Resolution shall take effect immediately upon passage.

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

SURF UNIT TWO
REPLAT
FERNANDINA BEACH, FLORIDA
RIVERSIDE HOMES of NORTH FLORIDA, Inc.
JACKSONVILLE,FLORIDA

GENERAL NOTES

1. All construction shall be performed in a good workmanship manner using methods that are consistent with industry standards; in accordance with the approved plans; and shall comply with all applicable City of Fernandina Beach (COFB) Subdivision and Land Development Regulations and Practices and required State or Federal permit approvals including but not limited to the Department of Environmental Protection and the St. Johns River Water Management District (SJRWMD).
2. The contractor(s) shall visit the site prior to submitting a work proposal to become familiar with existing, on-the-ground conditions of the project site. Existing conditions as reflected on the construction documents were compiled from best available information including, but not limited to, topographic surveys and "As-Built" drawings made available to the engineer. Boundary, tree and topographic survey information was provided by Manzie & Drake Surveyors, 904.491.5700.
3. The contractor shall schedule and hold pre-construction conferences as required by the various regulatory entities involved in the inspection and approval process. The contractor shall schedule all work and inspections with the inspectors for the various approving entities.
4. The contractor must call for utility locates prior to any construction and shall use extreme caution while working in areas of existing structures and utilities. The contractor shall make repairs and/or pay for any repairs required as a result of damage caused by its work.
5. Refer to the Sewer Detail Sheet for instructions and conditions associated with said work. All utility work shall be accomplished in accordance with COFB Standard Details, Specifications and Construction requirements, latest by a Florida Licensed Utility Contractor.
6. The contractor shall provide "As-Built" drawings for all construction as required by and acceptable to the the Engineer of Record and all entities responsible for final approval and acceptance of the work. No final payment will be certified or made until all "As-Built" are approved by the appropriate entities.
7. The contractor shall obtain any and all right-of-way or construction permits required by the local municipality and/or state.
8. The contractor shall comply with ALL NPDES sediment and erosion regulations including but not limited all monitoring and reporting requirements. Sediment control screens shall be constructed around the entire site boundary as shown on the plans.
9. It is the intension of the Developer to maximize tree and understory preservation. The tree survey shows only trees that are 5" and larger. There may be trees less than 5" that are worthy of preservation in clusters. Also, trees shown on Tree Removal & Preservation Plan depicts trees in work areas that are to be preserved. Impacts to trees not affected by construction shall be minimized.



VICINITY MAP
NTS

JANUARY 2017
REVISION1: MARCH 6, 2017
REVISION 2: MARCH 10, 2017

GENERAL PROJECT INFORMATION

Property Appraiser Number (RE #)	00-00-31-1742-0002-0060 00-00-31-1742-0002-0070 00-00-31-1742-0002-0080 00-00-31-1742-0002-0090 00-00-31-1742-0002-0100 00-00-31-1742-0002-0110 00-00-31-1742-0002-0120 00-00-31-174W-0001-0000 00-00-31-174W-0002-0000 00-00-31-174W-0013-0000
Land Use	High Density Residential
Zoning Designation	R-3; Variance 2005-132
FIRM – Community – Panel	Panel 12089C 0377F Dated 12/17/2010
Flood Zones	X
Base Flood Elevation	N/A
Vertical Datum Used for Project	NGVD 1929
Land Area	1.29 Acres
No. of Lots	8 Lots
Density	6.2 Units/Acre

PLAN APPROVAL

Date	
Date	

PLAN APPROVAL IS SUBJECT TO THE
FOLLOWING NOTES AND CONDITIONS:

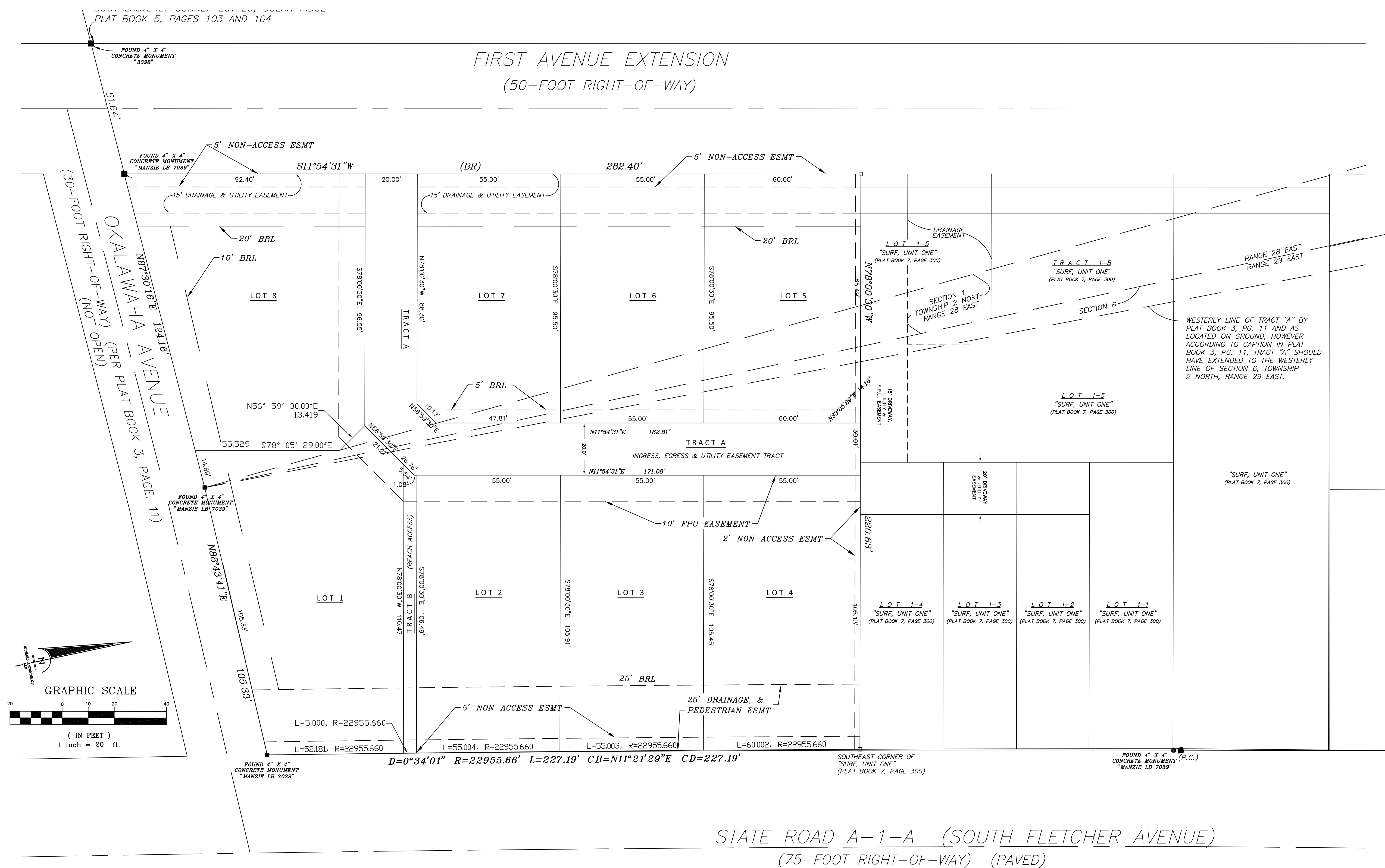
INDEX TO DRAWINGS

SHEET	DESCRIPTION
1	COVER
2	GEOMETRY PLAN
3	SITE CONSTRUCTION PLAN & DETAILS
4	SEWER DETAILS & NOTES
5	TREE REMOVAL PLAN
6	SEDIMENT CONTROL DETAILS & SPECIFICATIONS

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MICHAEL ANTONOPOULOS, LLC
LAND DEVELOPMENT CONSULTANTS
115 SOLANA ROAD, SUITE D
PONTE VEDRA BEACH, FLORIDA 32082
904.361.8193 maa-llc@comcast.net

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MICHAEL ANTONOPOULOS, P.E. #32520

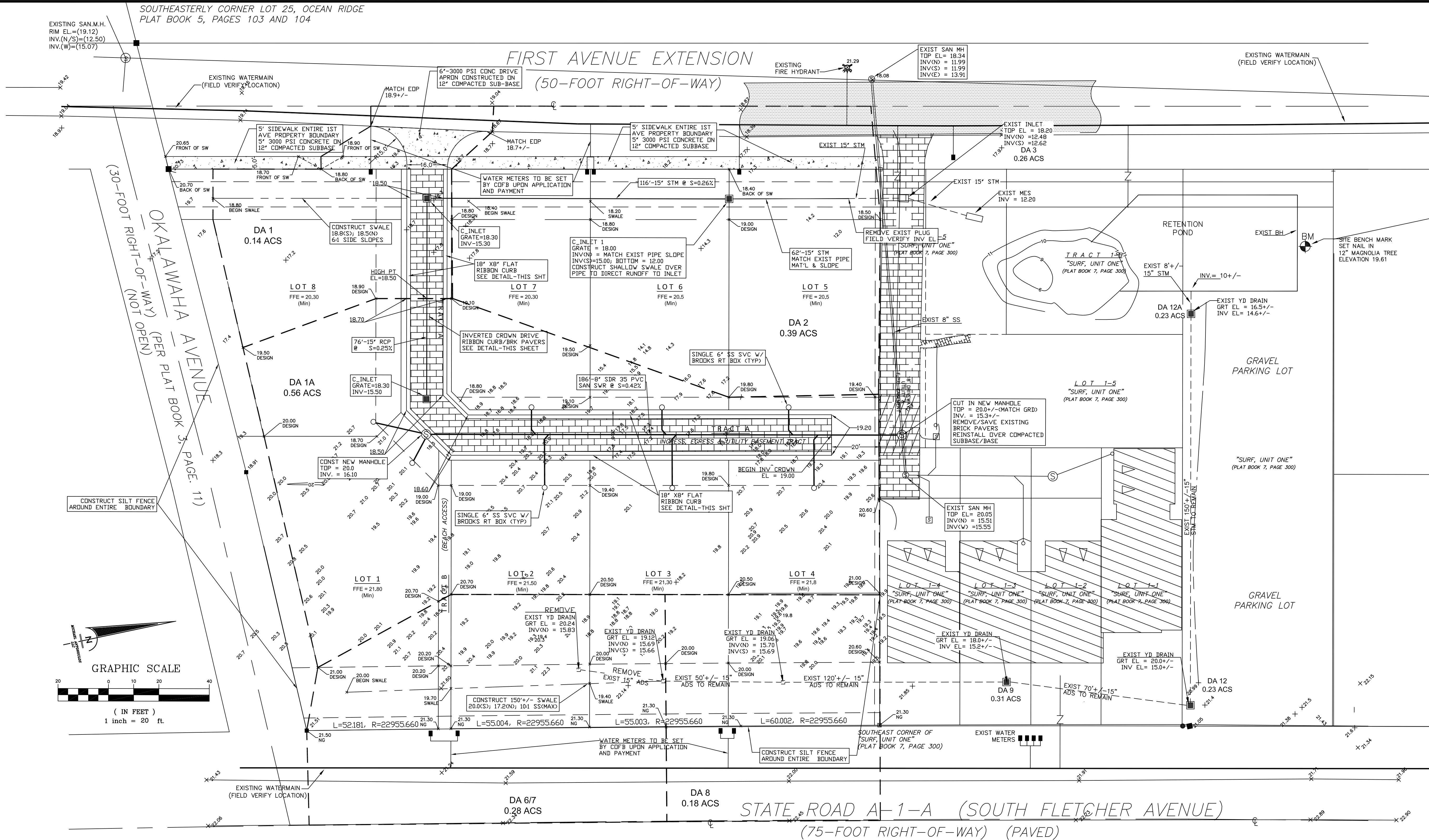
GEOMETRY PLAN

SURF UNIT TWO REPLAT

MICHAEL ANTONOPOULOS, LLC
LAND DEVELOPMENT CONSULTANTS
115 SOLANA ROAD - PONTE VEDRA BEACH, FL 32082
904.361.8193
ma-llc@comcast.net

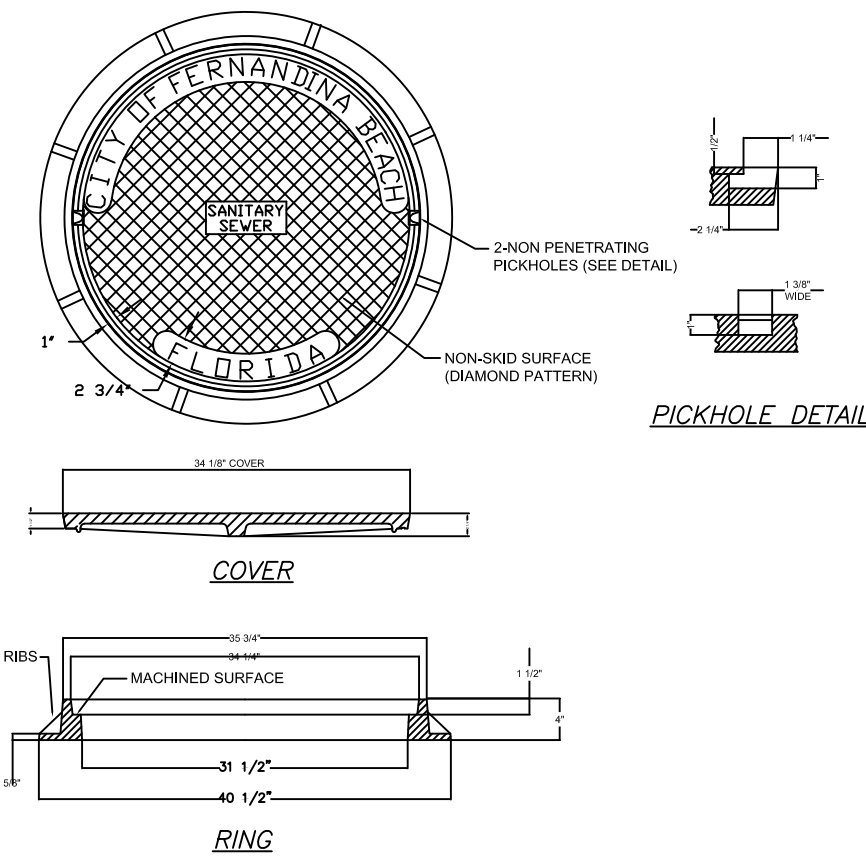
NO.	REVISIONS	DATE
2	REVISED PLAN TO DELETE CONNECTION TO UNIT 1 D/W	3/10/2017
1	ADDED 5" NON-ACCESS ESMT, CORFB REVIEW CMTS SUBI	3/6/2017

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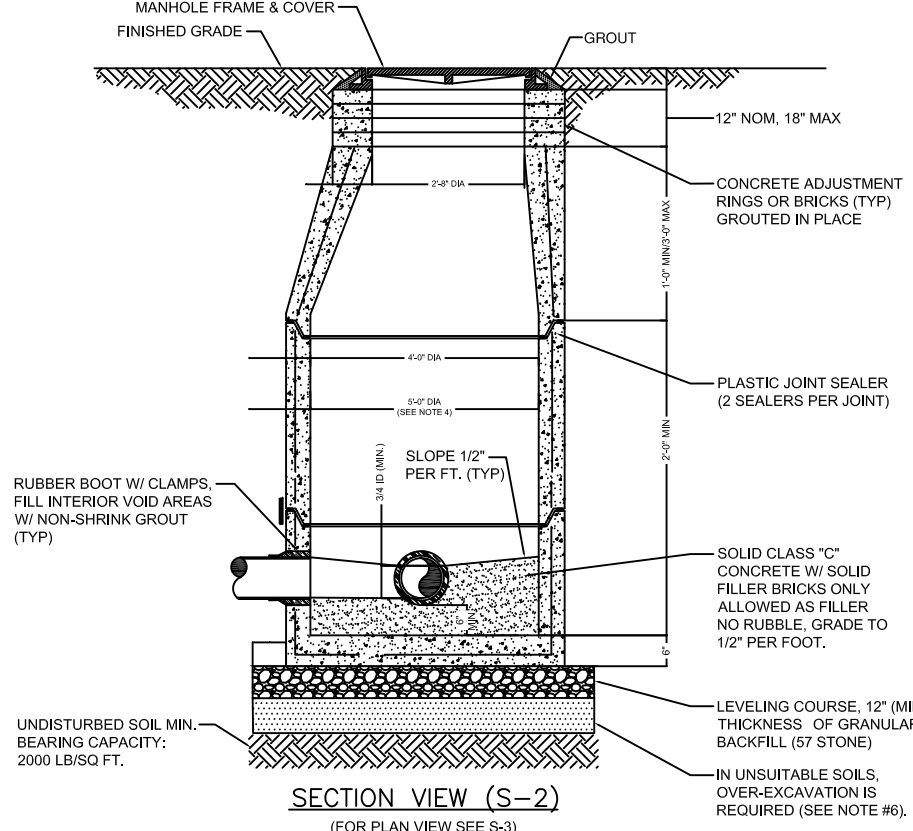


MICHAEL ANTONOPOULOS, LLC LAND DEVELOPMENT CONSULTANTS 115 SOLANA ROAD - PONTE VEDRA BEACH, FL 32082 904.361.8193 ma-llc@comcast.net	
SITE CONSTRUCTION PLAN	
SHEET No. 3	
JANUARY 2017	
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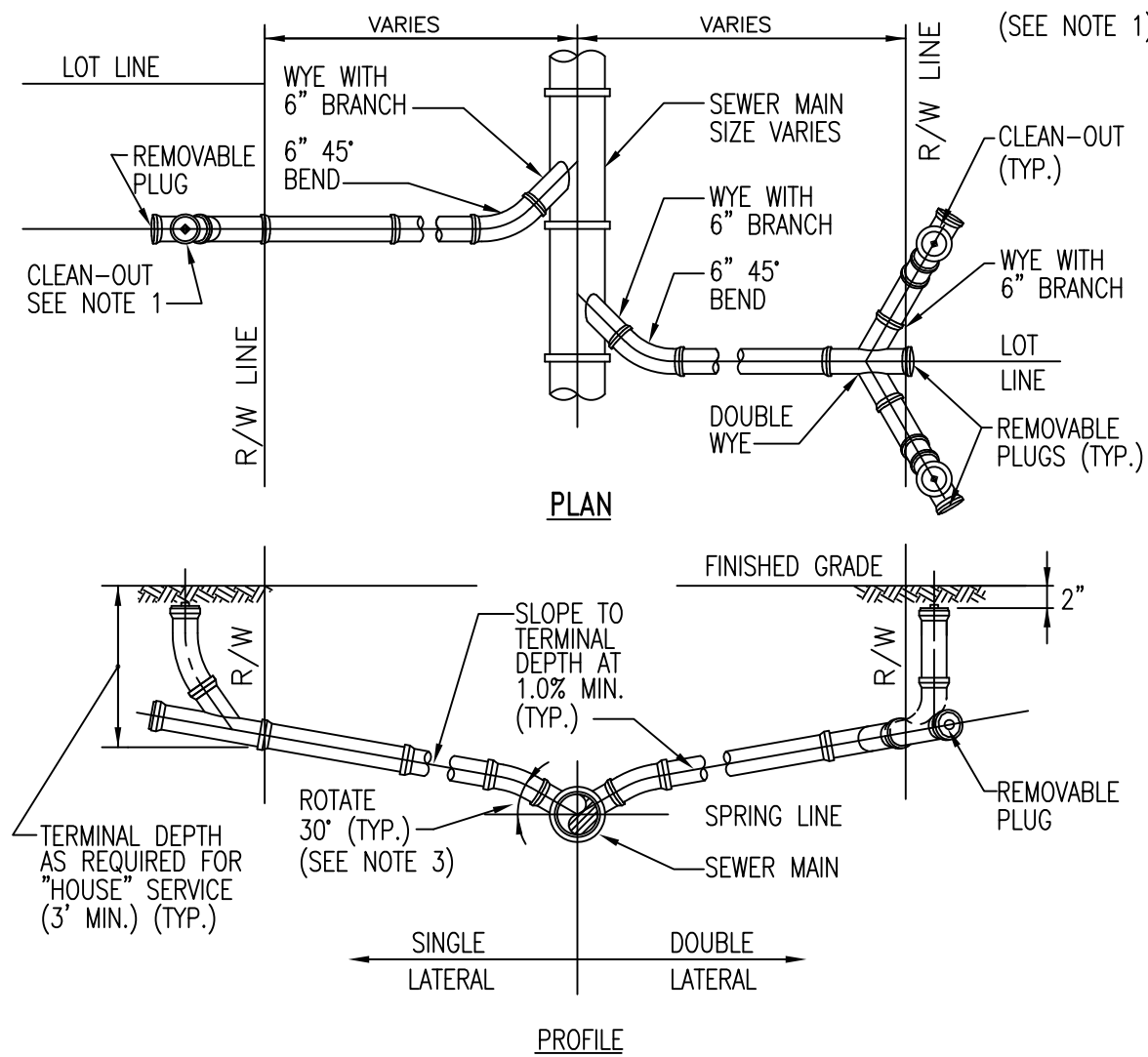
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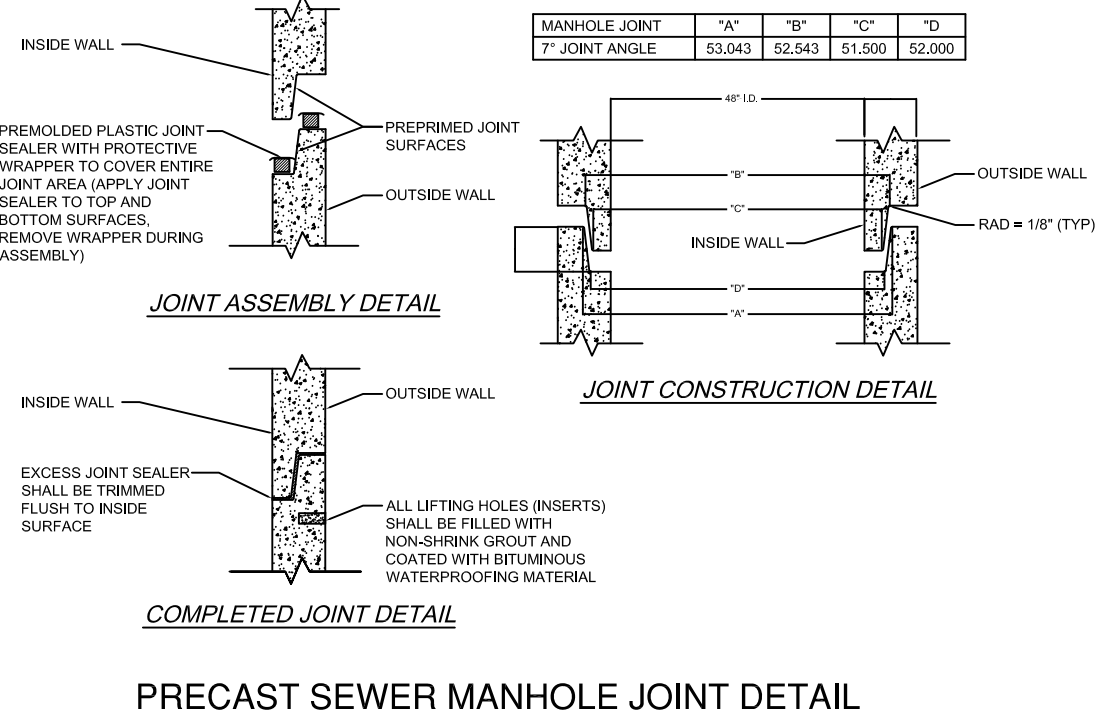
SANITARY SEWER MANHOLE FRAME AND COVER



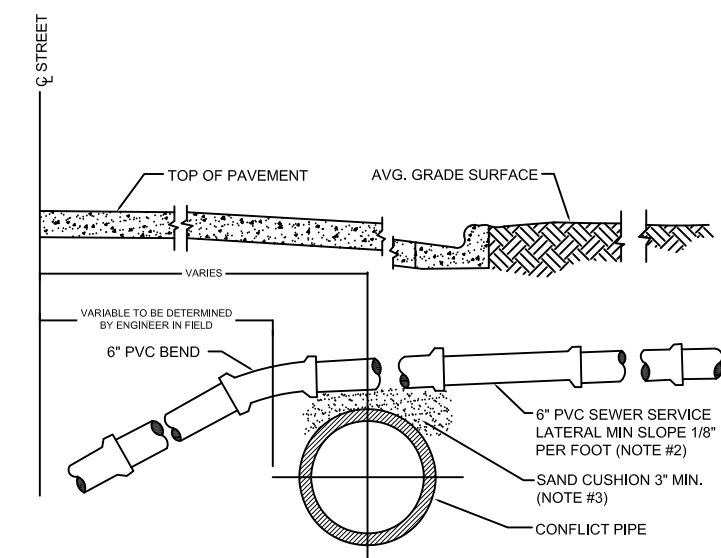
SANITARY SEWER TYPE "A" MANHOLE
8'-21" SEWERS



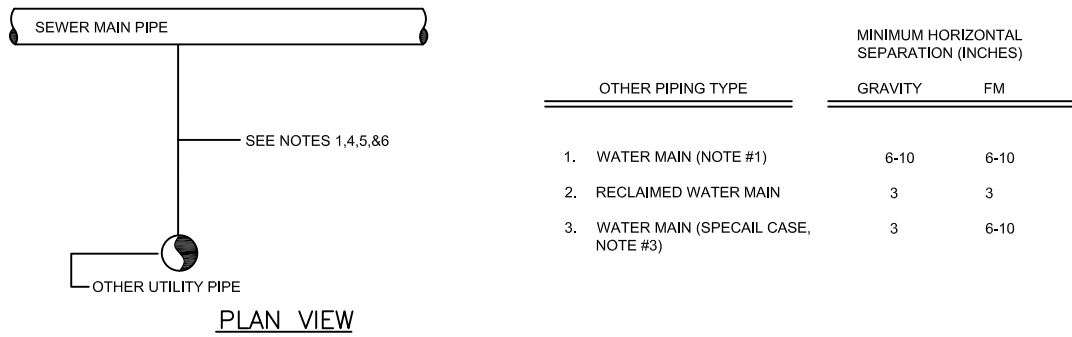
HOUSE LATERAL - PLAN VIEW



PRECAST SEWER MANHOLE JOINT DETAIL

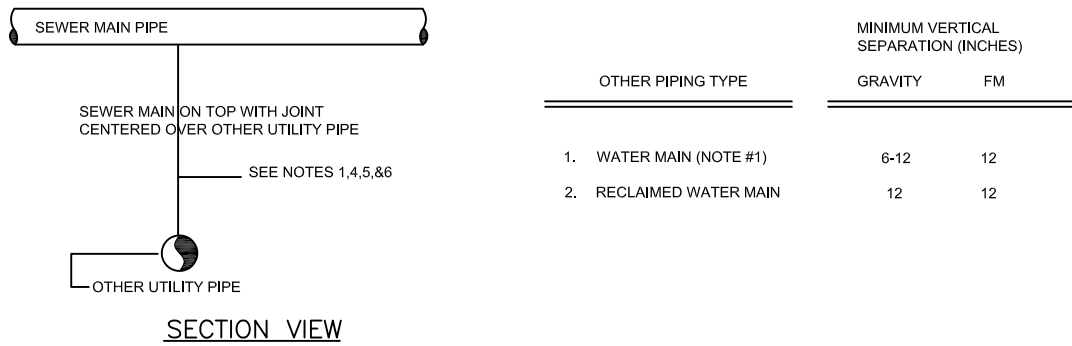


HOUSE LATERAL OVER CONFLICT PIPE



- NOTES:
- THE HORIZONTAL SEPARATION BETWEEN OTHER UTILITY MAINS NOT NOTED ABOVE SHALL BE 2 FEET MINIMUM.
 - THE PLANTING OF HARDWOOD TREES WITHIN 36 INCHES (HORIZONTAL CLEARANCE) OF THE MAIN SHALL BE PROHIBITED.

MINIMUM HORIZONTAL SEPARATION REQUIREMENTS



- NOTES:
- IF THE SEWER MAIN IS ABOVE THE WATER MAIN THEN A 12" MINIMUM VERTICAL SEPARATION IS REQUIRED.
 - THE VERTICAL SEPARATION BETWEEN OTHER UTILITY MAINS NOT NOTED ABOVE SHALL BE 6 INCHES MINIMUM.

MINIMUM VERTICAL SEPARATION REQUIREMENTS

SEPARATION REQUIREMENTS FOR SEWER MAINS

WATER MAIN AND NON-WATER MAIN SEPARATION REQUIREMENTS - NOTES

- IT IS REQUIRED THAT "WATER MAINS" BE INSTALLED, CLEANED, DISINFECTED AND HAVE A SATISFACTORY BACTERIOLOGICAL SURVEY PERFORMED IN ACCORDANCE WITH THE LATEST APPLICABLE AWWA STANDARDS, CHAPTER 92-555, F.A.C. AND LATEST JEA WATER AND SEWER STANDARDS. FOR THE PURPOSE OF THIS SECTION, THE PHRASE "WATER MAINS" SHALL MEAN MAINS, INCLUDING TREATMENT PLANT PROCESS PIPING, CONVEYING EITHER RAW, PARTIALLY TREATED, OR FINISHED DRINKING WATER, FIRE HYDRANT LEADS, AND SERVICE LINES THAT HAVE AN INSIDE DIAMETER OF THREE (3) INCHES OR GREATER. IN ADDITION, THE PHRASE "RECLAIMED WATER" REFERS TO THE WATER REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C.
- NEW OR RELOCATED, UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE (3) FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED STORM SEWER, STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER.
- NEW OR RELOCATED, UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST SIX (6) FEET, AND PREFERABLY TEN (10) FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED GRAVITY OR PRESSURE-TYPE SANITARY SEWER, WASTEWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER. THE MINIMUM HORIZONTAL SEPARATION DISTANCE BETWEEN WATER MAINS AND GRAVITY-TYPE SANITARY SEWERS MAY BE REDUCED TO THREE (3) FEET WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST SIX (6) INCHES ABOVE THE TOP OF THE SEWER (SPECIAL CASE).
- NEW OR RELOCATED, UNDERGROUND WATER MAINS CROSSING ANY EXISTING OR PROPOSED GRAVITY OR VACUUM-TYPE SANITARY SEWER OR STORM SEWER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX (6) INCHES, AND PREFERABLY TWELVE (12) INCHES, ABOVE OR AT LEAST TWELVE (12) INCHES BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE.
- NEW OR RELOCATED, UNDERGROUND WATER MAINS CROSSING ANY EXISTING OR PROPOSED PRESSURE-TYPE SANITARY SEWER, WASTEWATER OR STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST TWELVE (12) INCHES ABOVE OR BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE.
- AT THE UTILITY CROSSINGS DESCRIBED IN NOTES 4 AND 5 ABOVE, ONE FULL LENGTH OF WATER MAIN PIPE SHALL BE CENTERED ABOVE OR BELOW THE OTHER PIPELINE SO THE WATER MAIN JOINTS WILL BE AS FAR AS POSSIBLE FROM THE OTHER PIPELINE. ALTERNATIVELY, AT SUCH CROSSINGS, THE PIPES SHALL BE ARRANGED SO THAT ALL WATER MAIN JOINTS ARE AT LEAST THREE (3) FEET FROM ALL JOINTS IN VACUUM-TYPE SANITARY SEWERS, STORM SEWERS, STORMWATER FORCE MAINS, OR PIPELINES CONVEYING RECLAIMED WATER, AND AT LEAST SIX (6) FEET FROM ALL JOINTS IN GRAVITY OR PRESSURE-TYPE SANITARY SEWERS, WASTEWATER FORCE MAINS, OR PIPELINE CONVEYING RECLAIMED WATER.
- NEW OR RELOCATED FIRE HYDRANTS SHALL BE LOCATED SO THAT THE HYDRANTS ARE AT LEAST THREE (3) FEET FROM ANY EXISTING OR PROPOSED STORM SEWER, STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER, AT LEAST THREE (3) FEET, AND PREFERABLY TEN (10) FEET, FROM ANY EXISTING OR PROPOSED VACUUM-TYPE SANITARY SEWER, AT LEAST SIX (6) FEET, AND PREFERABLY TEN (10) FEET, FROM ANY EXISTING OR PROPOSED GRAVITY OR PRESSURE-TYPE SANITARY SEWER OR WASTEWATER FORCE MAIN.
- WHERE AN UNDERGROUND WATER MAIN IS BEING LAID LESS THAN THE REQUIRED MINIMUM HORIZONTAL DISTANCE FROM ANOTHER PIPELINE AND WHERE AN UNDERGROUND WATER MAIN IS CROSSING ANOTHER PIPELINE AND JOINTS IN THE WATER MAIN ARE BEING LOCATED LESS THAN THE REQUIRED MINIMUM DISTANCE FROM JOINTS IN THE OTHER PIPELINE, THE CONTRACTOR SHALL CONSULT THE DESIGN ENGINEER TO OBTAIN APPROVAL OF ANY ALTERNATIVE CONSTRUCTION METHODS, PRIOR TO CONSTRUCTION.

NOTES ON UTILITY SEPARATION
REQUIREMENTS - SEWER

SEWER REQUIREMENTS & NOTES

- GRAVITY SEWER LINES SHALL BE PVC PIPE, SDR 35 (GREEN), CONFORMING TO ASTM D-3034-74 UNLESS OTHERWISE NOTED ON THE PLANS.
- THE END OF ALL SANITARY SEWER SERVICE CONNECTIONS SHALL BE 36" TO 60" DEEP. DEVIATIONS SHALL BE NOTED ON THE AS-BUILT PLANS.
- PIPE INFILTRATION SHALL NOT EXCEED 200 GPD PER INCH DIAMETER PER MILE.
- ALL 8" OR LARGER SANITARY SEWER LINES SHALL BE CLEANED AND TELEVIEWED BY THE CITY OF FERNANDINA BEACH. THE CONTRACTOR SHALL PAY THE CITY FOR THESE SERVICES ACCORDING TO THEIR CURRENT RATE SCHEDULE.

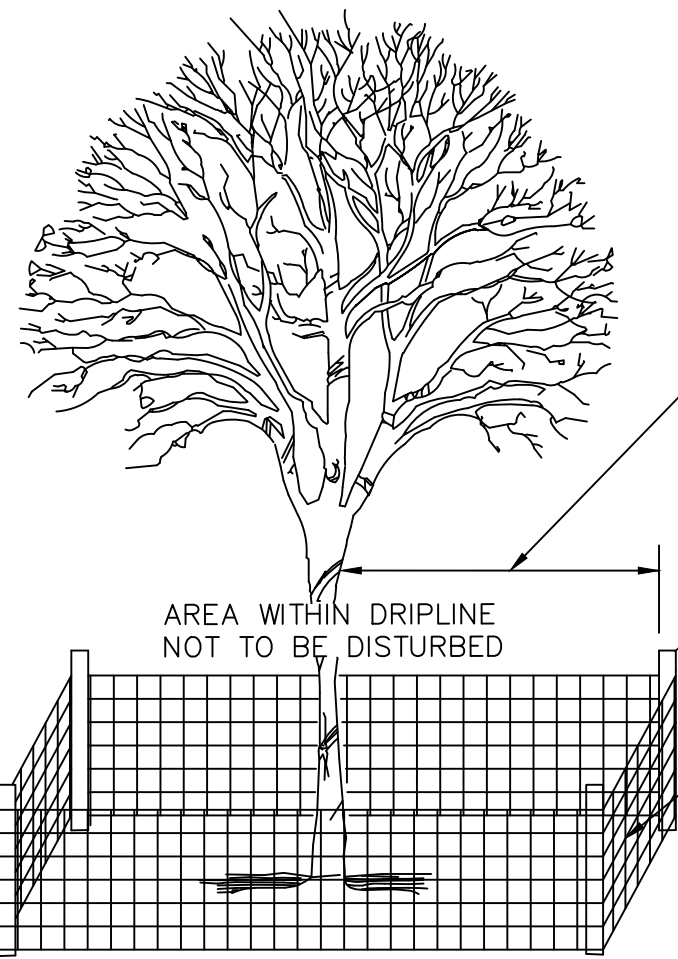
SEWER DETAILS
&
NOTES

SURF UNIT TWO
REPLAT

MICHAEL ANTONOPOULOS, LLC
LAND DEVELOPMENT CONSULTANTS
115 SOLANA ROAD - PONTE VEDRA BEACH, FL 32082
904.361.8193
ma-llc@comcast.net

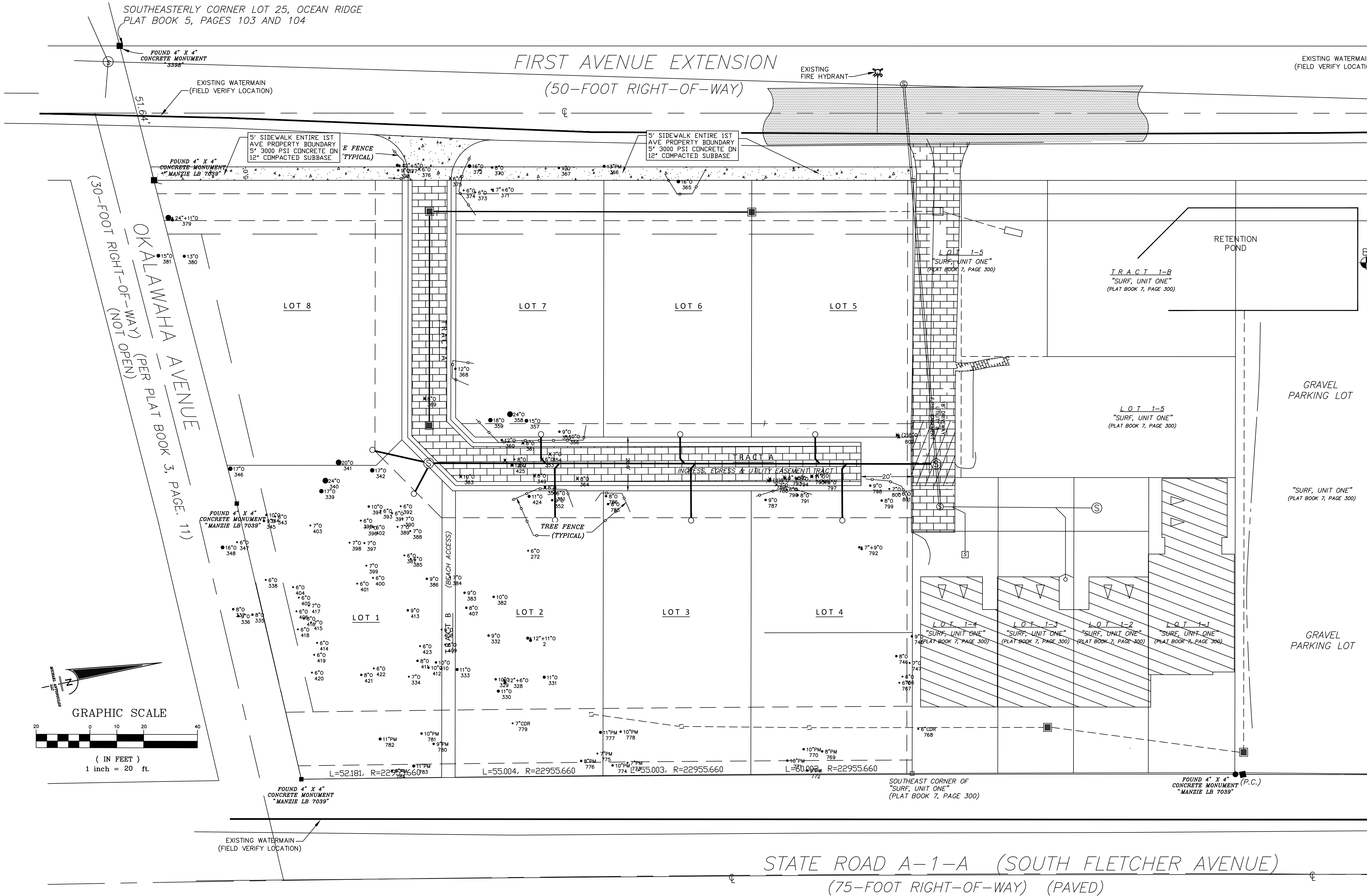
NO	REVISIONS	DATE

NOTICE: THESE CONDITIONS OF USE SHALL APPLY TO ALL USERS. DATA CONTAINED HEREIN MAY BE SUBJECT TO CHANGE WITHOUT NOTICE OR OBLIGATION. RESPONSIBILITY FOR THE ACCURACY OF CURRENT CONDITIONS AND/OR DIGITAL TRANSFERS IS SOLELY THAT OF THE USER. THE FOLLOWING FORMAT AND TECHNIQUE ARE THE PROPERTY OF MICHAEL ANTONOPOULOS, LLC. NO PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHERS OR OTHERWISE USED WITHOUT THE WRITTEN CONSENT OF THE OWNER.



TREE FENCING DETAIL

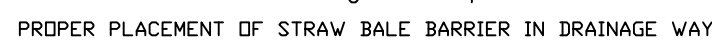
ALLEY / ESMTS		
TREE #	TREE SAVED	TREE REMOVED
349		8
350		8
351	6	
352	9	
353		6
354		7
360	12	
361		8
362		8
363		10
364		8
365	16	
368	12	
369		8
371	6	
371	7	
373	6	
374	6	
375		6
376		6
424	11	
425		12
785	8	
786	8	
787	9	
788		7
789		8
789		8
790	6	
791	8	
793		6
793		8
794		8
795		11
796		7
797		9
798	9	
799	8	
800	7	
801	6	
802		8
802		8
TOTALS	160	167
TOTAL	327	
%SAVED	49%	



TREE REMOVAL
PLAN

SURF UNIT TWO
REPLAT

MICHAEL ANTONOPOULOS, LLC
LAND DEVELOPMENT CONSULTANTS
115 SOLANA ROAD - PONTE VEDRA BEACH, FL 32082
ma-llc@comcast.net
904.361.8193



This method of inlet protection is applicable where the inlet drains a relatively flat area (slopes no greater than 5 percent) where sheet or overland flows (not exceeding 0.5 cfs) are typical. The method shall not apply to inlets receiving concentrated flows, such as in street or highway medians.

1. **Call to Order** - The meeting was called to order at 5:01 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Benjamin Morrison
Donna Lewis

Judith Lane
Wayne L. Peterson
Jenny Schaffer (Alt 2)

Board Members Absent

Member Beal

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Member Lewis (Alt 1) was seated as a voting member in place of Member Beal's absence.

2. **New Business**

- 2.1 **PAB 2017-04: FINAL PLAT/ REPLAT OF THE SURF UNIT 2**

FINAL PLAT/ REPLAT REQUEST FOR THE SURF UNIT 2 TO CREATE EIGHT (8) SINGLE FAMILY HOME SITES. THE 2007 APPROVED PLAT ALLOWED FOR 10 SINGLE FAMILY HOME SITES.

Ms. Gibson introduced herself and presented the case. She explained that the property is located on the west side of South Fletcher Avenue between Eventide Court and unimproved Ocklawaha Avenue and accessed from First Avenue. She also noted that the applicant is modifying the original approved plat allowing 10 single family homes sites to 8 single family home sites. Ms. Gibson then stated that she recommended a favorable recommendation of approval to the Board.

Mike Antonopoulos, 115 Solana Road, Ponte Vedra, welcomed questions from the Board.

Member Lane asked where the main access to the community would be located. Mr. Antonopoulos confirmed that the main access would remain the same common driveway as the one already approved off of First Avenue. Member Morrison asked if these would be zero lot line lots to which Mr. Antonopoulos answered in the negative. Member Schaffer asked if these properties would be zoned for short term rental and Ms. Gibson confirmed that these properties are zoned R3 which allows short term rentals.

The Public Hearing was then opened.

James Roach, St. Augustine, representative for the Surf Owner's Association which includes 4 town home owners and 1 single home owner. Mr. Roach presented Power Point slides showing the current driveway and homes and explained that the narrowness of the driveway and materials would not be able to serve and sustain two-way traffic very efficiently. He also commented about the existing recorded

Covenants and Restrictions and its funding mechanism for common infrastructure and storm water management. He also mentioned that the increased density also brings a safety issue pertaining to the visibility triangle. Mr. Roach then suggested that opening Ocklawaha Avenue for access would address the safety concern. He also noted that the current permit from St. John's Water Management is expired and still under the previous owner's name. Mr. Roach addressed some LDC sections 7.03.03 Water Management requirement, 7.01.01 Access and Driveway Requirements and 7.01.08 Visibility Triangle and asked that Board Members to consider denial of this request.

Carlton Tolbert, 3205 Eventide Court, current resident explained the impact this increase in density would have on the current driveway and their concern about drainage with the added development.

Member Morrison asked Staff about point of access requirements exemption. Member Lane then asked Mr. Antonopoulos about construction vehicles and a secondary access to which a discussion ensued. Chair Bennett then asked about the previously approved condition of having no direct access through Fletcher Avenue and First Avenue.

Frank Miller, Gunster, Yoakley & Stewart, 225 Water Street Suite 1715, Jacksonville, representative for the applicant discussed the right of using the existing easement and the possibility of the Surf 2 joining the existing Surf 1 HOA.

Sandra Buice, 3201 Eventide Court, current owner explained that her concern is about safety and presented pictures of the drainage area and the driveway. She commented that the driveway/easement is deeded to her and was only designed for access to 5 residences.

Tim Schremmer, 3215 Eventide Court, current resident discussed his concerns for safety regarding the common driveway being used by additional home owners.

Member Morrison asked Staff whose responsibility it was to review and approve the final plat. Ms. Gibson answered that this proposal was presented to the Technical Review Board and except for some changes to be incorporated was approved by the Planning Dept., Building Dept., Code Enforcement, Emergency Services, Street Department and also noted that it be maintained by a HOA. Members then discussed the issue with the easement, the common driveway and sizes of roadways according to code.

Member Lane asked Ms. Gibson to reiterate the role of the Board in regards to this case. Ms. Gibson reiterated that the Board's role is to review the proposed final plat/replat for the Surf Unit 2 and to look for consistency with what was previously approved through the preliminary plat and with consistency with the City's Land Development Code and Comprehensive Plan justified but Staff's analysis. She also added that it is not the Board's purview to make recommendation regarding maintenance or water management permitting.

Eric Bartell, 3820 S. Fletcher Avenue, commented about the developer considering widening the driveway.

Eddie Buice, 3201 Eventide, current resident commented further about his issue with the driveway's ownership and usage through easement.

Carlton Tolbert, 3205 Eventide Court, current resident and President of the HOA, asked the Board to confirm that their approval recommendation is for a plat that has been reconfigured and changed.

Public Hearing was then closed.

Chair Bennett asked Ms. Gibson about ingress and egress according to the plat and the usage of the southern access to which Board members added comments.

City Attorney Bach then also reconfirmed the role of the Board.

Member Lane suggested to Mr. Antonopoulos to work closely with the residents of the existing homes.

Ms. Gibson then commented that if changes are suggested this Board has the option to table this discussion or continue and make a recommendation to the City Commission.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Peterson, to recommend denial of PAB case number 2017-04 to the City Commission requesting that a Final Plat/ Replat for The Surf Unit 2 subdivision be denied and that PAB case 2017-04, as presented, is not sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time for the following reason: questions are still not clear pertaining to requirements to vehicle circulation within this property and the Board's responsibility regarding enforcement. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Nay</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

City Attorney Bach explained that this recommendation will be presented to the City Commission and that all parties should expect the same questions to be presented at that meeting. She also suggested that at that time, Staff be able to provide explanations pertaining the Land Development Code citations associated with this case.

2.2 PAB 2017-05: FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR CRA PROPERTIES LOCATED ON N. 2ND STREET.

PROPERTY OWNERS MARILYN LEIBMAN, DANIEL MCCRANIE TRUSTEE, AND COURTNEY MCCRANIE REQUEST A SMALL SCALE FUTURE LAND USE MAP AMENDMENT AND ZONING MAP CHANGE FOR PROPERTIES LOCATED ALONG N. 2ND STREET TOTALING APPROXIMATELY 1.22 ACRES OF LAND FROM INDUSTRIAL (IND) LAND USE AND I-1 ZONING TO CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE AND C-3 ZONING FOR PARCEL ID NUMBERS: 00-00-31-1800-0008-0020, 00-00-31-1800-0008-0050, 00-00-31-1800-0008-0070, AND 00-00-31-1800-0008-0080.

Ms. Gibson explained the case, she first stated that the property is zoned Industrial (IND) and Light Industrial (I-1) and that the property is surrounded by a variety of usage including Medium Density

Residential, Industrial Warehousing, General Commercial as well as Central Business District. She added that this request is consistent with the direction of the CRA moving forward with the extension of the Central Business District to this area. She commented that the staff report provides explanation of her findings and is consistent with the intent of the CRA and recommended approval.

Peter King, 404 West 70th Street, Jacksonville, representing the Mr. & Mrs. McCranie and Ms. Leibman, presented slides showing the area and explained the request and the reasons why the Comprehensive Plan needs to be amended. He also referred to the CRA guidelines.

Public Hearing was then opened.

Robert Erickson, 30 S. 3rd Street, owner of property at 205 Broome Street which is adjacent to the subject property, expressed support for this case.

Lynn Williams, 1899 S. Fletcher Avenue, asked about property owned by Mrs. Leibman.

Lawrence Holmes, owner of property on Broome Street, commented about past zoning decisions that destroyed the character of the Historic District and advised the Board to weigh their decisions. He also mentioned that he supported the change of zoning.

Public Hearing was then closed.

Member Morrison commented about his support for this change and suggested that any addition submissions may be presented simultaneously to the Commission.

Chair Bennett voiced that he did not support this change and commented about leap frogging according to section 1.02.03(D). City Attorney expressed that this was not spot zoning. Chair Bennett continued his comments with regards to transitional zoning, step down zoning and density restrictions within the CRA as stated in section 1.07.09. Member Lewis voiced her definition of transitional zoning and Member Lane reiterated her support for this change.

A motion was made by Member Lane, seconded by Member Lewis, to recommend approval of PAB case number 2017-05 the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays, and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

At this time, Member Lane departed and Member Schaffer (Alt 2) was seated as a voting member.

2.3. PAB 2017-06: LDC Text Amendments Outdoor Lighting for Wildlife

THE CITY OF FERNANDINA BEACH REQUESTS AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 1.07.00 AND 3.06.00 ADDING DEFINITIONS FOR WILDLIFE LIGHTING (SEA TURTLE), PROVIDING UPDATED STANDARDS, COMPLIANCE PROCEDURES, PENALTIES, AND ESTABLISHING A SEA TURTLE FRIENDLY FUND.

Ms. Gibson presented the request which is a proposal for new wildlife standards for outdoor lighting. She explained that this bundle of changes previously approved by the PAB Board was moved to the City Commission and a request for additional coordination with different stakeholders, agencies and departments was requested by the Commissioners. Ms. Gibson then stated that the coordination had been completed and presented the revisions. She mentioned that all stakeholders have agreed to the changes.

Board Members discussed correcting the description of the area affected and an amendment to that description was made. Board Member then discussed guidelines regarding window tinting, compliance requirements, citations and penalties and a consensus was established by Board Members that a map of the defined area would be created.

Len Kreger, 1739 S. Fletcher Avenue, spoke about the proposal mainly emphasizing that although window tinting requirements are necessary and helpful the main focus should be applied to public education and effective enforcement. Member Morrison asked about street lighting and Mr. Kreger clarified that street lighting posts are excluded but do have some kind of shielding.

City Attorney Bach explained the procedures for citations, penalties and fees from Code Enforcement.

A motion was made by Member Peterson, seconded by Member Morrison, to recommend approval of PAB case number 2017-06 for LDC amendment adding definitions for Wildlife Lighting (sea turtle). Vote upon passage of the motion was taken by ayes and nays, being all ayes, carried.

5. Board Business –

Chair Bennett asked why the TRC Minutes were not available online. Staff explained that this is caused by the agenda system currently used and a new agenda system will be implemented in the very near future.

Members then discussed the time limits of case presentation along with time limit for public input.

7. Comments by the public – There were no comments from the public at this time.

6. Staff Report

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:47 pm.

Secretary

Mark Bennett, Chair



STAFF REPORT
PAB 2017- 04 (Final Plat/Replat)
Planning Advisory Board Hearing
March 8, 2017

APPLICATION FOR FINAL PLAT/ REPLAT
SURF UNIT II SUBDIVISION

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Riverside Homes of North Florida, Inc.				
AGENT:	Michael Antonopoulos				
REQUESTED ACTION:	Final Plat/ Replat of The Surf Unit II (Requested reduction of 2 units for larger lot sizes)				
LOCATION:	Bound by South Fletcher Avenue to the East, First Avenue to the West, Eventide Court (The Surf Unit 1) to the North, and unimproved Ocklawaha Avenue to the South				
CURRENT ZONING:	R-3				
CURRENT LAND USE:	High Density Residential				
EXISTING USES ON SITE:	vacant				
PROPERTY SIZE:	1.28 Acres (Parcel #: 00-00-31-1742-0002-0110, 00-00-31-1742-0002-0120, 00-00-31-1742-0002-0060, 00-00-31-1742-0002-0100, 00-00-31-1742-0002-0090, 00-00-31-1742-0002-0070, 00-00-31-1742-0002-0080, 00-00-31-173W-0002-0000, 00-00-31-173W-0013-0000, 00-00-31-173W-0001-0000.)				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
	North	Surf Unit 1- Single Family Homes	2008	R-3	High Density Residential
	South	Watson Realty	2002	C-1	General Commercial
	East	Amelia By the Sea Condos/Single Family Home	1980's / 2015	R-3	High Density Residential
	West	Ocean Ridge Subdivision	1980-1990's	R-2	Medium 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, the City Clerk's Office and at the Community Development Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicant is requesting approval of a Final Plat/ Replat for property identified as The Surf Unit 2. The property is located on the west side of South Fletcher Avenue between Eventide Court and unimproved Ocklawaha Avenue and accessed from First Avenue. The property is surrounded by high density residential uses to the north and east with commercial activity to the south. The west side of First Avenue contains the Ocean Ridge subdivision. The request is to modify the previously approved plat to allow for eight (8) single family home sites totaling on average 0.16 acres with lot widths not exceeding 75 feet in width. In 2007, The Surf Unit 2 plat was approved for a total of ten (10) single family home sites on this 1.28 acre combined tract of land. The applicant's request to create larger lots is in an attempt to meet the existing market demand for slightly larger lot sizes than was originally approved.

Although the property contains a High Density Residential land use which would allow for up to 10 dwelling units per acre, the requested eight (8) lots results in a developed density of 6.25 units per acre. In keeping with the previous approval, access to these home sites will only be permitted from the First Avenue right-of-way and along an internal "Tract A" ingress/egress easement which will be privately maintained as a driveway. Although, S. Fletcher Avenue/ A1A is a state maintained facility, the plat documents will be updated with a note prohibiting driveways to be located on S. Fletcher Avenue/ A1A. An internal access easement will connect to an



STAFF REPORT
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March 8, 2017

18 foot driveway and utility easement located on the Surf, Unit 1 platted lots. The Surf Units 1 and 2 plats were always contemplated to have shared access for traffic circulation. The applicant does not intend to improve or utilize Ocklawaha Avenue as part of their development. The Ocklawaha Avenue right-of-way is not opened and anticipated to remain unimproved at this time.

The applicant's request results in slightly larger lots for construction of single family homes within an R-3 (High Density Residential) zoned property. Unless otherwise prohibited through covenants and restrictions, these properties could obtain resort rental dwelling permits which would allow for weekly rental of the homes.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.02.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

The City has five public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, and Solid Waste. While the City's ability to maintain adopted levels of services for these items was confirmed at the time of the original approval of development rights for this property, the City's TRC review also confirms service capabilities. The City can serve this property as proposed and meet or exceed all required levels of service.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. Leapfrog/scattered development or ribbon/strip commercial development patterns.**

The proposed development is consistent with the Comprehensive Plan's direction for compact urban development and serves to maximize the use of existing public facilities. The subject property lies in an area of existing urban development. No leapfrog development is occurring. The subdivision will be accessed from First Avenue, a 50-foot improved right-of-way that is maintained by the City.

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater	See Policy 4.02.01



STAFF REPORT
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**Management
Facilities**

**Potable Water
Facilities**

Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)

Fire-Rescue Services

240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)

**Police and Law
Enforcement Services**

Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

Policy 4.01.02. All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.

All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policy 4.01.01 and Policy 4.02.01, specific to stormwater management. A central stormwater drainage improvement was created under a unified St. Johns River Water Management District permit in anticipation of the development for the Surf Units 1 and 2.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

11.01.02 Requirements for Subdivision Plats (Preliminary and Final)

- A. A preliminary subdivision plat shall be required when new streets, water lines, and sewer lines are required; when three or more residential lots are created; and where one nonresidential lot is created or proposed for development. Where new streets, water lines, and sewer lines are not required, the preliminary and final plat may be combined into a single submittal. A preliminary plat provides for a complete review of technical data and preliminary engineering drawings prior to completion of the final plat for recording.**
- B. In addition to the information required in Section 11.01.03, all applications for preliminary subdivision plat approval shall contain the following information:**
 - 1. The name, addresses, telephone number, facsimile number, and email address of the person preparing the plat.**
 - 2. The date of preparation and date(s) of any modifications, a north arrow, and a written and graphic scale.**
 - 3. The proposed name of the subdivision.**
 - 4. Development specifications for the tract: area, proposed number and layout of lots and blocks, location, names, and widths of proposed roadways, consistent with this LDC and the Future Transportation Circulation Map of the Comprehensive Plan.**
 - 5. All contiguous properties shall be identified by subdivision title, plat book and page, or, if un-platted, the land shall be so designated, and otherwise identified.**



STAFF REPORT
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6. Location of land to be dedicated or reserved for public use for rights-of-way, streets, sidewalks, bike trails, pedestrian trails, easements, schools, parks, open spaces, or other public uses. Proposed street names shall be included.
7. Locations of utilities, utility service, connections to existing utility facilities, and easements necessary to provide access to the utility facilities for maintenance or other activity.
8. Location of the nearest available public water supply and wastewater disposal system.
9. A topographic survey, soils report, grading plan, and an erosion control plan.
10. Existing surface water bodies, wetlands, streams, and canals, including the location of the mean high water line for each feature.
11. A preliminary surface drainage plan showing direction of flow and methods of stormwater retention.
12. A floodplain map indicating areas subject to inundation and high groundwater levels up to a 100-year flood classification, and establishing a base flood elevation for all proposed lots within the subdivision.
13. A tree survey showing protected trees, proposed replacement trees, if required, and landscaping and buffering.

The applicant has complied with the subdivision requirements of the Land Development Code. The Final Plat has been reviewed for technical completeness by the Technical Review Committee.

CONCLUSION:

The requested Final Plat is consistent with the City's Comprehensive Plan and the Land Development Code. The request is a net reduction of two (2) single family home sites from the 2007 approved The Surf Unit 2 plat, but remains consistent with the previously approved preliminary plat. Staff recommends approval of the Final Plat.

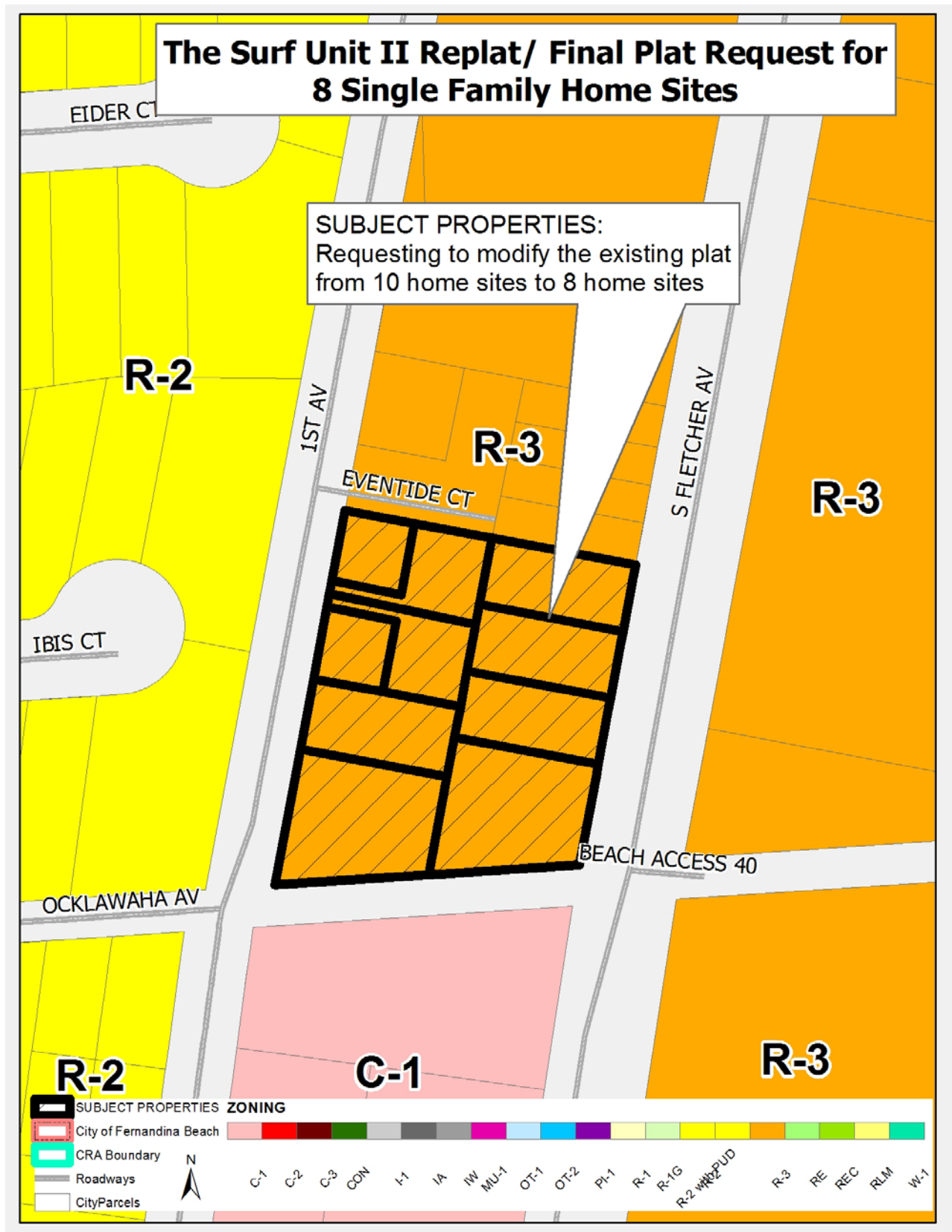
Following the recommendation of the Planning Advisory Board (PAB), the Final Plat will move forward to the City Commission in the form of a Resolution.

MOTION TO CONSIDER:

I move to recommend (**approval or denial**) of PAB case number 2017-04 to the City Commission requesting that a Final Plat/ Replat for The Surf Unit 2 subdivision be (**approved or denied**) and that PAB case 2017-04, as presented, (**is or is not**) sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

Kelly N. Gibson, AICP
Senior Planner



OFFICE USE ONLY

REC'D: 1/20/2017 BY: BMM

PAYMENT: \$ 850.00 TYPE: PAB - Final Plat

APPLICATION #: 2017-0000133

CASE #: SR 2017-01 / PAB 2017-04

BOARD MEETING DATE: _____



PLANNING ADVISORY BOARD APPLICATION

- | | |
|--|--|
| ☐ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – PRELIM (\$750) |
| ☐ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☒ SUBDIVISION PLAT – FINAL (\$850) |
| ☐ LDC TEXT AMENDMENT (\$850) | ☐ VACATION OF R.O.W. (\$850) |
| ☐ COMP PLAN AMENDMENT (\$850) | ☐ VOLUNTARY ANNEXATION (\$1050) |

APPLICANT INFORMATION

Owner Name: Riverside Homes of North Florida, Inc.

Mailing Address: 12276 San Jase Boulevard, Suite 120, Jacksonville, FL 32223

Telephone: 904.503-7055

Fax: _____

Email: mroberts@myriversidehome.com

Agent Name: Michael Antonopoulos

Mailing Address: 216 Clatter Bridge Road, Ponte Vedra, Florida 32081

Telephone: 904.361.8193

Fax: _____

Email: malic@comcast.net

PROPERTY INFORMATION

Street Address: West side of South Fletcher and east side of 1st Avenue

Parcel Identification Number(s): Multiple, See plat

Lot Number: _____ Block Number: _____ Subdivision: See plat for legal description

Section: _____ Township: _____ Range: _____

Total Number of Lots/Parcels: 8

Less than One (1) acre Sq. Footage: 8 One (1) Acre or Greater: _____

Existing Zoning Classification: R-3; Variance 2005-132

Existing Future Land Use Classification: High Density Residential

Previous Planning/Zoning Approvals: Variance 2005-132

Approve Final Plat for recording in the Public Records of Nassau County

The undersigned states the above information is true and correct as (s)he is informed and believes.

Date December 19, 2016 Signature of Applicant 

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

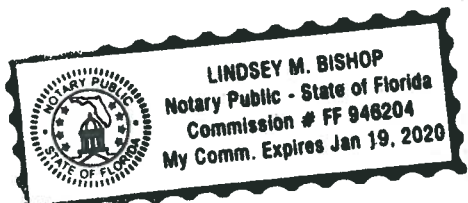
Subscribed and sworn to before me this 19 day of December, 2016.

Imdrey M. Bishop
Notary Public: Signature

Matthew A. Roberts, President
Printed Name

1/19/2020
My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____





OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I /WE Matthew A. Roberts as President of Riverside Homes of North Florida, Inc
(print name of property owner(s))

hereby authorize: Michael Antonopoulos
(print name of agent)

to represent me/us in processing an application for: Final Plat
(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.


(Signature of owner)

(Signature of owner)

Matthew A. Roberts, President
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

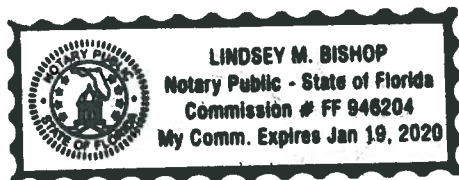
Subscribed and sworn to before me this 19 day of December, 2016.


Notary Public: Signature

Lindsey M. Bishop
Printed Name

1/19/2020
My Commission Expires

Personally Known ☒ OR Produced Identification _____ ID Produced: _____





City of Fernandina Beach

Community Development Department

April 7, 2017

Michael Antonopoulos, P.E.
216 Clatter Bridge Road
Ponte Vedra, Florida 32081

Re: SPR 2017-01, Surf Unit 2 Re-Plat

Dear Mike:

Based on findings from the Technical Review Committee (TRC) and their review of plans noted as Revision 2, dated March 10, 2017, the site plan for the above referenced project is hereby approved. This compliance report serves as your technical review approval.

At this point, your project will move forward under the coordination of the City's Community Development and Utilities Departments for securing necessary construction permits. (Additionally, and under separate application, the Community Development Department will direct the revised plat to the City Commission for consideration and approval. This item will be placed on the May 2, 2017, City Commission agenda.)

If you need further information regarding this compliance report or next steps for this project, please contact me at 904.310.3142.

Sincerely,

Marshall McCrary, Director
Community Development Department

cc: File
Riverside Homes of North Florida, Inc. (via e-mail)
CDD - Planning

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Sole Source Purchase Approval- Sensus USA, Inc.

2017-72

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-72

SYNOPSIS: The Utilities Department requests the City Commission's approval to purchase 1,000) 3/4" IPERL Sensus meters and four 2" Omni T2 meters with housing assemblies for the replacement of old meters in the water system throughout the City.

The total cost is \$96,742.28 and Sensus USA, Inc. is the sole source provider of these meters.

(The Utilities Department replaces meters when they are fifteen-years old so accurate billing is maintained.)

FISCAL IMPACT: Funds have been budgeted and approved in the Water Improvement Account #460 56300 (Project #17002) in FY 16/17.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-72.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:04/25/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING THE SOLE SOURCE PURCHASE OF WATER METERS WITH RELATED HOUSING AND COMPUTER SOFTWARE FROM SENSUS USA, INC. FOR THE UTILITIES DEPARTMENT; AUTHORIZING EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Department is requesting the City Commission's approval to purchase 1,000) 3/4" IPERL Sensus meters and four 2" Omni T2 meters with housing assemblies for the replacement of meters in the water system throughout the City of Fernandina Beach; and

WHEREAS, Sensus USA, Inc. is the sole source provider of these water meters and has quoted a total cost of \$96,742.28; and

WHEREAS, funding is budgeted and available in the Utilities Capital Improvement Account, 460-56300 (Project #17002) in FY 2016/2017.

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

SECTION 1. The City Commission hereby approves the sole source purchase of water meters in the amount of \$96,742.28 from Sensus USA, Inc.

SECTION 2. The City Manager and City Clerk are hereby authorized to execute all documentation pertaining to this purchase, upon review and approval of the City Attorney.

SECTION 3. This Resolution shall become effective immediately upon passage.

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney



QUOTE

Sensus USA, Inc.
450 North Gallatin Ave.
PO Box 487
Uniontown, PA 15401
1-800-METER-IT

DATE April 13, 2017
EXPIRATION DATE 9/30/2017

TO City of Fernandina Beach
ATTN: John Mandrick
1180 S. 5th Street
Fernandina Beach, FL 32034

CUSTOMER ID 272134

SALESPERSON	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Griff Machinski	standard	standard	ASAP	Net 30 days	

QTY	ITEM #	DESCRIPTION	Unit Price	LINE TOTAL
1000	I2S1FMXX	3/4" Shrt iPERL meter 10CF 4 WHL smart mode w/ 6' 2-wire TRPL cable	\$ 94.01	\$ 94,010.00
4	T21XXXXF1DT0X	2" Omni T2 meter 10CF 6 wheel TRPL	\$ 683.07	\$ 2,732.28
4	M3096+	TouchReader +	\$ -	\$ -
4	5396135252004	18" Sensus cable Assembly Nicor w/ TRPL	\$ -	\$ -
SUBTOTAL				\$ 96,742.28
SALES TAX				-
TOTAL				\$ 96,742.28

THANK YOU FOR YOUR BUSINESS!



MaryAnn Junk
Bid/Quote Administrator
Contract & Proposal Management,
Marketing

450 North Gallatin Avenue
P.O. Box 487
Uniontown, PA 15401 USA
maryann.junk@sensus.com

T: 800-638-3748
F: 800-888-2403
www.sensus.com



April 13, 2017

The City of Fernandina Beach
1180 South 5th Street
Fernandina Beach, FL 32034
Attention: Ms. Gayle Murray - gmurray@fbfl.org

Subject: Sole Manufacturer

To Whom It May Concern:

Please be advised that Sensus USA, Inc. is the sole manufacturer of Sensus' products such as and including Water Meters, Meter Reading Systems, Testing Equipment, and Repair Parts.

Thank you for your business, and we look forward to provide you with quality Sensus products and superior customer service.

Sincerely,

Sensus USA, Inc.

MaryAnn Junk
MaryAnn Junk
Bid/Quote System Administrator
Contract and Proposal Management, Marketing

cc: Mr. Griff Machinski, Territory Manager

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
Budget Amendment - Airport

2017-73

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-73

SYNOPSIS: This budget amendment is for the purchase of a commercial mower for the maintenance of the grounds.

Unit #1707 (2005 Ferris 5100Z) was scheduled to be replaced in FY 17/18; however, a recent mechanical failure has rendered this mower inoperable. The cost of necessary repairs to this machine deem it impractical and uneconomical to continue with repairs.

Without this piece of equipment, Airport staff is unable to effectively maintain the grounds.

FISCAL IMPACT: Funding in the amount of \$15,000 is available for this purchase in the Airport Salaries account, 420 51200 to be transferred to the Airport Machine/Equipment account, 420 56400.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-73.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/26/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-73

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE BUDGET FOR FISCAL YEAR 2016/2017; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City adopts and operates under a budget for the fiscal year and City Code of Ordinances, Section 2-412 requires that the City Commission approve budget amendments over \$7,500; and

WHEREAS, a budget amendment is required for the purchase of a commercial mower for the maintenance of Airport grounds; and

WHEREAS, Unit #1707 (2005 Ferris 5100Z) was scheduled to be replaced in FY 17/18; however, a recent mechanical failure has rendered this mower inoperable. The cost of necessary repairs to this machine deem it impractical and uneconomical to continue with repairs; and

WHEREAS, without this piece of equipment, Airport staff is unable to effectively maintain the grounds; and

WHEREAS, staff recommends a budget amendment transferring \$15,000 from the Airport Salaries account, 420 51200 to the Airport Machine/Equipment account, 420 56400.

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

SECTION 1. The City Commission hereby approves the budget amendment transferring \$15,000 from the Airport Salaries account, 420 51200 to the Airport Machine/Equipment account, 420 56400.

SECTION 2. This Resolution shall be effective immediately upon passage.

ADOPTED this 2nd day of May, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM AND LEGALITY:



TAMMI E. BACH
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Resolution
City Commission Quasi-Judicial Hearing Procedures

2017-74

ITEM TYPE: Resolution

REQUESTED ACTION: Adopt Resolution 2017-74

SYNOPSIS: This Resolution sets forth quasi-judicial hearing procedures in order to provide rules for the City Commission, City staff, applicants, and citizens to know what to expect with each quasi-judicial hearing and to ensure each hearing is fair, equitable, and consistent.

FISCAL IMPACT: N/A

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission adopt proposed Resolution 2017-74.

Dale Martin, City Manager

Tammi Bach, City Attorney

Dale Martin, City Manager

Date:04/27/2017

COMMISSION ACTION: Adopt

RESOLUTION 2017-74

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, ADOPTING CERTAIN RULES OF PROCEDURE FOR THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH FOR THE CONDUCT OF QUASI-JUDICIAL HEARINGS; REPEALING ALL RESOLUTIONS AND POLICIES IN CONFLICT HERewith; PROVIDING DIRECTIONS TO CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fernandina Beach in accordance with state law and home rule powers, shall determine its own rules of procedure that the City Commission will follow in the conduct of quasi-judicial hearings.

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

SECTION 1. The attached Quasi-Judicial Procedures for the conduct of Quasi-Judicial Hearings by the City Commission, attached hereto as Exhibit "A" and incorporated herein fully by this reference, are hereby adopted for the conduct of Quasi-Judicial Hearings conducted before the City Commission.

SECTION 2. Prior to or during such Quasi-Judicial Hearings, the City Commission may modify or adjust the rules adopted pursuant to this Resolution as it deems will be just, equitable and fair to the participants in such proceeding. The City Commission may waive or otherwise modify the requirements of the rules as justice dictates in the sole discretion of the City Commission.

SECTION 3. All Resolutions and policies in conflict herewith are the same and hereby repealed.

SECTION 4. The City Clerk shall cause the attached Quasi-Judicial procedures to be made available to the public in printed, hard-copy format in the City Clerk's Office and at all City Commission meetings.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 2nd day of May, 2017.

CITY OF FERNANDINA BEACH

Robin C. Lentz
Commissioner - Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:



Caroline Best
City Clerk

Tammi E. Bach
City Attorney

QUASI-JUDICIAL HEARING PROCEDURES
OF THE
FERNANDINA BEACH CITY COMMISSION

- 1. Scope and Applicability.** These procedures shall apply to all quasi-judicial hearings held by the City Commission. The City Attorney shall determine which matters are quasi-judicial in nature and shall advise the City Clerk or City Manager to designate specially such matters on the agenda.
- 2. Purpose and Intent.** Effectuate the presentation of evidence for the record and to ensure justice and fairness in such proceedings.
- 3. Proceedings.** The Mayor, Vice Mayor or other presiding officer designated by the Mayor ("Presiding Officer") shall conduct the quasi-judicial hearings and maintain order. Quasi-judicial hearings before the City Commission will be structured but will be as informal and non-intimidating as possible. All persons who address the Commission shall first be identified for the record and shall utilize the speaker's lectern to allow testimony or comments to be recorded. The City Attorney shall represent the City Commission, rule on all evidentiary and procedural issues and objections, and advise the City Commission as to the applicable law and necessary factual findings. Formal rules of procedure shall not apply except as set forth herein; however fundamental due process shall be accorded.
- 4. Witnesses and Supporting Materials.** At least two (2) business days before a quasi-judicial hearing:
 - a. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits, presentations, and documents upon which staff's recommendation is based.
 - b. The Applicant shall submit a detailed outline of the argument in support of their position, copies of all exhibits, presentations and documents that will be presented at the hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the applicant intends to qualify as an expert). The "Applicant" may also be known as an "Appellant" in matters appealed to the City Commission pursuant to the Land Development Code, as it may be amended from time to time. Rules herein affecting the "Applicant" will also apply to the

“Appellant” in appeal hearings when a matter is appealed to the City Commission pursuant to the Land Development Code.

- c. The two-day deadline is necessary to ensure the Commission is given sufficient opportunity to review the written submissions prior to the hearing and shall be strictly observed. Should the two-day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission to the next available agenda.

5. Adversely Affected Parties. Means any person or local government that will suffer an adverse effect to an interest protected or furthered by the City’s Comprehensive Plan, including interests related to health and safety, police and fire protection service systems, densities or intensities of development, transportation facilities, health care facilities, equipment or services, and environmental or natural resources. The alleged adverse interest may be shared in common with other members of the community at large but must exceed in degree the general interest in community good shared by all persons. *See Section 163.3215, Fla. Stats.*

- a. At least two business days before a quasi-judicial hearing, an adversely affected party shall submit a written request to intervene with the City Clerk including a detailed outline of their adversely affected interest in the application, specifically detailing how their adverse interest exceeds in degree the general interest of the community at large, and argument in favor or against the application, copies of all exhibits, presentations and documents that will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on the party’s behalf (including resumes for any witness the person intends to qualify as an expert).

6. Conduct of Hearing.

- a. The Presiding Officer shall call the hearing to order and announce that the hearing has begun.
- b. The Presiding Officer or City Attorney shall inquire whether all parties, members of the public and Commission members agree to waiving the quasi-judicial hearing.
- c. When the quasi-judicial hearing is not waived, the City Attorney or Presiding Officer shall explain the rules concerning procedure, testimony and admission of evidence.
- d. When the quasi-judicial hearing is not waived, the City Clerk shall swear in all witnesses who are to testify at the hearing.

e. Order of proof shall be as follows:

1. A representative of City staff (or outside counsel) shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 30 minutes to make their full presentation, including opening statement and all direct and cross-examination of witnesses, but excluding questions from the Commission.
 2. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 30 minutes to make its full presentation, including opening statement and all direct and cross-examination of witnesses, but excluding questions from the Commission.
 3. Any adversely affected party (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. An adversely affected party shall have a maximum of 30 minutes to make his/her full presentation, including opening statement all direct and cross-examination of witnesses, but excluding questions from the Commission.
 4. Any other persons present who wish to submit relevant information to the City Commission shall speak next for a maximum of three (3) minutes each (excluding questions from the Commission). Members of the public will be permitted to present their non-expert opinions, but the Commission will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent, substantial evidence.
 5. Final comments shall be made in the following order and limited to 5 minutes each as follows: The Applicant, Adversely Affected Party, and City staff. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Adversely Affected Party and staff comments and recommendations for a maximum of 3 minutes.
- f. The City Attorney will advise the City Commission as to the applicable law and factual findings that must be made to approve or deny the application.
- g. The City Commission will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome

substantially different than either the granting or denial of the application is considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

7. Examination by Commissioners and City Attorney. Commissioners and the City Attorney may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

8. Cross-examination of Witnesses. After each witness testifies, the City staff representative, the Applicant's representative and/or any Adversely Affected Party's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

9. Rules of Evidence.

- a. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.
- b. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.
- c. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

10. Statements of Counsel. Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

11. Continuances and Deferrals. The City Commission shall consider requests for continuances made by City staff, the Applicant, or Adversely Affected Parties and may grant continuances in its sole discretion. If, in the opinion of the City Commission, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue presented, then the City Commission may continue the matter to a time certain to allow for such research or review.

- 12. Recording and Transcribing the Hearing.** The City Clerk shall preserve the official transcript of the hearing through tape recording and/or video recording. The Applicant or Adversely Affected Party may arrange, at its own expense, for a court reporter to transcribe the hearing. The Applicant or Adversely Affected Party may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant or Adversely Affected Party requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.
- 13. Maintenance of Evidence and Other Documents.** The City Clerk's Office shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Community Development Department.
- 14. Failure of Party to Appear.** If the Applicant or Adversely Affected Party or their representative fails to appear at the time fixed for the hearing, and such absence is not excused by the Commission, the Commission may proceed to hear the evidence and render a decision *in absentia*.
- 15. Subpoena Power.** The Applicant, City staff or Adversely Affected Party shall be entitled to compel the attendance of witnesses through the use of subpoenas. All such subpoenas shall be issued by the City Clerk at the request of the Applicant, City staff or Adversely Affected Party.
- 16. Ex Parte Communications.** In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. In accordance with Section 286.0115(1), Florida Statutes, ex parte communications with City Commissioners in quasi-judicial matters is permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners:
- a. The substance of any ex parte communication with a City Commissioner which relates to a quasi-judicial action pending before the Commission is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.
 - b. A City Commissioner may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

- c. City Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.
- d. Disclosure made pursuant to subparagraphs a, b and c above, must be made before or during the public meeting at which a vote is taken on such matters so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication.

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance
Code Amendment – Bosque Bello Cemetery

2017-10

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-10 at First Reading.

SYNOPSIS:

This Ordinance proposes amendments to Chapter 30 of the Code of Ordinances which regulates the use and operations of Bosque Bello Cemetery. The proposed changes hereby repeal or amend provisions of the existing City Code of Ordinances that requires clarification. The amended sections are: definition clarifications; bulk cemetery lot purchase; transfer of ownership; perpetual care services and memorial; vault installations; and interment.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: See synopsis.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-10 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/26/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, AMENDING CHAPTER 30, CEMETERY, ARTICLES I-IV, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 30-1 PROVIDING FOR DEFINITIONS; AMENDING SECTION 30-39 BULK PURCHASES; AMENDING SECTION 30-43 TRANSFER OF OWNERSHIP; AMENDING SECTION 30-57 PERPETUAL CARE SERVICES AND FEES; AMENDING SECTION 30-109 MEMORIAL AND VAULT INSTALLATIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach owns and operates the Bosque Bello Cemetery; and

WHEREAS, Chapter 30 of the City Code of Ordinances regulates the use and operation of said Cemetery; and

WHEREAS, certain revisions are necessary to update the Code of Ordinances regarding use and operation of the Bosque Bello Cemetery.

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

SECTION 1. It is hereby proposed that Section 30-1 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Immediate Family the City defines immediate family as the employee's parent or step-parent, spouse or child (to include foster and adopted children),

SECTION 2. It is hereby proposed that Section 30-39 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-39. Charges; bulk purchases.

- (a) The price for the purchase of grave space shall be according to the following schedule:
 - (1) All grave spaces located in Bosque Bello Cemetery, shall be sold for a sum to be set by Resolution of the City Commission.
 - (2) All City of Fernandina Beach retirees or employees with a minimum of 15 years of consecutive part-time and/or full-time employment shall receive 50% off the City resident purchase price of a single lot

with a maximum of one lot to be purchased at the discounted price. This discount does not extend to temporary or seasonal employees.

- (3) Eligible retirees and employees that have purchased at least one (1) discounted lot are not eligible to purchase additional lots at a discounted rate. Lots purchased at a discount shall be used for immediate family only.
- (34) The City will provide a grave space for an indigent who is a City resident. Proof of residency and indigency shall be provided by signed affidavits provided by the funeral home. The grave space will be determined by the Parks & Recreation Department.
- (5) The City will provide a Cemetery lot, at no cost, for any sworn police officer or certified firefighter and any United States Uniformed Services member to include, Army, Navy/Marine Corp, Air Force, and Coast Guard whose residence at the time of death is within the City limits, who has been killed in the line of duty. Official documentation verifying the service position and cause of death shall be required prior to interment.

(b) Any cemetery lot purchase in excess of ten (10) lots requires written justification by the applicant and approval by the City Manager, prior to the sale.

SECTION 3. It is hereby proposed that Section 30-43 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-43. Transfer of ownership.

(a) No lot owner shall allow interment in his or her lot for remuneration, nor shall any transfer of interest in the lot be valid except by written consent of the City. Such transfer or assignment shall be recorded in the records of the Cemetery. No transfer for consideration shall be authorized. Any attempted transfer of a lot or interest in a lot to one not authorized to own the lot shall be invalid and of no force and effect. The City shall not be obligated to honor the transfer. Transfer of ownership requires a copy of the existing deed and owner verification by affidavit (sworn statement) or other means as determined by the City.

(b) The City may refuse to consent a transfer or an assignment as long as there is any indebtedness due the City from the lot owner for interment rights in the lot involved.

(c) In every case where a lot owner wishes to dispose of a vacant lot, the City shall have the option to repurchase the lot at a price agreed upon between the lot owner and the official representative of the City. The price shall not exceed one thousand dollars (\$1,000.00).

SECTION 4. It is hereby proposed that Section 30-57 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-57. Perpetual care services: fees.

(a) Perpetual care service shall consist of cutting grass, tree and hedge trimming, weeding, and debris removal from grounds. Any additional care desired will be the responsibility of the owner. All owners of grave spaces for which perpetual care has not been previously included shall purchase perpetual care prior to the opening and closing of a grave and shall pay the City a sum to be set by Resolution of the City Commission.

(b) Perpetual care service fee must be paid prior to interment in the original section ("Old Section") of Bosque Bello.

(c) Upon the payment of the perpetual care fee, the Parks & Recreation Department or designee is authorized to deliver to the purchaser a certificate evidencing the purchase, signed by him or her on behalf of the City. Full perpetual care payment for a ~~grave space or~~ lot must be paid prior to interment.

SECTION 5. It is hereby proposed that Section 30-109 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-109. Memorial, ~~and~~ vault installations, and interment.

- (a) All memorial work shall be done between dawn and dusk.
- (b) Persons in charge of memorial work within the Cemetery must provide a business license and proof of insurance. A permit is required prior to all installations.
- (c) Granite, slate, marble, and bronze are the only approved materials for all monument work, coping or benches.
- (d) Vaults are required for all full burials but not for cremains.
- (e) Any structure not permitted by the Parks & Recreation Department will be removed.
- (f) All interments and vault installations must be carried out by a professional licensed pursuant to Chapter 497, Florida Statutes (funeral director).
- (g) All vases must be permanently attached to the monument or it may be removed.
- (h) All items, such as statues, shells, wreaths, rocks and other momentous items are not permitted and may be removed.

SECTION 6. All ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed.

SECTION 7. SEVERABILITY. If any provision or portion of the Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of the Ordinance shall remain in full force and effect.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption.

ADOPTED this _____ day of June, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM &
LEGALITY:



Tammi E. Bach
City Attorney

ORDINANCE 2017-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, AMENDING CHAPTER 30, CEMETERY, ARTICLES I-IV, OF THE CODE OF ORDINANCES; BY AMENDING SECTION 30-1 PROVIDING FOR DEFINITIONS; AMENDING SECTION 30-39 BULK PURCHASES; AMENDING SECTION 30-43 TRANSFER OF OWNERSHIP; AMENDING SECTION 30-57 PERPETUAL CARE SERVICES AND FEES; AMENDING SECTION 30-109 MEMORIAL AND VAULT INSTALLATIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach owns and operates the Bosque Bello Cemetery; and

WHEREAS, Chapter 30 of the City Code of Ordinances regulates the use and operation of said Cemetery; and

WHEREAS, certain revisions are necessary to update the Code of Ordinances regarding use and operation of the Bosque Bello Cemetery.

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

SECTION 1. It is hereby proposed that Section 30-1 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Immediate Family the City defines immediate family as the employee's parent or step-parent, spouse or child (to include foster and adopted children),

SECTION 2. It is hereby proposed that Section 30-39 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-39. Charges; bulk purchases.

- (a) The price for the purchase of grave space shall be according to the following schedule:
 - (1) All grave spaces located in Bosque Bello Cemetery, shall be sold for a sum to be set by Resolution of the City Commission.
 - (2) All City of Fernandina Beach retirees or employees with a minimum of 15 years of consecutive part-time and/or full-time service employment shall receive 50% off the City resident purchase price of

a single lot with a maximum of ~~four~~ one lot to be purchased at the discounted price. This discount does not extend to temporary or seasonal employees.

- (3) Eligible retirees and employees that have purchased at least one (1) discounted lot are not eligible to purchase additional lots at a discounted rate. Lots purchased at a discount shall be used for immediate family only.
- (34) The City will provide a grave space for an indigent who is a City resident. Proof of residency and indigency shall be provided by signed affidavits provided by the funeral home. The grave space will be determined by the Parks & Recreation Department.
- (5) The City will provide a Cemetery lot, at no cost, for any sworn police officer or certified firefighter and any United States Uniformed Services member to include, Army, Navy/Marine Corp, Air Force, and Coast Guard whose residence at the time of death is within the City limits, who has been killed in the line of duty. Official documentation verifying the service position and cause of death shall be required prior to interment.

(b) Any cemetery lot purchase in excess of ten (10) lots requires written justification by the applicant and approval by the City Manager, prior to the sale.

SECTION 3. It is hereby proposed that Section 30-43 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-43. Transfer of ownership.

(a) No lot owner shall allow interment in his or her lot for remuneration, nor shall any transfer of interest in the lot be valid except by written consent of the City. Such transfer or assignment shall be recorded in the records of the Cemetery. No transfer for consideration shall be authorized. Any attempted transfer of a lot or interest in a lot to one not authorized to own the lot shall be invalid and of no force and effect. The City shall not be obligated to honor the transfer. Transfer of ownership requires a copy of the existing deed and owner verification by affidavit (sworn statement) or other means as determined by the City.

(b) The City may refuse to consent a transfer or an assignment as long as there is any indebtedness due the City from the lot owner for interment rights in the lot involved.

(c) In every case where a lot owner wishes to dispose of a vacant lot, the City shall have the option to repurchase the lot at a price agreed upon between the lot owner and the official representative of the City. The price shall not exceed one thousand dollars (\$1,000.00).

SECTION 4. It is hereby proposed that Section 30-57 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-57. Perpetual care services: fees.

(a) Perpetual care service shall consist of cutting grass, tree and hedge trimming, weeding, and debris removal from grounds. Any additional care desired will be the responsibility of the owner. All owners of grave spaces for which perpetual care has not been previously included shall purchase perpetual care prior to the opening and closing of a grave and shall pay the City a sum to be set by Resolution of the City Commission.

(b) Perpetual care service fee must be paid prior to interment in the original section ("Old Section") of Bosque Bello.

(b c) Upon the payment of the perpetual care fee, the Parks & Recreation Department or designee is authorized to deliver to the purchaser a certificate evidencing the purchase, signed by him or her on behalf of the City. Full perpetual care payment for a ~~grave space or~~ lot must be paid prior to interment.

SECTION 5. It is hereby proposed that Section 30-109 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 30-109. Memorial, ~~and~~ vault installations, and interment.

- (a) All memorial work shall be done between dawn and dusk.
- (b) Persons in charge of memorial work within the Cemetery must provide a business license and proof of insurance. A permit is required prior to all installations.
- (c) Granite, slate, marble, and bronze are the only approved materials for all monument work, coping or benches.
- (d) Vaults are required for all full burials but not for cremains.
- (e) Any structure not permitted by the Parks & Recreation Department will be removed.
- (f) All interments and vault installations must be carried out by a professional licensed pursuant to Chapter 497, Florida Statutes (funeral director).
- (g) All vases must be permanently attached to the monument or it may be removed.
- (h) All items, such as statues, shells, wreaths, rocks and other momentous items are not permitted and may be removed.

SECTION 6. All ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed.

SECTION 7. SEVERABILITY. If any provision or portion of the Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of the Ordinance shall remain in full force and effect.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its final adoption.

ADOPTED this _____ day of June, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner-Mayor

APPROVED AS TO FORM &
LEGALITY:



Tammi E. Bach
City Attorney

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance
Land Development Code Amendment - Outdoor Lighting

2017-11

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-11 at First Reading.

SYNOPSIS: The requested Land Development Code text amendments are part of the implementation and direction of Comprehensive Plan policies 5.10.08, 5.10.13, and 5.10.14.

Amendments have been drafted and are based on the University of Florida Model Wildlife Planning Ordinance in cooperation with and with the support of the Florida Fish and Wildlife Commission, the City's Code Enforcement staff, Florida Public Utilities, and the Amelia Island Sea Turtle Watch.

At its Regular Meeting on March 8, 2017, the Planning Advisory Board issued a recommendation of approval subject to some clarifying changes and a request for mapping, these changes have been incorporated into the Ordinance - see Exhibit "A".

Planning staff issues a recommendation of approval.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-11 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/25/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE CHAPTER 1, SECTION 1.00.07 DEFINITIONS, AND BY STRIKING AND REPLACING SECTION 3.06.00 OUTDOOR LIGHTING WITH WILDLIFE PLANNING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City's adopted 2030 Comprehensive Plan directs changes to the Land Development Code for consistency with state laws and current planning methods for growth and economic development; and

WHEREAS, Comprehensive Plan policies 5.10.08, 5.10.13, and 5.10.14 direct planning actions and strategies to address outdoor lighting for the protection of wildlife; and

WHEREAS, Planning staff utilized a model sea turtle friendly lighting Ordinance created by the Levin College of Law at the University of Florida as the base document for the Fernandina Beach LDC revisions; and

WHEREAS, Planning staff worked with the support and cooperation of the Florida Fish and Wildlife Commission, the City's Code Enforcement staff, Florida Public Utilities, and the Amelia Island Sea Turtle Watch to draft amendments specific to the City of Fernandina Beach; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Regular Meeting on Wednesday, March 8, 2017, and issued a recommendation of approval as subject to changes which incorporate mapping for the Sea Turtle Friendly Lighting Area; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on February 22, 2017.

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

SECTION 1. The City Commission hereby adopts the Land Development Code text amendments, attached hereto as Exhibit "A,"

SECTION 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

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

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

ORDINANCE 2017-11
EXHIBIT “A”

ADD DEFINITIONS 1.00.07- related to 3.06.01 Outdoor Lighting- Sea Turtles:

Artificial Light means the light emanating from any human-made device.

Beach means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation.

Cumulatively visible means visible as a result of numerous artificial light sources that as a group are directly or indirectly visible to an observer standing on the beach.

Directly visible means the point source of an artificial light (e.g. bulb, lamp, or glowing element) is within the line of sight to an observer standing on the beach in the identified *Sea Turtle Friendly Zone*.

Dune means any mound, bluff or ridge of loose sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation and is subject to fluctuations in configuration and location.

Egress Lighting means emergency lighting used in commercial buildings as a safety precaution to power outages that allows individuals to safely navigate their way out of the building.

Fully Shielded means that a light fixture is constructed in such a manner that the point source of light of the fixture is not directly visible from the beach.

Full cut-off means a lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the point source, or indirectly by reflection or refraction from any part of the point source, is projected below the horizontal plane as determined by photometric test or certified by the manufacturer.

Glare means unwanted source luminance or brightness visible to the eye of an observer located on the beach, regardless of the observer's distance from the light source or whether the light source measurably illuminates any area of the beach.

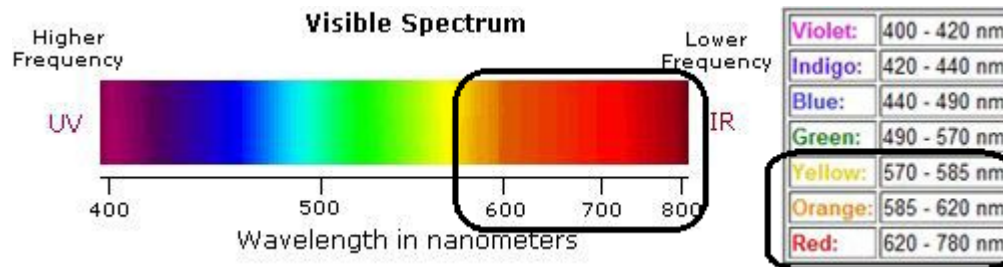
Illuminance means the amount of light projected from a source that reaches a surface from any distance, lighting fixture array, or direction.

Illuminate means that more than zero footcandles of artificial light can be measured.

Indirectly visible means visible as a result of the reflection of the point source of an artificial light (e.g. bulb, lamp, or glowing element) on structures, buildings, or landscaping visible to an observer standing on the beach.

Light Trespass means light spilling out of the area purposefully illuminated.

Long Wavelength means a luminaire emitting light wavelength of 580 nanometers or greater and absent wavelengths below 560 nanometers. Example:



Luminance means the physical measure of the stimulus, which produces the sensation of brightness.

Point Source means the bulb, lamp, or glowing elements of a fixture from which light is emitted.

Sea Turtle means any turtle, including all life stages from egg to adult, of these species: Green (*Chelonia mydas*), Leatherback (*Dermochelys coriacea*), Loggerhead (*Caretta caretta*), Hawksbill (*Eretmochelys imbricata*), and Kemp's Ridley (*Lepidochelys kemp*i).

Sea Turtle Friendly Zone includes those properties that are immediately located on the beachfront or not immediately located on the beachfront and generally described to include all properties within easternmost sections of the following streets: Ocean Avenue, Dolphin Avenue, Tarpon Avenue, N. Fletcher Avenue, East 1st Street through East 9th Street between N. Fletcher Avenue and Ocean Avenue, Atlantic Avenue, and Sadler Road.

Nesting Season means the period from May 1 through October 31 of each year for all areas within the City of Fernandina Beach.

Nighttime means the locally effective time period between sunset and sunrise.

Outdoor Area means any portion of a property that could have an artificial light source not attached to a permanent structure, and is not primarily lighting a parking area or roadway.

Tinted Glass means any glass treated to achieve an industry-approved, inside-to-outside light transmittance value. Such transmittance is limited to the visible spectrum (400-700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

3.06.0 OUTDOOR LIGHTING—WILDLIFE PLANNING

~~3.05.02~~ 3.06.01 Outdoor Lighting in Beach Areas—Striking current language and replacing with language based on a model ordinance created by the University of Florida:

A. Generally

- ~~A. It is the policy of the City to minimize the use of artificial light to illuminate the beaches. No artificial public or private light source shall directly illuminate areas seaward of the primary dune (called “beach areas”) where it may deter adult female sea turtles from nesting or disorient hatchlings.~~
- ~~B. The following activities involving direct illumination of portions of the beach shall be prohibited on the beach at nighttime during the nesting season (May 1 to October 31 of each year) for the protection of nesting females, nests, and hatchling marine turtles:~~
 - ~~i. The operation of all motorized vehicles, except emergency and law enforcement vehicles or those permitted on the beach for marine turtle conservation or research; and~~
 - ~~ii. The building of campfires or bonfires.~~

B. A. The following standards shall be applicable to all new construction, reconstruction, or development activities:

A. Controlled use, design, and positioning of lights:

- ~~i. The use of lighting for decorative and accent purposes, such as that emanating from spotlights or floodlights, is prohibited.~~
- ~~ii. The use of lights for safety and security purposes shall be limited to the minimum number required to achieve their functional role. The use of motion detector switches that keep lights off except when approached and that switch lights on for the minimum duration possible is required.~~
- ~~iii. Fixture lights shall be designed and positioned so that they do not cause direct or indirect illumination of areas seaward of the primary dune.~~
- ~~iv. Wall-mounted fixtures, landscape lighting, and other sources of lighting shall be designed and positioned so that such light does not directly illuminate areas seaward of the primary dune, nor is directly visible from the beach.~~
- ~~v. All lights on balconies shall be shielded from the beach.~~
- ~~vi. Lighting in parking lots within line of sight of the beach shall be positioned and shielded so that only deflected light may be visible from the ground level of the beach.~~
- ~~vii. The use of red, yellow, or orange lights is permitted where security or safety is a concern, shielding is impracticable, or visibility from the beach cannot be prevented.~~
- ~~viii. Exterior artificial light fixtures within direct line of sight of the beach shall include completely shielded downlight-only fixtures or recessed fixtures having low wattage (i.e. fifty (50) watts or less) “bug” type bulbs and~~

~~nonreflective interior surfaces. Other fixtures that have appropriate shields, louvers, or cut-off features may also be used if they are in compliance with Section 3.05.02(A)(1)(a), (b), and (c) above;~~

- ~~ix. Exterior artificial light fixtures within direct line of sight of the beach shall be mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures.~~
- ~~x. Only low intensity lighting shall be used in parking areas within line of sight of the beach. Such lighting shall be set on a base which raises the source of light no higher than forty-eight (48) inches off the ground and shall be positioned or shielded so that the light is cast downward, the source of light or any reflective surface of the light fixture is not visible from the beach, and the light does not directly or indirectly illuminate the beach.~~
- ~~xi. Parking areas and roadways, including any paved or unpaved areas upon which motorized vehicles will park or operate, shall be designed and located to prevent vehicular headlights from directly or indirectly illuminating the beach.~~
- ~~xii. Vehicular lighting, parking area lighting, and roadway lighting shall be shielded from the beach through the use of ground-level barriers. Ground level barriers shall not interfere with marine turtle nesting or hatchling emergence, or cause short or long term damage to the beach/dune system.~~
- ~~xiii. Tinted glass or film shall be installed on all windows and glass doors of single or multi-story structures within line of sight of the beach. Use of appropriately shielded low-pressure sodium vapor lamps and fixtures shall be preferred for high-intensity lighting applications, such as lighting parking areas and roadways, providing security, and similar applications.~~

~~n. Temporary lighting of construction sites during the marine turtle ——— nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section.~~

2 2. ——— Lighting for pedestrian traffic

- 3 ——— a. Beach access points, dune crossovers, beach walkways, piers or any
—— other structure on or seaward of the primary dune designed for
—— pedestrian traffic shall use the minimum amount of light necessary
—— to ensure safety.

b. Pedestrian lighting shall be of low wattage and recessed or shielded
—— so that only deflected light may be directly visible from the beach.

4 3. ——— Prior to the issuance of a certificate of occupancy, compliance with the beachfront lighting standards as set out in this section shall be demonstrated as follows:

a. Upon completion of the construction activities, a registered Florida
—— architect or Florida registered professional engineer shall conduct a
—— site inspection, which includes a night survey with all the
—— beachfront lighting turned on.

b. The inspector shall provide a written report of the inspection
—— findings, identifying the date and time of the initial inspection, the

~~—extent of compliance with this section, all areas of potential and
—observed noncompliance with this section, any action taken to
—remedy observed noncompliance, if applicable, and the dates and
—times of remedial inspections, if applicable.~~

~~c. The inspector shall sign and seal the inspection report, which shall
—include a certification that the beachfront lighting has been
—constructed in substantial accordance with the terms of this section,
—the beachfront lighting does not illuminate areas seaward of the
—primary dune at the time of night inspection, and the beachfront
—light sources are positioned so that only deflected light may be
—visible from the beach at the time of the night inspection.~~

3 All public or private buildings and other improvements existing prior to July 18, 2000 shall comply with the following standards:

~~1. Existing artificial light sources that are essential for safety or security shall be repositioned, modified, or replaced with modern alternatives so that only deflected light may be visible at ground level from the beach, and light does not directly illuminate areas seaward of the primary dune.~~

~~Existing artificial light fixtures shall be repositioned, modified, or removed so that:~~

~~xiv. The point source of light or any reflective surface of the light fixture is not directly visible from the beach;~~

~~xv. Areas seaward of the frontal dune are not directly or indirectly illuminated; and~~

~~xvi. Areas seaward of the frontal dune are not cumulatively illuminated.~~

~~The following measures shall be taken to reduce or eliminate the negative effects of existing exterior artificial lighting:~~

~~a. Reposition fixtures so that the point source of light or any reflective surface of the light fixture is no longer visible from the beach;~~

~~b. Replace fixtures having an exposed light source with fixtures containing recessed light sources or shields;~~

~~c. Replace traditional light bulbs with yellow “bug” type bulbs not exceeding fifty (50) watts;~~

~~d. Replace nondirectional fixtures with directional fixtures that point down and away from the beach;~~

~~e. Replace fixtures having transparent or translucent coverings with fixtures having opaque shields covering an arc of at least 180 degrees and extending an appropriate distance below the bottom edge of the fixture on the seaward side so that the light source or any reflective surface of the light fixture is not visible from the beach;~~

~~f. Replace pole lamps with low-profile, low-level luminaries so that the light source or any reflective surface of the light fixture is not visible from the beach;~~

- ~~g. Replace incandescent, fluorescent, and high intensity lighting with the lowest wattage low pressure sodium vapor lighting possible for the specific application;~~
- ~~h. Plant or improve vegetation buffers between the light source and the beach to screen light from the beach; and~~
- ~~i. Construct a ground level barrier to shield light sources from the beach. Ground level barriers shall not interfere with marine turtle nesting or hatchling emergence, or cause short or long term damage to the beach/dune system.~~

~~The following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors and windows within line of sight of the beach:~~

- ~~j. Apply window tint or film that meets the standards for tinted glass;~~
- ~~k. Rearrange lamps and other moveable fixtures away from windows;~~
- ~~l. Use window treatments (e.g., blinds, curtains) to shield interior lights from the beach; or~~
- ~~m. Turn off unnecessary lights.~~

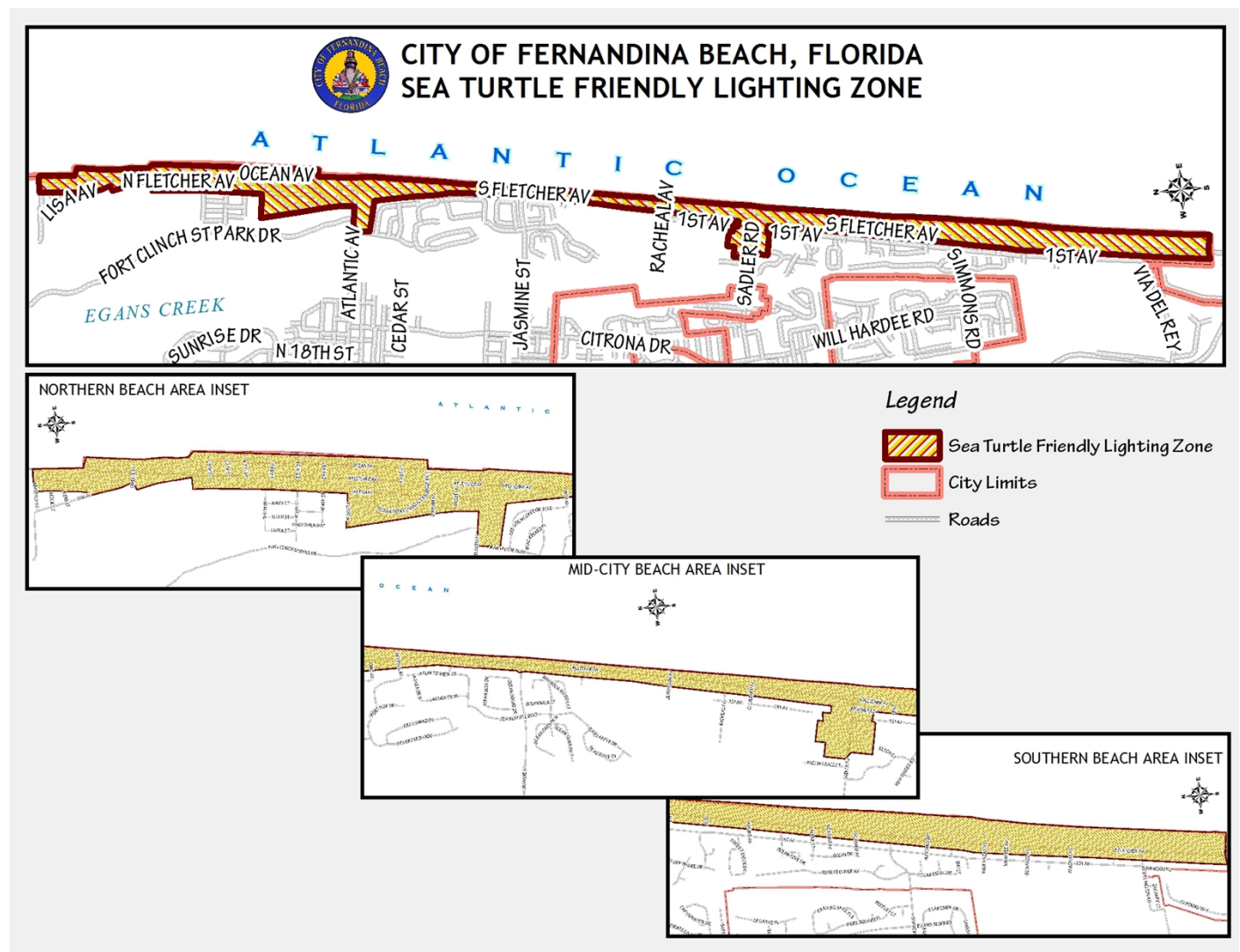
~~Light sources within line of sight of the beach that cannot be repositioned, modified, or replaced, for whatever reason, shall be turned off from sunset each night until sunrise each morning during the nesting season.~~

3.06.00 (NEW) WILDLIFE PLANNING

A. The purpose of this Section is to protect nesting sea turtles on the beaches in the City of Fernandina Beach by ensuring that their nesting habitat is not degraded by artificial light. The objective of the ordinance is to ensure artificial light does not interfere with sea turtle nesting and hatching events through the design and implementation of “sea turtle friendly” lighting systems that properly exclude the beach from their range. In order to further the objective of full implementation, this Section also includes provisions designed to educate residents and beach users in the City of Fernandina Beach on the benefits of sea turtle friendly lighting and provides for inspections to ensure compliance with the acceptable lighting standards.

B. SEA TURTLE FRIENDLY ZONE

The Sea Turtle Friendly Zone is hereby established within the City of Fernandina Beach. The Sea Turtle Friendly Zone shall protect the beach from directly visible artificial lighting from the beach at any time, and regardless of whether those properties are immediately located on the beachfront or not immediately located on the beachfront. The Sea Turtle Friendly Zone includes all properties within easternmost sections of the following streets: Ocean Avenue, Dolphin Avenue, Tarpon Avenue, N. Fletcher Avenue, East 1st Street through East 9th Street between N. Fletcher Avenue and Ocean Avenue, Atlantic Avenue, and Sadler Road.



C. LIGHTING PROVISIONS

1. Standards Applicable to All Lighting in the *Sea Turtle Friendly Zone*

All lighting in the Sea Turtle Friendly Zone shall be designed so that the point source of light or any reflective surface shall not be directly, indirectly, or cumulatively visible from the beach.

2. Exterior Lighting Affixed to Structures

- a. All lighting affixed to the exterior of permanent structures shall be long wavelength, downward directed, and fully shielded.
- b. All non-egress lighting affixed to the exterior of permanent structures shall not be directly, indirectly, or cumulatively visible from the beach.
- c. Lighting at egress points shall be limited to the minimum number of fixtures and footcandles necessary to meet federal, state, and local safety requirements.
- d. Lighting affixed to the exterior of permanent structures shall consist of either:
 - 1. Wall or ceiling down-light fixtures, equipped with a well-recessed light source and interior dark-colored, non-reflective baffles or louvers, mounted at a maximum height, measured from the bottom of fixture, of eight feet above the adjacent floor or deck, or
 - 2. Louvered wall fixtures, equipped with downward-directed louvers that completely hide the light source, with the bottom of fixture mounted 12 inches or less above the adjacent floor or deck, or
 - 3. Bollard-type fixtures, which do not extend more than 42 inches above the adjacent floor or deck, measured from the bottom of fixture, equipped with downward-directed louvers that completely hide the light source, and externally shielded on the side facing the beach.
- e. Compliant balcony lights on the seaward and shore-perpendicular sides of permanent structures shall either:
 - e.1. Consist of louvered wall fixtures, equipped with downward-directed louvers that completely hide the light source, with the bottom of fixture mounted 12 inches or less above the adjacent floor or deck, or
 - e.2. Be turned off when not in use during nighttime in sea turtle nesting season.
- f. Interior locations including but not limited to stairwells, elevators, parking garages, or courtyards that allow light to escape through windows or other openings shall not allow the light to be directly, indirectly, or cumulatively visible from the beach.
- g. All windows and glass doors on the seaward and shore-perpendicular sides of any structures shall be designed for a light transmittance value of 45% or less through the use of tinted glass, window film, or screens.
- h. Emergency lights shall be on a separate circuit and activated only during power outages or other situations where emergency lighting is necessary for public safety.

3. Outdoor Areas

- a. All lighting of outdoor areas shall be long wavelength and fully shielded.
- b. Outdoor lighting that projects light upward shall be prohibited.
- c. Lighting of outdoor areas shall consist of either:
 - 1. Ground-level downward-directed fixtures, equipped with interior dark-colored, non-reflective baffles or louvers, mounted either with a wall mount on walls or piles facing away from the beach, or
 - 2. Bollard-type fixtures, which do not extend more than 42 inches above the adjacent floor or deck, measured from the bottom of fixture, equipped with downward-directed

- louvers that completely hide the light source, and externally shielded on the side facing the beach.
- d. Lighted signs shall not be located on the seaward and shore-perpendicular sides of any structures, and shall not be directly, indirectly, or cumulatively visible from the beach.
 - e. Pond lights and fountain lights shall not be located on the seaward and shore-perpendicular sides of any structures, and shall not be directly, indirectly, or cumulatively visible from the beach.
 - f. Fire pits shall be located landward of the most seaward dune and shielded with an opaque structure or partition, and shall not be directly, indirectly, or cumulatively visible from the beach.

4. Parking Areas And Roadways

- a. All lighting of parking areas and roadways shall be long wavelength, fully shielded, and full cut-off.
- b. Parking area and roadway lighting shall be shielded from the beach via vegetation, natural features, or artificial structure rising from the ground which prevent artificial light sources, including but not limited to vehicular headlights, from being directly, indirectly, or cumulatively visible from the beach.
- c. Lighting of roadways shall produce no more than the minimum footcandle requirement for roadway lighting as designated by the Department of Transportation, Florida Public Utilities, or the City of Fernandina Beach in any location.
- d. Lighting of parking areas and roadways shall consist of either:
 - 1. Ground-level downward-directed fixtures, equipped with interior dark-colored, non-reflective baffles or louvers, mounted either with a wall mount on walls or piles facing away from the beach, or
 - 2. Bollard-type fixtures, which do not extend more than 42 inches above the adjacent floor or deck, measured from the bottom of fixture, equipped with downward-directed louvers that completely hide the light source, and externally shielded on the side facing the beach, or
 - 3. Embedded roadway lighting systems, or
- e. Pole-mounted lights, if required, shall adhere to the following restrictions and shall only be used in parking areas and roadways when mounting the lights at lower elevations cannot practicably comply with minimum light levels set forth in applicable federal and state laws designed to protect public safety. If required, pole-mounted lights shall be:
 - 1. Located on the landward sides of buildings in locations that will not directly, indirectly, or cumulatively visible from the beach,
 - 2. Mounted no higher than the minimum allowable mounting height as designated by the Department of Transportation, Florida Public Utilities, or the City of Fernandina Beach, and
 - 3. Full cut-off, downward-directed onto non-reflective surfaces.
- f. Equipment yards, storage yards, and temporary security lights shall also adhere to the lighting restrictions contained in this Section.

5. Pool Areas

- a. Lighting of pool decks, pool facilities, swimming pools, and spas shall be long wavelength and fully shielded.
- b. Above-water lighting of pool decks, pool facilities, swimming pools, and spas shall otherwise adhere to the applicable requirements for acceptable light fixtures contained in Section 3.06.00.
- c. Underwater lighting of pools or spa light shall:

1. Be long wavelength and horizontal or downward-directed only,
2. Not be directly, indirectly, or cumulatively visible from the beach, and
3. Produce no more than the minimum illumination requirement for pools open for night swimming as set by Florida Department of Health and/or Florida Building Code.

6. Pier Structures

- a. Lighting of pier structures projecting over the beach or over water shall be:
 1. Long wavelength and fully shielded, and
 2. Mounted as low to the deck as possible to prevent light pollution or spillage beyond the walking surface, and
 3. Shall consist of either:
 - a) Low-mounted, recessed down-light fixtures, equipped with downward-directed louvers and interior dark-colored, non-reflective baffles, or
 - b) Bollard-type fixtures, which do not extend more than 42 inches above the adjacent floor or deck, measured from the bottom of fixture, equipped with downward-directed louvers that completely hide the point source of light, and externally shielded on the side facing the beach, or
 - c) Embedded lighting systems.

7. Dune Crossovers And Beach Access Points

Lighting of dune crossovers shall be prohibited. Lights at beach access points shall be bollards or pathway lights no higher than 42 inches and sited landward of the dune and not directly or indirectly visible from the beach.

8. Temporary Lighting

- a. Temporary lighting includes but is not limited to special events, construction and motor vehicles.
- b. The operation of all motorized vehicles, except emergency, law enforcement or government vehicles or those permitted on the beach for sea turtle conservation or other research and conservation, shall be prohibited on the beach at nighttime during sea turtle nesting season. All authorized motor vehicles shall follow best practices for driving on the beach as outlined by the Florida Fish and Wildlife Conservation Commission (FWC). All local government employees who drive on the beach shall complete a beach driving training annually.
- c. All temporary lighting shall be:
 1. Long wavelength and fully shielded,
 2. Turned off during nighttime in sea turtle nesting season, or if temporary lighting is deemed necessary during sea turtle nesting season it shall be allowed from 6:00am to 11:00pm, must be restricted to the minimal amount necessary, and shall incorporate all the standards of this Section,
 3. Mounted less than four feet above the adjacent floor or deck, measured from the bottom of fixture, and
 4. Restricted to the minimal number of footcandles necessary to conform to the applicable construction safety regulations.
 5. Special events conducted within the *Sea Turtle Friendly Zone* must comply with illumination standards and be approved by the Code Enforcement Department.

D. Compliance and enforcement procedures

1. Notice of Violation

a. Upon finding any violation of this Article, City Code Enforcement shall deliver a written notice of the violation of this Ordinance to the property owner and direct said owner to promptly remove or cure such lighting arrangement not in compliance with this Section.

b. The time allowed for making the repairs shall be stated in the notice and should the responsible party neglect or refuse to remove or cure the unacceptable lighting arrangement within the specified time stated in the notice, the party so offending shall commit a violation of this Article and be punished as provided in Section 3.06.01(D)(2).

2. Penalties

- a. Any person who takes any action or omission in violation of any provision of this Section and fails to cure such violation after proper notice is provided, shall be subject to a fine of up to \$250 per day per violation for initial violations, and \$500 per day per violation for repeat violations. All penalties incurred as a result of violation of this Section shall continue to accrue until such violations are cured.
- b. The City of Fernandina Beach shall have the right to encumber such property in violation of this Section with a lien for an amount equal to the total amount of fines owed at the time of compliance.

3. Sea Turtle Friendly Fund

- a. A *Sea Turtle Friendly Fund* is hereby established within the City of Fernandina Beach.
- b. All funds collected as a result of the issuance of fines under Section 3.06.01(D)(2) shall be deposited in the *Sea Turtle Friendly Fund*. The funds in this account shall be used for:
 1. Grants to property owners for the installation of light systems that comply with this Ordinance and reduce the amount of artificial beach lighting,
 2. Educational materials to inform the general public on the threats of artificial lighting to sea turtles, including but not limited to signs, door knockers, pamphlets, stickers, public service announcements, and other awareness campaigns, and
 3. Other reasonable efforts to protect the sea turtle population within the City of Fernandina Beach including but not limited to research and conservation projects.
- c. The City of Fernandina Beach may contribute funding from other sources into the *Sea Turtle Friendly Fund* for uses consistent with the purposes set forth above.

OFFICE USE ONLYREC'D: 21 BY: 8PAYMENT: \$ N/A TYPE: _____APPLICATION #: 2017-0000 251CASE #: 2017-06BOARD MEETING DATE: MARCH 8, 2017**PLANNING ADVISORY BOARD APPLICATION**

- | | |
|---|--|
| ☐ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10acres \$1,600) | ☐ SUBDIVISION PLAT – PRELIM (\$750) |
| ☐ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10acres \$1,600) | ☐ SUBDIVISION PLAT – FINAL (\$850) |
| ☒ LDC TEXT AMENDMENT (\$850) | ☐ VACATION OF R.O.W. (\$850) |
| ☐ COMP PLAN AMENDMENT (\$850) | ☐ VOLUNTARY ANNEXATION (\$1050) |

APPLICANT INFORMATIONOwner Name: City of Fernandina BeachMailing Address: 204 Ash StreetTelephone: 904-310-3135 Fax: _____Email: dmartin@fbfl.org

Agent Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

Email: _____

PROPERTY INFORMATION

Street Address: _____

Parcel Identification Number(s): _____

Lot Number: _____ Block Number: _____ Subdivision: _____

Section: _____ Township: _____ Range: _____

PROJECT INFORMATION

Total Number of Lots/Parcels: _____

Less than One (1) acre Sq. Footage: _____ One (1) Acre or Greater: _____

Existing Zoning Classification: _____

Existing Future Land Use Classification: _____

Previous Planning/Zoning Approvals: _____

Description of Request:

Land Development Code Amendments- striking and replacing Section 3.06.00 Outdoor Lighting with Wildlife Lighting and adding certain definitions to LDC Section 1.07.00 - Changes based on the University of Florida Wildlife Planning Ordinance and in cooperation with the Florida Fish and Wildlife Commission, City Code Enforcement Department, Florida Public Utilities, and the Amelia Island Sea Turtle Watch

The requested code amendments seek to provide updated standards for compliant lighting, enforcement procedures, penalties, and creates a Sea Turtle Friendly Fund .

See Attached Document

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

2/17/17
Date

Dale L. Martin
Signature of Applicant

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

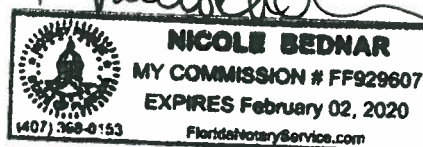
Subscribed and sworn to before me this 17th day of February, 2017.

Nicole Bednar
Notary Public: Signature

Nicole Bednar
Printed Name

Feb. 2, 2020
My Commission Expires

Personally Known X OR Produced Identification *Nicole Bednar* ID Produced: _____



1. **Call to Order** - The meeting was called to order at 5:01 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair	Judith Lane
Benjamin Morrison	Wayne L. Peterson
Donna Lewis	Jenny Schaffer (Alt 2)

Board Members Absent

Member Beal

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Member Lewis (Alt 1) was seated as a voting member in place of Member Beal's absence.

2. **New Business**

- 2.1 **PAB 2017-04: FINAL PLAT/ REPLAT OF THE SURF UNIT 2**

FINAL PLAT/ REPLAT REQUEST FOR THE SURF UNIT 2 TO CREATE EIGHT (8) SINGLE FAMILY HOME SITES. THE 2007 APPROVED PLAT ALLOWED FOR 10 SINGLE FAMILY HOME SITES.

Ms. Gibson introduced herself and presented the case. She explained that the property is located on the west side of South Fletcher Avenue between Eventide Court and unimproved Ocklawaha Avenue and accessed from First Avenue. She also noted that the applicant is modifying the original approved plat allowing 10 single family homes sites to 8 single family home sites. Ms. Gibson then stated that she recommended a favorable recommendation of approval to the Board.

Mike Antonopoulos, 115 Solana Road, Ponte Vedra, welcomed questions from the Board.

Member Lane asked where the main access to the community would be located. Mr. Antonopoulos confirmed that the main access would remain the same common driveway as the one already approved off of First Avenue. Member Morrison asked if these would be zero lot line lots to which Mr. Antonopoulos answered in the negative. Member Schaffer asked if these properties would be zoned for short term rental and Ms. Gibson confirmed that these properties are zoned R3 which allows short term rentals.

The Public Hearing was then opened.

James Roach, St. Augustine, representative for the Surf Owner's Association which includes 4 town home owners and 1 single home owner. Mr. Roach presented Power Point slides showing the current driveway and homes and explained that the narrowness of the driveway and materials would not be able to serve and sustain two-way traffic very efficiently. He also commented about the existing recorded

Covenants and Restrictions and its funding mechanism for common infrastructure and storm water management. He also mentioned that the increased density also brings a safety issue pertaining to the visibility triangle. Mr. Roach then suggested that opening Ocklawaha Avenue for access would address the safety concern. He also noted that the current permit from St. John's Water Management is expired and still under the previous owner's name. Mr. Roach addressed some LDC sections 7.03.03 Water Management requirement, 7.01.01 Access and Driveway Requirements and 7.01.08 Visibility Triangle and asked that Board Members to consider denial of this request.

Carlton Tolbert, 3205 Eventide Court, current resident explained the impact this increase in density would have on the current driveway and their concern about drainage with the added development.

Member Morrison asked Staff about point of access requirements exemption. Member Lane then asked Mr. Antonopoulos about construction vehicles and a secondary access to which a discussion ensued. Chair Bennett then asked about the previously approved condition of having no direct access through Fletcher Avenue and First Avenue.

Frank Miller, Gunster, Yoakley & Stewart, 225 Water Street Suite 1715, Jacksonville, representative for the applicant discussed the right of using the existing easement and the possibility of the Surf 2 joining the existing Surf 1 HOA.

Sandra Buice, 3201 Eventide Court, current owner explained that her concern is about safety and presented pictures of the drainage area and the driveway. She commented that the driveway/easement is deeded to her and was only designed for access to 5 residences.

Tim Schremmer, 3215 Eventide Court, current resident discussed his concerns for safety regarding the common driveway being used by additional home owners.

Member Morrison asked Staff whose responsibility it was to review and approve the final plat. Ms. Gibson answered that this proposal was presented to the Technical Review Board and except for some changes to be incorporated was approved by the Planning Dept., Building Dept., Code Enforcement, Emergency Services, Street Department and also noted that it be maintained by a HOA. Members then discussed the issue with the easement, the common driveway and sizes of roadways according to code.

Member Lane asked Ms. Gibson to reiterate the role of the Board in regards to this case. Ms. Gibson reiterated that the Board's role is to review the proposed final plat/replat for the Surf Unit 2 and to look for consistency with what was previously approved through the preliminary plat and with consistency with the City's Land Development Code and Comprehensive Plan justified but Staff's analysis. She also added that it is not the Board's purview to make recommendation regarding maintenance or water management permitting.

Eric Bartell, 3820 S. Fletcher Avenue, commented about the developer considering widening the driveway.

Eddie Buice, 3201 Eventide, current resident commented further about his issue with the driveway's ownership and usage through easement.

Carlton Tolbert, 3205 Eventide Court, current resident and President of the HOA, asked the Board to confirm that their approval recommendation is for a plat that has been reconfigured and changed.

Public Hearing was then closed.

Chair Bennett asked Ms. Gibson about ingress and egress according to the plat and the usage of the southern access to which Board members added comments.

City Attorney Bach then also reconfirmed the role of the Board.

Member Lane suggested to Mr. Antonopoulos to work closely with the residents of the existing homes.

Ms. Gibson then commented that if changes are suggested this Board has the option to table this discussion or continue and make a recommendation to the City Commission.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Peterson, to recommend denial of PAB case number 2017-04 to the City Commission requesting that a Final Plat/ Replat for The Surf Unit 2 subdivision be denied and that PAB case 2017-04, as presented, is not sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time for the following reason: questions are still not clear pertaining to requirements to vehicle circulation within this property and the Board's responsibility regarding enforcement. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Nay</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

City Attorney Bach explained that this recommendation will be presented to the City Commission and that all parties should expect the same questions to be presented at that meeting. She also suggested that at that time, Staff be able to provide explanations pertaining the Land Development Code citations associated with this case.

2.2 PAB 2017-05: FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR CRA PROPERTIES LOCATED ON N. 2ND STREET.

PROPERTY OWNERS MARILYN LEIBMAN, DANIEL MCCRANIE TRUSTEE, AND COURTNEY MCCRANIE REQUEST A SMALL SCALE FUTURE LAND USE MAP AMENDMENT AND ZONING MAP CHANGE FOR PROPERTIES LOCATED ALONG N. 2ND STREET TOTALING APPROXIMATELY 1.22 ACRES OF LAND FROM INDUSTRIAL (IND) LAND USE AND I-1 ZONING TO CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE AND C-3 ZONING FOR PARCEL ID NUMBERS: 00-00-31-1800-0008-0020, 00-00-31-1800-0008-0050, 00-00-31-1800-0008-0070, AND 00-00-31-1800-0008-0080.

Ms. Gibson explained the case, she first stated that the property is zoned Industrial (IND) and Light Industrial (I-1) and that the property is surrounded by a variety of usage including Medium Density

Residential, Industrial Warehousing, General Commercial as well as Central Business District. She added that this request is consistent with the direction of the CRA moving forward with the extension of the Central Business District to this area. She commented that the staff report provides explanation of her findings and is consistent with the intent of the CRA and recommended approval.

Peter King, 404 West 70th Street, Jacksonville, representing the Mr. & Mrs. McCranie and Ms. Leibman, presented slides showing the area and explained the request and the reasons why the Comprehensive Plan needs to be amended. He also referred to the CRA guidelines.

Public Hearing was then opened.

Robert Erickson, 30 S. 3rd Street, owner of property at 205 Broome Street which is adjacent to the subject property, expressed support for this case.

Lynn Williams, 1899 S. Fletcher Avenue, asked about property owned by Mrs. Leibman.

Lawrence Holmes, owner of property on Broome Street, commented about past zoning decisions that destroyed the character of the Historic District and advised the Board to weigh their decisions. He also mentioned that he supported the change of zoning.

Public Hearing was then closed.

Member Morrison commented about his support for this change and suggested that any addition submissions may be presented simultaneously to the Commission.

Chair Bennett voiced that he did not support this change and commented about leap frogging according to section 1.02.03(D). City Attorney expressed that this was not spot zoning. Chair Bennett continued his comments with regards to transitional zoning, step down zoning and density restrictions within the CRA as stated in section 1.07.09. Member Lewis voiced her definition of transitional zoning and Member Lane reiterated her support for this change.

A motion was made by Member Lane, seconded by Member Lewis, to recommend approval of PAB case number 2017-05 the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays, and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

At this time, Member Lane departed and Member Schaffer (Alt 2) was seated as a voting member.

2.3. PAB 2017-06: LDC Text Amendments Outdoor Lighting for Wildlife

THE CITY OF FERNANDINA BEACH REQUESTS AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 1.07.00 AND 3.06.00 ADDING DEFINITIONS FOR WILDLIFE LIGHTING (SEA TURTLE), PROVIDING UPDATED STANDARDS, COMPLIANCE PROCEDURES, PENALTIES, AND ESTABLISHING A SEA TURTLE FRIENDLY FUND.

Ms. Gibson presented the request which is a proposal for new wildlife standards for outdoor lighting. She explained that this bundle of changes previously approved by the PAB Board was moved to the City Commission and a request for additional coordination with different stakeholders, agencies and departments was requested by the Commissioners. Ms. Gibson then stated that the coordination had been completed and presented the revisions. She mentioned that all stakeholders have agreed to the changes.

Board Members discussed correcting the description of the area affected and an amendment to that description was made. Board Member then discussed guidelines regarding window tinting, compliance requirements, citations and penalties and a consensus was established by Board Members that a map of the defined area would be created.

Len Kreger, 1739 S. Fletcher Avenue, spoke about the proposal mainly emphasizing that although window tinting requirements are necessary and helpful the main focus should be applied to public education and effective enforcement. Member Morrison asked about street lighting and Mr. Kreger clarified that street lighting posts are excluded but do have some kind of shielding.

City Attorney Bach explained the procedures for citations, penalties and fees from Code Enforcement.

A motion was made by Member Peterson, seconded by Member Morrison, to recommend approval of PAB case number 2017-06 for LDC amendment adding definitions for Wildlife Lighting (sea turtle). Vote upon passage of the motion was taken by ayes and nays, being all ayes, carried.

5. Board Business –

Chair Bennett asked why the TRC Minutes were not available online. Staff explained that this is caused by the agenda system currently used and a new agenda system will be implemented in the very near future.

Members then discussed the time limits of case presentation along with time limit for public input.

7. Comments by the public – There were no comments from the public at this time.

6. Staff Report

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:47 pm.

Secretary

Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance
Land Development Code Amendment - Downtown Density

2017-12

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-12 at First Reading.

SYNOPSIS: The requested Land Development Code (LDC) text amendments follow action by the City Commission at its meeting on April 18, 2017, to adopt a net density increase for Central Business District (CBD) land use properties. The Ordinance strikes sections of the LDC which are now in conflict with the Comprehensive Plan direction provided in policy 1.07.09, and removes references to the previous density bonus scorecard provisions.

The Planning Advisory Board issued a recommendation of approval at its Regular Meeting on December 14, 2016. Planning staff continues to recommended approval of the requested amendments as was previously directed by the City Commission goal setting meetings in 2016.

FISCAL IMPACT: None.

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-12 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/25/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY STRIKING SECTION 4.01.02 AND TABLE 4.01.02 (A) COMMUNITY REDEVELOPMENT AREA DENSITY BONUS INCENTIVE PROGRAM AND AMENDING SECTION 4.01.01 TO INCREASE THE BASE DENSITY WITHIN THE CENTRAL BUSINESS DISTRICT AND MODIFY PERMISSIBLE HOUSING TYPES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City's adopted 2030 Comprehensive Plan directs changes to the Land Development Code for consistency with state laws and current planning methods for growth and economic development; and

WHEREAS, in January 2016, the City Commission identified increasing downtown density as a priority goal; and

WHEREAS, Planning staff worked in concert with the Fernandina Beach Main Street Program to analyze density within the downtown area; and

WHEREAS, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Regular Meeting on December 14, 2016, and unanimously recommended approval with the comment that staff prepare Code-based text amendments to address residential parking needs; and

WHEREAS, the Planning Advisory Board (PAB), at its Regular Meeting on January 11, 2017, discussed whether changes to require residential parking within the Central Business District (CBD) were necessary prior to the adoption of the density increase in the Comprehensive Plan and directed that consideration of any proposed parking changes be delayed until a traffic circulation and parking study was completed; and

WHEREAS, the City Commission adopted Ordinance 2017-02, providing for an increased base density within the Central Business District (CBD) of up to thirty-four units per acre within that future land use map category at Second Reading on April 18, 2017; and

WHEREAS, notice of public hearing on such Land Development Code amendments was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on November 30, 2016.

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

SECTION 1. PURPOSE AND INTENT. The City Commission finds that the amendments, attached hereto as Exhibit "A," amending LDC Section 4.01.01 to address the base density permissible in the Central Business District as consistent with Comprehensive Plan and

to modify permissible housing types, and by striking LDC sections 4.01.02 and Table 4.01.02(A), density bonus scorecard provisions for the Community Redevelopment Area (CRA).

SECTION 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 3. COMPLIANCE. The Land Development Code text amendments adopted by this Ordinance are not effective until a final order is issued by the State Land Planning Agency finding the Comprehensive Plan amendments cited in Ordinance 2017-02 to be “in compliance” in accordance with Section 163.3184, Florida Statutes. If the Agency issues a final order finding the amendments not “in compliance,” the amendments may nonetheless be made effective by adoption of a Resolution at a public hearing affirming the effective status of the amendments. No development orders or development permits dependent upon these amendments may be issued, and no development dependent upon these amendments may be undertaken, before the amendments become effective.

SECTION 4. This Ordinance shall become effective immediately upon adoption.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

ORDINANCE 2017-12
EXHIBIT “A”

4.01.01 Density and Housing Types

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

Zoning District	Maximum Gross Density (dwelling units per acre)	Permissible Housing Types
RE	1.0	Single-family detached
R1-G	4.0	Single-family detached
R-1	4.0	Single-family detached
RLM	6.0	Single-family detached
R-2	8.0	Single-family detached Duplex structures Triplex structures Townhouses
R-3	10.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures with 4 or more units
OT-1	10.0	Single-family detached
OT-2	10.0	Single-family detached
MU-1	8.0	Single-family detached Duplex structures Triplex structures Townhouses Mixed Use
MU-8	18.0	Single-family detached Duplex structures

		Triplex structures Townhouses Multi-family Structures with 4 or more units Mixed Use
C-1	Prohibited	
C-2	Prohibited	
C-3	34.0 8.0	Single-family detached <u>Duplex structures</u> <u>Triplex structures</u> <u>Townhouses</u> Multi-family structures or mixed use
I-1	Not permitted as a principal use ¹	
I-A	Not permitted as a principal use ¹	
I-W	Not permitted as a principal use ¹	
W-1	2.0 with bonus potential to 4.0	Single-family within mixed use
PI-1	Not permitted as a principal use ¹	
CON	Not permitted as a principal use ¹	
REC	Prohibited	

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

4.01.02 Density Bonus Provisions

Fernandina Beach Community Redevelopment Area (CRA) Density Bonus Incentive Program

The CRA Density Bonus Incentive Program is only available to those properties within the Fernandina Beach CRA, as adopted by Resolution 2006-28, which carry the Central Business District (CBD) future land use designation/ C-3 zoning and are not within the Coastal High Hazard Area (CHHA). This program has been developed as a mechanism to encourage additional residential density within the CRA and is not a development requirement. Property owners and developers wishing to take advantage of the potential additional density provided by the bonus program are required to demonstrate full compliance with its requirements through the site design review process. Further, the completed scorecard shall be approved as part of the local development order and recorded with the Nassau County Clerk of Courts in the form of a deed restriction. All committed improvements shall be inspected prior to issuance of a certificate of occupancy. Property dedications are subject to the City's acceptance of the land.

The Density Bonus Scorecard (Table 4.01.02(A)) is a tool created to evaluate a developments' ability to obtain a density bonus. It is composed of five (5) categories: Housing Type Mix, Mixed Use, Community Amenities, Green Building Certification and Sustainable Site Development Practices. Each category contains a maximum number of points within the overall category. Projects that obtain additional points within the category are not permitted to transfer those points to any other category. The total number of points in all five (5) categories combined equals 100 points. The density bonus multiplier is applied to the project's underlying lots of record. Projects are able to obtain a density bonus multiplier if they achieve the required total number of points as follows:

- Eligibility for 1.5 multiplier dwelling units per lot of record bonus requires 40% of the Potential Points
- Eligibility for 2.0 multiplier dwelling units per lot of record bonus requires 55% of the Potential Points
- Eligibility for 2.5 multiplier dwelling units per lot of record bonus requires 70% of the Potential Points
- Eligibility for 3.0 multiplier dwelling units per lot of record bonus requires 85% of the Potential Points

Each of the categories in the Density Bonus Incentive Program are intended to address a community identified need or goal. The Housing Type Mix category encourages a mixture of smaller dwelling units within the overall development scheme which provides an opportunity to achieve more affordable units and workforce housing within the CRA. The Mixed Use category seeks to obtain a development pattern compatible with the existing Central Business District whereby there is a mix of retail, restaurants and professional offices with residential units. A category for Community Amenities is included in order to realize several of the goals of the CRA such as retention of historic structures, maintenance of views, pedestrian corridors and providing for infrastructure improvements. The Green Building Certification category awards points to project that have taken the necessary steps to obtain a nationally recognized green building certification. Points for Sustainable Site Development Practices provide points for achieving certain measurable sustainable building techniques.

Table 4.01.02(A) CRA DENSITY BONUS SCORECARD

CATEGORY	MEASURE	POINTS
HOUSING TYPE MIX	20% and above of total units- 750 sq ft or under	20
	20% through 80% of total units- 751- 1000 sq ft	20
	20% through 60% of total units- 1,001-1,250 sq ft	10
	Housing Type Mix Maximum Points	35
MIXED USE	Minimum 8% of gross floor area contains non-residential use (not including parking)	10
	Mixed Use Maximum Points	10
COMMUNITY AMENITIES	Project Reuses & Restores Existing Contributing or Non-Contributing Historic Structures On-Site	5
	Interconnected Public Spaces:	
	Interconnected public spaces and pedestrian ways internal to the project site- <i>Partial Block</i> OR	5
	Interconnected public spaces and pedestrian ways internal to the project site- <i>Full Block</i>	10
	Project Contains Publicly Accessible Rooftop Amenities (Minimum of 400 sq. ft.)	8
	Project Contains Publicly Accessible Rooftop Green Open space (50% of rooftop)	8
	Implementing Streetscape Improvements in Accordance with Approved CRA Streetscape (Within Project ROW)	10
	Dedication of Land:	
	City acquisition of 5% of the project site (minimum 2,500 sq. ft) to the public of land for Stormwater Management, Parking, Parks or Community Gardens within the CRA (fee simple acquisition) OR	5
	City acquisition of 10% of the project site to the public of land for Stormwater Management, Parking, Parks or Community Gardens within the CRA (fee simple acquisition)	10

	Public Outdoor Open Space: 2% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace OR	8
	4% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace OR	12
	6% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace	16
	Contribution of monies towards CRA infrastructure improvements above and beyond the costs of development impacts (\$25,000 / point up to a maximum of 35 points)	35
	Community Amenities Maximum Points	35

Table 4.01.02(A) — CRA DENSITY BONUS SCORECARD (continued)

CATEGORY	MEASURE	POINTS
GREEN BUILDING CERTIFICATION	Nationally Recognized Sustainable Rating System (LEED, Green Globes, Earth Craft, etc.)	5
	Green Building Certification Maximum Points	5
SUSTAINABLE SITE DEVELOPMENT PRACTICES	HERS Rating OR Other Energy Conservation HERS Rating of 70-61 OR	5
	HERS Rating of 60-51 OR	7
	HERS Rating of 50-16 OR	10
	HERS Rating of 15 or below	15
	OR	
	Project Uses Solar Water Heaters for all Commercial and Residential Units	1
	Project Contains On-site Renewable Energy	1
	Project Contains/ Requires All Energy Star Rated Appliances and Fixtures	1
	ADDITIONAL CREDITS	

	Project Uses Water Efficient Landscaping (Xeriscape & Rain Gardens)- Minimum of 75% of required landscaped area	1
	Florida Water Star Certified Project	2
	Project Exceeds Minimum (30%) Landscaping Requirements using Native Plant Materials for Parking Areas	1
	Project Exceeds Minimum (30%) Landscaping Requirements using Native Plant Materials for Tree Planting	1
	Project Diverts a Minimum of 50% of all Construction Waste Away from Landfills (re-use on-site or recycle hauler)	3
	Project Contains On-site Use of Collected Stormwater	2
	Reduced Non-Roof Heat Island Effect to a Minimum of 40% of Hardscape	2
	Reduced Roof Heat Island Effect (Green Roof or Reflective Roof)	3
	Project Provides a Central Storage Facility internal to the Project for the Collection of Recyclable Waste	2
	Sustainable Site Development Practices	
	Maximum Points	15
	TOTAL MAXIMUM POINTS	100

OFFICE USE ONLY

REC'D: _____ BY: _____

PAYMENT: \$ _____ TYPE: _____

APPLICATION #: 2016-0001722

CASE #: 2016-27

BOARD MEETING DATE: DEC 14, 2016



PLANNING ADVISORY BOARD APPLICATION

☐ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600)

☐ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600)

☒ LDC TEXT AMENDMENT (\$850)

☒ COMP PLAN AMENDMENT (\$850)

☐ SUBDIVISION PLAT – PRELIM (\$750)

☐ SUBDIVISION PLAT – FINAL (\$850)

☐ VACATION OF R.O.W. (\$850)

☐ VOLUNTARY ANNEXATION (\$1050)

APPLICANT INFORMATION

Owner Name: CITY OF FERNANDINA BEACH

Mailing Address: 204 ASH STREET FERNANDINA BEACH, FL 32034

Telephone: 904-310-3135

Fax: _____

Email: DMARTIN@FBFL.ORG

Agent Name: _____

Mailing Address: _____

Telephone: _____

Fax: _____

Email: _____

PROPERTY INFORMATION

Street Address: _____

Parcel Identification Number(s): _____

Lot Number: _____

Block Number: _____

Subdivision: _____

Section: _____

Township: _____

Range: _____

PROJECT INFORMATION

Total Number of Lots/Parcels: _____

Less than One (1) acre Sq. Footage: _____ One (1) Acre or Greater: _____

Existing Zoning Classification: _____

Existing Future Land Use Classification: _____

Previous Planning/Zoning Approvals: _____

Description of Request:

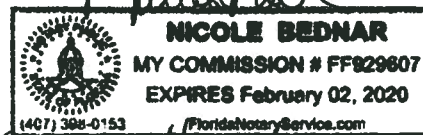
SEE ATTACHED- COMPREHENSIVE PLAN TEXT AMENDMENT AND LDC CHANGES

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

Date 11/29/16 Signature of Applicant [Signature]

STATE OF FLORIDA }
COUNTY OF NASSAU } ss



Subscribed and sworn to before me this 29th day of November, 2016.

[Signature]
Notary Public: Signature

Nicole Bednar
Printed Name

Feb. 2, 2020
My Commission Expires

Personally Known X OR Produced Identification _____ ID Produced: _____

COMP PLAN AMENDMENT

Policy 1.07.09.

Central Business District (CBD)

- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed ~~eight (8)~~ thirty-four (34) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District; land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

Policy 1.04.05.

The City shall implement a Density Bonus Incentive Program to encourage redevelopment within its Community Redevelopment Area (CRA). The CRA boundary is delineated on the City's Future Land Use Map and cannot be amended without a Comprehensive Plan amendment. The Density Bonus Incentive Program shall be available only to those properties within the CRA which carry or acquire the Central Business District (CBD) future land use designation and are not within the Coastal High Hazard Area (CHHA).

The Density Bonus Incentive Program shall utilize a scoring system as formalized within the Land Development Code by which redeveloping, eligible properties may choose to address categories of Housing Type Mix, Mixed Use, Community Amenities, Green Building Certification and Sustainable Site Development Practices to earn points toward a density increase.

Each category has a maximum number of points (illustrated in Table 1.03.01). Points may be obtained in any combination of the categories with the total number of points not to exceed 100 points.

Table 1.04.01. Density Bonus Incentive Program Maximum Points

CATEGORY	MAXIMUM POINTS
HOUSING TYPE MIX	35
MIXED USE	10
COMMUNITY AMENITIES	35
GREEN BUILDING CERTIFICATION	5
SUSTAINABLE SITE DEVELOPMENT PRACTICES	15
TOTAL	100

Density bonuses may be earned on a site specific basis based on the following minimum thresholds in the scoring system:

- Minimum of 40% of the potential points to achieve 1.5 times the allowable base density;
- Minimum of 55% of the potential points to achieve 2.0 times the allowable base density;
- Minimum of 70% of the potential points to achieve 2.5 times the allowable base density; or
- Minimum of 85% of the potential points to achieve 3.0 times the allowable base density.

LAND DEVELOPMENT CODE CHANGES

4.01.01 Density and Housing Types

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

Zoning District	Maximum Gross Density (dwelling units per acre)	Permissible Housing Types
RE	1.0	Single-family detached
R1-G	4.0	Single-family detached
R-1	4.0	Single-family detached
RLM	6.0	Single-family detached
R-2	8.0	Single-family detached Duplex structures Triplex structures Townhouses
R-3	10.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family structures with 4 or more units
OT-1	10.0	Single-family detached
OT-2	10.0	Single-family detached
MU-1	8.0	Single-family detached Duplex structures Triplex structures Townhouses Mixed Use
MU-8	18.0	Single-family detached Duplex structures Triplex structures Townhouses Multi-family Structures with 4 or more units Mixed Use
C-1		Prohibited
C-2		Prohibited
C-3	<u>34.0</u> 8.0	Single-family detached <u>Duplex structures</u> <u>Triplex structures</u>

		<u>Townhouses</u> Multi-family structures or mixed use
I-1	Not permitted as a principal use ¹	
I-A	Not permitted as a principal use ¹	
I-W	Not permitted as a principal use ¹	
W-1	2.0 with bonus potential to 4.0	Single-family within mixed use
PI-1	Not permitted as a principal use ¹	
CON	Not permitted as a principal use ¹	
REC	Prohibited	

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

~~4.01.02 Density Bonus Provisions~~

~~Fernandina Beach Community Redevelopment Area (CRA) Density Bonus Incentive Program~~

~~The CRA Density Bonus Incentive Program is only available to those properties within the Fernandina Beach CRA, as adopted by Resolution 2006-28, which carry the Central Business District (CBD) future land use designation/ C-3 zoning and are not within the Coastal High Hazard Area (CHHA). This program has been developed as a mechanism to encourage additional residential density within the CRA and is not a development requirement. Property owners and developers wishing to take advantage of the potential additional density provided by the bonus program are required to demonstrate full compliance with its requirements through the site design review process. Further, the completed scorecard shall be approved as part of the local development order and recorded with the Nassau County Clerk of Courts in the form of a deed restriction. All committed improvements shall be inspected prior to issuance of a certificate of occupancy. Property dedications are subject to the City's acceptance of the land.~~

~~The Density Bonus Scorecard (Table 4.01.02(A)) is a tool created to evaluate a developments' ability to obtain a density bonus. It is composed of five (5) categories: Housing Type Mix, Mixed Use, Community Amenities, Green Building Certification and Sustainable Site Development Practices. Each category contains a maximum number of points within the overall category. Projects that obtain additional points within the category are not permitted to transfer those points to any other category. The total number of points in all five (5) categories combined equals 100 points. The density bonus multiplier is applied to the project's underlying lots of record. Projects are able to obtain a density bonus multiplier if they achieve the required total number of points as follows:~~

- ~~• Eligibility for 1.5 multiplier dwelling units per lot of record bonus requires 40% of the Potential Points~~
- ~~• Eligibility for 2.0 multiplier dwelling units per lot of record bonus requires 55% of the Potential Points~~
- ~~• Eligibility for 2.5 multiplier dwelling units per lot of record bonus requires 70% of the Potential Points~~
- ~~• Eligibility for 3.0 multiplier dwelling units per lot of record bonus requires 85% of the Potential Points~~

~~Each of the categories in the Density Bonus Incentive Program are intended to address a community identified need or goal. The Housing Type Mix category encourages a mixture of smaller dwelling units within the overall development scheme which provides an opportunity to achieve more affordable units and workforce housing within the CRA. The Mixed Use category seeks to obtain a development pattern compatible with the existing Central Business District whereby there is a mix of retail, restaurants and professional offices with residential units. A category for Community Amenities is included in order to realize several of the goals of the CRA such as retention of historic structures, maintenance of views, pedestrian corridors and providing for infrastructure improvements. The Green Building Certification category awards points to project that have taken the necessary steps to obtain a nationally recognized green building certification. Points for Sustainable Site Development Practices provide points for achieving certain measurable sustainable building techniques.~~

Table 4.01.02(A) CRA DENSITY BONUS SCORECARD

CATEGORY	MEASURE	POINTS
HOUSING TYPE MIX	20% and above of total units 750 sq ft or under	20
	20% through 80% of total units 751-1000 sq ft	20
	20% through 60% of total units 1,001-1,250 sq ft	10
	Housing Type Mix Maximum Points	35
MIXED-USE	Minimum 8% of gross floor area contains non-residential use (not including parking)	10
	Mixed Use Maximum Points	10
COMMUNITY AMENITIES	Project Reuses & Restores Existing Contributing or Non-Contributing Historic Structures On-Site	5
	Interconnected Public Spaces: Interconnected public spaces and pedestrian ways internal to the project site Partial Block OR	5
	Interconnected public spaces and pedestrian ways internal to the project site Full Block	10
	Project Contains Publicly Accessible Rooftop Amenities (Minimum of 400 sq. ft.)	8
	Project Contains Publicly Accessible Rooftop Green Open space (50% of rooftop)	8
	Implementing Streetscape Improvements in Accordance with Approved CRA Streetscape (Within Project ROW)	10
	Dedication of Land: City acquisition of 5% of the project site (minimum 2,500 sq. ft) to the public of land for Stormwater Management, Parking, Parks or Community Gardens within the CRA (fee simple acquisition) OR	5
	City acquisition of 10% of the project site to the public of land for Stormwater Management, Parking, Parks or Community Gardens within the CRA (fee simple acquisition)	10
	Public Outdoor Open Space: 2% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace OR	8
	4% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace OR	12
	6% of conditioned square footage provided for useable public outdoor open space on ground level or raised terrace	16
	Contribution of monies towards CRA infrastructure improvements above and beyond the costs of development impacts (\$25,000 / point up to a maximum of 35 points)	35
	Community Amenities Maximum Points	35

Table 4.01.02(A) CRA DENSITY BONUS SCORECARD (continued)

CATEGORY	MEASURE	POINTS
GREEN BUILDING CERTIFICATION	Nationally Recognized Sustainable Rating System (LEED, Green Globes, Earth Craft, etc.)	5
	Green Building Certification Maximum Points	5
SUSTAINABLE SITE DEVELOPMENT PRACTICES	HERS Rating OR Other Energy Conservation HERS Rating of 70-61 OR	5
	HERS Rating of 60-51 OR	7
	HERS Rating of 50-16 OR	10
	HERS Rating of 15 or below	15
	OR	
	Project Uses Solar Water Heaters for all Commercial and Residential Units	1
	Project Contains On-site Renewable Energy	1
	Project Contains/ Requires All Energy Star Rated Appliances and Fixtures	1
	ADDITIONAL CREDITS	
	Project Uses Water Efficient Landscaping (Xeriscape & Rain Gardens) Minimum of 75% of required landscaped area	1
	Florida Water Star Certified Project	2
	Project Exceeds Minimum (30%) Landscaping Requirements using Native Plant Materials for Parking Areas	1
	Project Exceeds Minimum (30%) Landscaping Requirements using Native Plant Materials for Tree Planting	1
	Project Diverts a Minimum of 50% of all Construction Waste Away from Landfills (re-use on-site or recycle hauler)	3
	Project Contains On-site Use of Collected Stormwater	2
	Reduced Non-Roof Heat Island Effect to a Minimum of 40% of Hardscape	2
	Reduced Roof Heat Island Effect (Green Roof or Reflective Roof)	3
	Project Provides a Central Storage Facility internal to the Project for the Collection of Recyclable Waste	2
	Sustainable Site Development Practices Maximum Points	15
	TOTAL MAXIMUM POINTS	100



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COMPREHENSIVE PLAN & LDC TEXT AMENDMENTS- CBD DENSITY

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	City of Fernandina Beach/ City Commission as 2016 Priority Action Item
AGENT:	Dale L. Martin, City Manager → Community Development Department Planning Staff
REQUESTED ACTION:	Amending Comprehensive Plan Policies 1.04.05 and 1.07.09 and LDC Sections 4.01.01 and 4.01.02 to remove the density bonus provisions for the CRA and increasing net density within the Central Business District land use/ C-3 zoned properties
LOCATION:	All Central Business District (CBD) FLUMED and C-3 Zoned Properties totaling approximately 47.50 acres of land

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

SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

In 2016, the City Commission established a priority goal objective of increasing density in the City's downtown. This topic is not unfamiliar to the City and its residents. For over a decade, the issue of increased density in the urban core has been discussed at various boards and committees and even stems from the initial efforts of the City's waterfront visioning exercises in 2004-2005. The Waterfronts Florida Partnership provided an excellent starting point for the City to consider its long term planning as it relates to the riverfront area as well as downtown. The visioning which took place and subsequent follow up meetings pointed to the need to increase the City's capacity to provide additional downtown residential housing opportunities and support its local merchants. Initial efforts were completed to increase downtown density, prior Planning staff considered an Urban Core type land use category in which density could be higher than the CBD. Unfortunately, in 2004 the entire City was considered within a Coastal High Hazard Area, which virtually froze all existing residential densities city-wide. The discussion ceased and efforts were considered in other areas to support downtown. In 2006, the state changed its definition of Coastal High Hazard Area (CHHA) and updated maps were issued. Today, only the western most edges of waterfront property are impacted by the CHHA.

In the years that followed, the City established a Community Redevelopment Area (CRA) along its waterfront properties and immediately adjoining the westernmost portion of the Central Business District. In late 2010, the City created a density bonus system for CRA properties containing the CBD land use designation as a means to address concerns raised by the development community that there was insufficient density in place to create marketable residential structures. However, efforts were too late as the nationwide recession was in full effect and the housing market crashed. The density bonus program and Land Development Code (LDC) based "score card" has never been used.

Although, ten years have passed since the prior discussions, much remains the same. The development community continues to face obstacles in their ability to deliver marketable housing on underutilized and vacant lands located downtown. An additional challenge is the ability to residentially occupy the second and third floors of historic structures due to the financial burden involved with meeting accessibility, fire separation, and Florida building code requirements. Creating these units may be possible, but the rate of return on potential rents makes it difficult to justify the cost of improvements.



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Today, the majority of second and third floor units remain vacant as most retail and offices want to be located on the first floor.

The Central Business District (CBD) Future Land Use category is comprised of approximately 47.50 acres. Its current maximum density is at 8 dwelling units per acre, except where a previously platted lot of record exists. Under Comprehensive Plan policy 1.05.04, existing platted lots of record located in the CBD (*and other districts*) are permitted one (1) residential unit.

The City's 1901 plat created lots of record at a scale of 25ft x100ft for properties extending from east of Front Street to 4th Street. Lots gradually become larger as they continue east with 50 ft x 100 ft lots on the 5th and 6th Street blocks and 100 ft. x 100 ft. lots extending east to Central Park.

Exhibits A – C depict the City's CBD land use with 1901 plat lines, current parcel configuration and location of the Downtown Historic District and Community redevelopment area.

Staff has evaluated the entire district from a land use perspective and found that when 8 dwelling units per acre is calculated the City is capable of achieving 380 dwelling units within the Central Business District. That same area contains 383 existing platted lots of record in total, each honored under Policy 1.05.04. From a broad brush approach, the base density is achieved district wide. Staff proposes elevating the base density to 34 dwelling units per acre, which would accommodate a potential maximum build-out of the district at 1,615 residential dwelling units. This quadrupling of density sounds alarming, however, the feasibility of fully achieving it must be considered.



Portion of 1901 Plat of Downtown Fernandina Beach



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FEASIBILITY OF A MAXIMUM BUILD-OUT:

Properties located within the City's historic district are regulated by the Historic District Council for any exterior improvements or consideration of demolition. Structures which are "contributing" to the district face additional scrutiny prior to the allowance of demolition. Established procedures are in place to protect the City's historic resources. The proposed density increase is an effort to allow for residential dwellings to occupy existing vacant spaces within the 2nd and 3rd levels of these resources, not to encourage demolition.

The City has in place a forty-five (45) foot height limit for all CBD/C-3 zoned structures, which limits buildings to a maximum of four (4) stories tall. Lots located within the Central Business District are limited to a lot width of no less than 25 feet and each lot is required to have access from an adjoining public right-of-way. The City's LDC directs that 10% of the site be dedicated for landscaping improvements. Additionally, newly developed mixed use and apartment structures require on-site storm water management with permitting through the St. Johns River Water Management District. Due to the high value of the land within this area, staff presumes that new development would rely on subterranean vaults to meet the demands of their storm water impacts.

Within the CBD/C-3 zoning district, the City absorbs parking impacts tied to any commercial operation, so there is NO PARKING required for any commercial use downtown. However, the City does not extend this exemption to on-site parking for residential dwellings. With most of the downtown historic structures, especially those located on Centre Street, achieving parking on site will not be possible. This requirement may force additional changes to the LDC or variance requests to deviate from minimum parking standards.

Collectively, these requirements, along with standards contained in the Florida Building Code and Fire Code erode the ability to fully build out to the maximum build out and create a marketable residential unit.

Strategies for handling parking:

Parking as a topic was not originally addressed in the current staff proposal. This is not something that needs to be addressed immediately for the proposal to continue its progress, but is something that needs to be considered moving forward. It's also a topic that the PAB may wish to provide comment and offer a recommendation to the City Commission.

The City does extend a provision for properties located in the Community Redevelopment Area (CRA) to reduce minimum residential parking standards, dependent on the square footage of each dwelling unit. (LDC Section 7.01.04 (A) - Parking Space Requirements Table, Footnote 2). It may be appropriate to adjust the standard to apply to all C-3 zoned properties and consider if additional adjustments need to be made.

Alternatively, the City could consider allowing a payment in lieu of providing parking for residential for its historic structures. This mechanism is currently in place for non-residential uses within the CRA. A strategy like this would allow property owner to satisfy their parking requirement by paying a set fee for the City to provide parking.

Finally, the City could consider waiving parking requirements for redeveloping historic structures to accommodate residential uses and allow overnight parking within existing City Parking lots. With the latter approaches, staff suggests that a residential overnight parking permit program be established to monitor the number of vehicles that have been legally allowed to park overnight and to ensure compliance with the parking strategy chosen.



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DENSITY (EXISTING AND PROPOSED):

The first three examples provide a quick summary of how the proposed change would impact the ability to provide residential units on a given piece of property. It depicts a maximum build out scenario and does not account for compliance with the technical standards of the City's LDC for adherence with historic district guidelines, providing parking, minimum landscape or stormwater requirements as may be necessary under a redevelopment scenario. It's simply for purposes of providing a graphical representation of the calculation and what could be possible.

A previously platted 25 x 100ft lot of record is permitted to construct a single dwelling unit downtown. In this example, like many this is a historic structure constructed in 1900. Creating a residential unit and satisfying code requirements involves a substantial financial burden and the owner is left with a 2,500 square foot apartment, an area that is in keeping with most suburban residential standards, not that of a downtown urban core. Under the proposed change, this property would have sufficient density to establish up to (2) two residential units.

Example Density Calculation:

25 X 100 ft Lot of Record

Add Half of Adjoining ROW (on Centre Street)

2,500 ft²

+1000 ft²

3,500 ft²

With Policy 1.04.05 (honors platted lots of record)

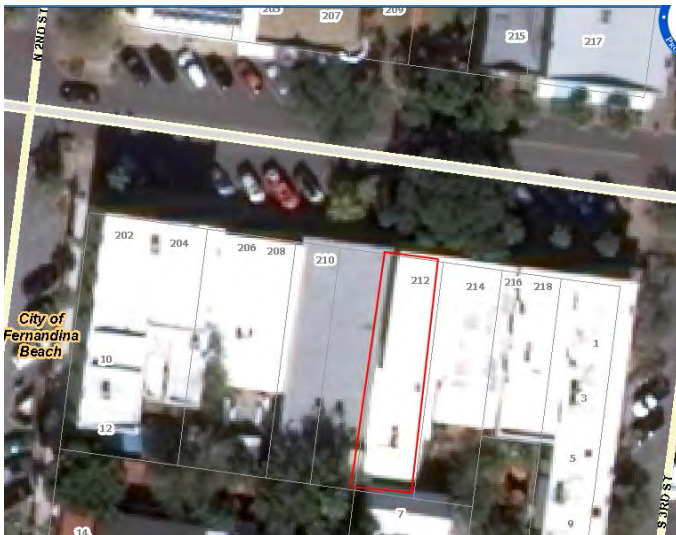
1 unit

Existing CBD Density (8 du/ acre or 5,445 ft²)

0 units

Proposed CBD Density (34 du/ acre or 1,281 ft²)

2 units





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A 50 x 100 ft lot is also permitted to construct a single dwelling unit under both policy 1.04.05 and it also satisfies minimum existing density requirements when calculating 1/2 of the adjoining right-of-way (ROW). Under the proposed change the lot would be able to construct five (5) residential dwelling units.

Example Density Calculation:

50 X 100ft Lot of Record

	5,000 ft ²
Add Half of Adjoining ROW (on Side Numbered Streets = 60 ft)	<u>+1,500 ft²</u>
	6,500 ft ²

With Policy 1.04.05 (honors platted lots of record)	1 unit
Existing CBD Density (8 du/ acre or 5,445 ft ²)	1 unit
Proposed CBD Density (34 du/ acre or 1,281 ft ²)	5 units





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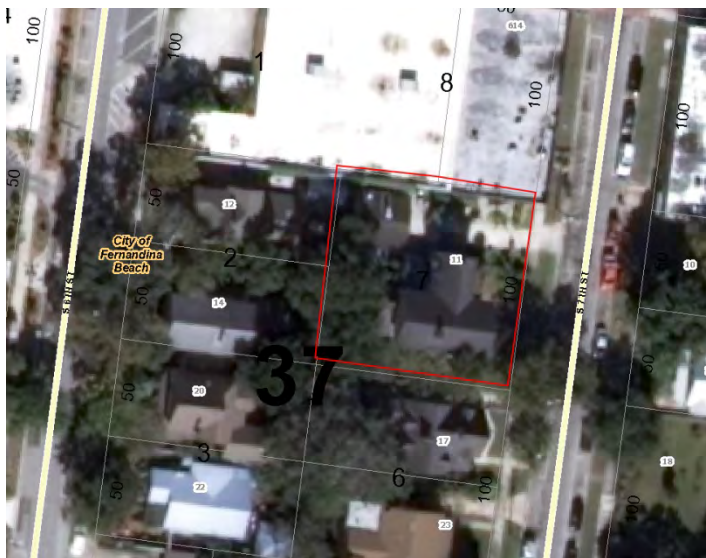
The 1901 platted 100 x 100 ft. lots will go from being able to construct three (3) dwelling units to a maximum of twelve (12) dwelling units.

Example Density Calculation:

100 X 100ft Lot of Record

	10,000 ft ²
Add Half of Adjoining ROW (on Side Numbered Streets = 60 ft)	+ 6,000 ft ²
	16,000 ft ²

With Policy 1.04.05 (honors platted lots of record)	1 unit
Existing CBD Density (8 du/ acre or 5,445 ft ²)	2 units
Proposed CBD Density (34 du/ acre or 1,281 ft ²)	12 units

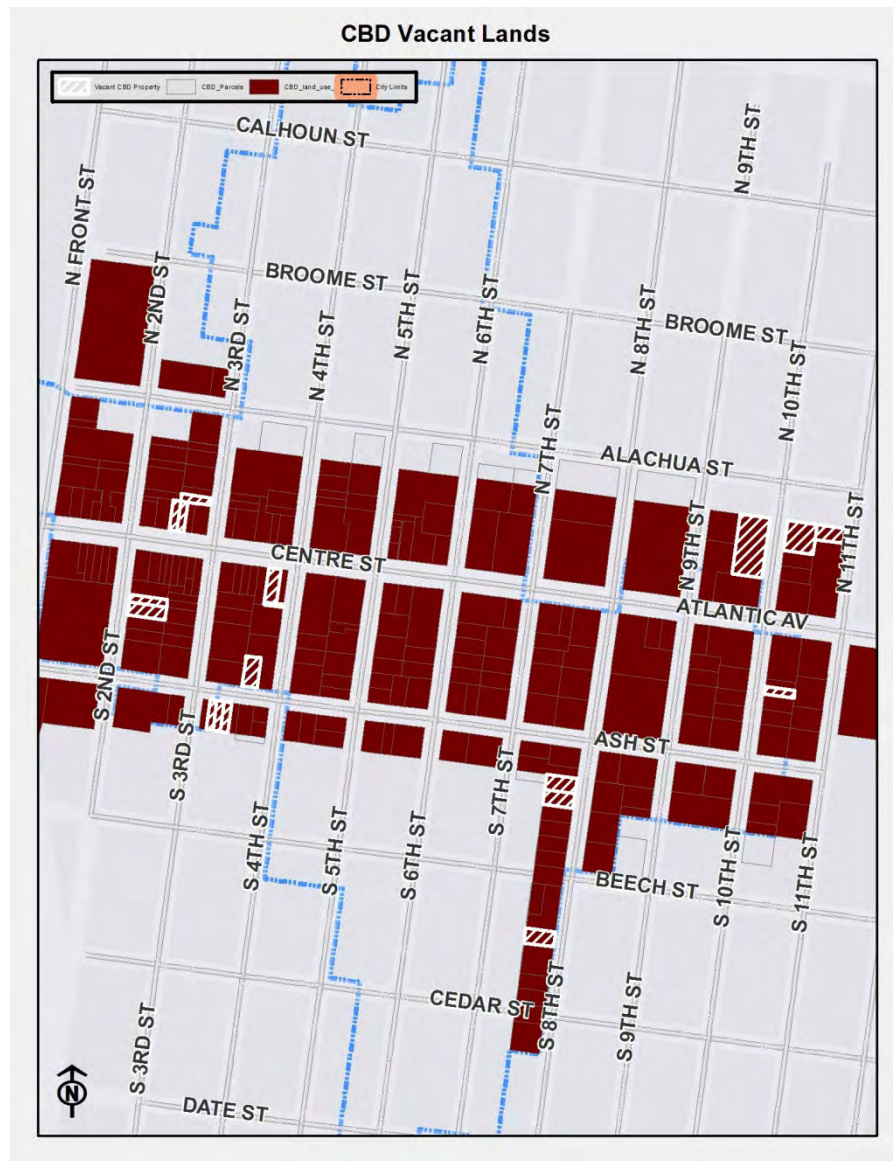




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VACANT OR UNDERUTILIZED SITES AND DENSITY IMPACTS

Within the Central Business District/ C-3 zoning district remains a total of 18 “vacant” properties. These properties are scattered throughout the downtown area and contain a variety of lot configurations. This map depicts the location of remaining vacant lands.



Staff has provided a brief analysis of three (3) potential redevelopment sites. They were chosen because they are either currently vacant or underutilized properties with a high potential for future redevelopment. Calculations are reflective of a maximum build-out scenario and do not account for what may be a marketable residential unit when factoring requirements for adherence with the LDC standards for a 45 foot maximum building height, 10% landscape standard, parking requirements, or stormwater management. Requirements for compliance with the Florida Building Code and Florida Fire Code may also impact the total number of units achievable on a given site.



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This 125x100 ft. parcel is a property which is likely to redevelop in the future and may take advantage of the potential for residential density through its redevelopment scheme. Under the proposed change the property would be able to construct up to 15 residential dwelling units.

Example Density Calculation:

125 X 100ft Lot with 5 Platted Lots

Add Half of Adjoining ROW (Approximately = 60 ft)

$$\begin{array}{r} 12,500 \text{ ft}^2 \\ + 6,750 \text{ ft}^2 \\ \hline 19,250 \text{ ft}^2 \end{array}$$

With Policy 1.04.05 (honors platted lots of record)

5 units

Existing CBD Density (8 du/ acre or 5,445 sq ft)

3 units

Proposed CBD Density (34 du/ acre or 1,281 sq ft)

15 units





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Although, the property is currently being redeveloped in keeping with its prior use as a retail store, this 400 x 400 ft. parcel is a property which has the potential to redevelop in the future. Under the proposed change the property would be able to construct up to 45 residential dwelling units.

Example Density Calculation:

200 X 200ft Lot with 5 Platted Lots

Add Half of Adjoining ROW (Approximately = 60 ft)

40,000 ft²

+ 18,000 ft²

58,000 ft²

With Policy 1.04.05 (honors platted lots of record)

4 units

Existing CBD Density (8 du/ acre or 5,445 sq ft)

10 units

Proposed CBD Density (34 du/ acre or 1,281 sq ft)

45 units





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This property is located within the City's CRA and previously considered a redevelopment scenario that involved mixed use office/retail and apartments prior to the 2009 housing market crash. The site remains vacant and the existing Standard Marine Building is boarded up. Under the proposed density increase, the property has the potential for redevelopment of up to 99 dwelling units.

Example Density Calculation:

2.06 Acres – Full City Block on Front Street

Add Half of Adjoining ROW (on Side Numbered Streets = 60 ft)

89,733 ft²

+ 37,500 ft²

127,233 ft²

With Policy 1.04.05 (honors platted lots of record)

34 units

Existing CBD Density (8 du/ acre or 5,445 sq ft)

23 units

Proposed CBD Density (34 du/ acre or 1,281 sq ft)

99 units





DATA & ANALYSIS

PAB 2016-27: CP + LDC Text Amendments – CBD Density

Planning Advisory Board Hearing

December 14, 2016

MAIN STREET FERNANDINA SURVEY ANALYSIS

With the support of Main Street Fernandina, the City devised and launched a survey in mid-September 2016. A total of 199 responses were obtained from the survey effort which closed on December 8, 2016. With exception of a few, those who responded to the survey indicated an interest in living downtown, if they were able to secure housing to meet their desired needs. An overwhelmingly (92%) stated that if they lived downtown they would drive less often. 60% of respondents stated they would be willing to park their cars a maximum of two-blocks from their place of residency and would rely on public transportation more frequently.

When it comes to desired housing preferences, most respondents are looking to secure 1,000 to 2,000 square feet of living area with 2-3 bedrooms and 1.5 -3 bathrooms. They would also like to have two (2) available parking spaces either within their place of residency or as a mix of secured parking and on-street parking. One-third (1/3) of respondents indicate a desire to live in a mixed-use building, however, nearly 50% would like either a detached single-family home or townhouse. Although, most respondents are desirous of buying their place downtown, of those willing to rent a 2-bedroom apartment 45% are looking for \$1,000 or less in rent costs each month.

Here is a brief summary of the general demographics of survey respondents:

- 25% of respondents are employed in downtown Fernandina Beach.
- 61% of the respondents live on Amelia Island.
- Almost 70% are looking to buy or rent-to-buy a place downtown.
- Nearly 80% have 2+ people currently living in their household.
- Roughly 50% of respondents were aged 55+, with almost 23% of respondents under the age of 40.

These top three items were tremendously supported as a primary factor to their decision to live in downtown Fernandina Beach

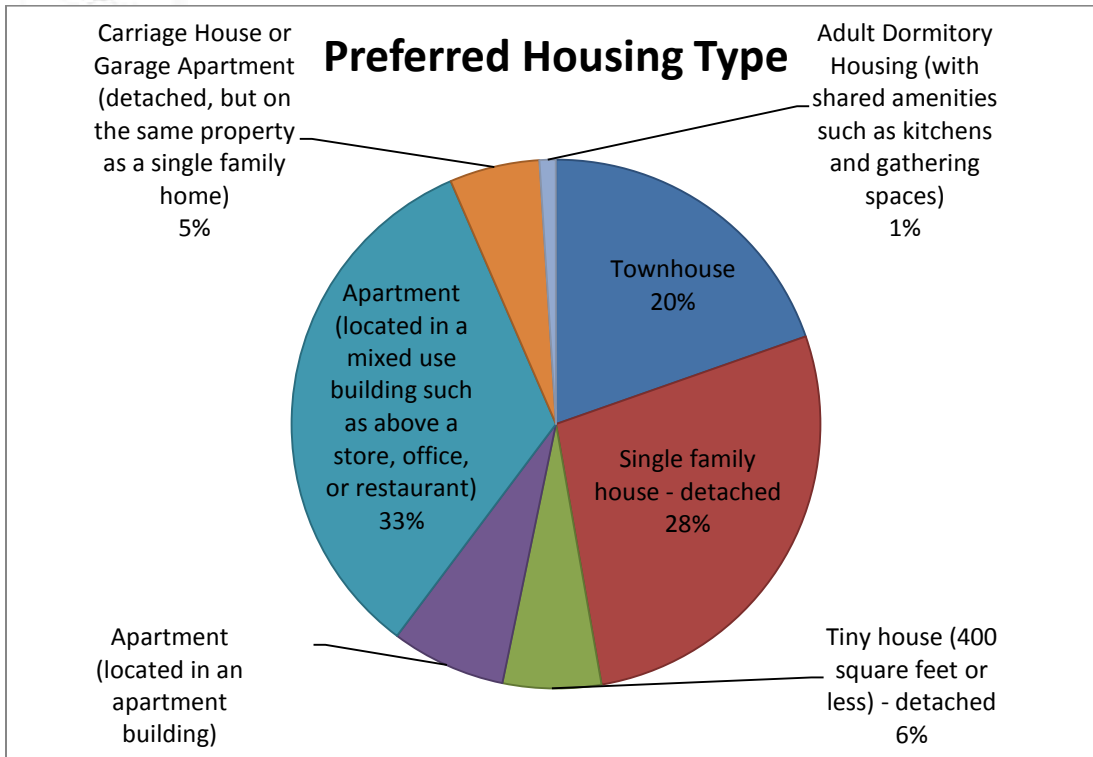
1. Dining, Nightlife, and Entertainment
2. Public Amenities such as the Marina, Library, Post Office, City Hall, Community Theater, Museum, etc.
3. Safe Walking and Biking.

When asked “Why do you want to live downtown?” The primary responses were “Convenience, Walkable, Close to Everything, and Historic Charm.” Responses are summarized in the word cloud, HERE →.

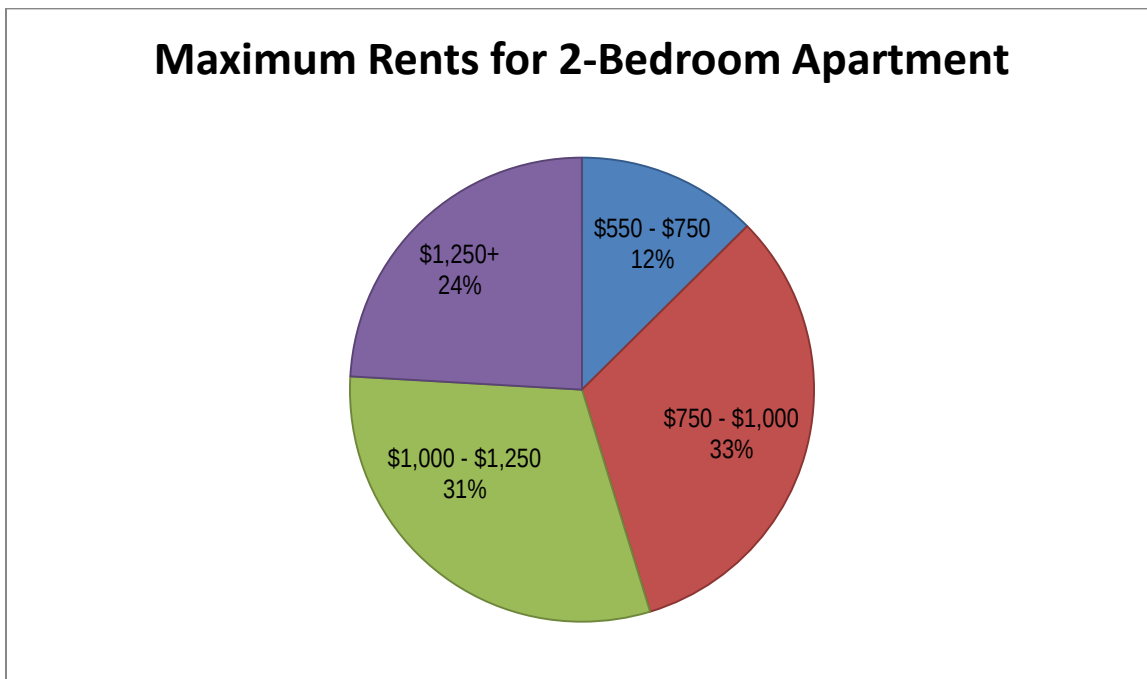




DATA & ANALYSIS
PAB 2016-27: CP + LDC Text Amendments – CBD Density
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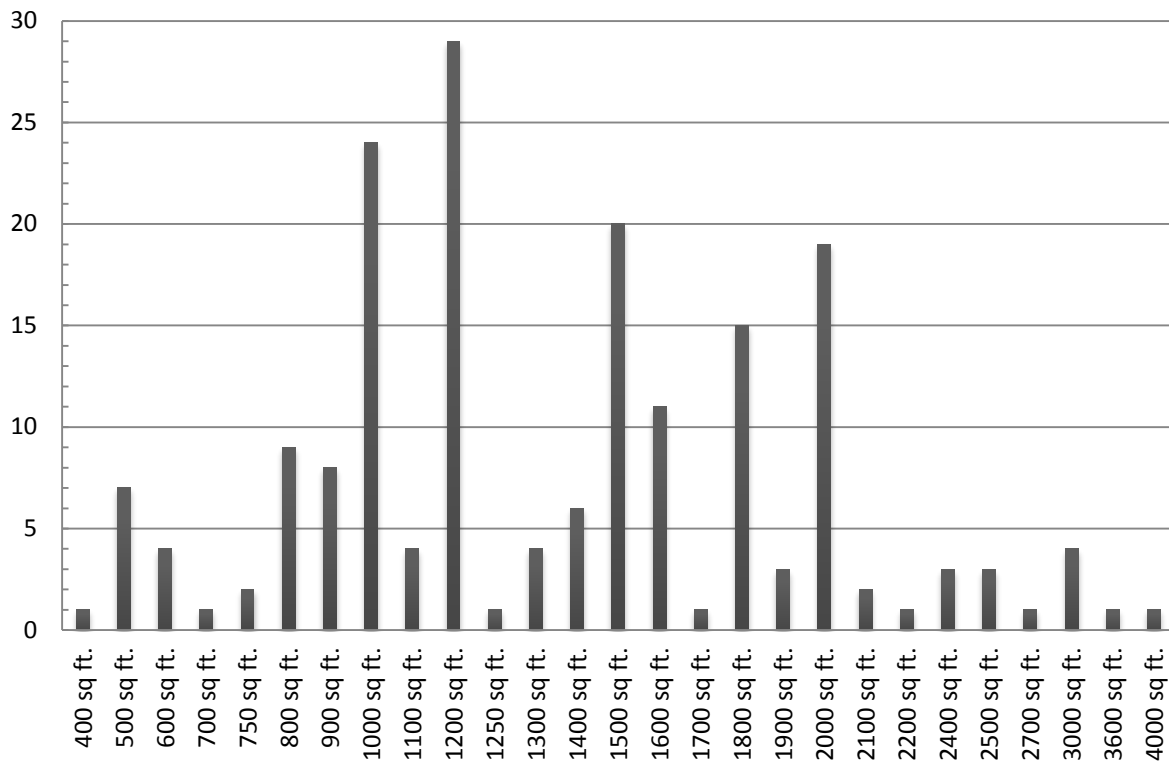
There is a fairly even split of survey respondents looking for either Single family detached homes, townhouses, or mixed –use living downtown .



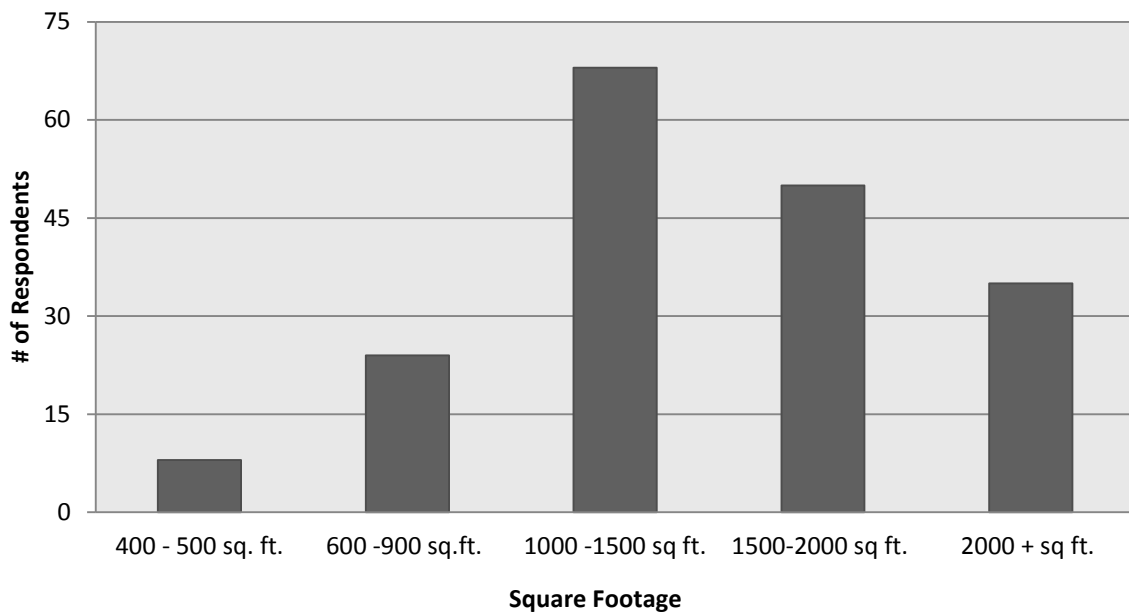
Roughly two-thirds of the respondents are willing to pay up to \$1,250 for a two- bedroom apartment downtown. However, 45% of the respondents are looking to pay \$1,000 or less.



Desired Square Footage



Desired Square Footage

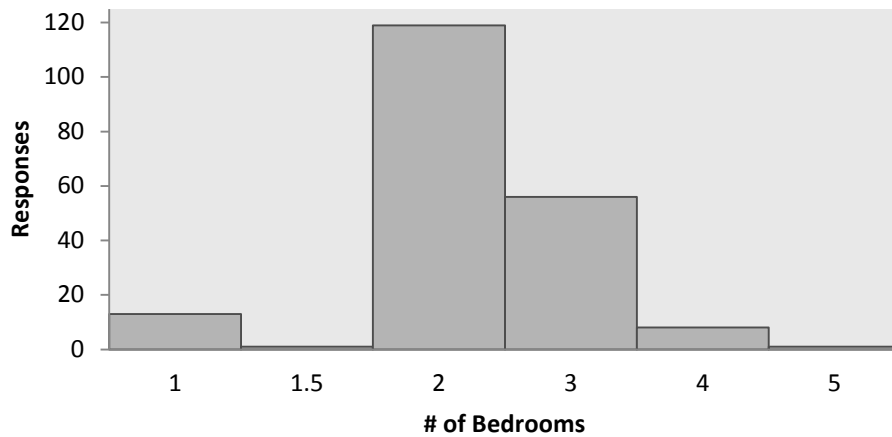


The majority of respondents desire between 1,000 – 2,000 square feet.



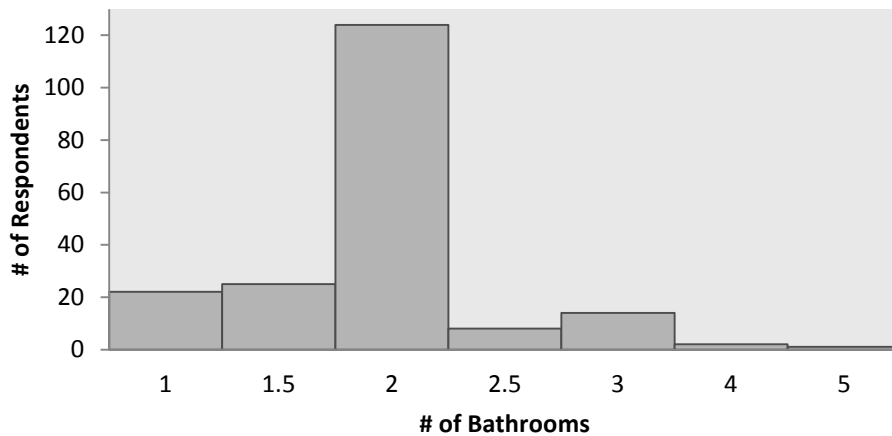
DATA & ANALYSIS
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Bedroom Count Preference



88% of respondents are looking for 2-3 bedrooms.

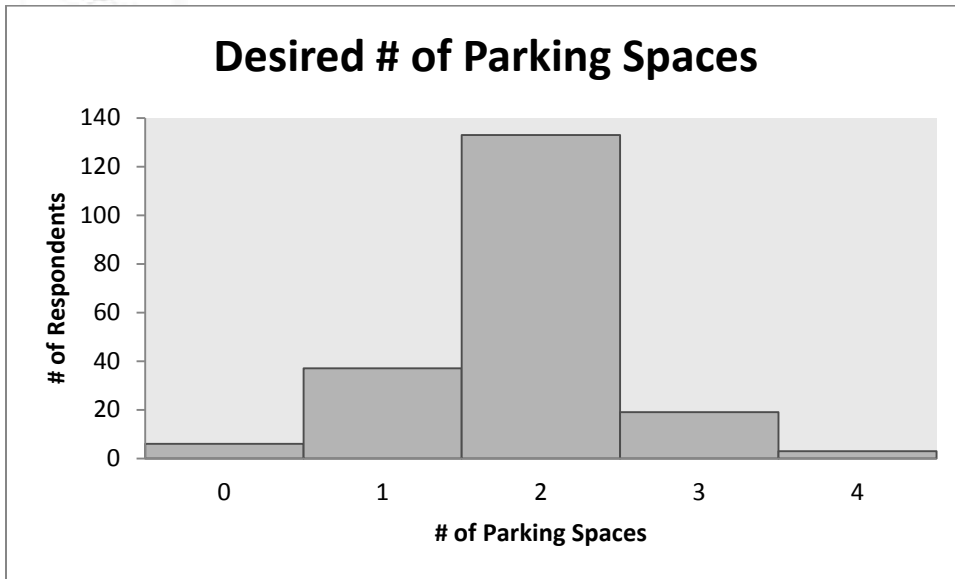
Bathroom Count Preference



86% of respondents are looking for between 1.5 and 3 bathrooms with the majority requesting two (2) bathrooms.



DATA & ANALYSIS
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67% of Respondents desire two (2) parking spaces with just over 20% stating that they would require either zero or one (1) space.



DATA & ANALYSIS
PAB 2016-27: CP + LDC Text Amendments – CBD Density
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CONCLUSION:

The analysis contained within this report provides information to support a net density increase within the Central Business District (CBD)/ C-3 zoning district from 8 dwelling units per acre to 34 dwelling units per acre. This figure supports the City's ability to obtain residential dwelling units in its existing historic structures. It provides an opportunity to create dwelling units on vacant or underutilized sites which serve to support long term residential living downtown, whether those units support work force housing needs, senior co-housing, tiny houses, or an opportunity for an affordable 2nd home in downtown Fernandina Beach. It is a product which the City's urban core is currently unable to deliver under the existing base density. Increasing the number of residential units within the CBD serves to support existing business merchant's downtown by providing affordable housing options through smaller unit sizes for retail, office, and restaurant employees. It also increases the number of people likely to walk, dine, and shop weekly or even daily at their businesses. This adds vibrancy to the City's downtown core and supports previous long term visioning efforts. Staff fully supports the City Commission's request to increase net density downtown as directed by its 2016 priority action item.

Details regarding parking cannot be ignored, particularly as it will relate to established historic structures. At the present time, there are parking flexibility standards within the LDC which may help those property owners looking to meet minimum parking requirements through off-site parking agreements. A variance opportunity exists for these owners as well. Amendments regarding parking as contained in Chapter 7 of the LDC may be considered by PAB recommendations or addressed as a staff proposal under a separate application.

MOTION(S) TO CONSIDER:

I move to recommend (approval or denial) of PAB case number 2016-27 to the City Commission requesting amendments to Comprehensive Plan Policies 1.04.05 and 1.07.09 and LDC Sections 4.01.01 and 4.01.02 as described and that PAB case 2016-27, as presented, (is or is not) sufficiently compliant with applicable sections of the Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

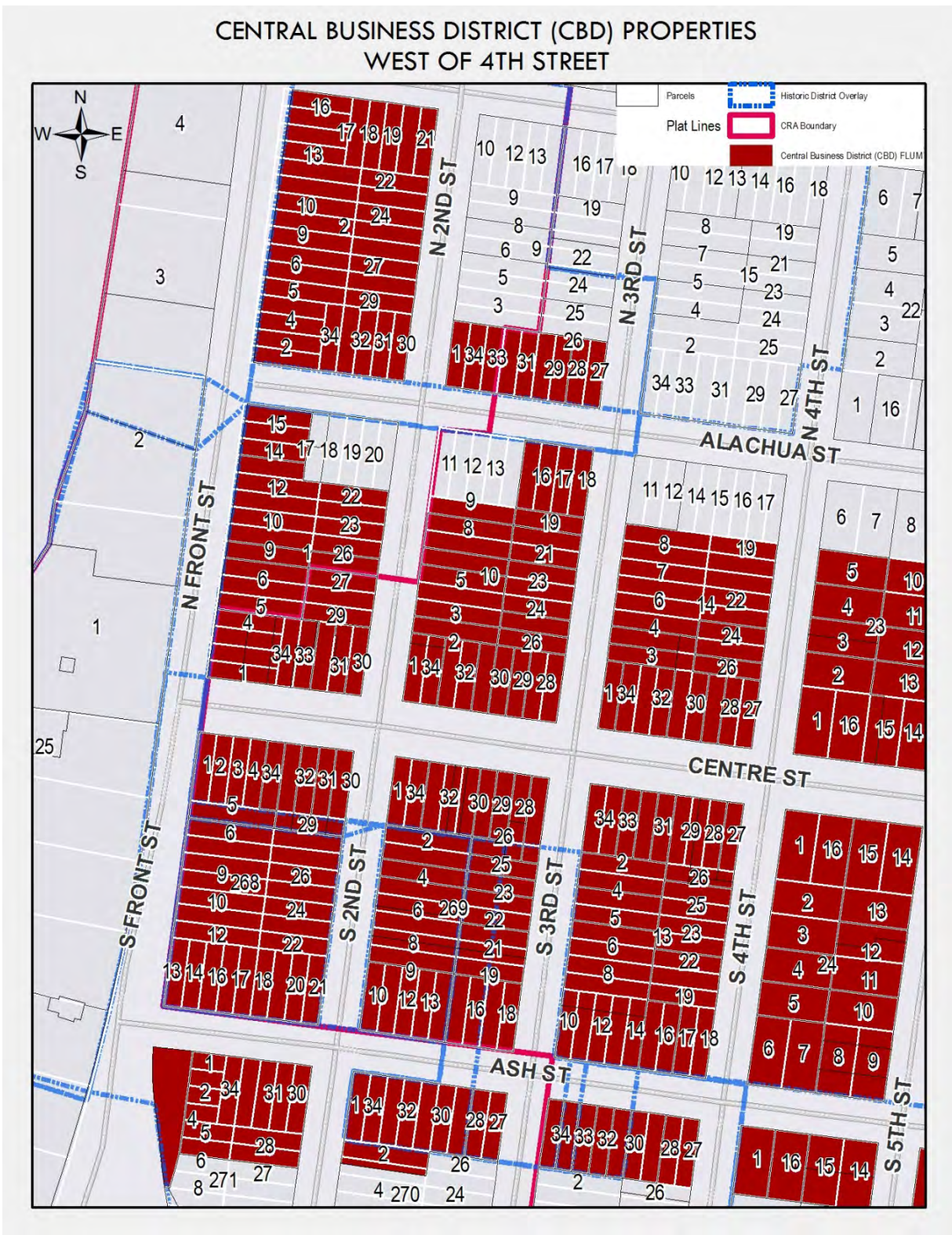
A handwritten signature in blue ink that reads "Kelly N. Gibson".

Kelly N. Gibson, AICP
Senior Planner



DATA & ANALYSIS
PAB 2016-27: CP + LDC Text Amendments – CBD Density
Planning Advisory Board Hearing
December 14, 2016

EXHIBIT A





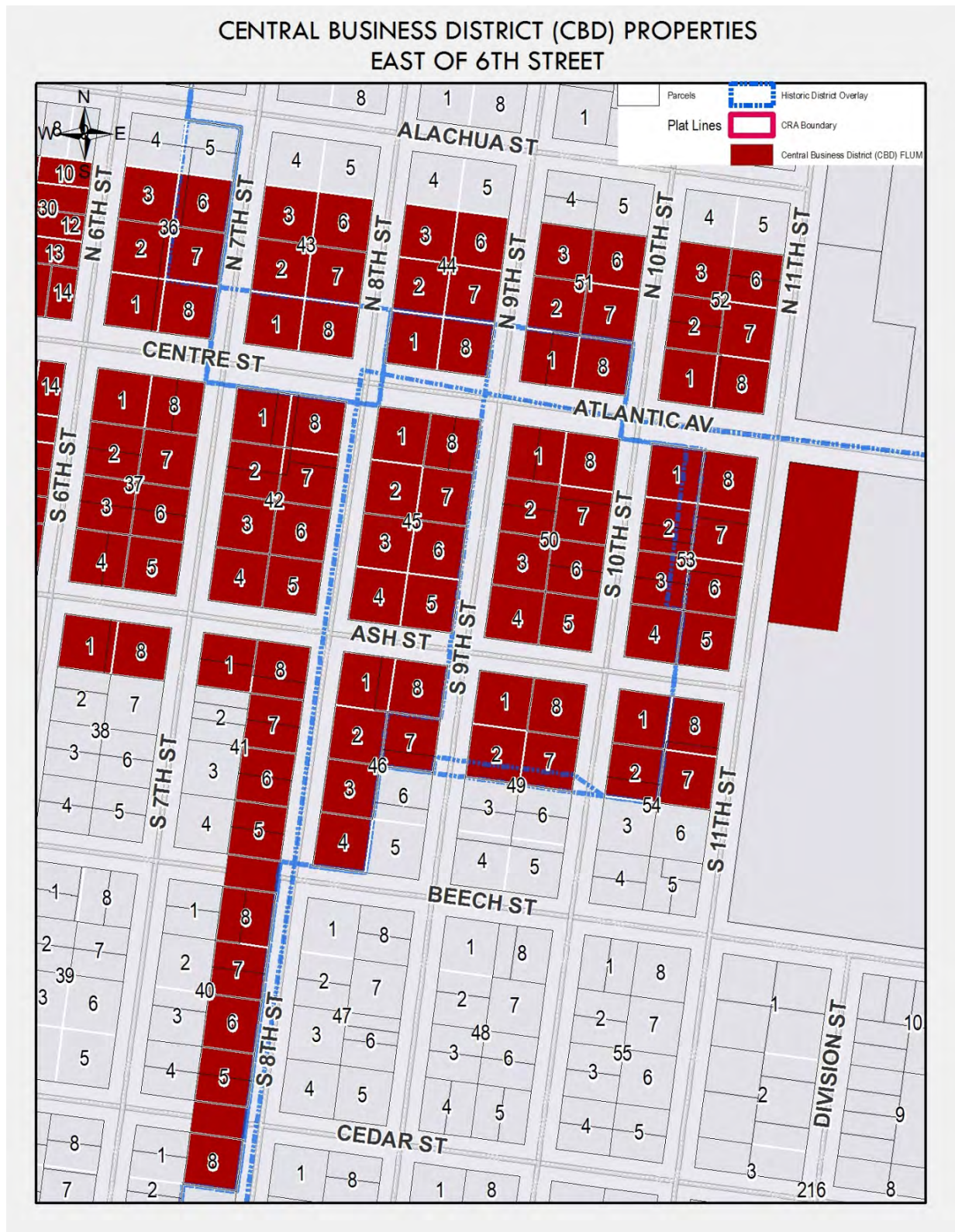
DATA & ANALYSIS
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EXHIBIT B





EXHIBIT C





February 17, 2017

Joseph Addae- Mensa, Ph.D.
Florida Department of Economic Opportunity
Division of Community Development
107 E. Madison Street, MSC 160
Tallahassee, FL 32399
Joseph.addae-mensa@deo.myflorida.com

RE: Request for Additional Analysis of Public Facilities and Services

Mr. Addae-Mensa,

The purpose of this letter is to provide you with additional information as requested for your review of the City's proposed Comprehensive Plan Amendment (ESR 17-01). The data and analysis reflect an approximate land area for the Central Business District of 47.50 on page 2 of the staff report. The Planning Department confirmed that this figure is more accurately 42.43 acres through the Nassau County Property Appraiser's Office on February 14, 2017.

Fernandina Beach has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. All public facilities and services are currently available within the Central Business District and each service is able to maintain or exceed its level of service standards as required by Comprehensive Plan policies 1.01.02, 4.01.01 and 4.01.02, specific to storm water management. The amendments requested provide an opportunity for the City to more effectively utilize the existing services available within its urban core.

Compliance with level of service standards are assessed on a case by case basis for new and redeveloping properties within the Central Business District. Each redevelopment scenario is unique and its impact on public facilities must be determined at the time of technical site plan review application and prior to the issuance of a Local Development Order. The City establishes this process through Land Development Code policy 11.03.02.

The City's transportation network consists of numerous, highly connected roadways that provide mobility by giving more options for reaching a downtown destination and dispersing traffic. In 2009, the City conducted a downtown traffic circulation analysis which found that the existing network should be adequate to handle projected increases in traffic due to even a very aggressive redevelopment program. The Study found that Centre Street, the most heavily traveled roadway downtown was operating at only 36% of its daily capacity under the adopted LOS standard of C. In terms of network connectivity, the degree to which walkways and roadways allow direct pedestrian or vehicle travel between destinations, within the downtown area meets or exceeds standards for pedestrian and vehicular connectivity. The area defined as the Amelia River Waterfront, does not meet minimum standards. The City is actively working to pursue options, while working with FDOT railroad office and First Coast railroad to address vehicular connectivity. As this area is within a CRA, the City anticipates sidewalk connections and extension of the streetscape within deficient network areas as redevelopment activity occurs. The City is working to complete its mobility plan, looking towards adoption of a mobility fee structure. This plan is a phased planning document due to cost constraints which is currently in its second



year. The City's 2009 downtown parking and circulation study may be found at: <http://www.fbfl.us/DocumentCenter/View/5389>

The City owns and operates three potable water treatment facilities which combined can provide 18.2 million gallons per day. Existing potable water customers on the average consume approximately 5 million gallons per day. At the adopted level of service and the maximum density allowed by the proposed Comprehensive Plan amendments, the residential units will consume 431,200 gallons of water per day (1,232¹ units x 350 gallons per ERC per day). This scenario is unlikely due to the constraining factors identified within the staff analysis. (Policy 4.01.01)

The City owns and operates one sanitary sewer treatment facility which has an operation/design capacity to treat 3.5 million gallons of wastewater per day. The facility's existing customers currently generate, on average, 1.9 million gallons per day. At the adopted level of service and the maximum density allowed by the Comprehensive Plan, the increased density has the potential to generate 369,600 gallons of wastewater per day (1,232¹ units x 300 gallons per ERC per day). The utilities director indicates that plant capacity is available for the site; however, other facilities, such as pipe and lift station capacity, will have to be evaluated, and the developer will have to pay for what improvements are necessary to accommodate any proposed development. These determinations will be made in advance of site plan review and necessary improvements will be required as a part of site plan approval.

Footnote 1: This figure is calculated assuming a maximum buildout scenario of residential units within the Central Business District. The existing potential units permissible total 383 dwelling units. The base density elevation to 34 units per acre generates a potential total of 1,611 dwelling units. Therefore, staff analyzed the potential maximum build out scenario of an additional 1,232 dwelling units. The staff report provides detailed rationale behind why this figure is unlikely due to development constraints tied to historic preservation, Florida Building Code requirements, and Fire Code requirements.

As for solid waste and drainage, the City currently has contracted services with Advanced Disposal to dispose of solid waste. The area is presently serviced through the existing contract and is expected to continue to be served through an independent entity. Drainage impacts from any new development or redevelopment will be reviewed by the City's Technical Review Committee. The City requires storm water drainage to be retained on-site and permitting through the St. John's River Water Management District.

The City's Fire-Rescue Department providing services to residents and visitors is an all hazards response system including; fire suppression, advanced life support/emergency medical services, fire prevention and public safety education, ocean rescue, special operations and emergency preparedness. Each member is professionally trained and certified by the State of Florida as a Firefighter/Emergency Medical Technician or a Firefighter/Paramedic and holds many additional specialty certifications. Operating out of two fire stations, the City's Fire-Rescue Department is fully staffed and prepared to respond to emergency and non-emergency calls for service 24 hours a day. This department is capable of delivering services within the Level of Service Standard requiring 240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response). (Policy 4.01.01)



The Fernandina Beach Police Department operates with the mission to “serve the public in partnership with our community, to protect life and property, to reduce crime through both proactive intervention and competent response, to resolve conflict through creative problem solving strategies, and to respect human dignity at all times.” The Police Department has 33 sworn officers and 5 administrative employees in addition to an active police reserve unit and volunteer police auxiliary corps. At present, the Police Department assigns two (2) full time officers and a police service aide which are dedicated to the downtown area of the City. As such, the Department is capable of meeting or exceeding the minimum level of service needs for new and redeveloping downtown properties to deliver response times totaling 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls. (*Policy 4.01.01*)

The City maintains School Concurrency requirements through Element 10 of its Comprehensive Plan. The policies provided within the element required a determination of concurrency be considered for a specific residential development or phase of development requiring a subdivision plat approval, site plan approval, or functional equivalent. At present, the City has two (2) public elementary schools, one (1) middle school, and one (1) high school. Most of the growth anticipated for Nassau County is not within the City of Fernandina Beach. The City seeks to make efficient use of the existing school infrastructure in place on the Amelia Island. The Nassau County School Districts currently bring children from off the island to support the existing facilities within the City of Fernandina Beach while additional schools are being constructed in the western portions of Nassau County. The City of Fernandina Beach operates under an Interlocal Agreement with Nassau County School District to assess and collect impact fees tied to residential growth.

I look forward to receiving any additional feedback or follow-up questions that you may have regarding ESR 17-01.

Sincerely,

A handwritten signature in blue ink that reads "Kelly N. Gibson".

Kelly N. Gibson, AICP
Senior Planner

PAB Requests to support the drafting for the scope of services for any traffic circulation and parking study completed by the City.

Some initial thoughts on any parking study as provided through the board's discussion on January 11, 2017 are as follows:

- Downtown Traffic Circulation and Parking Study:
 - Is there a parking problem today?
 - Request to create list of parking stakeholders – Not just “the public”
 - Provide a review of the types of existing commercial development in the CBD to determine impact on parking.
 - With the increased number of food and beverage services over the past 24 months, has the parking dynamic shifted?
 - Consideration of additional on-street parking through one-way streets
 - Review of the number and scale of special events within the downtown area and its impact on parking within the district and surrounding neighborhoods. Further, consider the number of events that require the closing of streets.
 - Request to provide the ratio calculation of existing commercial square footage in CBD to # of existing parking spaces
 - Cost of Parking: Evaluate cost to construct structured parking spaces and include the land value
 - Re-evaluate cost to construct surface parking and include the land value – Are we charging enough?
 - Documenting accessibility of ADA spaces
 - How many exist and is it enough?

The board also discussed LDC based regulatory changes. The discussion included the following topics:

- Should new non-residential development pay into parking fund for new parking and parking maintenance?

- Make a distinction between the CBD historic structures where historic structures are being retrofitted constraints vs. New/Infill/Vacant Development
 - Potential Options: Fee In Lieu Option similar to CRA requirements or provide greater flexibility for use of on-street parking as is currently provided in the LDC for up to 10% of parking demand.
- Consider options to allow for a parking reduction where legally defined affordable housing is provided as part of the development project.
- Consider accessible units and location of existing or new ADA Spaces or requirements to provide on-site for these units
- Provide incentives to create residential services (grocery, pharmacy, laundry, etc.)

Other discussion topics included a request to provide the board links to parking studies at www.fbfl.us/CRA and link to CM Presentation given on Tuesday, January 10, 2017. The board also asked about the possibility of including bike rack locations on the Chamber's Map.

APPROVED

Planning Advisory Board Minutes
Regular Meeting
December 14, 2016
Page 1 of 8

1. **Call to Order** - The meeting was called to order at 5:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Judith Lane
Wayne L. Peterson

David Beal, Vice-Chair
Benjamin Morrison

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

2. **Selection of Board Officers (Chair and Vice Chair)**

Member Bennett stated he would like be the Chairperson of the Planning Advisory Board.

A motion was made by Member Beal, seconded by Member Morrison. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

Member Lane motioned that Member Beal be elected as Vice Chair, seconded by Member Morrison. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

3. **Review and Approval of November 9, 2016 Regular Meeting Minutes – A motion was made by Member Beal, seconded by Member Lane to approve as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

For information purposes, Chair Bennett explained that this Board operates by the Robert's Rules of Order.

Member Lane inquired about setting allotted time during the public hearing. Board Members and City attorney discussed what was elected during past Board meetings. **Member Lane motioned for a maximum of 5 minutes during public hearing, seconded by Member Peterson. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

4. **New Business**

4.1 PAB 2016-25: 2700 ATLANTIC AVENUE- LAND USE AND ZONING CHANGE REQUEST - AMELIA ISLAND PROPERTIES, INC. REQUESTS A SMALL SCALE FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR PROPERTY LOCATED AT 2700 ATLANTIC AVENUE (PARCEL #14-3N-29-0000-0003-0000) TOTALING APPROXIMATELY 4.73

ACRES FROM MEDIUM DENSITY RESIDENTIAL (MDR) LAND USE AND R-2 ZONING TO GENERAL COMMERCIAL (GC) LAND USE AND COMMUNITY COMMERCIAL/ C-1 ZONING.

Ms. Gibson introduced herself and presented the case. She explained that this case is for a zoning change for the property located at 2700 Atlantic Avenue for approximately 4.73 acres from Medium Density Residential (MDR) Land use and R-2 Zoning to General Commercial (GC) Land use and Community Commercial/C-1 Zoning. She also clarified that this was the old adult day care site which structure has now been demolished, across from Fort Clinch State Park and Prince of Peace Lutheran Church, and next to commercial vacant properties that lead up to Fletcher Avenue. Ms. Gibson stated that the request is to support future redevelopment of the property for commercial purposes capable of supporting resort style commercial development. The applicant has not provided an intended use for the property at this time, which makes it difficult to provide an accurate level of analysis, however the application's letter of intent describes that any future use would be consistent with the City's C-1 zoning designation and the goals described for economic development within the Comprehensive Plan noting that disclosure of an intended use is not required at the time of an applicant's request for land use and zoning changes and that if approved, any future uses of the site permissible in the C-1 zoning district would be allowed. There are adequate services in place such as water, sewer, police, fire.

Ms. Gibson explained that this property although surrounded by residential zoned property in Low Density Residential R1 and R3 zoned properties, rests within the Coastal Upland Protection Zone area which extends 1000 feet inland from the Coastal Construction Control Line created by the State which requires Department of Environmental Protection permitting seaward of this line. This area was created in order to protect the topography and vegetation within the existing dune systems. Ms. Gibson explained that future redevelopment of the property will be required to obtain a Local Development Order through the City's Technical Review Committee (TRC) which will review any future projects for consistency with the City's technical standards as found in the Land Development Code, Municipal Code, Florida Building Code, and Fire Code. Ms. Gibson then stated that she recommended a favorable recommendation of approval to the Board.

Member Beal asked what the intensity in C-1. Ms. Gibson answered the level was 2.0 FAR. Member Lane asks if this was part of the Economic Development Plan reviewed previously this year; Ms. Gibson said it was not included in the City's Designated Job Opportunity Area and explained some criteria.

Member Morrison asked Ms. Gibson about the Coastal Upland Protection Zone. Ms. Gibson explained that this designated area acts as an overlay and helps limit grading and filling activity of coastal properties to maintain vegetation and natural topography as much as possible. There being no standards it is used in a case by case basis with cases to be presented through the City's Technical Review Committee (TRC) in commercial site. Member Morrison also asked about buffering minimum between commercial and residential to the south. Ms. Gibson stated that there are no minimum for commercial but a 15 feet width minimum buffering for residential properties with required planting or retention of native vegetation.

Mr. Ron Flick, representative for the applicant explained the purpose of the request. Mr. Flick briefly explained that the intent is to create a pedestrian center and a Job Opportunity area for Main beach. Mr. Flick also stated that they understand the requirement of the Coastal Upland Protection Zone applicant emphasized that the applicant wants to be a good neighbor and will follow all requirements once they determine what the final use is established.

Public Hearing was then opened.

Mr. Chip Wood, 2617 Gregor McGregor Boulevard, commented that Mr. Flick had not mentioned the intended use, noting that C-1 covers a lot of usage.

Stephen Hilker, 1530 Lisa Avenue, comments about permissible zoning use possibilities at proximity to the beach and that the zoning mentioned in the Comprehensive Plan should be followed as it protects the beachfront area against intense commercial development. He also mentioned that there are other intense commercial developed properties that are currently vacant and could offer plenty of job opportunities such as Sadler Road, South 14th Street, South 8th Street.

Lynn Williams, 1899 S. Fletcher Avenue, commented about going too far with commercial development and that other areas have experienced the downside of over developing.

Bridget Murphy, 403 Tarpon Avenue Unit 312, commented that the Comprehensive Plan had already established the zoning for this property and urged the Board to turn this recommend down.

Jamie Morrill, 3030 Robert Oliver Avenue, commented that going from R2 to C1 is a major step. Mr. Morrill also mentioned that the only reason given that this is a good idea by the applicant is the vague promise that they would be good neighbor and hoped that the Board rejects this request.

Diana Herman, 2116 Belvedere, comments that she would need to know what is going there before receiving approval.

Chair Bennett asked City Attorney Bach to explain requirements from applicants to conditioning of zoning approvals. Ms. Bach explained that we cannot condition the approval of zoning changes and retain the flexibility of the permissible usage. Mr. Flick commented on the differences between Commercial zonings C1, C2 and C3 and maintained that they would follow the requirements of C1. He also mentioned that the future use would be tourist focused and that this is one step of many other steps.

James Shroads, 119 S. 7th Street, commented that he lived in Fernandina for 30 years and was on Planning Board and a representative of the Amelia Island Care. He explained the reason of the R2 zoning for this residential care facility for disabled adults.

Philip Chapman, 2120 Florida Avenue, commented on Job Opportunity's traffic impact and the need to have the Board listen to citizens.

Ray Ternes, 403 Tarpon Unit 310, asked about how often do applicants apply for changes without providing information on future usage. Ms. Gibson answered that applicants are not required to do so. Mr. Ternes also addressed concerns about traffic and the need to enlarge streets. Member Lane asked what the previous zoning was before R2 zoning was established.

Chip Wood, 2617 Gregor McGregor Boulevard, commented about C1 permissible usage and its effect on his residential rights.

Chip Ross, 210 N. 3rd Street, commented that there has been no reason for changes of zoning, only an economic reason. He also commented on location of parking areas requirements for commercial projects and thought this should be defeated. Ms. Gibson explained that the City already has parking standards in place to be located in rear or back areas of the principal structure for new and redeveloping properties in order to create a pedestrian focused environment. She also mentioned that parking has to maintain a 10 foot landscape area.

Upon Chair Bennett's request, Ms. Gibson also explained the Main Beach Destination Area criteria in the Comprehensive Plan which includes Main Beach and Seaside.

Betty Kovalcik, 2609 Countess of Egmont Street, shared the fear about growth and density.

Public Hearing was then closed.

Mr. Flick commented about resort options to create pedestrian centered activity.

Member Beal asked about requirements for the mixed use. Ms. Gibson mentioned the 50% max floor ratio; density is restricted to 8 units per acre and no lodging accommodations (hotels). Member Morrison commented that commercial is appropriate zoning for this property and encourage the public to participate to the process. Member Beal asked Mr. Morrison's opinion as to what would be a good permissible use. Board Members then discussed the transitions between zoning with C1, R2, mixed use zoning and surrounding properties.

A motion was made by Member Morrison, seconded by Member Lane, to recommend approval of PAB case number 2016-25 to the City Commission requesting a Future Land Use Map assignment of General Commercial and zoning change to C-1 from Medium Density Residential land use and R-2 zoning, as described and that PAB case 2016-25 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Nay</i>
<i>Member Beal:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Aye</i>

Member Lane recommended to Mr. Flick that developer and applicant should work closely with the Tree Conservancy Group.

4.2 PAB 2016-26: AMELIA PARK FINAL PLAT FOR PARK AVENUE NORTH - FINAL PLAT FOR PROPERTY LOCATED ON THE NORTH SIDE OF PARK AVENUE IN THE AMELIA PARK NEIGHBORHOOD TOTALING 13 NEW SINGLE FAMILY HOME SITES CONSISTENT WITH THE AMELIA PARK PUD.

Ms. Gibson explained the case, she first stated that the City had already approved this property's use under a Planned Unit Development back in late 1990's and that the PUD was most recently modified in August 2015, to remove a restriction for these sites which required first floor retail fronting Park Avenue. The applicant is requesting approval of a Final Plat for a section of Amelia Park along Park Avenue, straddling S. 15th Street and adjoining the Amelia Park Office Suites. The request is for development of 13 single family detached home sites with rear alleys maintained as private roads.

Ms. Gibson stated that this recommendation will be go to the City Commission for final approval via resolution, and Staff recommended approval.

Mike Antonopoulos, 115 Solana Road, Ponte Vedra, representative for the applicant, presented his case with no comments.

Public Hearing was then opened and closed.

Ms. Gibson stated that a Final Plat request for the south side should be presented in the next month or so.

A motion was made by Member Beal, seconded by Member Lane, to recommend approval of PAB case number 2016-26 to the City Commission requesting that a Final Plat of Park Avenue Properties within the Amelia Park neighborhood be (approved or denied) and that PAB case 2016-26, as presented, (is or is not) sufficiently compliant with the Comprehensive Plan, Land Development Code, and terms of the Amelia Park PUD overlay to be approved at this time. Vote upon passage of the motion was taken by ayes and nays being all ayes, carried.

4.3. PAB 2016-27: CENTRAL BUSINESS DISTRICT - COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE TEXT AMENDMENTS

CITY OF FERNANDINA BEACH, REQUESTS AMENDMENTS TO THE COMPREHENSIVE PLAN STRIKING POLICY 1.04.05, PROVISIONS FOR A DENSITY BONUS INCENTIVE PROGRAM, AND MODIFYING POLICY 1.07.09 FOR THE CENTRAL BUSINESS DISTRICT LAND USE CATEGORY DENSITY TO INCREASE THE BASE DENSITY FROM EIGHT (8) DWELLING UNITS PER ACRE TO THIRTY-FOUR (34) DWELLING UNITS PER ACRE AND AMENDING THE LAND DEVELOPMENT CODE, TABLE 4.01.01 DENSITY AND HOUSING TYPES IN THE BASE ZONING DISTRICT, TO ALLOW FOR 34 DWELLING UNITS PER ACRE AND MAKING PERMISSIBLE DUPLEX, TRIPLEX, AND TOWNHOUSE STRUCTURES, AND STRIKING POLICY 4.01.02, DENSITY BONUS PROVISIONS, AND STRIKING TABLE 4.01.02 (A), DENSITY BONUS SCORECARD.

Ms. Gibson presented the case, she explained that increasing density has been presented and discussed many time and that the development community continues to face obstacles and challenges to deliver marketable housing. She stated that the majority of second and third floor units in the downtown district remain vacant as most retail and offices want to be located on the first floor. She also stated that the ability to residentially occupy the second and third floors of historic structures is hindered due to the financial burden involved with meeting accessibility, fire separation, and Florida building code requirements. She explained that while the creation of these units may be possible, the rate of return on potential rents makes it difficult to justify the cost of improvements. She also emphasized that the main goal for this request is to get more people working, shopping and living downtown.

Ms. Gibson continued on explaining that the request which has become one of the City's priority is to increase the number of dwelling units per acre from 8 to 34 within the Central Business District and that this would essentially establish the ability to reduce the rental cost by reducing the square footage of each unit. She offered 2 examples of properties. She emphasized that there are some severed limitations on redeveloping such as being located within the Historic District but also mentioned that this request does not encourage demolition of historic structures but encourages reuse. She stated that for redevelopment and vacant land, there are some current requirements that still would have to be followed such as height, parking requirements, landscaping, storm water and fire and building code requirements.

In working closely with the Main Street Fernandina Beach Group, Ms. Gibson provided information regarding a survey which received 199 responses within 2 month time frame providing the information on the top three primary factors to their decision to live in downtown Fernandina Beach, the three being first, Dining, Nightlife, and Entertainment secondly, Public Amenities such as the Marina, Library, Post Office, City Hall, Community Theater, Museum and thirdly, Safe Walking and Biking.

Ms. Gibson summarized by adding that increasing the net density within the Central Business District/C3 zoning from 8 dwelling units per acres to 34 dwelling units per acre would support the City's ability to obtain residential dwelling units in its existing historic structures. It would also provide an opportunity to create dwelling units on vacant or underutilized sites which serve to support long term residential living downtown, whether those units support work force housing needs, senior co-housing, tiny houses, or an opportunity for an affordable 2nd home in downtown Fernandina Beach. This would also support existing downtown business merchants by providing affordable housing options through smaller unit sizes for retail, office, and restaurant employees while adding vibrancy to the City's downtown core.

Ms. Gibson recommends approval of its own request.

Member Lane comments that she wishes there would be a clearly picture of what the City Commission is looking for but has concerns about parking. Member Morrison agreed considering that the number of parking to be made available has to double the number of units. Member Peterson also is concerned about parking.

Member Morrison asked where the number 34 originated from and Ms. Gibson answered that it came from the ability to get 2 units in a 25ft x 100ft lot of record.

The Board then discussed at length their concerns about the impacts of parking, the necessary square footage size for residential unit to generate rental income, W1 zoning, landscaping requirements within the Historic District and storm water.

Public Hearing was then opened.

Mr. James Shroad, 119 S. 7th Street, lived in Fernandina Beach for 33 years, commented that this location is located 200 feet from the C3 district and stated that he is an affected party in regards to parking according to the State Comprehensive Planning Act which provided him with standing to challenge this in court. He mentioned that his house is R2 and the end of the block is zoned C3. He then commented that as per his experience, previous owners have converted their residence to businesses such as restaurants and offices which were reverted back because of many reasons mainly parking. Mr. Shroad opposed this change.

Jeff Kurtz, representing Fernandina Main Street, 715 Centre Street, commented that the Preservation of Main Street is the main goal along with keeping vacancy to a minimum. He then stated that living space square footage must be minimized even further to be successful. He emphasized on the enforcement of parking restriction to be able to have these parking spaces being utilized accordingly. He voiced support for the request.

Mr. Chip Ross, 210 N. 3rd Street – Mr. Ross first commented on a previously heard case and the fact that citizens came in and voiced their opinions and the Board voted contrary to these opinions. He also commented in the present case the issue is not parking, it is the management of parking. He then voiced that he's not against increasing the density but is asking the Board to defeat or table this request and come up with a Comprehensive Plan on how to maintain Historic building and develop them including parking as residential and commercial parking are different.

Mr. Lynn Williams, 1899 S. Fletcher Avenue, commented on parking issues and the cost of converting a building to multiple units versus the rental income.

Mr. Spurgeon Richardson, developer, 19 Harrison Creek, commented that he supports increasing the density to feed the vibrancy of downtown.

Mr. Mike McCloskey, 26 Belter Kingfisher, CMR Island Properties, commented that their focus is Downtown and that they acquired the Fred's building and supports the density. Member Peterson asked if they had contacted the Church next door about their ability to park in their parking lot.

The Public Hearing was then closed.

Chair Bennett asked Staff about noise and ADA requirements and parking. Ms. Gibson noted that should be addressed to the Building Official and noted that as for parking there were no modification to the current parking standards. She commented on spot zoning for commercial parking, parking agreement with adjacent owner and offsite parking. Ms. Gibson stated some examples.

Member Morrison commented on the density versus affordability and that City should work on getting affordable residential options and make this a priority. He also voiced that parking is an issue and that this request is a good first step but needs more work. Member Lane also commented about parking issues and the survey's statistics. The Board discussed density further and CRA bonus.

Member Beal suggested that denying this request will not help solve these issues and approving it will help solve some of these problems one step at the time.

Member Morrison asked Mr. McCloskey if they would move forward with their projects at Fred's if this request was denied. Mr. McCloskey mentioned that they would not proceed with the residential aspect of his projects only with the commercial side of it.

Member Lane asked Staff if a RFQ (Request for Quote) for an independent increase density design has ever been considered.

Member Morrison summarized that the 2 main issues of concern to address are parking and if the blanket approach of 34 units per acre makes sense or should there be flexibility with either overlays or incentive programs. He then asked Staff how she would address the density issue if this request would be approved.

Ms. Gibson explained that she would address this through the Comprehensive Plan Amendment to keep it moving forward which process requires a State review. The Land Development Code piece that requires parking specifically could be continued to workshops. She also commented further regarding the blanket approach and the complexity of creating overlays which could create pockets and more work.

Further discussion ensued regarding steps to improve parking such as parking enforcement, infrastructure and getting people out of their cars.

Ms. Gibson noted that she is involved with a transit system subcommittee with Nassau County regarding current transit systems such as Island Hopper and Nassau Transit which are very affordable.

A motion was made by Member Morrison, seconded by Member Beal, to recommend approval of PAB case number 2016-27 to the City Commission requesting amendments to Comprehensive Plan Policies 1.04.05 and 1.07.09 and LDC Sections 4.01.01 and 4.01.02 as described and that PAB case 2016-27, as presented, is sufficiently compliant with applicable sections of the Comprehensive Plan and Land Development Code to be approved at this time with the understanding that parking will

continue to be addressed as a priority. Vote upon passage of the motion was taken by ayes and nays being all ayes, carried.

City Attorney Bach noted that this is a Comprehensive Plan Amendment that will come back to the City Commission until late January 2017 at the earliest for 1st reading than to the State and back for 2nd reading in March 2017 to the City Commission. Board asked that Staff continue to work on the parking issue and have an update at the next PAB meeting.

5. Board Business –

5.1. Florida Sunshine Law Review - Brief presentation will be provided by City Attorney Bach

City Attorney Bach gives a brief summary of the Florida Sunshine Law including S L and Public Record, voting conflicts and Code of Ethics.

6. Staff Report

Ms. Gibson welcomed new members and Mr. Mark Durham Nassau School District Liaison. She also noted that there will be a meeting in January 2017. Ms. Gibson stated that she's also working on updating the LDC and Comprehensive Plan and asked how many hard copies are needed for Members. Finally Ms. Gibson stated that earlier this summer the City applied for the American Planning Association Designation and Pilot Program to be considered for recognition of our Comprehensive Plan as being a sustaining place and that the application has been accepted in the 2nd phase of their Pilot Program.

Member Beal announced that the ongoing crosswalk at Atlantic Avenue and Citrona Drive will be starting soon.

7. Comments by the public – There were no comments from the public at this time.

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 8:12 pm.


Secretary


Mark Bennett, Chair

1. **Call to Order** - The meeting was called to order at 5:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Judith Lane
Wayne L. Peterson
Jenny Schaffer (Alt 2)

David Beal, Vice-Chair
Benjamin Morrison
Donna Lewis (Alt 1)

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Chair Bennett requested that Item 6. Comments by the Public be moved to first item, the request was approved by all.

Chair Bennett also announced that item **3.2 PAB 2017-02: CENTRAL BUSINESS DISTRICT EXTENSION FOR CRA PROPERTIES AND CITY PARKING LOT** would not be heard this evening as it had been taken off the agenda.

1. Comments by the public

Chip Ross, 210 N. 3rd Street, commented on 3 points. First, Mr. Ross noted that the status of item 3.2 should have been changed to STAYED instead of TABLED or POSTPONED until the Board of Appeals make a decision. City Attorney Bach mentioned that her recommendation of postponed is fine to be used which has the same effect. Secondly, Mr. Ross mentioned his meeting at the Port that evening and asked if the Port Master Plan documents had been forwarded to them for review. Ms. Gibson answered that all documents had been directed to the City Manager and City Attorney asking for direction on how to proceed. Thirdly, Mr. Ross asked that the PAB take a lead in what the City envisions for future projects and ideas such as connectivity including changes to the Land Development Code.

Member Lane commented that although this is an excellent idea and that she would like to be able to undertake some of the projects, the Commission has been straightforward about the Board addressing items presented by Staff and staying away from ones instigated by the Board. Ms. Gibson noted that the local Planning Agency is tasked with reviewing changes to the Comprehensive Plan and Land Development Code as well as Land Use and Zoning Changes. She also mentioned that things tied to that would be appropriate for this Board to consider and discuss and that the attention to other items and projects should first be directed by the Commission. Chair Bennett then suggested that Staff asks the Commission to get a plan for the Board to address issues brought up by citizens. Member Lane mentioned that a bigger picture should be looked at from the Commission's point of view. Ms. Gibson noted that the Commission is now looking at this bigger picture considering the variety of issues currently being addressed. Member Morrison then summarized the process with the number of current issues by reiterating that any issues should be brought up to the attention of the Commission during monthly

meetings so the Commission could in turn consider them and delegate some of them to the Board Agency.

Mr. Ross commented on the amount of time spent on recurring projects, that the approach should differ and that the Board should address one small item at the time and then finalize it. He suggested that members should approach Commissioner Smith who is the City Commission's liaison and propose 5 current items to be looked at. Members discussed how working on different projects is really inefficient considering the need of approval delay is often impacted by second party, change of staff and changes of philosophy.

Public comments was then closed.

2. **Review and Approval of December 14, 2016 Regular Meeting Minutes – A motion was made by Member Beal, seconded by Member Lane to approve as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**
3. **New Business**

3.1 PAB 2017-01: FINAL PLAT FOR RIVERBEND.

City Attorney welcomed the new members and explained the participation and voting process by alternates.

Ms. Gibson presented the item. She explained that the applicant is requesting approval of the Final Plat. She noted that this property was annexed in July 2015, and that this development is for 33 single family detached home sites. She also noted that the proposed developed density is for over 2 units per acre although the current land use is for up to 10 dwellings per acre and that this will be an estate style gated community with privately maintained roads. Ms. Gibson noted that Staff recommended approval.

Kathy Williford, 2955 Hartley Road, representative for the developer had no comments and welcomed questions. Member Lane asked about tree preservation. Mrs. Williford mentioned that they will save as many trees as they can and even try to over compensate. Member Lane suggested that the developer work closely with the Tree Conservancy Group. Ms. Gibson explained the development process which involves developers and then builders. Member Morrison emphasized the positive impact of working closely with the Tree Conservancy Group.

Public Hearing was then opened.

Mrs. Joanne Bean asked where the project is located. Ms. Gibson explained that it is located off the Amelia Island Parkway south of A1A.

Public Hearing was then closed.

Member Lane commented that the City limit expands to a wide area that doesn't always include the downtown area.

A motion was made by Member Beal, seconded by Member Morrison, to recommend approval of PAB case number 2017-01 to the City Commission requesting a Final Plat for Riverbend subdivision be approved and that PAB case 2017-01 as presented is sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

4. Board Business –

4.1. Downtown Residential Parking Follow-up Discussion

Ms. Gibson invited Board Members to start a discussion before Staff starts crafting a code amendment. Chair Bennett started the discussion with questioning the amount of spaces required for residential properties with 2nd level dwellings units along with redevelopment versus historic structures. Staff mentions that one of the strategies could be to reduce requirements depending on square footage. Member Morrison commented that the perceived problem seen by citizens should be discussed which is about available parking versus parking that is really needed. He further commented about the requirements for new development compared to existing dwellings, and the purchasing rights to a parking space.

Member Lewis spoke about the perception of what the need for parking really is. She also commented that amending the signage and maps showing where the parking areas are located could help utilize what parking is already available.

City Attorney addressed and questioned the issue of modifying and reducing the parking requirements before the change in density is addressed and finalized. Member Schaffer noted the possible advantage to streets being one way to allow parking on both sides of the street and Member Lane commented on Centre Street as a pedestrian street.

Ms. Gibson commented that surveys had been done back in 2002 and 2009 revealing that a parking problem is perceived but not realistic. She also mentioned that map updates have been done and blue signs are now in place showing where public parking is available and that enforcement continues to be a concern. She noted that another survey should be done and that this survey should consider higher density and closure of street during special events. She also commented that according to the Main Street survey the market will demand parking and voiced that before the higher density request item is approved, the parking requirement issues will have to be addressed. Ms. Gibson also mentioned that a lot of ratio information is located on www.fbfl.us/CRA. Members discussed the availability of bike racks, ADA requirements and realistic affordable housing possibilities.

Member Lewis cautioned everybody in basing information on a 2009 survey which reflects lean years and encouraged taking a fresh approach on what is happening now in 2017.

Ms. Gibson commented that completing a new parking survey within the timeframe of adoption of the Central District higher density may not be feasible. She added that regulatory changes in the LDC addressing parking outside of the parking study could be possible. A discussion ensued by the Board regarding fee in lieu and the management of its money. Member Morrison noted that any decision about parking and possible strategies is really an important decision that should be made before anything is address regarding the change in density. Member Schaffer asked what information a new survey would

really provide and Board Members then made some suggestions such as parking decks, satellite parking, parking spaces and for the public and stakeholders. Member Morrison asks if Ms. Gibson could create a list of these items for the next meeting.

Ms. Gibson made some clarification stating that parking has been improved since 2009 with new parking lots at Broome Street and N. 2nd Street with the City purchasing this land especially for this usage. She also mentioned that improvements of the property were based on funding from parking fee in-lieu proceeds and that said proceeds do go into a trust fund. Ms. Gibson also mentioned that in 2014 there was an engineering cost estimate done regarding the construction only of a surface parking lot and that she would confirm the fee in-lieu base amount being \$1500 per space. She also noted that the funds could also be used to create on street parking. Ms. Gibson also explained that the Parking Flexibility Standard allows up to 10% allocation of parking requirement to be met through on-site parking. Chair Bennett then commented about transportation alternatives.

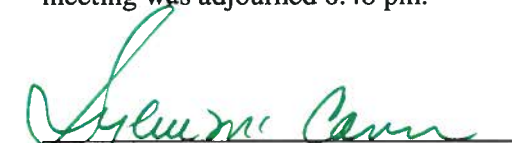
Ms. Gibson summarized that regulatory changes need to be proposed to coincide with the adoption of the increased density. She added that she'll draft a scope of services for a parking study and that areas of increased flexibility need to be looked at, to avoid increase of variance to be heard by the Historic District Council. She also noted that this draft then can be discussed during next meeting.

6. Staff Report

The meeting was closed at 6:43 but reopened at 6:45 to allow a member of the public to speak.

Laura Sweeney, Realtor, 2733 Sea Grove Lane, commented about the ratio of commercial spaces versus the square footage available and asked that this ratio be available before the study is ordered since this would help define the requirements of the study.

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 6:48 pm.


Secretary


Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Ordinance
Future Land Use Map Amendment - Broome Street

2017-13

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-13 at First Reading.

SYNOPSIS: The applicant, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at North 2nd Street and Broome Street .

The action is requested in order to correct existing non-conforming use of the properties where two single family homes have existed for many years. The property at 211 Broome Street has retained its single family home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years. The Planning Advisory Board considered the request at its Regular Meeting on April 12, 2017, and issued a recommendation of approval (4-1).

Staff finds the request consistent with the CRA Plan for eliminating inefficient and outdated land uses as well as Comprehensive Plan policy statements 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02 and recommends approval.

FISCAL IMPACT: Fiscal impact will be based upon proposed future development (number of sites and structures, infrastructure construction and maintenance, etc.).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-13 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/25/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) TO ASSIGN A LAND USE DESIGNATION OF CENTRAL BUSINESS DISTRICT (CBD) FOR FOUR PARCELS TOTALING APPROXIMATELY 0.32 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON BROOME STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Advisory Board reviewed the small-scale Future Land Use Map Amendment application numbered PAB 2017-07 at its Regular Meeting on April 12, 2017, and recommended approval of the change to Central Business District (CBD) land use by a vote of 4-1; and

WHEREAS, notice of public hearing on such application was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on March 22, 2017; and

WHEREAS, City Planning staff found the applicant's request to be consistent with the direction of the Community Redevelopment Area Plan for eliminating inefficient land use patterns as well as consistency with Comprehensive Plan policies 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02.

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

SECTION 1. PROPERTY INVOLVED. The properties identified for this change of the Future Land Use Map is located in the City's Amelia River Waterfront Community Redevelopment Area and identified as Parcel ID 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, and 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010 totaling approximately 0.32 acres, and as shown on the map attached hereto as Exhibit "A".

SECTION 2. FUTURE LAND USE MAP CHANGE. For the properties in question, the City's Future Land Use Map is hereby changed to Central Business District (CBD).

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. This Ordinance shall take effect immediately after its final adoption.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

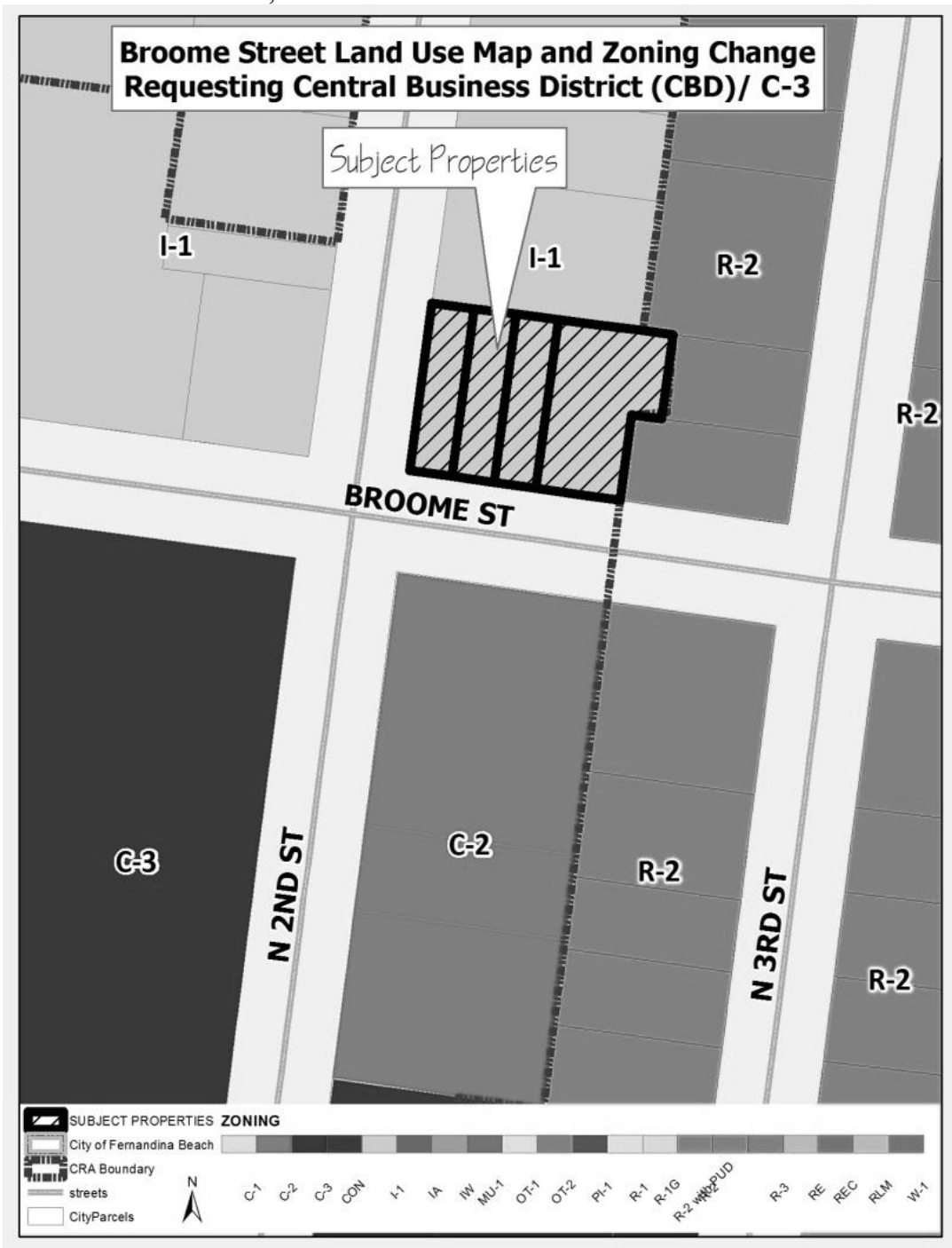


CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

EXHIBIT "A"

REQUEST FOR A FUTURE LAND USE MAP CHANGE FOR 0.32 ACRES OF LAND FROM INDUSTRIAL (IND) TO CENTRAL BUSINESS DISTRICT (CBD) FOR PROPERTIES LOCATED ON BROOME STREET AS PARCEL ID#S 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, AND 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010.





STAFF REPORT
PAB (LU/CZ) 2017-07
Planning Advisory Board Hearing
April 12, 2017

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

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Robert and Loretta Erickson, James and Kerstin Clayton				
AGENT:	Robert and Loretta Erickson				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	211 Broome Street, 205 Broome Street, and Vacant Properties at corner of N. 2 nd Street and Broome Street – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	211 Broome Street: Existing SF Home totaling approximately 1,487 ft² with an estimated year built of 1900 205 Broome Street: Existing Vacant SF Home totaling approximately 1,188 ft² with an estimated year built of 1900 Vacant Land located at the corner of N. 2nd Street and Broome Street				
PROPERTY SIZE:	Totaling 0.32 Acres Parcel ID #s: 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Vacant Land	N/A	I-1 Pending C-3 Zoning Request (PAB Case# 2017-05)	Industrial (IND) Pending CBD FLUM Request (PAB Case# 2017-05)
CRA PROPERTY	South	Public Parking	2015	C-2	General Commercial (GC)
HISTORIC DISTRICT	East	Single Family Home	Est. 1900	R-2	Medium Density Residential (MDR)
CRA PROPERTY	West	Warehouse/Storage	Est. 1900	I-1	Industrial (IND)

*** 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, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at N.2nd Street and Broome Street (**Exhibit A**).

The action is requested in order to correct existing non-conforming use of the properties where two (2) single family homes have existed for many years. The property at 211 Broome Street has retained its single family



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home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years. Under the City's LDC Section 10.01.02 (G), when a non-conforming use has been discontinued for a period greater than 180 days, the property shall be brought into compliance with all sections of the LDC. The current property owners recently acquired the structure in order to restore it. At this time, they are seeking to use the property for residential purposes. In order to make this property conforming, a land use and zoning designation which contains residential density must be applied to the site. The properties to the west of the restored structure are vacant.

All four parcels involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 <i>All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)
Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)



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**Police and Law
Enforcement Services**

Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Medium Density Residential (MDR), 8 dwelling units per acre are supported. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Therefore, if the property is changed to a land use category containing residential density, the vacant properties and 205 Broome Street property would have the benefit of construction a residential unit on each parcel, despite not being able to meet minimum "net density" requirements under the requested change. Under the requested action, a total of up to five (5) residential units could be constructed on the properties.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

The applicant's requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east. The request is consistent with the Comprehensive Plan's policy statement 1.02.03, the configuration of the property by lot/block as well as the characteristics of the subject properties are in keeping with other properties found within the CBD.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a Finding of Necessity in 2005, one for the four principal reasons why this area was determined to contain blighted conditions is due to its "inadequate and outdated building density patterns." It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.



**STAFF REPORT
PAB (LU/CZ) 2017-07
Planning Advisory Board Hearing
April 12, 2017**

The applicant's requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The applicant's requested for a transitional land use category and zoning district serves to provide a logical step down in the land use patterns from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Sanborn Maps Exhibits**), the most appropriate land use and zoning district assignment under the City's current regulations are the Central Business District (CBD)/ C-3 zoning.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' property are a wide range of existing uses including; a warehouse and storage area serving the port's needs; public parking directly facing the properties; and vacant land within the CRA which historically contained a variety of uses. On the eastern block face are homes located within the City's downtown historic district. The properties existing land use and zoning under Industrial/ I-1 is not compatible with the surrounding area. The applicant's requested action serves to provide a down-zoning or transition from the port's industrial operations to the adjoining residential areas.

The most compatible land use and zoning designation for these properties as well as the properties fronting N. 2nd Street is Central Business District (CBD)/ C-3 zoning. The CBD/C-3 zoning designation exists diagonally from the applicants' properties as part of the former Standard Marine property on North 2nd Street between Alachua and Broome Streets. Staff recognizes the need to assign the appropriate land use and zoning district of Central Business District (CBD)/ C-3 zoning to the public parking lots located at the corners of N. 2nd at Alachua Street and Broome Streets in keeping with the direction to create and extend the urban core through the CRA. Staff intends to file an application to correct the land use and zoning for these properties in 2017.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.



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The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. By definition of the land use category requested, Central Business District (CBD) allows for a mixed use urban development pattern. Assignment of this land use category not only corrects the existing non-conformities on the subject properties, but it also permits the historic built pattern of this area to be realized through future redevelopment efforts whereby commercial and residential coexist. **(See Sanborn Maps Exhibits)**

Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the CRA properties fronting North 2nd Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

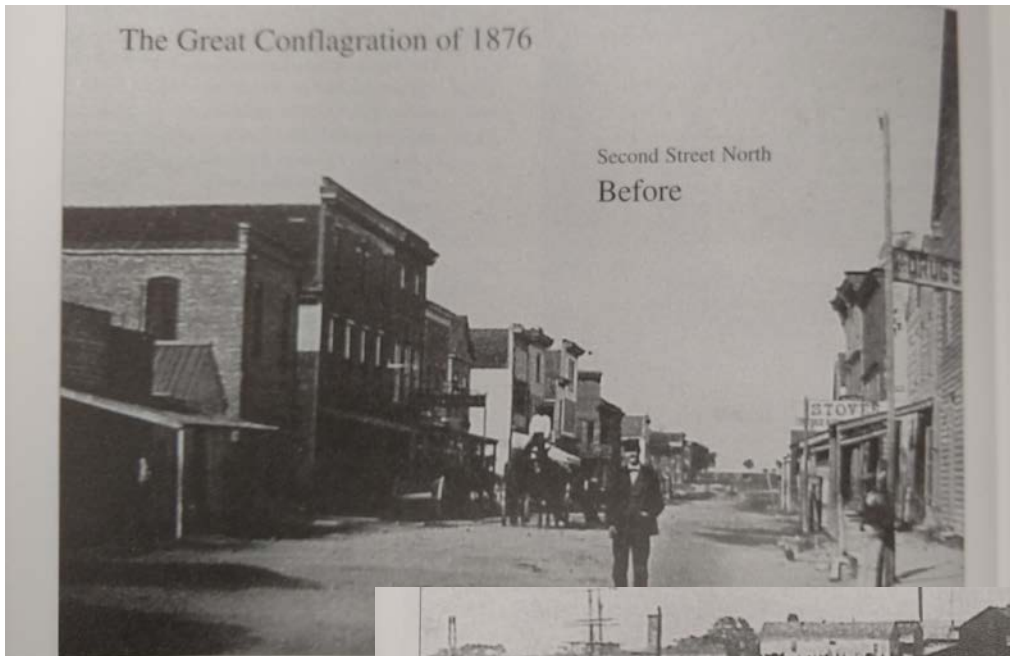
- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face **(See Sanborn Map Exhibits)**.



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Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend **(approval or denial)** of PAB case number 2017-07 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-07 as presented, **(is or is not)** sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

Kelly N. Gibson, AICP
Senior Planner



STAFF REPORT
PAB (LU/CZ) 2017-07
Planning Advisory Board Hearing
April 12, 2017

EXHIBIT A



KEY

TILE 1ST
BRICK 2ND
FIRE-PROOF 3RD

Fire proof construction.
(OR FIRE RESISTIVE CONSTN)

ADOBE

Adobe building.

HEIGHT OF BUILDING IN
FEET FROM GROUND
TO ROOF LINE.

Stone building.

(C. BR.)

Concrete, lime, cinder or
cement brick

(C. B.)

Hollow concrete or cement block constn

(CONC.)

Concrete or reinforced concrete constn

(TILE)

Tile building.

NUMBER OF STORIES 4

Brick building with frame cornice.

TWO STORIES AND BSMT 28
COMPOSITION ROOF

" " " stone front.

SHINGLE ROOF

" " " frame side.

(VEND)

Brick veneered building.

BRICK 1ST

" and frame building.

FRAME, BRICK LINED

Frame building, brick lined.

F=FLAT S=STORE

" " metal clad.

D=DWELLING

Frame building.

AinB AUTO IN BSMT

Iron building.

LOFT

Tenant building occupied by
various manufacturing or occupancies

(ASB. CL.)

Frame building covered with asbestos

NON COMBUSTIBLE ROOF
COVERING OF METAL,
SLATE, TILE OR
ASBESTOS SHINGLES

Brick building with brick or metal cornice.

DWELLINGS.

Framed air shafts are shown but colored
over. Brick air shafts are left white.

CLASSIFICATION OF BUILDINGS

Shown by varying number of dots or cir-
cles. Classified by New York Board of
Fire Underwriters as follows:

BRICK

1st Class (.) Slate or metal roof, coped walls.

2nd " (. .) " " walls not coped.

3rd " (. . .) Shingle roof.

FRAME

1st Class (.) Slate or metal roof.

2nd " (. .) Shingle roof.

Frame Buildings with BRICK FRONTS.

78' 5 Height of Buildings, in Stories and feet (74 ft. 6 in. and over).

Fronts of marble or other stone.

Iron Fronts.

" Dotted line." Interior brick wall, omitted on one or more floors.

Superior construction. { Built of non-inflammable
material "throughout,"
except flooring and trim.

Communications protected by single fire-proof doors { With designation
" " double " " { of floors.

Openings exposing Buildings.

Elevators with steam or other power. { Where enclosed with Brick or
Fire-proof material a heavy
line is drawn around them.

Skylights in Roof only.

" over Opening in floor.

Smoke-houses. Retorts, and Ovens.

Mansard Roofs. Corrugated Iron. Steam-boilers.

REFERENCE.

SPECIAL HAZARDS.

NAMES of Manufactories, &c., are written on buildings, when there is sufficient
space, and their construction classified by the same marks as on Dwellings. Other
Specially Hazardous Risks are COLORED GREEN, the varying number of dots
(brick) and crosses (frame) showing the comparative danger from fire by occupancy.



BRICK.

A Construction = to 1st class Warehouse.

B " = " 2nd " " "

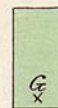
C " = " 3rd " " "

D " = " 1st "Store or Dw'g."

E " = " 2nd " " " "

F " = " 3rd " " " "

NOTE.—In classifying a building
as a Special, its CONSTRUCTION
is obliterated, necessitating a series
of letters, as follows:

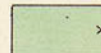


FRAME.

G Construction = to 1st class
Store or Dwelling.

H " = to 2nd class
Store or Dwelling.

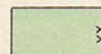
Brick.....



.....Frame

Bakeries (ovens in building). Breweries. Cooperages. Drug stores (retail, with
privilege of compounding). Dyeing establishments. Fur dressers. Glass stainers.
Hat finishers. Hay (open stock, loose). Lamp sellers (privilege for kerosene &c.)
Laundries. Malt houses. Manufactories of Baskets, Bonnet-frames, Boots and shoes,
Caps, Clothing, Combs, Envelopes, Feather dusters, Fringe &c., Gas-fixtures, Gold
pens, Hats, Hemp, Jewelry cases, Morocco, Paper bags, Pocket-books, Ruffling and
ruches, Segars, Shirts, Tobacco, Umbrellas, Vinegar, Watches, Watch-cases, Writing
ink. Map mounting and varnishing. Metal mills. Molasses houses. Photographers.
Private stables. Smoke-houses. Tanneries. Tin-shops. Wheelwrights. Wire
workers. Wool-pullers.

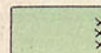
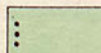
Brick.....



.....Frame

Bleaching works. Book-binders. Brass and iron foundries. Coppersmiths. Cotton
presses. Felling mills. Junk shops. Letter-press printers. Lithographers. Livery
and Cartmen's stables. Machine shops. Manufactories of Agricultural Implements.
Artificial flowers, Brooms, Brushes, Carriages, Cedar-ware, Floor-cloth, Grates, Guns,
Hoop-skirts, Jewelry, Lamps, Musical Instruments, Oil-cloths, Paper boxes, Paper
collars, Paper patterns, Patent Medicines, Plated ware, Rope and cordage, Safes,
Silverware, Starch, Stoves, Tin cans, Upholstery. Oil stores (petroleum and pro-
ducts). Print works. Rag stores. Slaughter houses. Snuff mills. Type and stereo-
type foundries. (And generally buildings not occupied by workers of light wood).

Brick.....



.....Frame

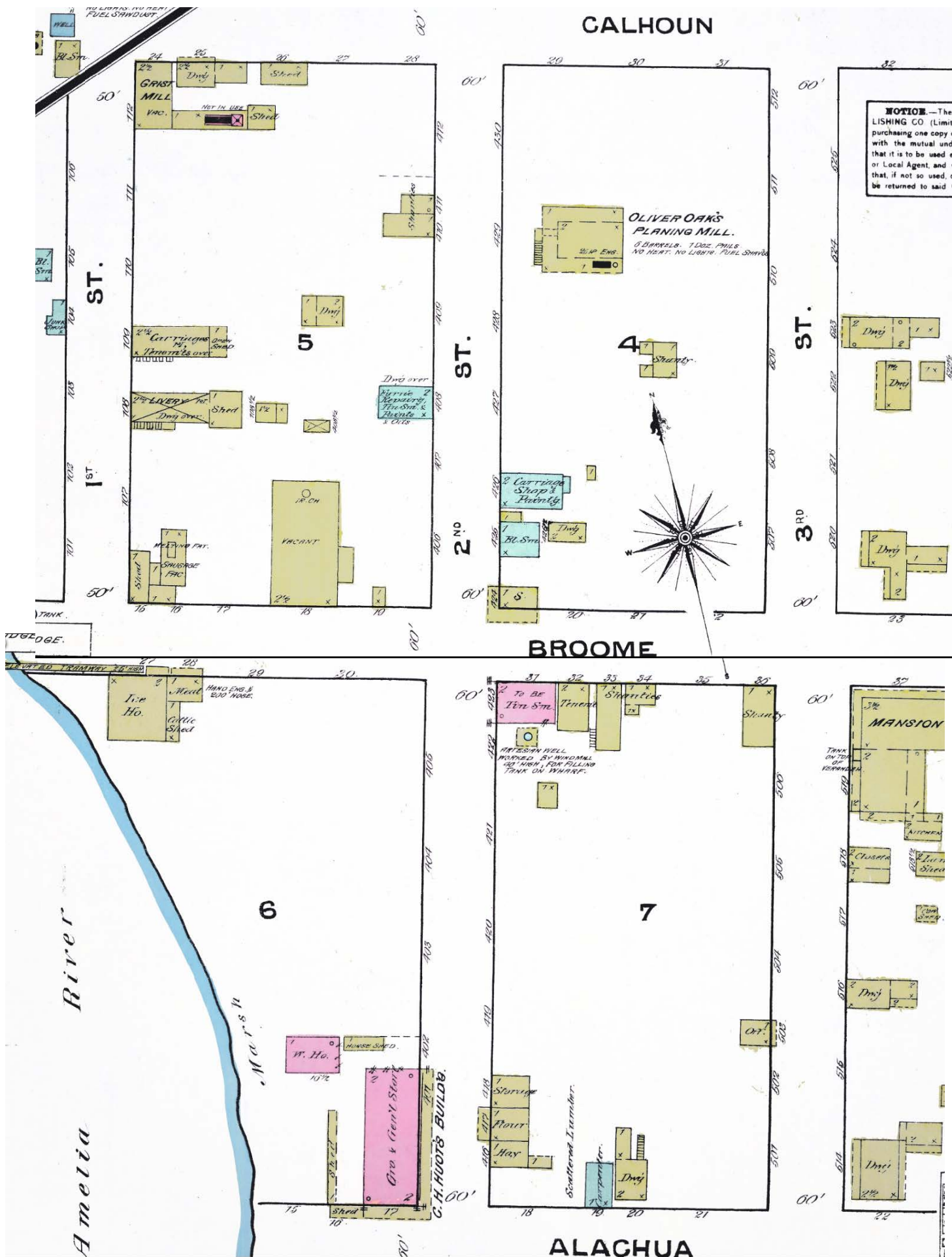
Box repairing. Cabinet-making. Carpenters' shops. Distilleries. Flax mills. Flour
or Grist mills. Japanners. Lard refineries. Manufactories of Artificial hair, Bagging,
Candles, Chairs, Clocks, Confectionery, India-rubber or gutta-percha, Ivory or lamp-
black, Looking-glass and Picture frames, Oiled clothing, Organs, Paper-hangings,
Perfumery, Pianos, Soap, Trunks. Oil mills. Paper mills. Rectifying establishments.
Sugar refineries. Tallow-melting or chandleries. Wholesale druggists (with com-
pounding). Woolen mills. (And generally risks where much heat or light wood is
used.)

Brick.....

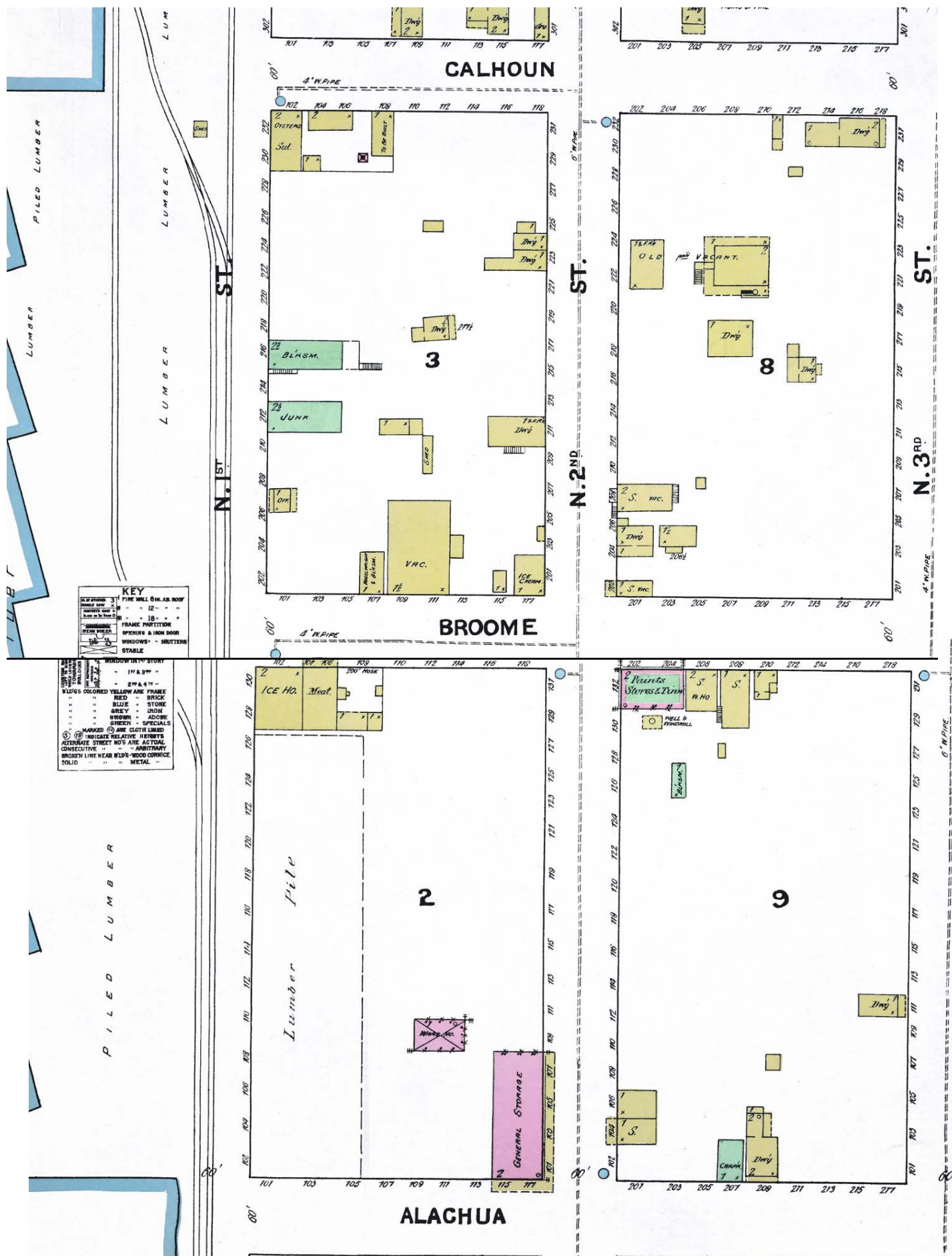


.....Frame

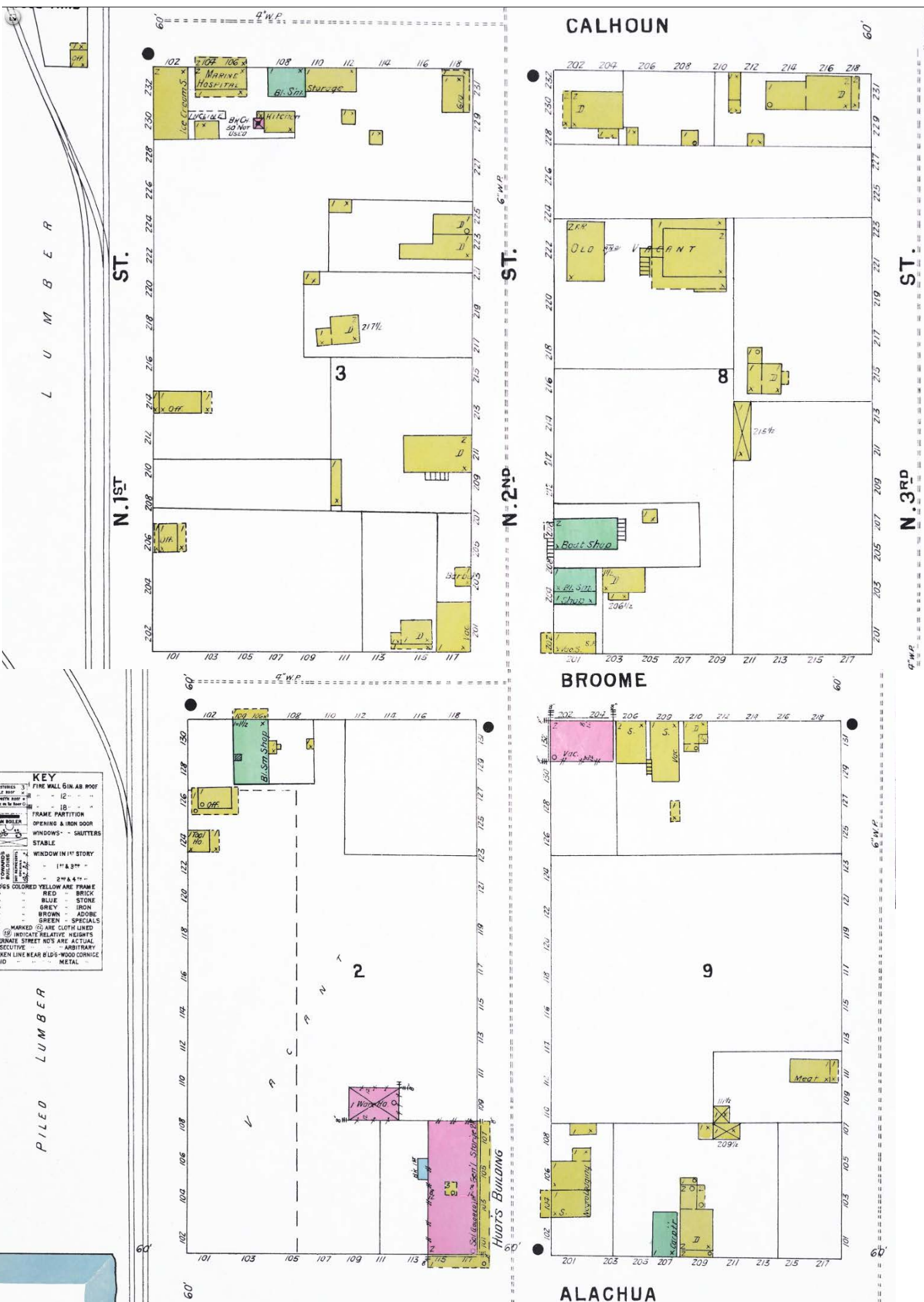
Chemical laboratories. Coffee and Spice mills. Drug mills. Fireworks on sale.
Match factories. Oil-boiling houses. Planing and Moulding mills. Printing-ink
factories. Sash, blind and door factories. Saw mills. Tar-boiling houses. Turpentine
distilleries. Varnish making. Window-shade factories.



1891 Sanborn Map of N. 2nd Street



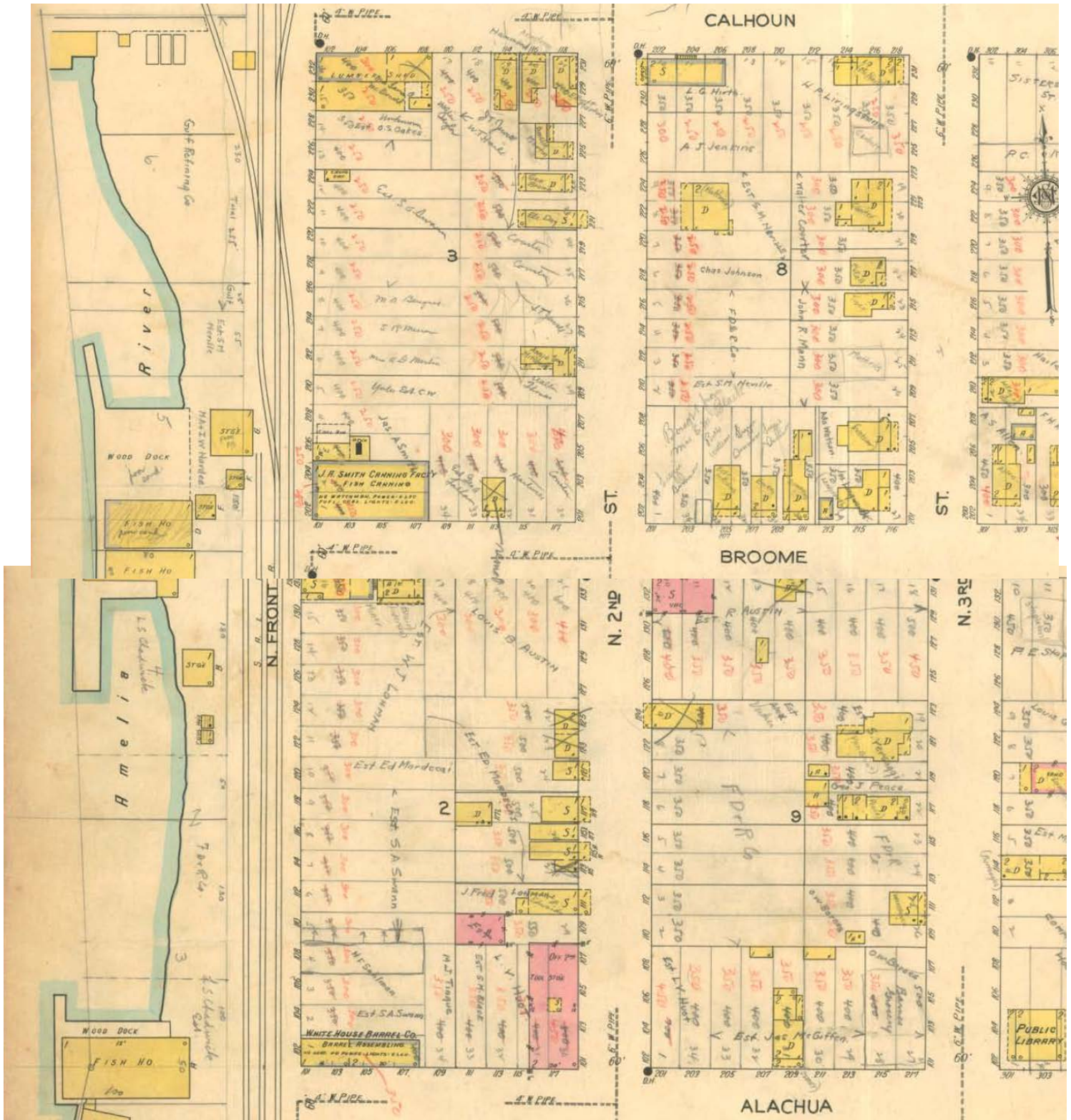
1897 Sanborn Map of N. 2nd Street



1909 Sanborn Map of N. 2nd Street



1926 Sanborn Map of N. 2nd Street



OFFICE USE ONLYREC'D: 3/1/10 BY: _____

PAYMENT: \$ _____ TYPE: _____

APPLICATION #: 2017-CASE #: DOB 2017-07

BOARD MEETING DATE: _____

**PLANNING ADVISORY BOARD APPLICATION**

- | | |
|---|--|
| ☒ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – PRELIM (\$750) |
| ☒ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – FINAL (\$850) |
| ☐ LDC TEXT AMENDMENT (\$850) | ☐ VACATION OF R.O.W. (\$850) |
| ☐ COMP PLAN AMENDMENT (\$850) | ☐ VOLUNTARY ANNEXATION (\$1050) |

APPLICANT INFORMATIONOwner Name: Robert And Loretta EricksonMailing Address: 30 S. 3rd St Fernandina Beach, FL 32030Telephone: 479-270-0315 Fax: _____Email: rettaerickson@aol.com

Agent Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

Email: _____

PROPERTY INFORMATIONStreet Address: 205 Broome St Fernandina Beach, FL 32034Parcel Identification Number(s): 60-00-31-1800-0008-0330, 0340, 0010, 0310Lot Number: 1, 34, 33, 32 Block Number: _____ Subdivision: _____

Section: _____ Township: _____ Range: _____

PROJECT INFORMATION

Total Number of Lots/Parcels: 4

Less than One (1) acre Sq. Footage: X One (1) Acre or Greater: _____

Existing Zoning Classification: I-1

Existing Future Land Use Classification: C-3

Previous Planning/Zoning Approvals: _____

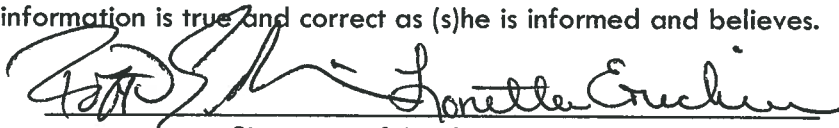
Description of Request:

to rezone from I-1 to G3 to allow occupation of houses on 205 E 211
Broom St as residences and flexibility of future development on lots 1 & 34
See Attachment A, reference support statement from PAB 2017-05 Zoning Change
I-1 to G3. See Attachment B reference staff report PAB 2017-05 Zoning Change
from I-1 to C-3. See Attachment C reference staff report PAB 2017-03 Zoning Change
from I-1 to ~~C-3~~ R-2

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

3-7-17
Date


Signature of Applicant

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104

Subscribed and sworn to before me this 7 day of March, 2017.

Karen m. Austin
Notary Public: Signature

Karen m. Austin
Printed Name

My Commission Expires _____

Personally Known _____ OR Produced Identification ✓ ID Produced: FLDL



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I / WE Kerstin Clayton
(print name of property owner(s))

hereby authorize: ROBERT + LORETTA ERICKSON
(print name of agent)

to represent me/us in processing an application for: Zoning Change I1 TO C3
(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.

Kerstin W. Olson
(Signature of owner)

(Signature of owner)

Kerstin Clayton
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 7 day of March, 2017.

Karen M. Austin
Notary Public: Signature

Karen M. Austin
Printed Name

My Commission Expires

Personally Known _____ OR Produced Identification ☒ ID Produced: FL DL
exp 8/28/18

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME ERICKSON ROBERT & LORETTA
MAILING ADDRESS 30 S 3RD ST

LOCATION ADDRESS FERNANDINA BEACH, FL 32034
 205 BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOT 33 IN OR 2025/1013 CITY OF
 FDNA BEACH

PARCEL NUMBER 00-00-31-1800-0008-0330
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE SINGLE FAMILY
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$7,926
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$42,926
ASSESSED VALUE	\$42,926
EXEMPT VALUE	\$0
TAXABLE VALUE	\$42,926

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	25	FF	21-3N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SINGLE FAM	1,188	1,048	2	2	SINGLE SID		NONE	NONE	1900	SHOW SKETCH

Miscellaneous Information

There is no Miscellaneous Information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
01/22/2016	2025/1013	2025/1013	40000	WD	U	Y	INGEBRIGTSEN CATHERINE	ERICKSON ROBERT & LORETTA
02/14/2006	1389/290	1389/290	125000	WD	Q	Y	ROWE JASON N & COURTNEY M	INGEBRIGTSEN CATHERINE
10/05/2004	1263/1871	1263/1871	80000	WD	Q	Y	HOLMES JOHN T	ROWE JASON & COURTNEY M
03/19/1992	652/377	652/377	100	PR	U	Y	WILLIAMS SERENA EST	HOLMES JOHN T

NASSAUA. Michael Hickox, CFA, Cert.Res.RD1941
Nassau County Property Appraiser[Property Search](#)[Sales Search](#)[Nassau Home](#)

OWNER NAME CLAYTON JAMES S (3/4%) &
MAILING ADDRESS CLAYTON KEVIN (1/8%) &
 CLAYTON KERSTIN (1/8%)
 211 BROOME STREET
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOT 34 PT OR 1104/446 & OR
 1172/1741 CITY OF FDNA BEACH

PARCEL NUMBER 00-00-31-1800-0008-0340
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE VACANT INDUSTRIAL
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$0
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$35,000
ASSESSED VALUE	\$35,000
EXEMPT VALUE	\$0
TAXABLE VALUE	\$35,000

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
VAC INDUST 004000	25	FF	21-3N-28

Building Information

There is no Building Information for this record.

Miscellaneous Information

There is no Miscellaneous Information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
06/04/2003	1142/1487	1142/1487	100	PR	U	N	HOLMES LAWRENCE P/R FOR RUTH A SIMMONS	CLAYTON JAMES S
08/01/1984	433/345	433/345	100	MS	U	N		

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME CLAYTON JAMES S (3/4%) &
MAILING ADDRESS CLAYTON KEVIN (1/8%) &
 CLAYTON KERSTIN (1/8%)
 211 BROOME STREET
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS N 2ND & BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOT 1 PT OR 1104/446 & OR
 1172/1741 CITY OF FDNA BEACH

PARCEL NUMBER 00-00-31-1800-0008-0010
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE VACANT INDUSTRIAL
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$0
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$35,000
ASSESSED VALUE	\$35,000
EXEMPT VALUE	\$0
TAXABLE VALUE	\$35,000

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
VAC INDUST 004000	25	FF	21-3N-28

Building Information

There is no Building Information for this record.

Miscellaneous Information

There is no Miscellaneous Information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
06/04/2003	1142/1487	1142/1487	100	PR	U	N	HOLMES LAWRENCE P/R FOR RUTH A SIMMONS	CLAYTON JAMES S
09/01/1984	433/345	433/345	100	MS	U	N		

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME CLAYTON KERSTIN (3/16%) &
MAILING ADDRESS HOLMES WM O & LAWRENCE &
HOLMES THEODORE ETAL
211 BROOME ST
FERNANDINA BEACH, FL 32034
LOCATION ADDRESS 211 BROOME ST
FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOTS 31 & 32 & N1/2 OF LOT 30
(EX E7 FT) PT OR 1172/1741 & OR 1104/446

PARCEL NUMBER 00-00-31-1800-0008-0310
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE SINGLE FAMILY
DEED ACRES 0
HOMESTEAD Y
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$79,329
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$84,966
TOTAL MISC VALUE	\$60
JUST OR CLASSIFIED TOTAL VALUE	\$164,355
ASSESSED VALUE	\$158,525
EXEMPT VALUE	\$25,000
TAXABLE VALUE	\$133,525

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	50	FF	21-3N-28
SFR 000100	18	FF	21-3N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SNGL FAM	1,487	1,277	3	2	AVERAGE		AIR DUCTED	FORCED AIR	1900	SHOW SKETCH

Miscellaneous Information

DESCRIPTION	DIMENSIONS L x W	UNITS	YEAR BUILT
CONCRETE A	25 X 3	75	1970
CONCRETE A	0 X 0	0	0

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
09/18/2003	1172/1741	1172/1741	100	PR	U	Y	HOLMES P/R FOR TUH ALBRITTON SIMMONS	HOLMES WILLIAM & LAWRENCE ET AL
01/01/1986	478/313	478/313	100	FS	U	Y		

Kelly Gibson

From: Loretta Erickson <rettaerickson@gmail.com>
Sent: Wednesday, March 08, 2017 2:51 PM
To: Kelly Gibson
Cc: Robert Erickson
Subject: Fwd: Detailed letter of Intent

Hi Kelly
Please let me know you received this.
Thanks
Loretta

Sent from my iPhone

Begin forwarded message:

From: <rettaerickson@gmail.com>
Date: March 7, 2017 at 12:11:45 PM EST
To: <kgibson@fbfl.org>
Cc: "Bob Erickson" <rettaerickson@aol.com>, <kerlos14@gmail.com>
Subject: Detailed letter of Intent

3/7/17

Dear Kelly,

Our request to rezone is to allow for the home at 205 Broome St and at 211 Broome St to be occupy as residences and give the flexibility of future development on Lots 1 and 34.

In support of our zoning change request the following attachments show the consistency of the proposed amendment as well as the justification of the proposed amendment. Attachment A, a reference supporting statement taken form PAB 2017-05 zoning change from I-1 to C-3 . Attachment B referencing staff report PAB 2017-05 zoning change from I-1 to C-3 and Attachment C referencing staff report PAB 2017-03 zoning change from I-1 to R-2. Also included are various maps supporting the proposed zoning change for I-1 to C-3. These show the consistency of the proposed amendments with the City's Comprehensive Plan and a justification for the proposed amendment.

Sincerely,
Bob and Loretta Erickson

Attachment A

Attachment A

OBJECTIVE 101.

Energy Efficient Development

The City shall promote compact, mixed use, and energy efficient development arranged to encourage walkability, bicycle and transit use, which leads to a more sustainable community and a reduction in greenhouse gases (GHGs).

The CBD Future Land Use is designed to promote energy efficient development by promoting a walkable and sustainable environment. This is accomplished by allowing a mixture of residential and commercial uses to be placed within the same structure. In addition, when the subject property is assigned the CBD/C-3 and located amongst other CBD FLU/uses, this places new housing units within walkability of services and employment within the downtown area.

Policy 102.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors: a. Type and density or intensity of surrounding uses; b. Zoning districts in the surrounding area; c. Demonstration of adequate water supply and water supply facilities; d. Appropriateness of the size of the parcel compared to the proposed use; e. Physical condition of the site, and the suitability of soils and topography for the proposed use; f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources; g. Compatibility factors; h. Impact on adopted levels of service standards and quality of service standards; and i. Location in a Coastal Upland Protection Zone (CUPZ).

The type and density and intensity of the surrounding uses are compatible with the CBD/C-3 FLU and Zoning combination as adjacent FLU and zoning is consistent with the proposed change. It is as equally intense as the adjacent industrial uses. Although more intense than the nearby residential, the CBD will act as a transitional use. The proposed change is a transitional use that will be compatible with both residential to the east and industrial to the west. The residential to the east will be buffered from the industrial uses by the CBD/C-3 uses and will be buffered from CBD/C-3 uses by 20' buffer with landscaping. Public water and sewer is available to the subject property and the increase development permitted will promote smart-growth principles by increasing growth where there is existing infrastructure. The area being considered for the change is appropriately sized considering the setback, densities and types of development permitted. Soils and topography are the same as other urban areas that are immediately adjacent. As can be seen from maps included with application, the soils for the subject property, Ortega Fine Sand, is prevalent in the downtown area, is not unique to the subject property, and is developed to urban levels in the city. According to the US Geologic Survey, the Ortega Series of soils are moderately well drained and are located on rises and knolls and is suitable for urban development. As can be seen from the topographic map, a rise of six feet from front to rear will result in a slope over 125 feet of approximately 4.8%. There are no requirements in city code that correlate slope with types of development.

Essentially the lot/block and frontage characteristics of the subject property are very similar to the rest of the historic district CBD/C-3 area. The subject property is not covered by flood zone or other environmentally unsuitable conditions, and the historic structure on the subject property will be made conforming by the proposed amendment.

Policy 102.06. The City shall assure that specific density assigned to new development and redevelopment is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following: a. Protecting the integrity and stability of established residential areas; b. Assuring smooth transition in residential densities; c. Encouraging commercial and residential mixed use development patterns; d. Recognizing and being sensitive to the character and form of the surrounding neighborhoods; and e. Requiring application of low impact development (LID) principles, native and drought tolerant landscaping and urban design principles and practices; and f. Encouraging connectivity of pedestrian walkways and bicycle paths on and off site.

The City has expressed interest in pursuing a CBD/C-3 on the subject property as a city-sponsored application due to the sound planning criteria stated in Policy 102.06 above. The current situation of exposing residential areas to direct contact with industrial areas is deleterious to the development of industrial areas and the continuation of residential areas. Sound planning principles dictate that a transitional land use be used to buffer these two uses from each other. Such a transitional land use is available in the CBD/C-3 which contains a multi-family element that is both transitional in use and in residential densities. By definition, the CBD/C-3 combination encourages residential and commercial mixed use and is therefore compatible with residential. The proposed CBD/C-3 combination recognizes sensitivity to adjacent neighborhoods as it contains both residential and commercial elements. In addition, the city code contains buffer and setback requirements to residential that will provide additional sensitivity to existing neighborhoods. By definition, development in the CBD will be heavily reliant on pedestrian and bicycle access as these forms of transportation are more practical than auto in the subject area.

Policy 102.08. Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations. Compliance with this policy requires very little elaboration. The CBD/C-3 is a mixed use concept and the policy calls for mixed use transitional areas. The subject property is in between and immediately adjacent to industrial (to the west) and residential (to the east) and therefore, the application to change the subject property to CBD/C-3 is precisely what the city's Comprehensive Plan requires.

Policy 102.09. The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

See above response. Again the City's Comprehensive Plan not only supports the change, it requires it.

OBJECTIVE 104. REDEVELOPMENT AND INFILL DEVELOPMENT The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties. The subject property is adjacent to nearby job centers and valuable historic resources. The current historic structure is nonconforming to the existing Industrial FLU and zoning and it is therefore difficult to improve the property as financing for non-conforming structures is not possible

to obtain. If this effort to amend the FLU and zoning is deterred, and the industrial FLU and zoning remains, then blight will be inevitable, in direct conflict with this policy. Although the future of the existing structure is not guaranteed, it has a greater chance of survival if the financing to adaptively reuse is available.

OBJECTIVE 105. NONCONFORMING STRUCTURES, USES AND LOTS To promote re-use of structures that contribute to the character, diversity and sustainability of a neighborhood and to promote economic redevelopment by regulating structures and uses that do not conform to the current Plan or Land Development Code, but were lawfully established and in compliance with all applicable ordinances and laws at the time the structure was constructed and/or the use began, the City shall permit the continuation of the structure until such time that it becomes hazardous or dangerous and shall seek to eliminate nonconforming land uses.

As stated in the above response, the decline and eventual removal of the structure on the subject property will be inevitable if there is no way for the current or future owner(s) to obtain financing to repair and/or adaptively re-use the structure. Considering that the use of the land as industrial conflicts with aforementioned policies regarding transitional uses and the protection of residential,

it is clear the solution is to eliminate the industrial zoning, not the use.

OBJECTIVE 5.04. COASTAL HIGH HAZARD AREAS (CHHA) The City shall protect property, residents, and visitors within the Coastal High Hazard Area. Protection shall be provided through appropriate designations on the Future Land Use Map to ensure that population is directed away from the coastal high hazard area, limitations on construction of infrastructure in the Coastal High Hazard Area, and coordination with hazard mitigation and post-disaster plans.

The subject property is not within the CHHA and therefore additional residential development in the area is not in conflict with Objective 5.04

OBJECTIVE 12.05. LAND USE AND INFRASTRUCTURE EXPANSION The City shall protect existing land designated for employment-generating uses, whether vacant or developed, from encroachment of incompatible uses and promote sustainable development and redevelopment of properties within its designated Job Opportunity Areas.

The existing FLU and zoning of Industrial could be considered a "job creating" land use and this policy seeks to limit the loss of job creating land uses. This state of affairs is ameliorated by two factors: 1) the current size of the industrial district (half block) makes use of the

industrial area for creating jobs limited at best and 2) the proposed CBD/C-3 will also have a commercial element that can provide jobs from primary and secondary economic impacts (people directly employed on subject property or economic development associated with subject property that spawns off-site employment).

In addition, I offer the following section from the City's Land Development Code, Community Redevelopment Area (CRA) section:

8.01.02 Amelia River Waterfront Community Redevelopment Area A. Purpose: It is the purpose of the CRA overlay to provide a broader mix of uses and compatible design with the downtown area. In order to promote revitalization of the working waterfront and adjacent area.

In addition to complying with the Comprehensive Plan elements above, the subject property is within the CRA, which has a goal of providing a mix of uses and compatible with the design with the downtown area. The CBD/C-3 combination is tailored made for this use as it is the predominant zoning and land use within the downtown area.

In conclusion it is clear that the proposed Future Land Use and Zoning amendment for the subject property complies with the City's Comprehensive Plan and the CRA.

Attachment B



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APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Susan Courtney McCranie, Daniel McCranie Sr., Marilyn Leibman				
AGENT:	Peter J. King, AICP				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	North 2 nd Street Community Redevelopment Area (CRA) properties – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	Parcel ID #: 00-00-31-1800-0008-0080 (Courtney McCranie) – 224 N. 2nd Street, Multifamily Structure (2,905 conditioned square feet) totaling 0.22 acres of land and constructed in the early 1900's- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0050 (Daniel McCranie, Sr.) - Vacant totaling 0.15 acres of land , This property contains 2 underlying lots of record and measures approximately 50ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0020 (Leibman) - Vacant totaling 0.22 acres of land- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft.				
PROPERTY SIZE:	In total 0.59 acres of land are included within the applicant's request.				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Warehouse	1980	I-1	Industrial (IND)
		Restaurant/Bar	1902		
CRA PROPERTY/ HISTORIC DISTRICT	South	Vacant and Non-Conforming Single Family Homes	Est. 1900	I-1	Industrial (IND)
CRA PROPERTY	West	Warehouse Storage	Est. 1900	I-1	Industrial (IND)
PORT PROPERTY (NOT IN THE CRA)		Warehouse Storage	1990		
CRA PROPERTY	East	Single Family and Multi-Family residential dwellings	Est. 1909- 1925	R-2	Medium Density Residential (MDR)

*** 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. ***



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SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on N.2nd Street (Exhibit A).

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development. All three (3) properties involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council. Although the structure located at 224 N. 2nd Street is not within the City's historic district, its location within the CRA would require that any request for demolition of the structure to be approved by the Historic District Council and follow all established procedures identified in LDC Section 8.03.03.01.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)



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Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Central Business District (CBD), 8 dwelling units per acre are supported at this time. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Under the requested action, a total of up to five (5) residential units could be constructed on the vacant properties. The property located at 224 N. 2nd Street contains a non-conforming multi-use structure with two (2) residential dwelling units at the present time.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structure for residential purposes. The applicant's requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a



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Finding of Necessity in 2005, one of the four principal reasons why this area was determined to contain blighted conditions is due to its "inadequate and outdated building density patterns." It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant's requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The requested Central Business District (CBD) land use category and C-3 zoning district serves to create a transitional step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the applicant's request is the most appropriate land use and zoning district assignment under the City's current regulations.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' properties are a range of existing uses including; a warehouse and storage area serving the port's needs to the west, warehousing for a light manufacturing business to the North, and restaurant/ bar located at the corner of Calhoun Street and N. 2nd Street. On the eastern block face are homes located within the City's downtown historic district.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement.



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Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the properties fronting Broome Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

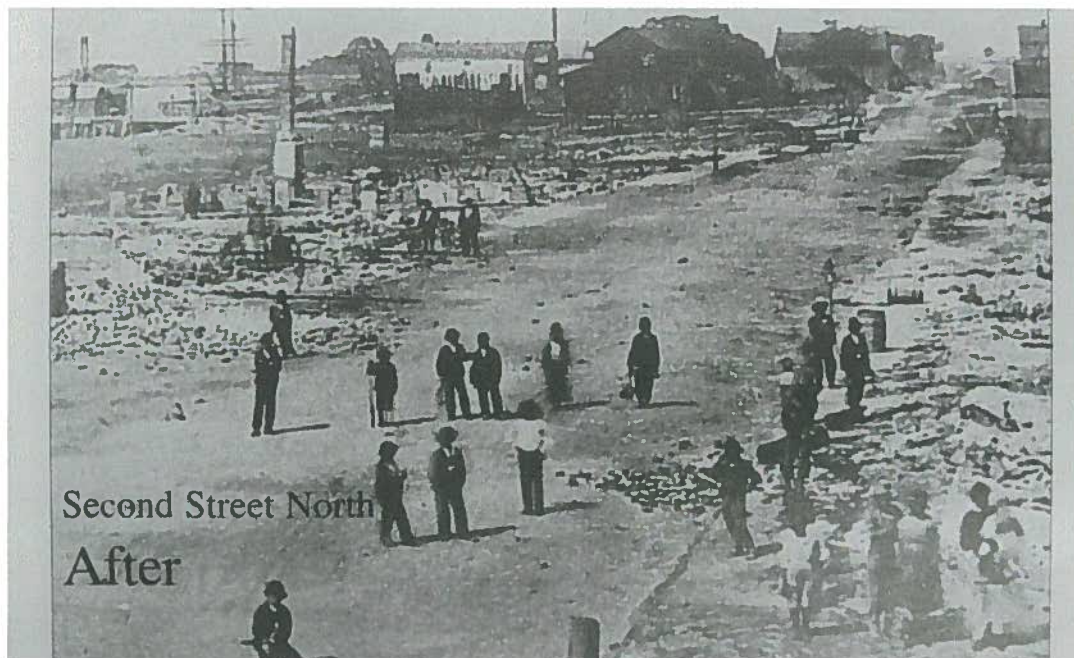
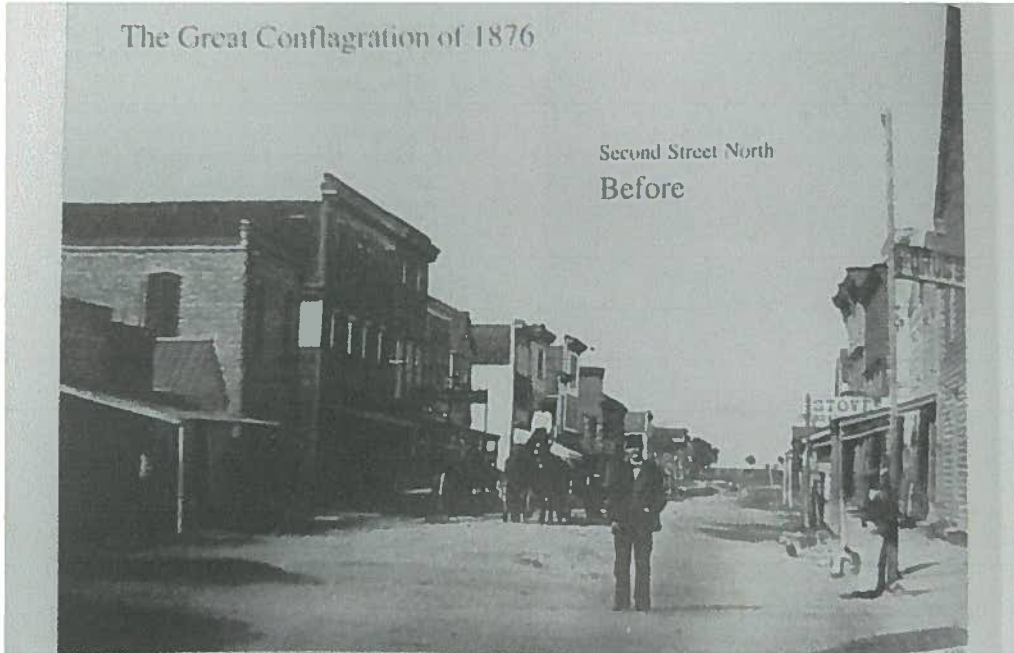
- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face (See Sanborn Map Exhibits). Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that



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existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the existing residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend (approval or denial) of PAB case number 2017-05 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, (is or is not) sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

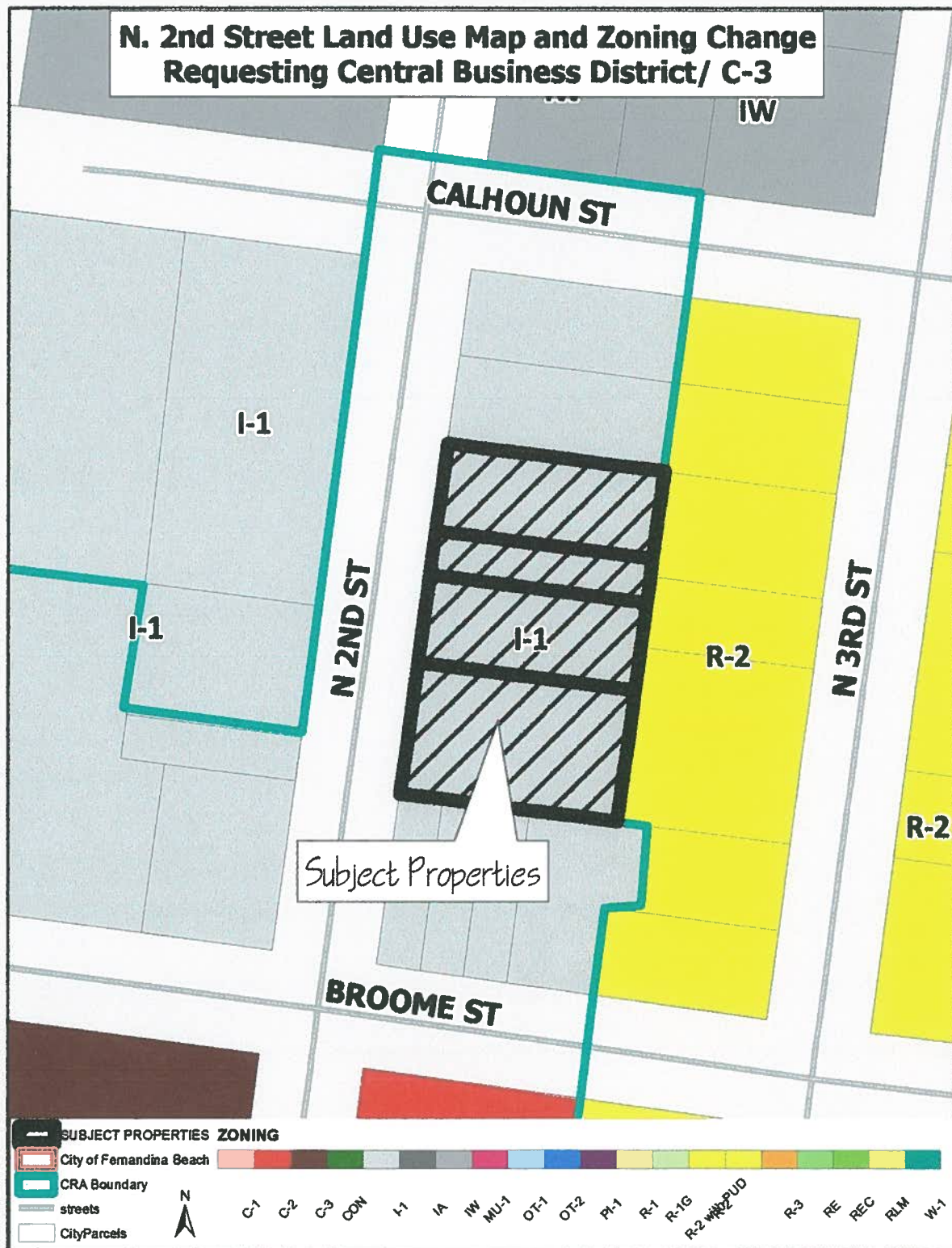
Submitted by:

Kelly N. Gibson
Senior Planner



STAFF REPORT
PAB (LU/CZ) 2017-05
Planning Advisory Board Hearing
March 8, 2017

EXHIBIT A



Attachment C



STAFF REPORT
PAB (LU/CZ) 2017-03
Planning Advisory Board Hearing
February 8, 2017

APPLICATION FOR SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Robert and Loretta Erickson, James and Kerstin Clayton				
AGENT:	Robert and Loretta Erickson				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	211 Broome Street, 205 Broome Street, and Vacant Properties at corner of N. 2 nd Street and Broome Street – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Medium Density Residential (MDR)/ R-2				
EXISTING USES ON SITE:	211 Broome Street: Existing SF Home totaling approximately 1,487 ft² with an estimated year built of 1900 205 Broome Street: Existing Vacant SF Home totaling approximately 1,188 ft² with an estimated year built of 1900 Vacant Land located at the corner of N. 2nd Street and Broome Street				
PROPERTY SIZE:	Totaling 0.32 Acres Parcel ID #s: 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Vacant Land	N/A	I-1	Industrial (IND)
CRA PROPERTY	South	Public Parking	2015	C-2	General Commercial (GC)
HISTORIC DISTRICT	East	Single Family Home	Est. 1900	R-2	Medium Density Residential (MDR)
CRA PROPERTY	West	Warehouse/Storage	Est. 1900	I-1	Industrial (IND)

*** 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, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Medium Density Residential (MDR) land use, and R-2 (Medium Density Residential) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at N.2nd Street and Broome Street (Exhibit A).

The action is requested in order to correct existing non-conforming use of the properties where two (2) single family homes have existed for many years. The property at 211 Broome Street has retained its single family home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years. Under the City's LDC Section 10.01.02 (G), when a non-conforming use has



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been discontinued for a period greater than 180 days, the property shall be brought into compliance with all sections of the LDC. The current property owners recently acquired the structure in order to restore it. At this time, they are seeking to use the property for residential purposes. In order to make this property conforming, a land use and zoning designation which contains residential density must be applied to the site. The properties to the west of the restored structure are vacant.

All four parcels involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)
Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls



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The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Medium Density Residential (MDR), 8 dwelling units per acre are supported. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Therefore, if the property is changed to a land use category containing residential density, the vacant properties and 205 Broome Street property would have the benefit of construction a residential unit on each parcel, despite not being able to meet minimum "net density" requirements under the requested change. Under the requested action, a total of up to five (5) residential units could be constructed on the properties.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structures as single family homes. The applicant's requested land use of Medium Density Residential (MDR) and R-2 zoning fails to achieve the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a Finding of Necessity in 2005, one for the four principal reasons why this area was determined to contain blighted conditions is due to its "inadequate and outdated building density patterns." It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant's requested action does not serve to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. Staff suggests that the applicant consider use of a transitional land use category and zoning district that



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serves to step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the most appropriate land use and zoning district assignment under the City's current regulations are the Central Business District (CBD)/ C-3 zoning.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' property are a wide range of existing uses including; a warehouse and storage area serving the port's needs; public parking directly facing the properties; and vacant land within the CRA which historically contained a variety of uses. On the eastern block face are homes located within the City's downtown historic district. The existing land use and zoning under Industrial/ I-1 is certainly not compatible with the surrounding area and staff recognizes that this should be corrected through a land use and zoning change to a district which serves to provide a down-zoning or transition from the port's industrial operations to the adjoining residential areas.

The most compatible land use and zoning designation for these properties as well as the properties fronting N. 2nd Street is Central Business District (CBD)/ C-3 zoning. The CBD/C-3 zoning designation exists diagonally from the applicants' properties and staff recognizes the need to assign the appropriate land use and zoning district for the public parking lots located on N. 2nd at Alachua Street and Broome Street in keeping with the direction to create and extend the urban core through the CRA.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested zoning is Medium Density Residential R-2, provides for residential land uses. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.05 of the LDC states the intent of the R-2, Medium Density Residential, zoning classification. The R-2 District is intended for the development, redevelopment, or maintenance of stable medium-density residential neighborhoods. The medium-density residential designation includes a mixture of single- and multi-family structure types.



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The R-2 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of several of the properties involved in the application. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be inconsistent with the Comprehensive Plan and Land Development Code, as it is an inappropriate extension of an exclusively residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends an incompatible zoning district to properties adjoining industrial and commercial land uses, instead a mixed land use and zoning designation should be considered. Further, the requested action does not serve to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a more harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

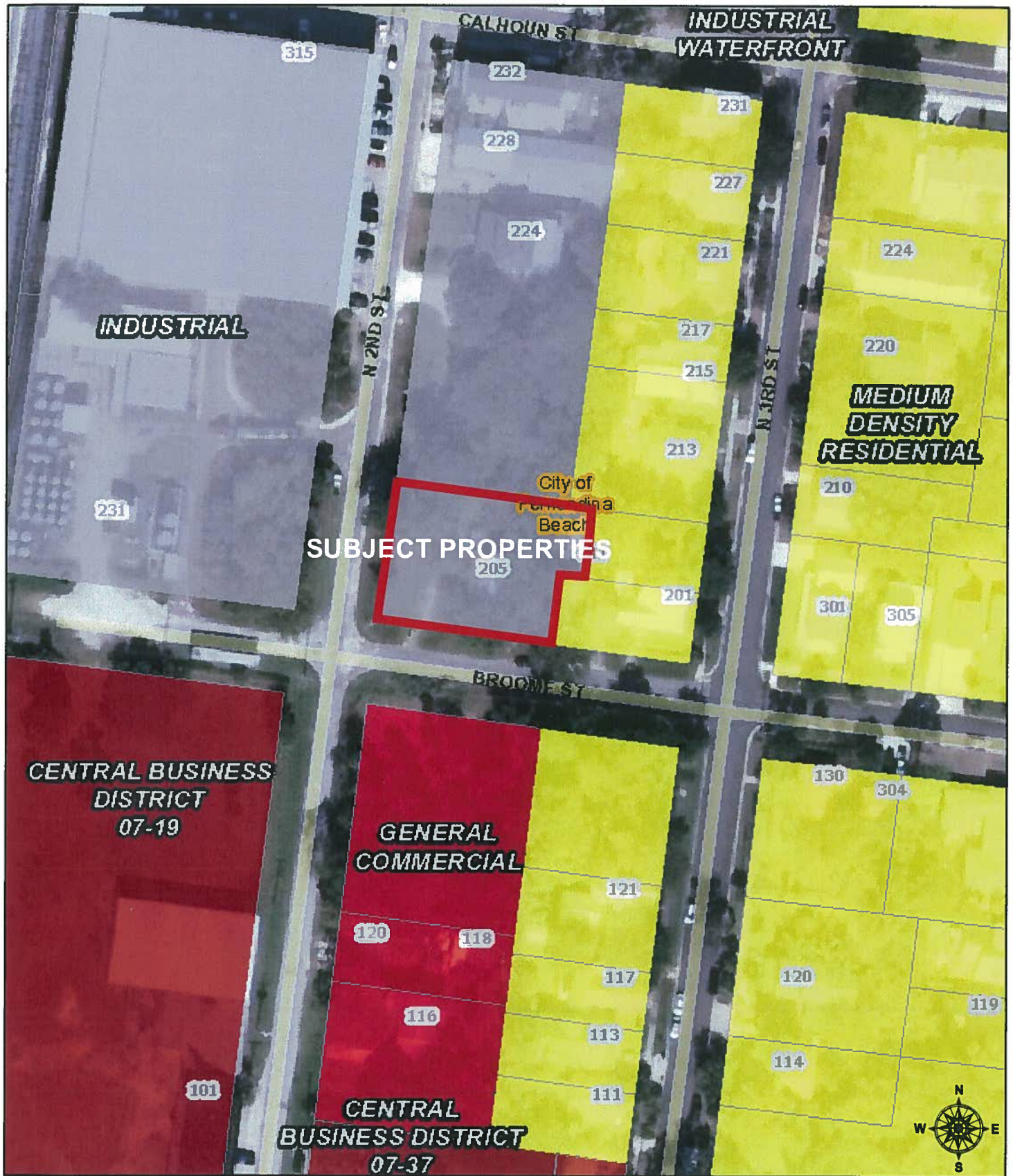
I move to recommend (approval or denial) of PAB case number 2017-03 to the City Commission requesting a Future Land Use Map assignment of Medium Density Residential land use and R-2 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-03 as presented, (is or is not) sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

Kelly N. Gibson
Senior Planner

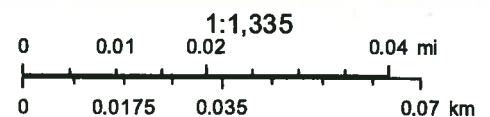


FUTURE LAND USE MAP

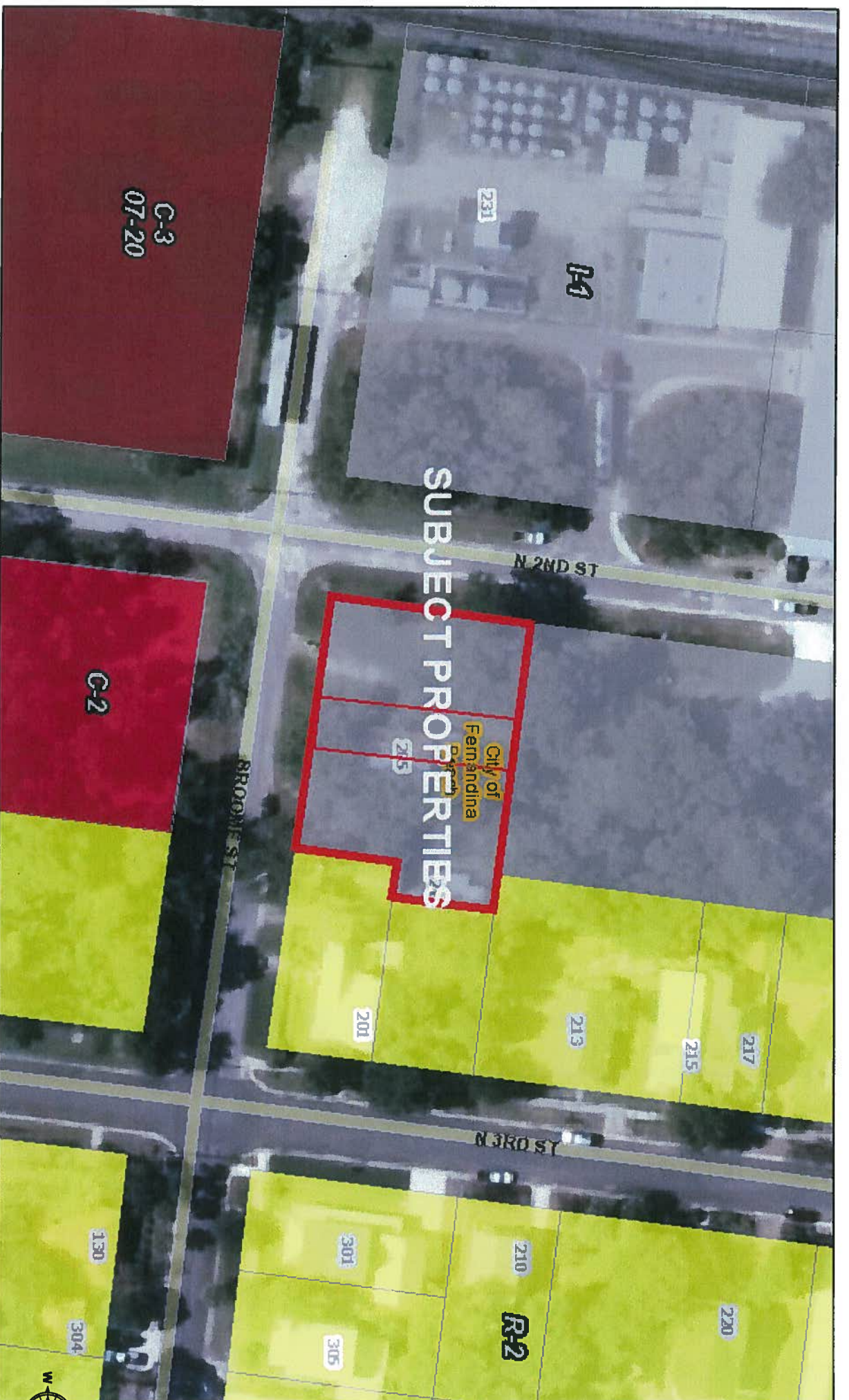


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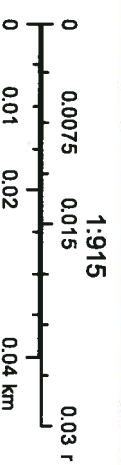
Land Parcels



ZONING MAP

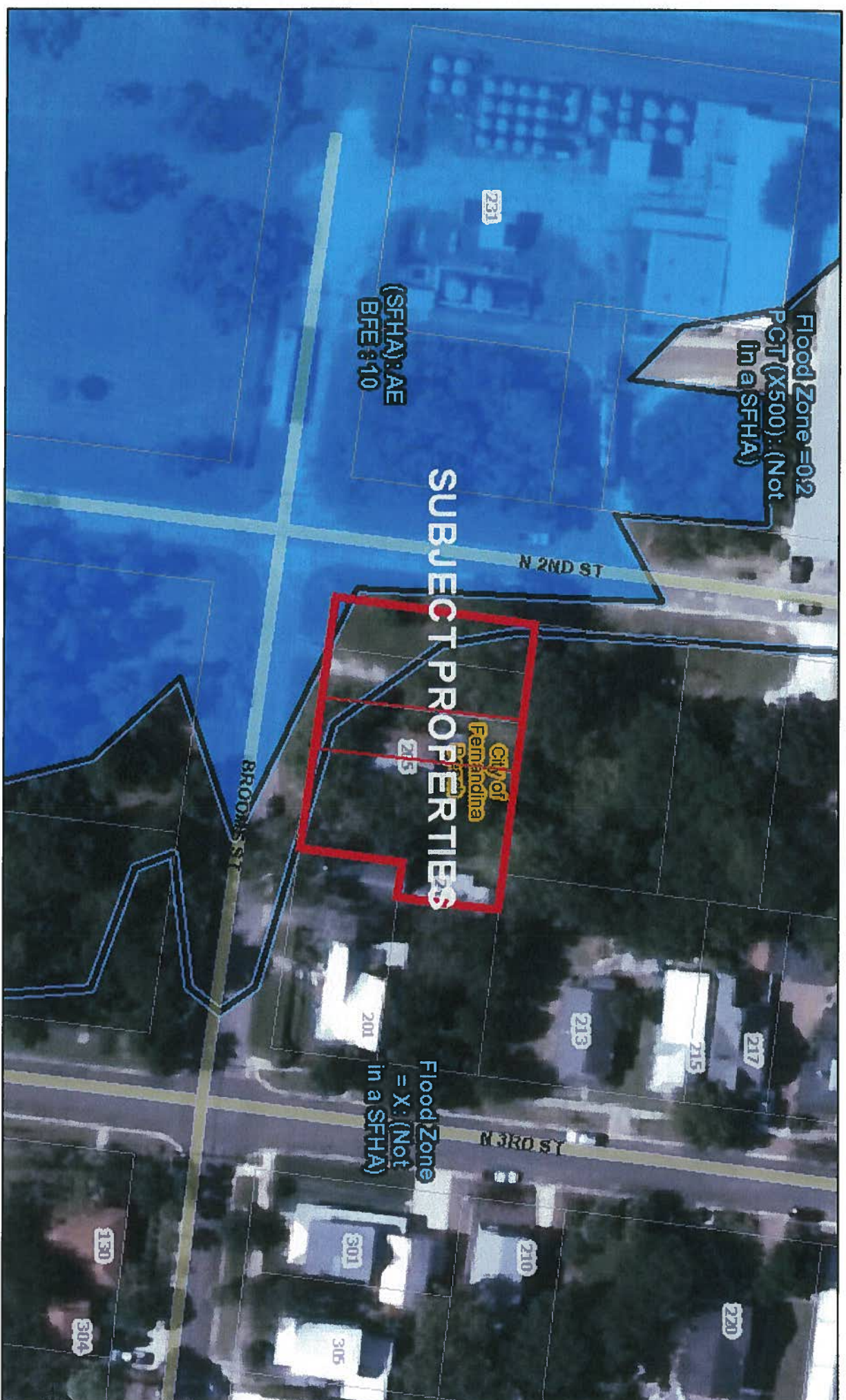


March 6, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), WGC, © OpenStreetMap contributors, and the GIS User Community

FLOOD MAP (2010 EFFECTIVE)



March 6, 2017

Flood Zones - Effective Dec.17th 2010, NAD 1988

- ☐ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- ☐ AE
- ☐ X

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

FLOOD MAP (2016 PRELIMINARY)



March 6, 2017

Preliminary Flood Zones 2016

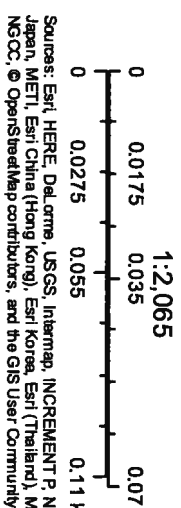
- A.
- AE.
- AO.
- VE.
- X. 0.2 PCT ANNUAL CHANGE FLOOD HAZARD
- X. AREA OF MINIMAL FLOOD HAZARD

Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

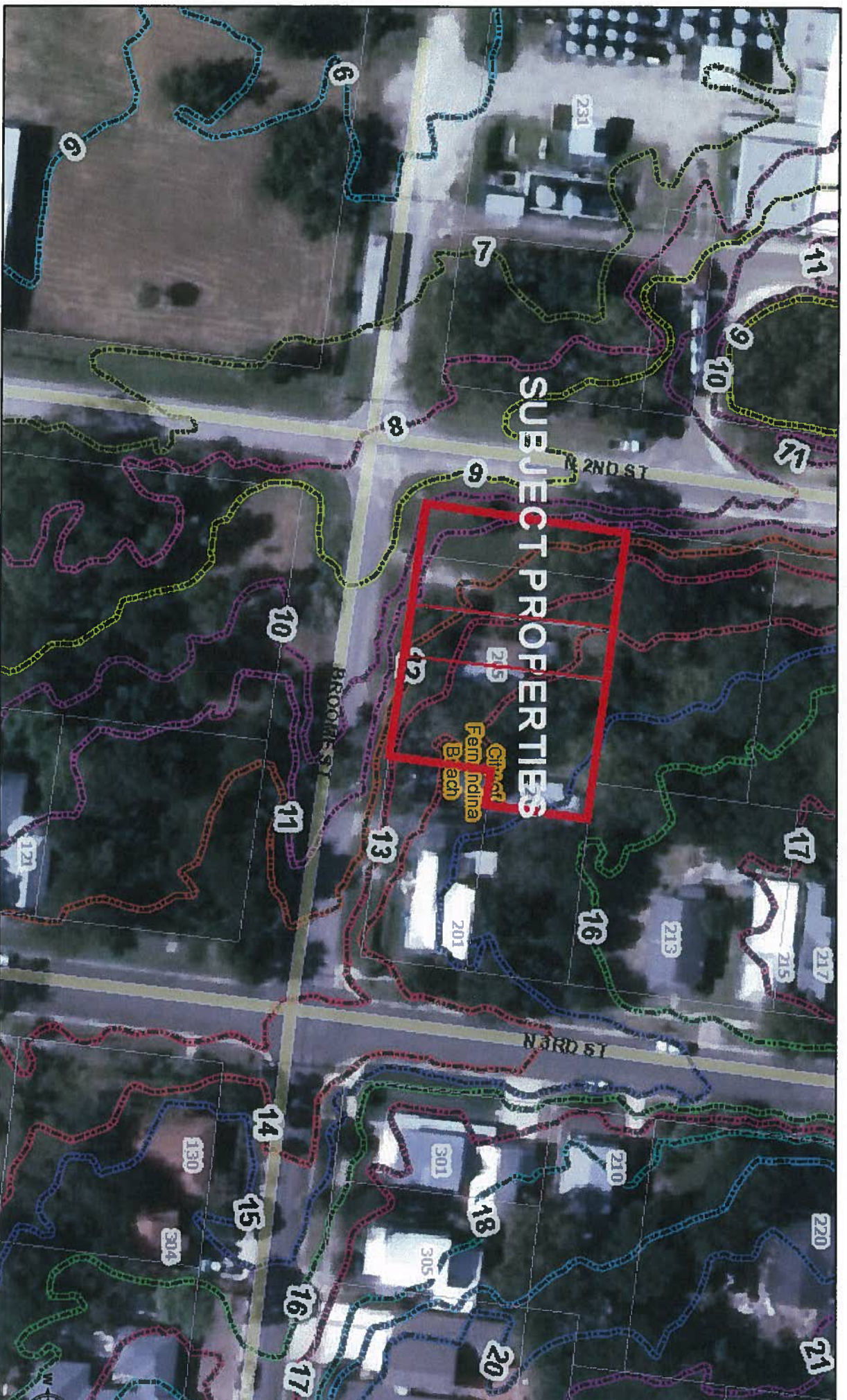
SOILS MAP



- March 6, 2017
- ☐ Land Parcels
 - ☒ Nassau Soils

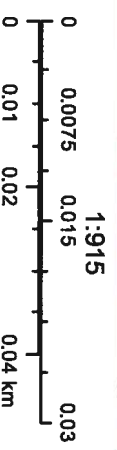


TOPOGRAPHICAL MAP



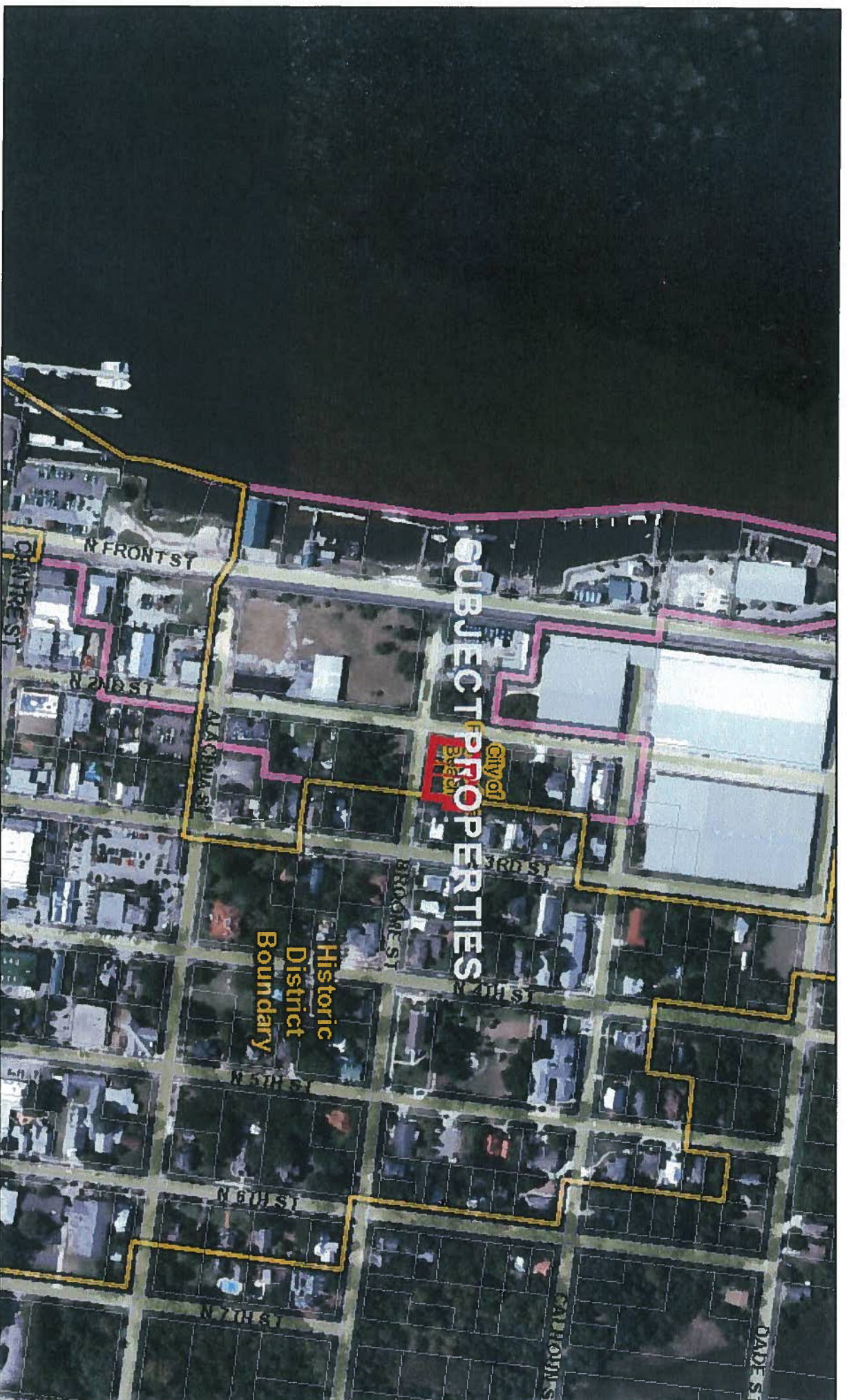
March 6, 2017

☐ Land Parcels



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

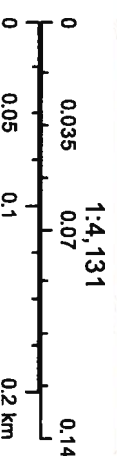
CRA/HDC MAP



March 6, 2017

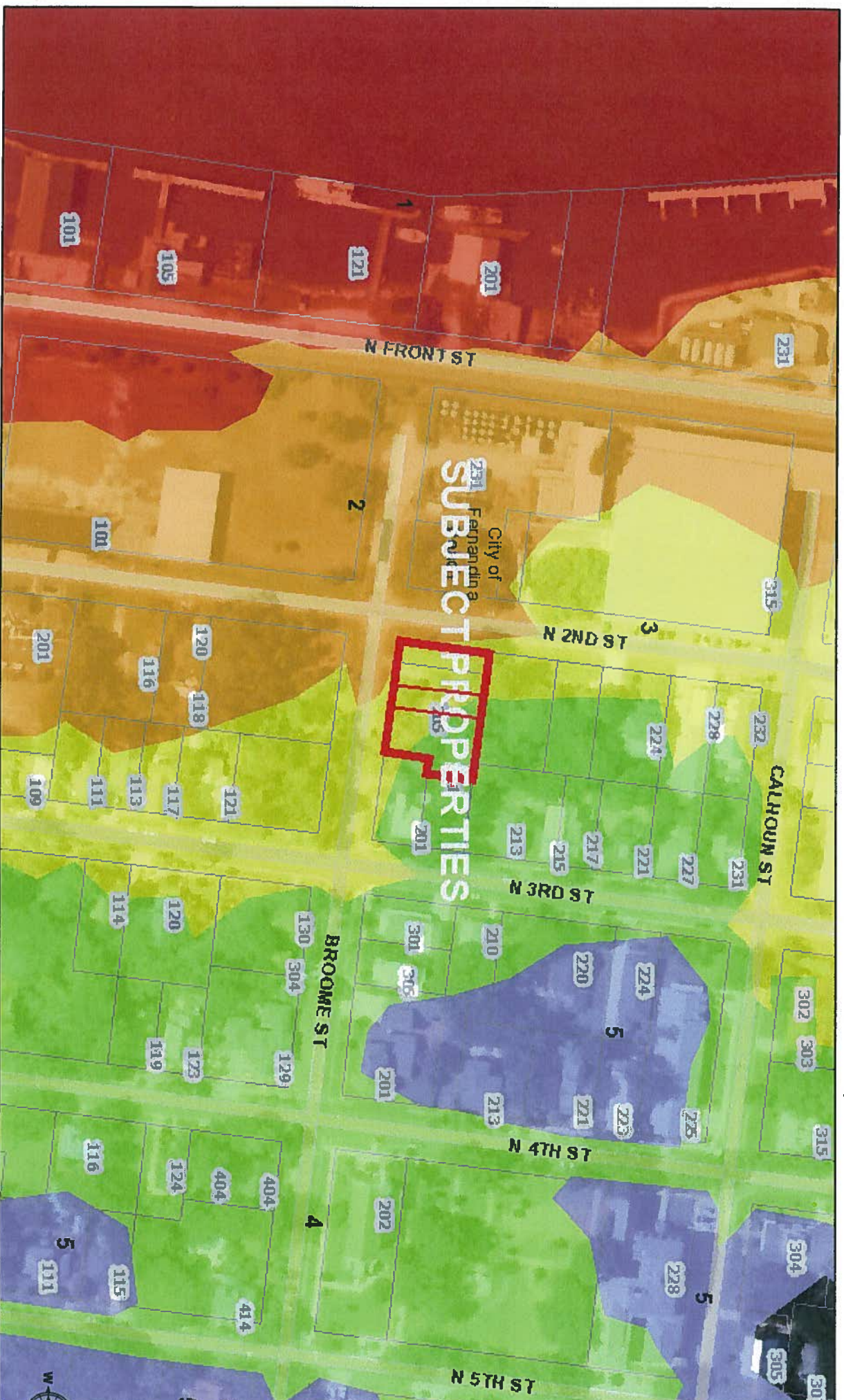
City of F.B. Historic District

City of F.B. Community Development District



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

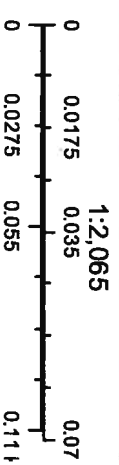
COASTAL HIGH HAZARD MAP (STORM SURGE)



This is an aerial map of a residential neighborhood in San Francisco. The map displays a grid of streets, including N Front St, N 2nd St, N 3rd St, N 4th St, and Broadway St. A red rectangle highlights a specific property at the intersection of N 3rd St and Broadway St, labeled "SUBJECT PROPERTIES". The map also shows various lot numbers and building footprints. The text "City of" and "Beach" are visible near the highlighted property.

☐ Land Parcels

 Water Hydrant

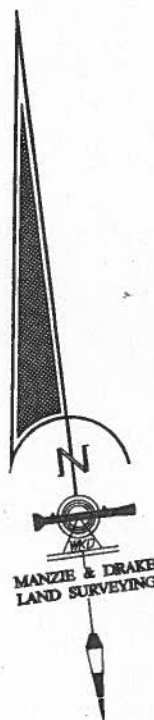


Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NNGCC, © OpenStreetMap contributors, and the GIS User Community

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND KNOWN AND DESCRIBED ON THE OFFICIAL PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1857 AND ENLARGED, REVISED AND REISSUED BY THE FLORIDA TOWN IMPROVEMENT COMPANY IN 1887 AND 1901) AS:

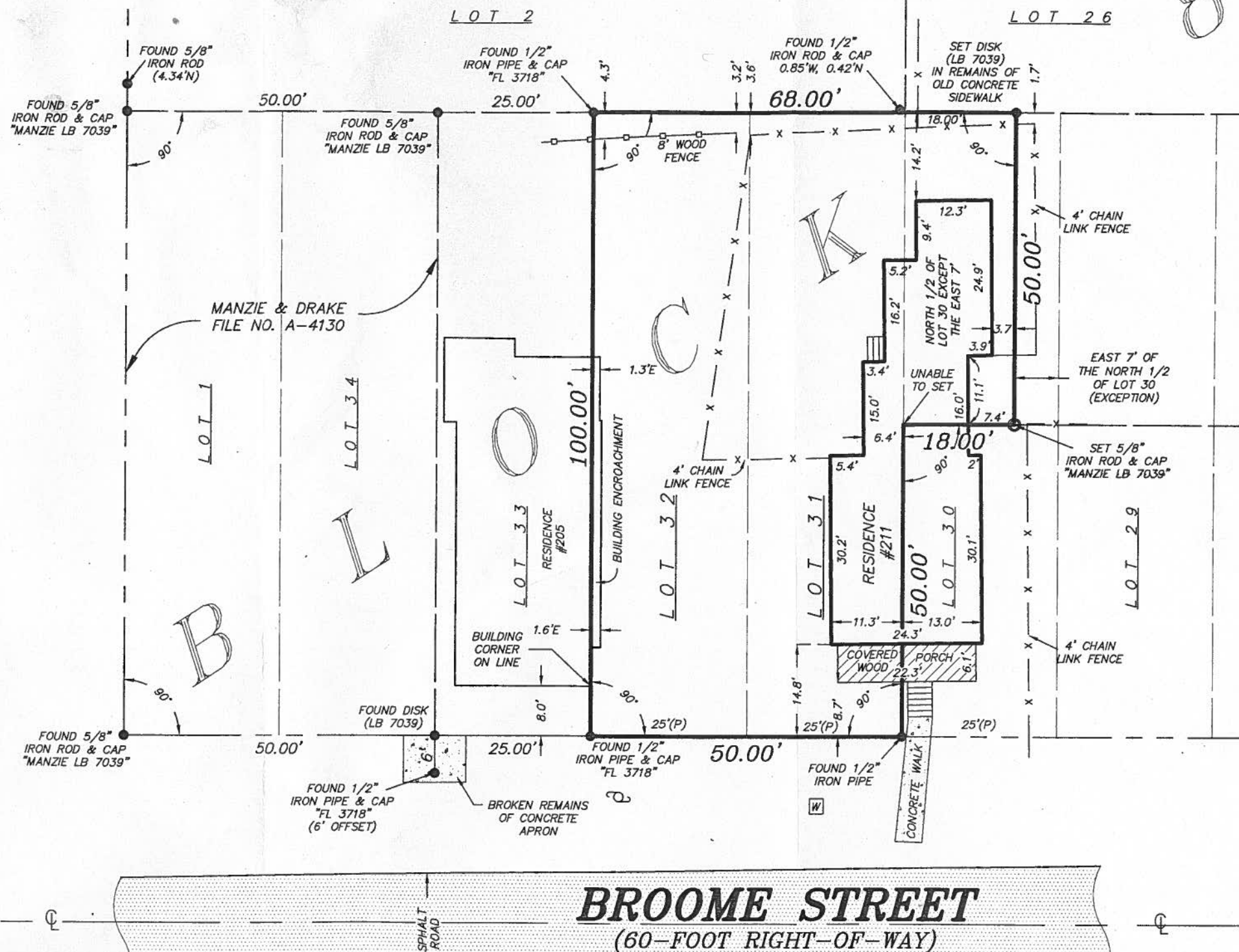
LOT THIRTY-ONE (31) AND LOT THIRTY-TWO (32), TOGETHER WITH THE NORTH ONE-HALF (N 1/2) OF LOT THIRTY (30), EXCEPT THE EAST SEVEN (7) FEET, IN BLOCK EIGHT (8), OF THE CITY OF FERNANDINA BEACH, FLORIDA.

PREPARED FOR:
CLAYTON PROPERTIES



C = CENTERLINE
 -x-x- = CHAIN LINK FENCE
 = CONCRETE FLATWORK
 (P) = PLAT
 = WATER METER
 = WOOD OR VINYL FENCE
 = WOOD FLATWORK
 = WOOD POWER POLE
 = 5/8" IRON ROD & CAP
 (LB 7039) SET

- 1) The "Legal Description" hereon is in accord with the description provided by the client.
- 2) Underground improvements were not located or shown.
- 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- 4) Internal lot angles shown hereon are based on recovered monumentation.
- 5) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid."
- 6) The property shown hereon lies within flood zone "X" as per F.E.M.A. Flood Insurance Rate Map, Panel 12089C 0237 F, Dated 12/17/2010. Flood Zone information listed above and shown on this survey is provided as a courtesy and is approximate at best. All data should be verified by Nassau County Building Department for accuracy. We assume no liability for its accuracy. Flood Zone information is not covered by the certification hereon and is not required to be shown per Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.
- 7) This survey is protected by copyright and is certified only to the entities listed and only for this particular transaction. Any use or reproduction of this survey without the express written permission of the surveyor is prohibited. Use of this survey in any subsequent transactions is expressly prohibited and is not authorized. The surveyor expressly disclaims any certification to any parties in future transactions. No entity other than those listed should rely upon this survey.



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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.

William D. Purberton

☐ MICHAEL A. MANZIE, 'P.L.S. 4069
☒ WILLIAM D. PINKSTON, P.S.M. 6793



MANZIE & DRAKE LAND SURVEYING

117 South Ninth Street, Fernandina Beach, FL 32034

(904) 491-5700 FAX (904) 491-5777

Certificate of Authorization Number "LB 7039"

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

SCALE: 1"=20' JOB NO: 19686 DATE: 7/29/16 CADD: WKD

F.B. NO: X-289 PAGE NO: 34 FIELD CREW: SS FILE NO: A-4131

1. **Call to Order** - The meeting was called to order at 5:00 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Judith Lane
Wayne L. Peterson
Jenny Schaffer (Alt 2)

David Beal, Vice-Chair
Benjamin Morrison
Donna Lewis (Alt 1)

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Chair Bennett announced that Member Peterson will be leaving the meeting around 6:00 p.m. and Member Lewis will be seated in his place.

2. **Review and Approval of February 11, 2016 Regular Meeting Minutes – A motion was made by Member Beal, seconded by Member Lane to approve as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.**

4. **New Business**

- 4.1 **PAB 2017-03: 211 BROOME STREET, 205 BROOME STREET, VACANT PROPERTIES AT CORNER OF N. 2ND STREET AND BROOME STREET – REQUEST CHANGES FOR A FUTURE LAND USE MAP AMENDMENTS AND ZONING MAP AMENDMENT.**

Ms. Gibson introduced herself and presented the case. She explained that this case is for a Small Scale Land Use and Zoning Change for the properties located at the corner of Broome Street and N. 2nd Street totaling approximately .32 acres currently containing Industrial (ind) and I-1 zoning to medium density residential (MDR) and R-2 zoning. She also mentioned that 2 of the 4 properties in the applicants request are single family built in the 1900's; one being occupied retaining a grandfathered status under the Industrial Land Use and Zoning, the other being vacant for more than 6 months and in a deteriorating state for several years. Ms. Gibson mentioned that the owner's purpose of the request is for these properties to be used for residential purposes which are not allowed within the Industrial zoning.

Ms. Gibson then explained that these parcels are located within the City's Amelia River Waterfront Community Redevelopment Area (CRA) and that future structures constructed on vacant properties must comply with LDC provisions specific to CRA properties mainly Finding of Necessity and transitional zoning district for the area of N. 2nd Street. Ms. Gibson noted that across from the subject properties there currently is an improved municipal public parking lot which usage is anticipated to increase considering the redevelopment activity in the specific corridor.

Ms. Gibson summarized that because of non-compatibility of the current Industrial/A-1 zoning with the current existing usage surrounding the applicants' properties, she recommended that a move to a transitional mixed use zoning district of Central Business District (CBD) and C-3 zoning be approved.

Member Lane and Chair Bennett asked if these properties were still part of the CRA. Member Morrison asked about the request from the applicant being a zoning change to R-2 and Staff's recommendation of (CBD) C-3 zoning and the Board's recommendation to the City Commission.

Member Lane voiced concerns about the transition from industrial zoning to residential and would support a mixed use zoning. Member Beal asked Staff to explain the benefit between R-2 and C-3. Ms. Gibson explained that the applicants are requesting usage for residential and C-3 provides that usage while the C-3 zoning standards would be achieved much easier than R-2 standards. A short discussion ensued regarding properties within the CRA not necessarily being in the Historic District.

Member Morrison asked if these properties were included in the recent item withdrawn from the last agenda regarding change in zoning to CBD. Staff confirmed that the request was a City initiated application to rezone these properties on the property owner's behalf since they were located in the CRA and avoid separate applications. Ms. Gibson then added that property owners had been notified by mail with no request for formal signatures from owners acknowledging or approving that change.

Member Lane asked Ms. Gibson if Staff explained the benefits of R-2 and C-3.

Robert Erickson, 30 S. 3rd Street, owner of 205 Broome Street, explained his 2 year experience in restoring their present house. He then explained that when they purchased this property on Broome Street he always had intention to use it as a residence. He explained that he approached the adjoining owners to join him with this application and was happy when the City's zoning change request was submitted to only be very disappointed when it was withdrawn. He then explained his decision for applying for the R-2 zoning change and that after speaking with Ms. Gibson he found that C-3 also gives the applicants what they are seeking which is residential use while respecting the transitional zoning required in the CRA; he subsequently made the request to the board to amend his application to a C-3 zoning change request.

James Clayton, 120 N. 10th Street, owner of 211 Broome Street, explained that his objective is to be able to build a residence either with R-2 or C-3.

Lawrence Holmes, partial owner of 211 Broome Street, expressed support for the area in question to allow residential usage. Chair Bennett commented about C-3 zoning impacting on abutting properties. Ms. Gibson clarified that there are additional standards within the CRA for abutting residential non-CRA properties such as recess requirements and design requirements.

Member Lane asked that all applicants clarify with the Board that they understand the difference between R-2 and C-3. All applicants confirmed that they understood.

Member Beal asked and parking requirements and Ms. Gibson clarified that under the CRA there is an obligation to provide for parking.

Public Hearing was then opened.

Mr. Chip Ross, 210 N. 3rd Street, mentioned that as an affected property owners residing 167 feet from this property he has certain rights under the Florida Statutes, presented a power point presentation of

surrounding properties along with covering several points such as, what is the task of the PAB, what standards does the Board go by, the application's request and the sections it affects, requirements of the CBD zoning, Standards of R-2 compared to C-3. He then asked the Board to support residential zoning.

Peter King, representative for 3 property owners of properties fronting N. 2nd Street, disclosed his background as ASEP Planner and Planning Director for Nassau County, he then explained that although he appreciated the previous presentation it only presented the portions of the comprehensive plan that complied with the application and didn't present the portions that didn't comply with the comprehensive plan which includes requirements for transitional use. Mr. King explained his support for the C-3 zoning changed since it meets what the applicant is seeking and that unlike the R-2 zoning, C-3 zoning meets all the requirements of the Comprehensive Plan as the R-2 does not meet the requirements of the Comprehensive Plan nor does it meet the recommendations of Staff.

Public Hearing was then closed.

Robert Erickson, commented on 2 notes from Mr. Ross' presentation.

Lawrence Holmes, asked about the differences between R-2 and C-3. Ms. Gibson explained. Member Morrison then suggested that a motion could be presented and since this would have to be presented to the City Commission for approval, the owner would have time to do its due diligence and seek a clear a concise definition of the C-3 zoning requirements. Member Peterson agreed with Mr. Morrison.

The Board discussed concerns about what was advertised and the amendment done during the meeting. It was then explained by Staff and City Attorney Bach that first reading at the City Commission will be advertised in the newspaper with any updates to this request. Further discussion ensued about historic district guidelines, contributing and non-contributing structures, CRA guidelines the impact of these guidelines with C-3.

Member Beal asked about buffer requirements on these subject properties regarding C-3 zoning and also mentioned that he feels the CBD need to expand. Staff then provided more information about buffer requirements which satisfied Member Beal's concerns.

Chair Bennett voiced his opposition to the C-3 zoning change because of possibility of large scale development to the north. Board members discussed this possibility further.

A motion was made by Member Lane, seconded by Member Peterson, to recommend approval of PAB case number 2017-03 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning as requested by the applicant from Industrial land use and I-1 as described and that PAB case 2017-03 as presented, is sufficiently compliant with modifications applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Beal:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

At this point and time, Member Peterson departed.

5. Board Business –

Member Beal addressed 3 points, first he inquired about a metal clad building at the corner of Indigo and S. 7th Street which is zoned MU1 and was permitted as a single family, mentioning that it might be time to revisit a compatibility survey. Ms. Gibson noted that this property is now in a MU8 zoning. Secondly, Member Beal mentioned that the crosswalk at Citrona Drive is now done. Lastly, he inquired about the process to remove a dead tree.

Chair Bennett asked about 2 structures north of Sliders on S. Fletcher which have been connected. Ms. Gibson guessed that it could be an accessory structure that has been connected to the main structure.

6. Staff Report

7. Comments by the public

Chip Ross, 210 N. 3rd Street, asked about changes made to the LDC after repeated changes were presented to an application. City Attorney answered that the PAB and City Commission only changed the LDC to provide for a completeness and sufficiency review process.

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 6:38 pm.

Secretary

Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Ordinance
Zoning Map Amendment - Broome Street

2017-14

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-14 at First Reading.

SYNOPSIS: The applicants, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at North 2nd Street and Broome Street .

The action is requested in order to correct existing non-conforming use of the properties where two single family homes have existed for many years. The property at 211 Broome Street has retained its single family home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years.

The Planning Advisory Board considered the request at its Regular Meeting on April 12, 2017, and issued a recommendation of approval (4-1). Staff finds the request consistent with the CRA Plan for eliminating inefficient and outdated land uses as well as Comprehensive Plan policy statements 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02 and recommends approval.

FISCAL IMPACT: Fiscal impact will be based upon proposed future development (number of sites and structures, infrastructure construction and maintenance, etc.).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-14 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/26/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-14

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S ZONING MAP FROM INDUSTRIAL (I-1) TO ASSIGN A ZONING MAP CATEGORY OF CENTRAL BUSINESS DISTRICT (C-3) FOR FOUR PARCELS TOTALING APPROXIMATELY 0.32 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON BROOME STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Advisory Board reviewed the Zoning Map Change application numbered PAB 2017-05 at its Regular Meeting on April 12, 2017, and by a vote of 4-1 recommended approval of the change to Central Business District (C-3) zoning; and

WHEREAS, notice of public hearing on such application was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on March 22, 2017; and

WHEREAS, City Planning staff found the applicant's request to be consistent with the direction of the Community Redevelopment Area Plan for eliminating inefficient land use patterns as well as consistency with Comprehensive Plan policies 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02.

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

SECTION 1. PROPERTY INVOLVED. The properties identified for this change of the Zoning Map is located in the City's Amelia River Waterfront Community Redevelopment Area and identified as Parcel ID numbers 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, and 00-00-31-1800-0008-0010 totaling approximately 0.32 acres, and as shown on the map attached hereto as Exhibit "A".

SECTION 2. ZONING MAP CHANGE. For the properties in question, the City's Zoning Map is hereby changed to Central Business District (C-3).

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. This Ordinance shall take effect immediately after its final adoption.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

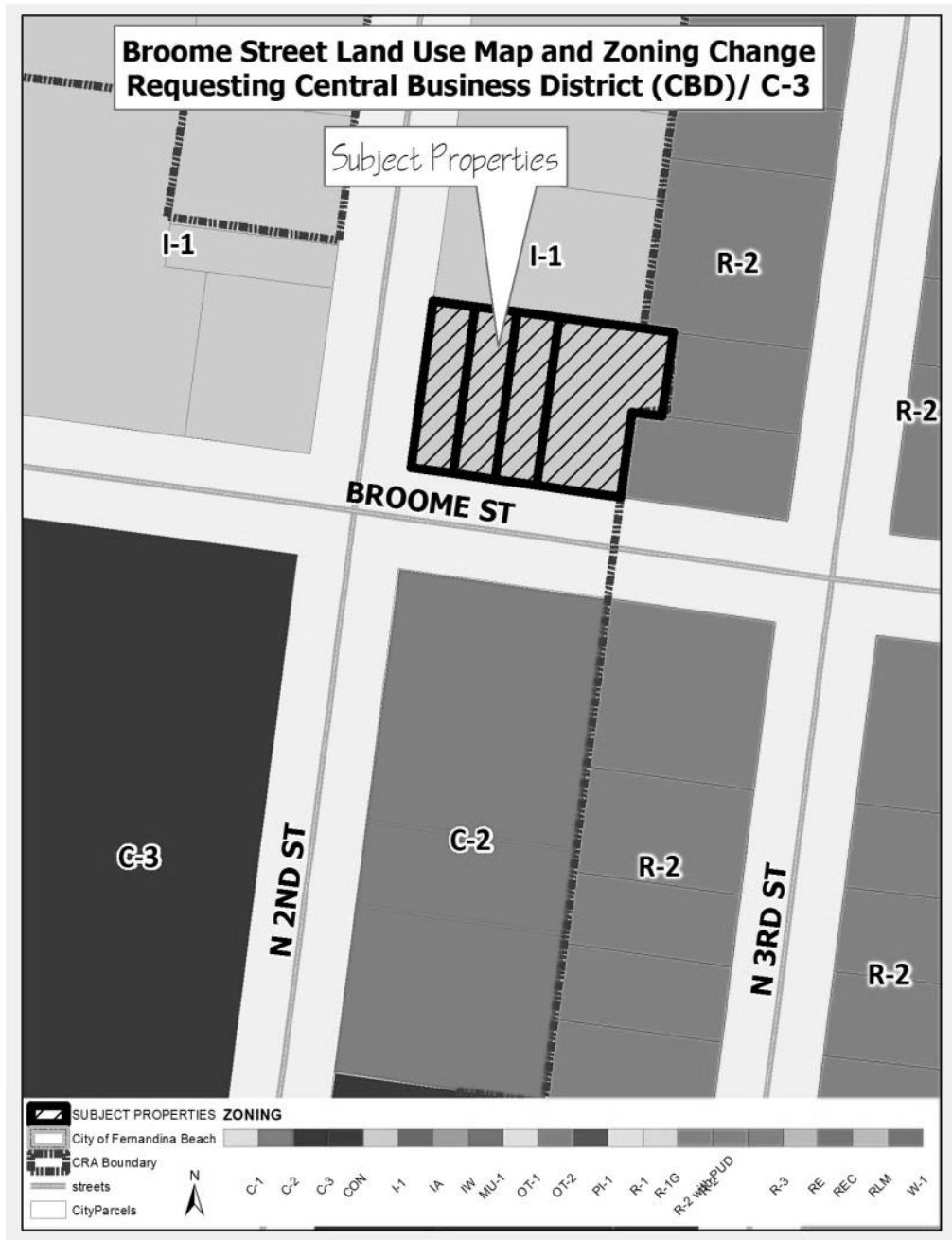


CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

**ORDINANCE 2017-14
EXHIBIT "A"**

REQUEST FOR A ZONING MAP CHANGE FOR 0.32 ACRES OF LAND FROM INDUSTRIAL (I-1) TO CENTRAL BUSINESS DISTRICT (C-3) FOR PROPERTIES LOCATED BROOME STREET AS PARCEL ID#S 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, AND 00-00-31-1800-0008-0010.





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APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Robert and Loretta Erickson, James and Kerstin Clayton				
AGENT:	Robert and Loretta Erickson				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	211 Broome Street, 205 Broome Street, and Vacant Properties at corner of N. 2 nd Street and Broome Street – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	211 Broome Street: Existing SF Home totaling approximately 1,487 ft² with an estimated year built of 1900 205 Broome Street: Existing Vacant SF Home totaling approximately 1,188 ft² with an estimated year built of 1900 Vacant Land located at the corner of N. 2nd Street and Broome Street				
PROPERTY SIZE:	Totaling 0.32 Acres Parcel ID #s: 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Vacant Land	N/A	I-1 Pending C-3 Zoning Request (PAB Case# 2017-05)	Industrial (IND) Pending CBD FLUM Request (PAB Case# 2017-05)
CRA PROPERTY	South	Public Parking	2015	C-2	General Commercial (GC)
HISTORIC DISTRICT	East	Single Family Home	Est. 1900	R-2	Medium Density Residential (MDR)
CRA PROPERTY	West	Warehouse/Storage	Est. 1900	I-1	Industrial (IND)

*** 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, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at N.2nd Street and Broome Street (**Exhibit A**).

The action is requested in order to correct existing non-conforming use of the properties where two (2) single family homes have existed for many years. The property at 211 Broome Street has retained its single family



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home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years. Under the City's LDC Section 10.01.02 (G), when a non-conforming use has been discontinued for a period greater than 180 days, the property shall be brought into compliance with all sections of the LDC. The current property owners recently acquired the structure in order to restore it. At this time, they are seeking to use the property for residential purposes. In order to make this property conforming, a land use and zoning designation which contains residential density must be applied to the site. The properties to the west of the restored structure are vacant.

All four parcels involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 <i>All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)
Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)



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**Police and Law
Enforcement Services**

Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Medium Density Residential (MDR), 8 dwelling units per acre are supported. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Therefore, if the property is changed to a land use category containing residential density, the vacant properties and 205 Broome Street property would have the benefit of construction a residential unit on each parcel, despite not being able to meet minimum “net density” requirements under the requested change. Under the requested action, a total of up to five (5) residential units could be constructed on the properties.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

The applicant’s requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east. The request is consistent with the Comprehensive Plan’s policy statement 1.02.03, the configuration of the property by lot/block as well as the characteristics of the subject properties are in keeping with other properties found within the CBD.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a Finding of Necessity in 2005, one for the four principal reasons why this area was determined to contain blighted conditions is due to its “inadequate and outdated building density patterns.” It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.



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The applicant's requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The applicant's requested for a transitional land use category and zoning district serves to provide a logical step down in the land use patterns from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Sanborn Maps Exhibits**), the most appropriate land use and zoning district assignment under the City's current regulations are the Central Business District (CBD)/ C-3 zoning.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' property are a wide range of existing uses including; a warehouse and storage area serving the port's needs; public parking directly facing the properties; and vacant land within the CRA which historically contained a variety of uses. On the eastern block face are homes located within the City's downtown historic district. The properties existing land use and zoning under Industrial/ I-1 is not compatible with the surrounding area. The applicant's requested action serves to provide a down-zoning or transition from the port's industrial operations to the adjoining residential areas.

The most compatible land use and zoning designation for these properties as well as the properties fronting N. 2nd Street is Central Business District (CBD)/ C-3 zoning. The CBD/C-3 zoning designation exists diagonally from the applicants' properties as part of the former Standard Marine property on North 2nd Street between Alachua and Broome Streets. Staff recognizes the need to assign the appropriate land use and zoning district of Central Business District (CBD)/ C-3 zoning to the public parking lots located at the corners of N. 2nd at Alachua Street and Broome Streets in keeping with the direction to create and extend the urban core through the CRA. Staff intends to file an application to correct the land use and zoning for these properties in 2017.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.



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The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. By definition of the land use category requested, Central Business District (CBD) allows for a mixed use urban development pattern. Assignment of this land use category not only corrects the existing non-conformities on the subject properties, but it also permits the historic built pattern of this area to be realized through future redevelopment efforts whereby commercial and residential coexist. **(See Sanborn Maps Exhibits)**

Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the CRA properties fronting North 2nd Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

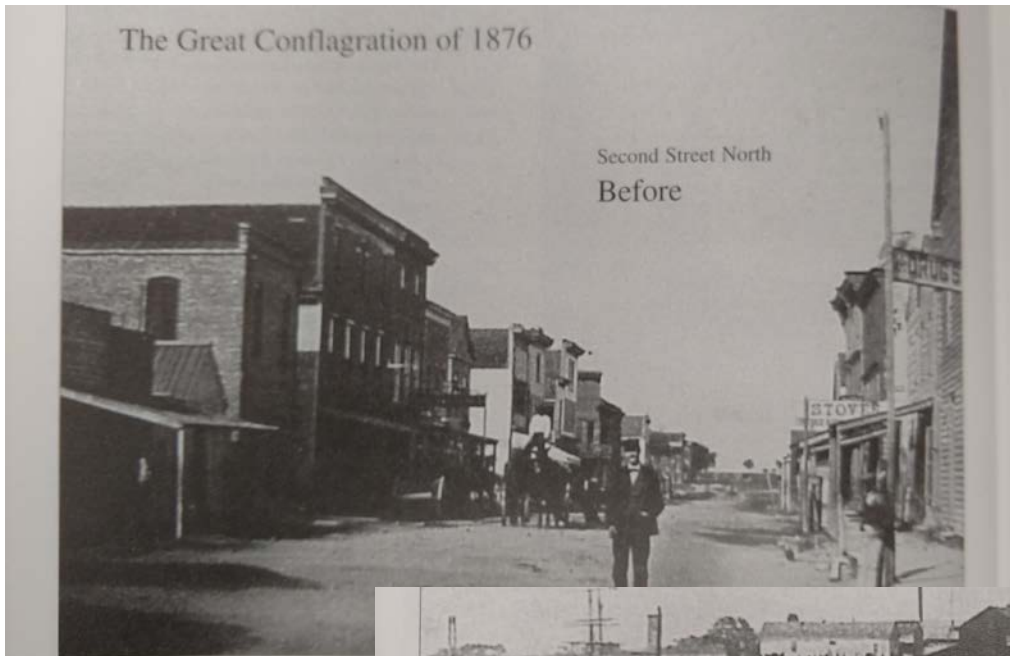
- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face **(See Sanborn Map Exhibits)**.



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Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend **(approval or denial)** of PAB case number 2017-07 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-07 as presented, **(is or is not)** sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

Kelly N. Gibson, AICP
Senior Planner



EXHIBIT A



KEY

TILE 1ST
BRICK (C)
FIRE-PROOF

Fire proof construction.
(OR FIRE RESISTIVE CONSTN)

ADOBE

Adobe building.

HEIGHT OF BUILDING IN
FEET FROM GROUND
TO ROOF LINE

Stone building.

(C. BR)

Concrete, lime, cinder or
cement brick

(C. B)

Hollow concrete or cement block constn

(CONC)

Concrete or reinforced concrete constn

(TILE)

Tile building.

NUMBER OF STORIES 4

Brick building with frame cornice.

TWO STORIES AND ROOF 2
COMPOSITION ROOF

" " " stone front.

SHINGLE ROOF

" " " frame side.

(VEND)

Brick veneered building.

BRICK 1ST

" and frame building.

FRAME, BRICK LINED

Frame building, brick lined.

F=FLAT S=STORE

" " metal clad.

D=DWELLING

Frame building.

A in B AUTO IN BSH T

Iron building.

LOFT

Tenant building occupied by
various manufacturing or occupancies

(ASB. CL.)

Frame building covered with asbestos

NON COMBUSTIBLE ROOF
COVERING OF METAL,
SLATE, TILE OR
ASBESTOS SHINGLES

Brick building with brick or metal cornice.

DWELLINGS.

Framed air shafts are shown but colored
over. Brick air shafts are left white.

CLASSIFICATION OF BUILDINGS

Shown by varying number of dots or cir-
cles. Classified by New York Board of
Fire Underwriters as follows:

BRICK

1st Class (.) Slate or metal roof, coped walls.

2nd " (..) " " walls not coped.

3rd " (...) Shingle roof.

FRAME

1st Class (.) Slate or metal roof.

2nd " (..) Shingle roof.

Frame Buildings with BRICK FRONTS.

Height of Buildings, in Stories and feet (7 1/2 ft. 6 in. and over).

Fronts of marble or other stone.

Iron Fronts.

" Dotted line." Interior brick wall, omitted on one or more floors.

Superior construction.

{ Built of non-inflammable
material "throughout,"
except flooring and trim.

Communications protected by single fire-proof doors { With designation
" " double " " of floors.

Openings exposing Buildings.

Elevators with steam or other power.

{ Where enclosed with Brick or
Fire-proof material a heavy
line is drawn around them.

Hatchways or "Dumb-waiters."

Sky-lights in Roof only.

" over Opening in floor.

Smoke-houses. Retorts, and Ovens.

Mansard Roofs. Corrugated Iron. Steam-boilers.

REFERENCE.

SPECIAL HAZARDS.

NAMES of Manufactories, &c., are written on buildings, when there is sufficient
space, and their construction classified by the same marks as on Dwellings. Other
Specially Hazardous Risks are COLORED GREEN, the varying number of dots
(brick) and crosses (frame) showing the comparative danger from fire by occupancy.

NOTE.—In classifying a building
as a Special, its CONSTRUCTION
is obliterated, necessitating a series
of letters, as follows:



BRICK.

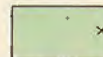
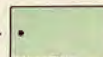
A Construction = to 1st class Warehouse.
B " = " 2nd " "
C " = " 3rd " "
D " = " 1st " Store or D'w'g.
E " = " 2nd " "
F " = " 3rd " "



FRAME.

G Construction = to 1st class
Store or Dwelling.
H " = to 2nd class
Store or Dwelling.

Brick.....



.....Frame

Bakeries (ovens in building). Breweries. Cooperages. Drug stores (retail, with
privilege of compounding). Dyeing establishments. Fur dressers. Glass stainers.
Hat finishers. Hay (open stock, loose). Lamp sellers (privilege for kerosene &c.)
Laundries. Malt houses. Manufactories of Baskets, Bonnet-frames, Boots and shoes,
Caps, Clothing, Combs, Envelopes, Feather dusters, Fringe &c., Gas fixtures, Gold
pens, Hats, Hemp, Jewelry cases, Morocco, Paper bags, Pocket-books, Ruffling and
ruches, Segars, Shirts, Tobacco, Umbrellas, Vinegar, Watches, Watch-cases, Writing
ink. Map mounting and varnishing. Metal mills. Molasses houses. Photographers.
Private stables. Smoke-houses. Tanneries. Tin-shops. Wheelwrights. Wire
workers. Wool-pullers.

Brick.....



.....Frame

Bleaching works. Book-binders. Brass and iron foundries. Coppersmiths. Cotton
presses. Folling mills. Junk shops. Letter-press printers. Lithographers. Livery
and Cartmen's stables. Machine shops. Manufactories of Agricultural Implements.
Artificial flowers, Brooms, Brushes, Carriages, Cedar-ware, Floor-cloth, Grates, Guns,
Hoop-skirts, Jewelry, Lamps, Musical Instruments, Oil-cloths, Paper boxes, Paper
collars, Paper patterns, Patent Medicines, Plated ware, Rope and cordage, Safes,
Silverware, Starch, Stoves, Tin cans, Upholstery. Oil stores (petroleum and pro-
ducts). Print works. Rag stores. Slaughter houses. Snuff mills. Type and stereo-
type foundries. (And generally buildings not occupied by workers of light wood).

Brick.....



.....Frame

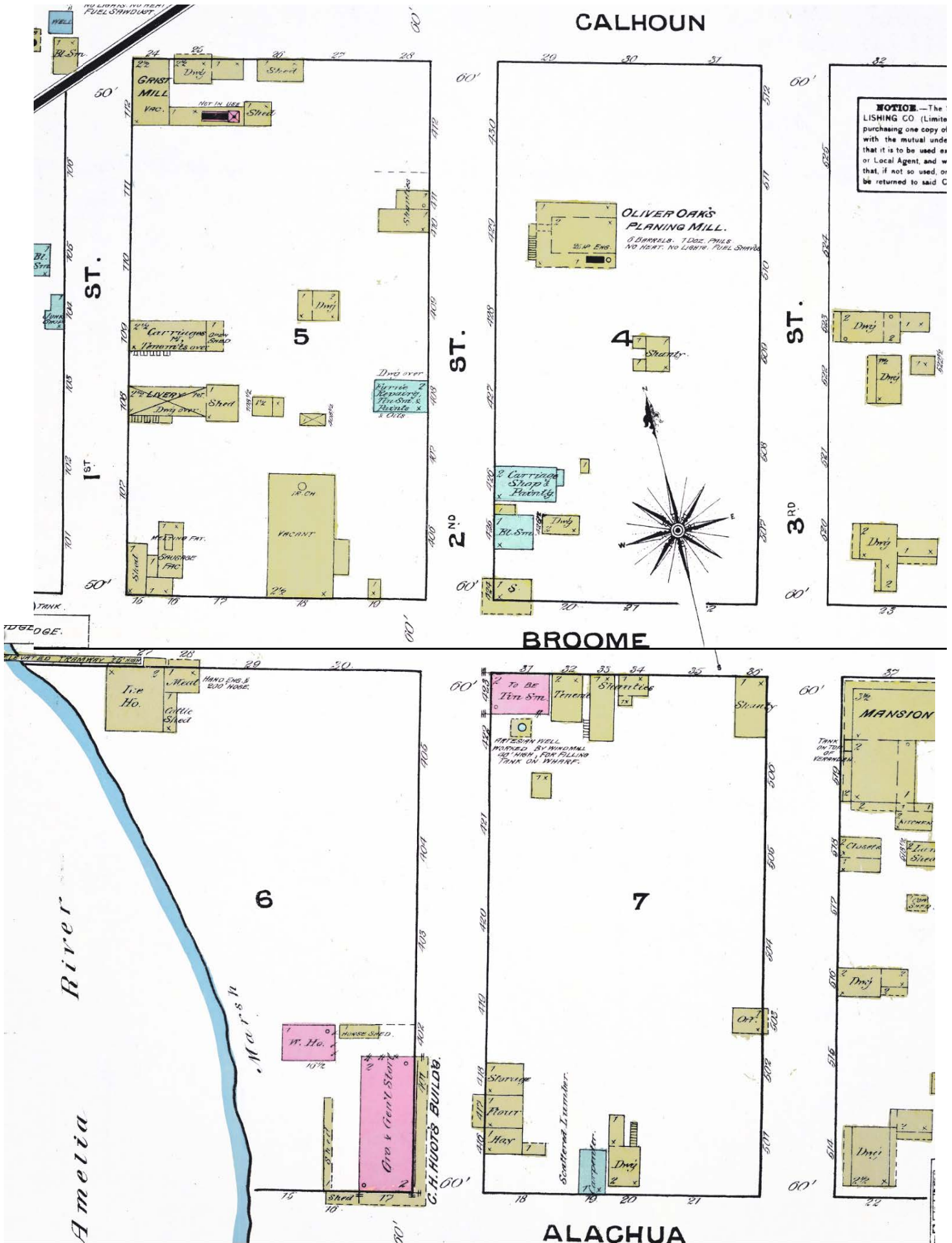
Box repairing. Cabinet-making. Carpenters' shops. Distilleries. Flax mills. Flour
or Grist mills. Japanners. Lard refineries. Manufactories of Artificial hair, Bagging,
Candles, Chairs, Clocks, Confectionery, India-rubber or gutta-percha, Ivory or lamp-
black, Looking-glass and Picture frames, Oiled clothing, Organs, Paper-hangings,
Perfumery, Pianos, Soap, Trunks. Oil mills. Paper mills. Rectifying establishments.
Sugar refineries. Tallow-melting or chandleries. Wholesale druggists (with com-
pounding). Woolen mills. (And generally risks where much heat or light wood is
used.)

Brick.....

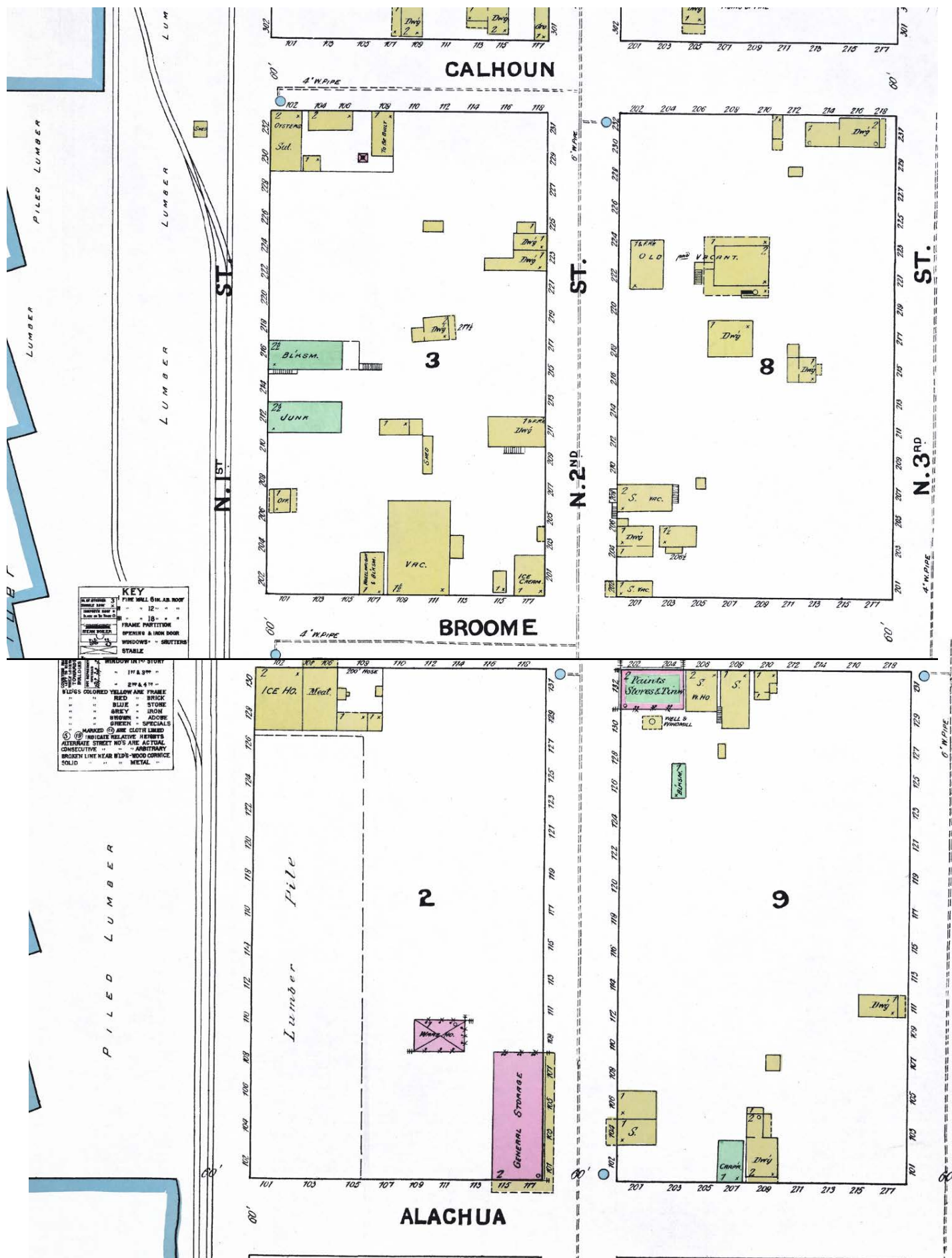


.....Frame

Chemical laboratories. Coffee and Spice mills. Drug mills. Fireworks on sale.
Match factories. Oil-boiling houses. Planing and Moulding mills. Printing-ink
factories. Sash, blind and door factories. Saw mills. Tar-boiling houses. Turpentine
distilleries. Varnish making. Window-shade factories.



1891 Sanborn Map of N. 2nd Street





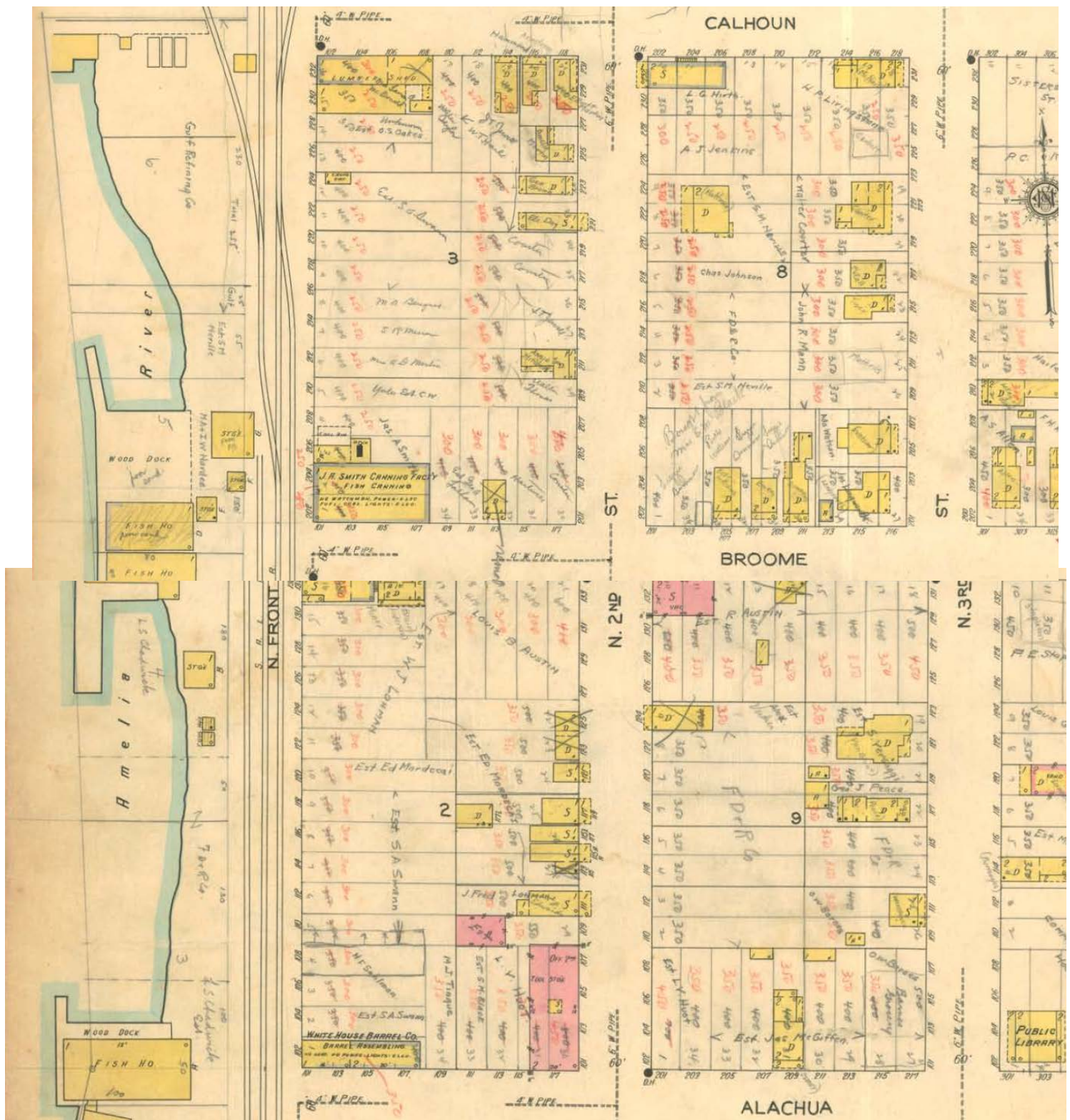
1903 Sanborn Map



1909 Sanborn Map of N. 2nd Street



1926 Sanborn Map of N. 2nd Street



OFFICE USE ONLY

REC'D: 3/1/10 BY: _____

PAYMENT: \$ _____ TYPE: _____

APPLICATION #: 2017-CASE #: DOB 2017-07

BOARD MEETING DATE: _____



PLANNING ADVISORY BOARD APPLICATION

- ☒ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600)
- ☒ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600)
- ☐ LDC TEXT AMENDMENT (\$850)
- ☐ COMP PLAN AMENDMENT (\$850)
- ☐ SUBDIVISION PLAT – PRELIM (\$750)
- ☐ SUBDIVISION PLAT – FINAL (\$850)
- ☐ VACATION OF R.O.W. (\$850)
- ☐ VOLUNTARY ANNEXATION (\$1050)

APPLICANT INFORMATION

Owner Name: Robert And Loretta EricksonMailing Address: 30 S. 3rd St Fernandina Beach, FL 32030Telephone: 479-270-0315 Fax: _____Email: rettaerickson@aol.com

Agent Name: _____

Mailing Address: _____

Telephone: _____ Fax: _____

Email: _____

PROPERTY INFORMATION

Street Address: 205 Broome St Fernandina Beach FL 32034Parcel Identification Number(s): 60-00-31-1800-0008-0330, 0340, 0010, 0310Lot Number: 1, 34, 33, 32 Block Number: _____ Subdivision: _____

Section: _____ Township: _____ Range: _____

PROJECT INFORMATION

Total Number of Lots/Parcels: 4

Less than One (1) acre Sq. Footage: X One (1) Acre or Greater: _____

Existing Zoning Classification: I-1

Existing Future Land Use Classification: C-3

Previous Planning/Zoning Approvals: _____

Description of Request:

to rezone from I-1 to G3 to allow occupation of houses on 205 E 211
Broom St as residences and flexibility of future development on lots 1 E 34
See Attachment A, reference support statement from PAB 2017-05 Zoning Change
I-1 to G3. See Attachment B reference staff report PAB 2017-05 Zoning Change
from I-1 to C3. See Attachment C reference staff report PAB 2017-03 Zoning Change
from I-1 to ~~C-3~~ R-2

SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

3-7-17
Date

[Signature]
Signature of Applicant

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104

Subscribed and sworn to before me this 7 day of March, 2017.

Karen m. Austin
Notary Public: Signature

Karen m. Austin
Printed Name

My Commission Expires _____

Personally Known _____ OR Produced Identification ✓ ID Produced: FL DL



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I/WE Kerstin Clayton
(print name of property owner(s))

hereby authorize: ROBERT + LORETTA ERICKSON
(print name of agent)

to represent me/us in processing an application for: Zoning Change I1 to C3
(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.

Kerstin W. Olson
(Signature of owner)

(Signature of owner)

Kerstin Clayton
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
ss

Subscribed and sworn to before me this 7 day of March, 2017.

Karen M. Austin
Notary Public: Signature

Karen M. Austin
Printed Name

My Commission Expires

Personally Known _____ OR Produced Identification ☒ ID Produced: FL DL
exp 8/28/18

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104

A. Michael Hickox, CFA, Cert.Res.RD1941
Nassau County Property Appraiser

[Property Search](#)
[Sales Search](#)
[Nassau Home](#)

OWNER NAME	ERICKSON ROBERT & LORETTA
MAILING ADDRESS	30 S 3RD ST
	FERNANDINA BEACH, FL 32034
LOCATION ADDRESS	205 BROOME ST
	FERNANDINA BEACH 32034
SHDRT LEGAL	BLOCK 8 LDT 33 IN OR 2025/1013 CITY OF FDNA BEACH

PARCEL NUMBER	00-00-31-1800-0008-0330
TAX DISTRICT	FERNANDINA BEACH (DISTRICT 2)
MILLAGE	20.2467
PROPERTY USAGE	SINGLE FAMILY
DEED ACRES	0
HOMESTEAD	N
PARCEL MAP RECORD	<u>MAP THIS PARCEL</u>
TAX COLLECTOR SEARCH	<u>NASSAU TAX COLLECTOR LINK</u>
PROPERTY RECORD CARD	<u>LINK TO PROPERTY RECORD CARD (PDF)</u>

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$7,926
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$42,926
ASSESSED VALUE	\$42,926
EXEMPT VALUE	\$0
TAXABLE VALUE	\$42,926

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	25	FF	21-3N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SINGLE FAM	1,188	1,048	2	2	SINGLE SID		NONE	NONE	1900	<u>SHOW SKETCH</u>

Miscellaneous Information

There is no Miscellaneous information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
01/22/2016	<u>2025/1013</u>	2025/1013	40000	WD	U	Y	INGEBRIGTSEN CATHERINE	ERICKSON ROBERT & LORETTA
02/14/2006	<u>1389/290</u>	1389/290	125000	WD	Q	Y	ROWE JASON N & COURTNEY M	INGEBRIGTSEN CATHERINE
10/05/2004	<u>1263/1871</u>	1263/1871	80000	WD	Q	Y	HOLMES JOHN T	ROWE JASON & COURTNEY M
03/19/1992	<u>652/377</u>	652/377	100	PR	U	Y	WILLIAMS SERENA EST	HOLMES JOHN T

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME CLAYTON JAMES S (3/4%) &
MAILING ADDRESS CLAYTON KEVIN (1/8%) &
 CLAYTON KERSTIN (1/8%)
 211 BROOME STREET
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOT 34 PT OR 1104/446 & OR
 1172/1741 CITY OF FDNA BEACH

PARCEL NUMBER 00-00-31-1800-0008-0340
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE VACANT INDUSTRIAL
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$0
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$35,000
ASSESSED VALUE	\$35,000
EXEMPT VALUE	\$0
TAXABLE VALUE	\$35,000

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
VAC INDUST 004000	25	FF	21-3N-28

Building Information

There is no Building information for this record.

Miscellaneous Information

There is no Miscellaneous information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
06/04/2003	1142/1487	1142/1487	100	PR	U	N	HOLMES LAWRENCE P/R FOR RUTH A SIMMONS	CLAYTON JAMES S
08/01/1984	433/345	433/345	100	MS	U	N		

NASSAU

A. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME CLAYTON JAMES S (3/4%) &
MAILING ADDRESS CLAYTON KEVIN (1/8%) &
 CLAYTON KERSTIN (1/8%)
 211 BROOME STREET
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS N 2ND & BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOT 1 PT OR 1104/448 & OR
 1172/1741 CITY OF FDNA BEACH

PARCEL NUMBER 00-00-31-1800-0008-0010
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE VACANT INDUSTRIAL
DEED ACRES 0
HOMESTEAD N
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$35,000
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$0
TOTAL MISC VALUE	\$0
JUST OR CLASSIFIED TOTAL VALUE	\$35,000
ASSESSED VALUE	\$35,000
EXEMPT VALUE	\$0
TAXABLE VALUE	\$35,000

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
VAC INDUST 004000	25	FF	21-3N-28

Building Information

There is no Building Information for this record.

Miscellaneous Information

There is no Miscellaneous Information for this record.

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
06/04/2003	1142/1487	1142/1487	100	PR	U	N	HOLMES LAWRENCE P/R FOR RUTH A SIMMONS	CLAYTON JAMES S
09/01/1984	433/345	433/345	100	MS	U	N		

NASSAUA. Michael Hickox, CFA, Cert. Res. RD1941
Nassau County Property Appraiser

Property Search

Sales Search

Nassau Home

OWNER NAME CLAYTON KERSTIN (3/18%) &
MAILING ADDRESS HOLMES WM O & LAWRENCE &
 HOLMES THEODORE ETAL
 211 BROOME ST
 FERNANDINA BEACH, FL 32034
LOCATION ADDRESS 211 BROOME ST
 FERNANDINA BEACH 32034
SHORT LEGAL BLOCK 8 LOTS 31 & 32 & N1/2 OF LOT 30
 (EX E7 FT) PT OR 1172/1741 & OR 1104/448

PARCEL NUMBER 00-00-31-1800-0008-0310
TAX DISTRICT FERNANDINA BEACH (DISTRICT 2)
MILLAGE 20.2467
PROPERTY USAGE SINGLE FAMILY
DEED ACRES 0
HOMESTEAD Y
PARCEL MAP RECORD [MAP THIS PARCEL](#)
TAX COLLECTOR SEARCH [NASSAU TAX COLLECTOR LINK](#)
PROPERTY RECORD CARD [LINK TO PROPERTY RECORD CARD \(PDF\)](#)

2016 Certified Values

JUST VALUE OF LAND	\$79,329
LAND VALUE AGRICULTURAL	\$0
TOTAL BUILDING VALUE	\$84,986
TOTAL MISC VALUE	\$60
JUST OR CLASSIFIED TOTAL VALUE	\$164,355
ASSESSED VALUE	\$158,525
EXEMPT VALUE	\$25,000
TAXABLE VALUE	\$133,525

Land Information

LAND USE	LAND UNITS	LAND UNIT TYPE	SEC-TWN-RNG
SFR 000100	50	FF	21-3N-28
SFR 000100	18	FF	21-3N-28

Building Information

TYPE	TOTAL AREA	HEATED AREA	BED ROOMS	BATHS	PRIMARY EXTERIOR	SECONDARY EXTERIOR	HEATING	COOLING	ACTUAL YEAR BUILT	BUILDING SKETCH
SNGL FAM	1,487	1,277	3	2	AVERAGE		AIR DUCTED	FORCED AIR	1900	SHOW SKETCH

Miscellaneous Information

DESCRIPTION	DIMENSIONS L x W	UNITS	YEAR BUILT
CONCRETE A	25 X 3	75	1970
CONCRETE A	0 X 0	0	0

Sales Information

SALE DATE	BOOK / PAGE	BOOK / PAGE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
09/18/2003	1172/1741	1172/1741	100	PR	U	Y	HOLMES P/R FOR TUI ALBRITTON SIMMONS	HOLMES WILLIAM & LAWRENCE ETAL
01/01/1986	478/313	478/313	100	FS	U	Y		

Kelly Gibson

From: Loretta Erickson <rettaerickson@gmail.com>
Sent: Wednesday, March 08, 2017 2:51 PM
To: Kelly Gibson
Cc: Robert Erickson
Subject: Fwd: Detailed letter of Intent

Hi Kelly
Please let me know you received this.
Thanks
Loretta

Sent from my iPhone

Begin forwarded message:

From: <rettaerickson@gmail.com>
Date: March 7, 2017 at 12:11:45 PM EST
To: <kgibson@fbfl.org>
Cc: "Bob Erickson" <rettaerickson@aol.com>, <kerlos14@gmail.com>
Subject: Detailed letter of Intent

3/7/17

Dear Kelly,

Our request to rezone is to allow for the home at 205 Broome St and at 211 Broome St to be occupy as residences and give the flexibility of future development on Lots 1 and 34.

In support of our zoning change request the following attachments show the consistency of the proposed amendment as well as the justification of the proposed amendment. Attachment A, a reference supporting statement taken form PAB 2017-05 zoning change from I-1 to C-3 . Attachment B referencing staff report PAB 2017-05 zoning change from I-1 to C-3 and Attachment C referencing staff report PAB 2017-03 zoning change from I-1 to R-2. Also included are various maps supporting the proposed zoning change for I-1 to C-3. These show the consistency of the proposed amendments with the City's Comprehensive Plan and a justification for the proposed amendment.

Sincerely,
Bob and Loretta Erickson

Attachment A

Attachment A

OBJECTIVE 101.

Energy Efficient Development

The City shall promote compact, mixed use, and energy efficient development arranged to encourage walkability, bicycle and transit use, which leads to a more sustainable community and a reduction in greenhouse gases (GHGs).

The CBD Future Land Use is designed to promote energy efficient development by promoting a walkable and sustainable environment. This is accomplished by allowing a mixture of residential and commercial uses to be placed within the same structure. In addition, when the subject property is assigned the CBD/C-3 and located amongst other CBD FLU/uses, this places new housing units within walkability of services and employment within the downtown area.

Policy 102.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors: a. Type and density or intensity of surrounding uses; b. Zoning districts in the surrounding area; c. Demonstration of adequate water supply and water supply facilities; d. Appropriateness of the size of the parcel compared to the proposed use; e. Physical condition of the site, and the suitability of soils and topography for the proposed use; f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources; g. Compatibility factors; h. Impact on adopted levels of service standards and quality of service standards; and i. Location in a Coastal Upland Protection Zone (CUPZ).

The type and density and intensity of the surrounding uses are compatible with the CBD/C-3 FLU and Zoning combination as adjacent FLU and zoning is consistent with the proposed change. It is as equally intense as the adjacent industrial uses. Although more intense than the nearby residential, the CBD will act as a transitional use. The proposed change is a transitional use that will be compatible with both residential to the east and industrial to the west. The residential to the east will be buffered from the industrial uses by the CBD/C-3 uses and will be buffered from CBD/C-3 uses by 20' buffer with landscaping. Public water and sewer is available to the subject property and the increase development permitted will promote smart-growth principles by increasing growth where there is existing infrastructure. The area being considered for the change is appropriately sized considering the setback, densities and types of development permitted. Soils and topography are the same as other urban areas that are immediately adjacent. As can be seen from maps included with application, the soils for the subject property, Ortega Fine Sand, is prevalent in the downtown area, is not unique to the subject property, and is developed to urban levels in the city. According to the US Geologic Survey, the Ortega Series of soils are moderately well drained and are located on rises and knolls and is suitable for urban development. As can be seen from the topographic map, a rise of six feet from front to rear will result in a slope over 125 feet of approximately 4.8%. There are no requirements in city code that correlate slope with types of development.

Essentially the lot/block and frontage characteristics of the subject property are very similar to the rest of the historic district CBD/C-3 area. The subject property is not covered by flood zone or other environmentally unsuitable conditions, and the historic structure on the subject property will be made conforming by the proposed amendment.

Policy 102.06. The City shall assure that specific density assigned to new development and redevelopment is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following: a. Protecting the integrity and stability of established residential areas; b. Assuring smooth transition in residential densities; c. Encouraging commercial and residential mixed use development patterns; d. Recognizing and being sensitive to the character and form of the surrounding neighborhoods; and e. Requiring application of low impact development (LID) principles, native and drought tolerant landscaping and urban design principles and practices; and f. Encouraging connectivity of pedestrian walkways and bicycle paths on and off site.

The City has expressed interest in pursuing a CBD/C-3 on the subject property as a city-sponsored application due to the sound planning criteria stated in Policy 102.06 above. The current situation of exposing residential areas to direct contact with industrial areas is deleterious to the development of industrial areas and the continuation of residential areas. Sound planning principles dictate that a transitional land use be used to buffer these two uses from each other. Such a transitional land use is available in the CBD/C-3 which contains a multi-family element that is both transitional in use and in residential densities. By definition, the CBD/C-3 combination encourages residential and commercial mixed use and is therefore compatible with residential. The proposed CBD/C-3 combination recognizes sensitivity to adjacent neighborhoods as it contains both residential and commercial elements. In addition, the city code contains buffer and setback requirements to residential that will provide additional sensitivity to existing neighborhoods. By definition, development in the CBD will be heavily reliant on pedestrian and bicycle access as these forms of transportation are more practical than auto in the subject area.

Policy 102.08. Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations. Compliance with this policy requires very little elaboration. The CBD/C-3 is a mixed use concept and the policy calls for mixed use transitional areas. The subject property is in between and immediately adjacent to industrial (to the west) and residential (to the east) and therefore, the application to change the subject property to CBD/C-3 is precisely what the city's Comprehensive Plan requires.

Policy 102.09. The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

See above response. Again the City's Comprehensive Plan not only supports the change, it requires it.

OBJECTIVE 104. REDEVELOPMENT AND INFILL DEVELOPMENT The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties. The subject property is adjacent to nearby job centers and valuable historic resources. The current historic structure is nonconforming to the existing Industrial FLU and zoning and it is therefore difficult to improve the property as financing for non-conforming structures is not possible to obtain. If this effort to amend the FLU and zoning is deterred, and the industrial FLU and zoning remains, then blight will be inevitable, in direct conflict with this policy. Although the future of the existing structure is not guaranteed, it has a greater chance of survival if the financing to adaptively reuse is available.

OBJECTIVE 105. NONCONFORMING STRUCTURES, USES AND LOTS To promote re-use of structures that contribute to the character, diversity and sustainability of a neighborhood and to promote economic redevelopment by regulating structures and uses that do not conform to the current Plan or Land Development Code, but were lawfully established and in compliance with all applicable ordinances and laws at the time the structure was constructed and/or the use began, the City shall permit the continuation of the structure until such time that it becomes hazardous or dangerous and shall seek to eliminate nonconforming land uses. As stated in the above response, the decline and eventual removal of the structure on the subject property will be inevitable if there is no way for the current or future owner(s) to obtain financing to repair and/or adaptively re-use the structure. Considering that the use of the land as industrial conflicts with aforementioned policies regarding transitional uses and the protection of residential,

it is clear the solution is to eliminate the industrial zoning, not the use.

OBJECTIVE 5.04. COASTAL HIGH HAZARD AREAS (CHHA) The City shall protect property, residents, and visitors within the Coastal High Hazard Area. Protection shall be provided through appropriate designations on the Future Land Use Map to ensure that population is directed away from the coastal high hazard area, limitations on construction of infrastructure in the Coastal High Hazard Area, and coordination with hazard mitigation and post-disaster plans.

The subject property is not within the CHHA and therefore additional residential development in the area is not in conflict with Objective 5.04

OBJECTIVE 12.05. LAND USE AND INFRASTRUCTURE EXPANSION The City shall protect existing land designated for employment-generating uses, whether vacant or developed, from encroachment of incompatible uses and promote sustainable development and redevelopment of properties within its designated Job Opportunity Areas.

The existing FLU and zoning of Industrial could be considered a "job creating" land use and this policy seeks to limit the loss of job creating land uses. This state of affairs is ameliorated by two factors: 1) the current size of the industrial district (half block) makes use of the

industrial area for creating jobs limited at best and 2) the proposed CBD/C-3 will also have a commercial element that can provide jobs from primary and secondary economic impacts (people directly employed on subject property or economic development associated with subject property that spawns off-site employment).

In addition, I offer the following section from the City's Land Development Code, Community Redevelopment Area (CRA) section:

8.01.02 Amelia River Waterfront Community Redevelopment Area A. Purpose: It is the purpose of the CRA overlay to provide a broader mix of uses and compatible design with the downtown area. In order to promote revitalization of the working waterfront and adjacent area.

In addition to complying with the Comprehensive Plan elements above, the subject property is within the CRA, which has a goal of providing a mix of uses and compatible with the design with the downtown area. The CBD/C-3 combination is tailored made for this use as it is the predominant zoning and land use within the downtown area.

In conclusion it is clear that the proposed Future Land Use and Zoning amendment for the subject property complies with the City's Comprehensive Plan and the CRA.

Attachment B



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APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Susan Courtney McCranle, Daniel McCranle Sr., Marilyn Leibman				
AGENT:	Peter J. King, AICP				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	North 2 nd Street Community Redevelopment Area (CRA) properties – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	Parcel ID #: 00-00-31-1800-0008-0080 (Courtney McCranle) – 224 N. 2nd Street, Multifamily Structure (2,905 conditioned square feet) totaling 0.22 acres of land and constructed in the early 1900's- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0050 (Daniel McCranle, Sr.) - Vacant totaling 0.15 acres of land , This property contains 2 underlying lots of record and measures approximately 50ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0020 (Leibman) - Vacant totaling 0.22 acres of land- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft.				
PROPERTY SIZE:	In total 0.59 acres of land are included within the applicant's request.				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Warehouse	1980	I-1	Industrial (IND)
		Restaurant/Bar	1902		
CRA PROPERTY/ HISTORIC DISTRICT	South	Vacant and Non-Conforming Single Family Homes	Est. 1900	I-1	Industrial (IND)
CRA PROPERTY	West	Warehouse Storage	Est. 1900	I-1	Industrial (IND)
PORT PROPERTY (NOT IN THE CRA)		Warehouse Storage	1990		
CRA PROPERTY	East	Single Family and Multi-Family residential dwellings	Est. 1909- 1925	R-2	Medium Density Residential (MDR)

*** 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. ***



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SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on N.2nd Street (Exhibit A).

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development. All three (3) properties involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council. Although the structure located at 224 N. 2nd Street is not within the City's historic district, its location within the CRA would require that any request for demolition of the structure to be approved by the Historic District Council and follow all established procedures identified in LDC Section 8.03.03.01.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 <i>All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (ot 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)



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Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Central Business District (CBD), 8 dwelling units per acre are supported at this time. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Under the requested action, a total of up to five (5) residential units could be constructed on the vacant properties. The property located at 224 N. 2nd Street contains a non-conforming multi-use structure with two (2) residential dwelling units at the present time.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structure for residential purposes. The applicant's requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a



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Finding of Necessity in 2005, one of the four principal reasons why this area was determined to contain blighted conditions is due to its "inadequate and outdated building density patterns." It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant's requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The requested Central Business District (CBD) land use category and C-3 zoning district serves to create a transitional step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the applicant's request is the most appropriate land use and zoning district assignment under the City's current regulations.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' properties are a range of existing uses including; a warehouse and storage area serving the port's needs to the west, warehousing for a light manufacturing business to the North, and restaurant/ bar located at the corner of Colhoun Street and N. 2nd Street. On the eastern block face are homes located within the City's downtown historic district.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement.



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Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the properties fronting Broome Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face (See Sanborn Map Exhibits). Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that



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existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the existing residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend (approval or denial) of PAB case number 2017-05 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, (is or is not) sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

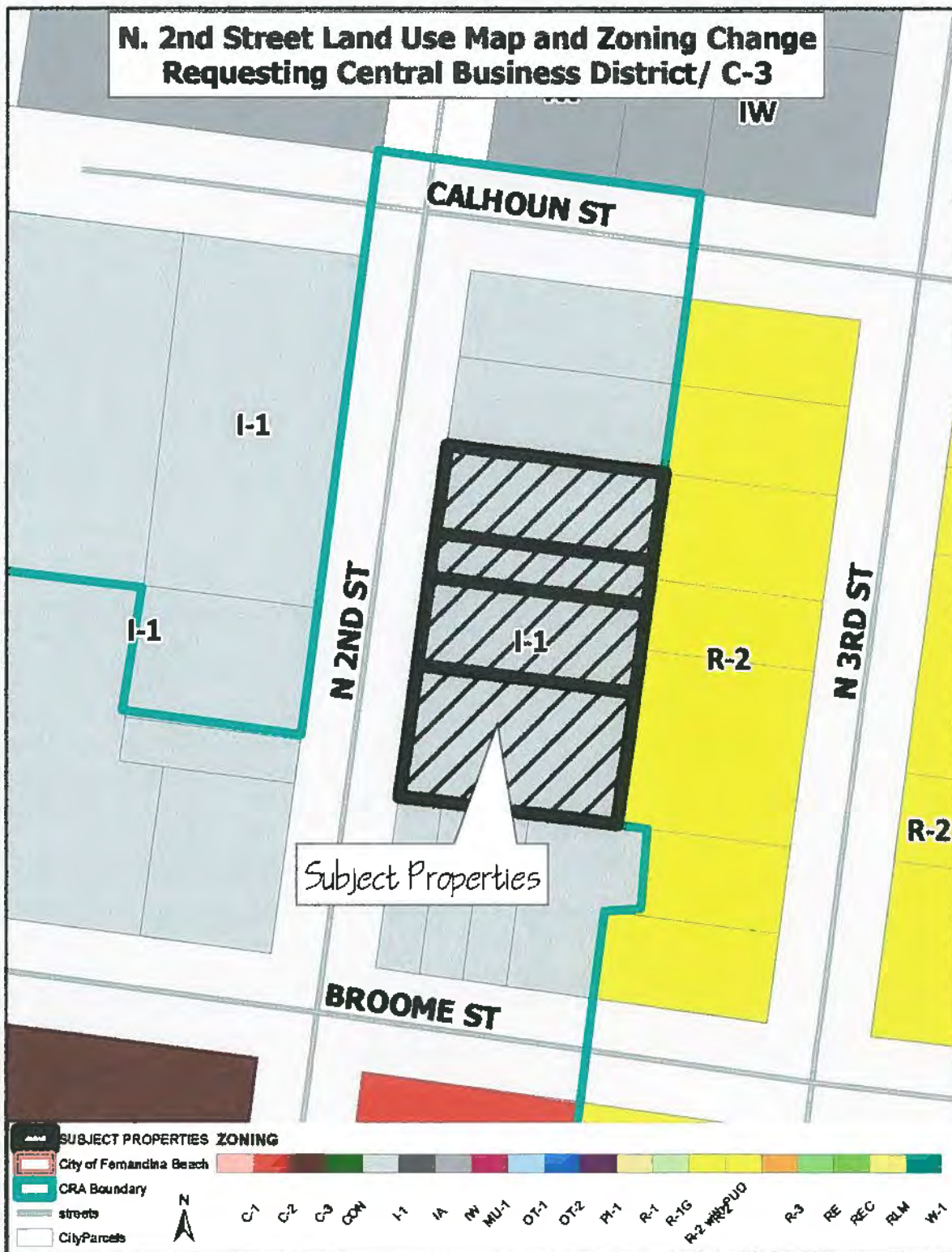
A handwritten signature in cursive script, reading "Kelly N. Gibson", is written over a horizontal line.

**Kelly N. Gibson
Senior Planner**



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EXHIBIT A



Attachment C



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APPLICATION FOR SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Robert and Loretta Erickson, James and Kerstin Clayton				
AGENT:	Robert and Loretta Erickson				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	211 Broome Street, 205 Broome Street, and Vacant Properties at corner of N. 2 nd Street and Broome Street – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Medium Density Residential (MDR)/ R-2				
EXISTING USES ON SITE:	211 Broome Street: Existing SF Home totaling approximately 1,487 ft² with an estimated year built of 1900 205 Broome Street: Existing Vacant SF Home totaling approximately 1,188 ft² with an estimated year built of 1900 Vacant Land located at the corner of N. 2nd Street and Broome Street				
PROPERTY SIZE:	Totaling 0.32 Acres Parcel ID #s: 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Vacant Land	N/A	I-1	Industrial (IND)
CRA PROPERTY	South	Public Parking	2015	C-2	General Commercial (GC)
HISTORIC DISTRICT	East	Single Family Home	Est. 1900	R-2	Medium Density Residential (MDR)
CRA PROPERTY	West	Warehouse/Storage	Est. 1900	I-1	Industrial (IND)

*** 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, Robert and Loretta Erickson, and Clayton, Et. Al, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Medium Density Residential (MDR) land use, and R-2 (Medium Density Residential) zoning designation for property located at 211 Broome Street, 205 Broome Street, and the vacant properties at N.2nd Street and Broome Street (Exhibit A).

The action is requested in order to correct existing non-conforming use of the properties where two (2) single family homes have existed for many years. The property at 211 Broome Street has retained its single family home use as a grandfathered use. The property located at 205 Broome Street has remained vacant and in a deteriorating state for several years. Under the City's LDC Section 10.01.02 (G), when a non-conforming use has



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been discontinued for a period greater than 180 days, the property shall be brought into compliance with all sections of the LDC. The current property owners recently acquired the structure in order to restore it. At this time, they are seeking to use the property for residential purposes. In order to make this property conforming, a land use and zoning designation which contains residential density must be applied to the site. The properties to the west of the restored structure are vacant.

All four parcels involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Frant Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	<i>Policy 4.01.02 All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)
Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls



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The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Medium Density Residential (MDR), 8 dwelling units per acre are supported. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Therefore, if the property is changed to a land use category containing residential density, the vacant properties and 205 Broome Street property would have the benefit of construction a residential unit on each parcel, despite not being able to meet minimum "net density" requirements under the requested change. Under the requested action, a total of up to five (5) residential units could be constructed on the properties.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structures as single family homes. The applicant's requested land use of Medium Density Residential (MDR) and R-2 zoning fails to achieve the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a Finding of Necessity in 2005, one for the four principal reasons why this area was determined to contain blighted conditions is due to its "inadequate and outdated building density patterns." It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant's requested action does not serve to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. Staff suggests that the applicant consider use of a transitional land use category and zoning district that



**STAFF REPORT
PAB (LU/CZ) 2017-03
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February 8, 2017**

serves to step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the most appropriate land use and zoning district assignment under the City's current regulations are the Central Business District (CBD)/ C-3 zoning.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants' property are a wide range of existing uses including; a warehouse and storage area serving the port's needs; public parking directly facing the properties; and vacant land within the CRA which historically contained a variety of uses. On the eastern block face are homes located within the City's downtown historic district. The existing land use and zoning under Industrial/ I-1 is certainly not compatible with the surrounding area and staff recognizes that this should be corrected through a land use and zoning change to a district which serves to provide a down-zoning or transition from the port's industrial operations to the adjoining residential areas.

The most compatible land use and zoning designation for these properties as well as the properties fronting N. 2nd Street is Central Business District (CBD)/ C-3 zoning. The CBD/C-3 zoning designation exists diagonally from the applicants' properties and staff recognizes the need to assign the appropriate land use and zoning district for the public parking lots located on N. 2nd at Alachua Street and Broome Street in keeping with the direction to create and extend the urban core through the CRA.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs.

CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested zoning is Medium Density Residential R-2, provides for residential land uses. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.05 of the LDC states the intent of the R-2, Medium Density Residential, zoning classification. The R-2 District is intended for the development, redevelopment, or maintenance of stable medium-density residential neighborhoods. The medium-density residential designation includes a mixture of single- and multi-family structure types.



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The R-2 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of several of the properties involved in the application. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be inconsistent with the Comprehensive Plan and Land Development Code, as it is an inappropriate extension of an exclusively residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends an incompatible zoning district to properties adjoining industrial and commercial land uses, instead a mixed land use and zoning designation should be considered. Further, the requested action does not serve to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a more harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend (approval or denial) of PAB case number 2017-03 to the City Commission requesting a Future Land Use Map assignment of Medium Density Residential land use and R-2 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-03 as presented, (is or is not) sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Submitted by:

Kelly N. Gibson
Senior Planner

MAP OF BOUNDARY SURVEY

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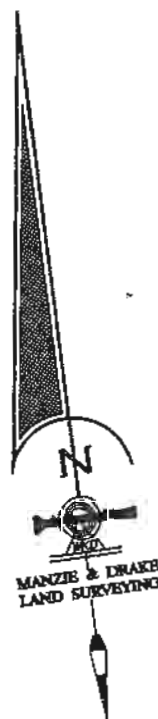
PREPARED FOR:
CLAYTON PROPERTIES

LEGEND

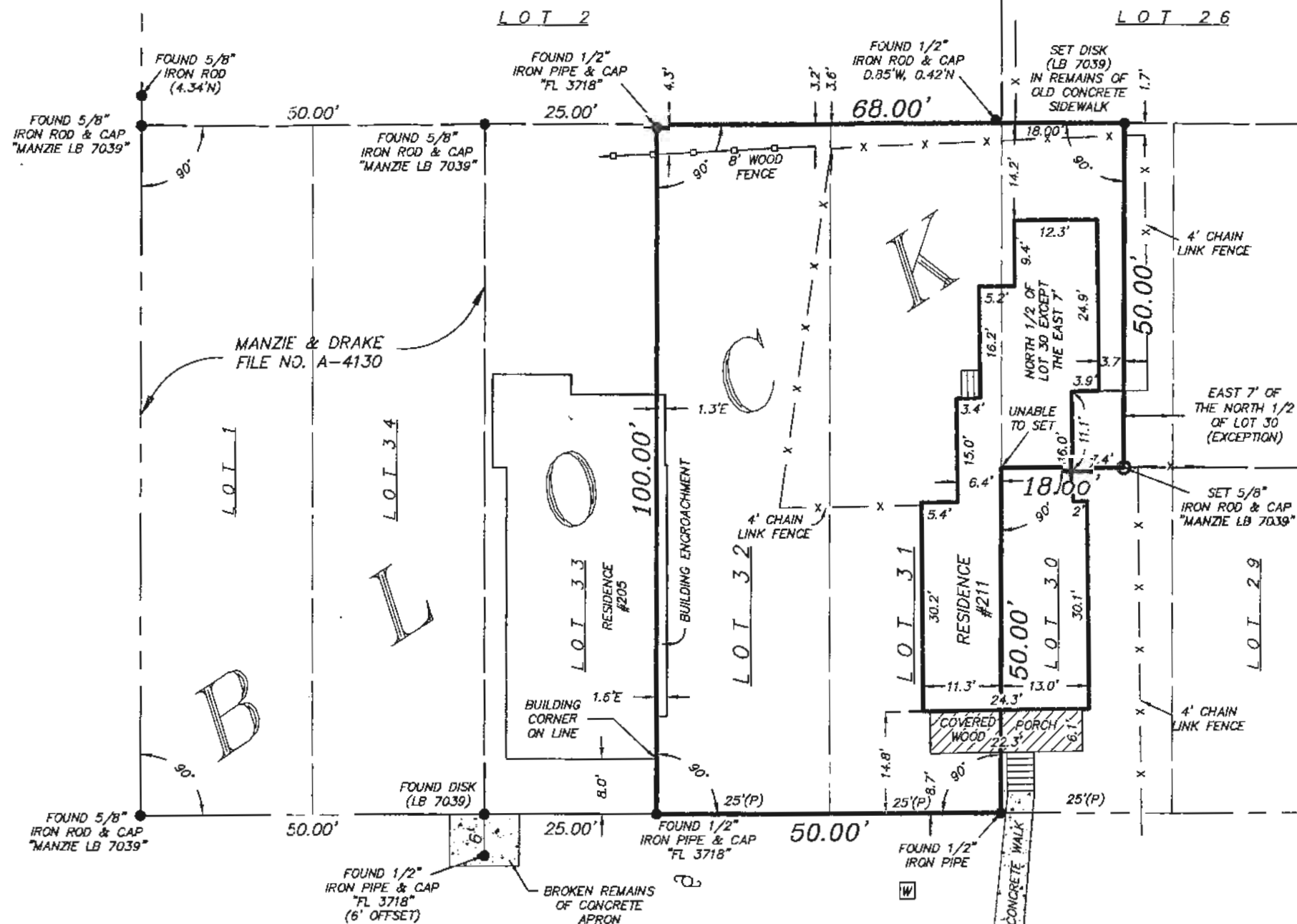
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William D. Pinkston

- ☐ MICHAEL A. MANZIE, P.L.S. 4069
- ☒ WILLIAM D. PINKSTON, P.S.M. 6793

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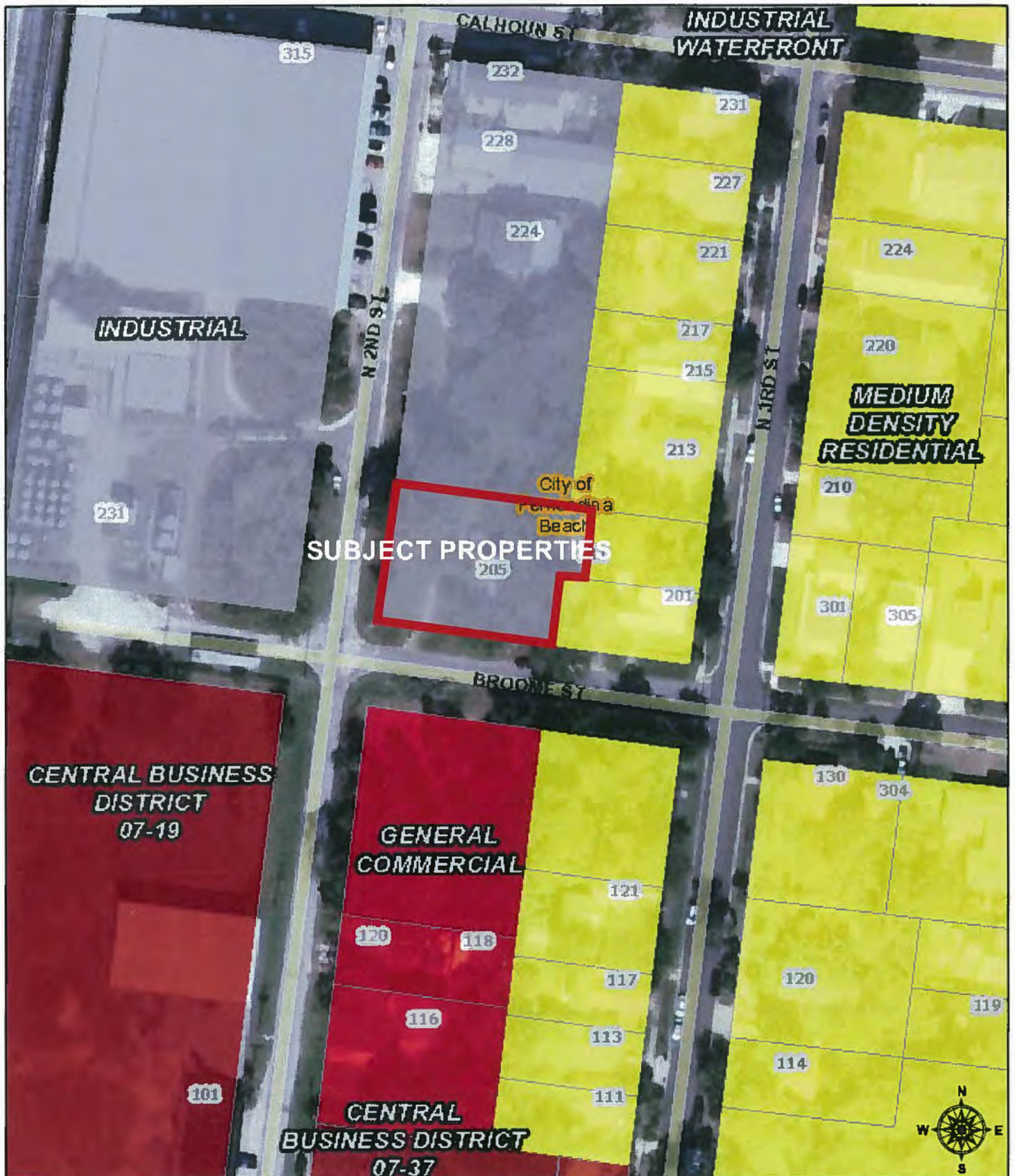
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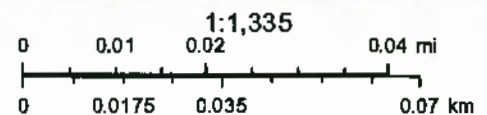
SCALE: 1"=20' JOB NO: 19686 DATE: 7/29/16 CADD: WKD
F.B. NO: X-289 PAGE NO: 34 FIELD CREW: SS FILE NO: A-4131

FUTURE LAND USE MAP



March 6, 2017

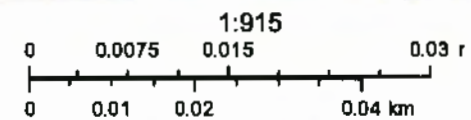
Land Parcels



ZONING MAP



March 6, 2017



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), N NGCC, © OpenStreetMap contributors, and the GIS User Community

FLOOD MAP (2010 EFFECTIVE)

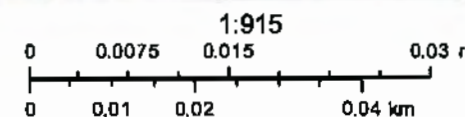


March 6, 2017

Flood Zones -Effective Dec.17th 2010, NAD 1988

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A

- AE
- VE
- X



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), W NGCC, © OpenStreetMap contributors, and the GIS User Community

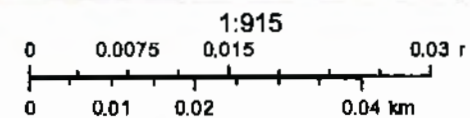
FLOOD MAP (2016 PRELIMINARY)



March 6, 2017

Preliminary Flood Zones 2016

- | | |
|--|---|
|  A |  VE, |
|  AE, |  X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD |
|  AO, |  X, AREA OF MINIMAL FLOOD HAZARD |



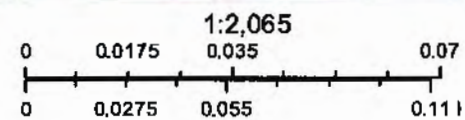
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SOILS MAP



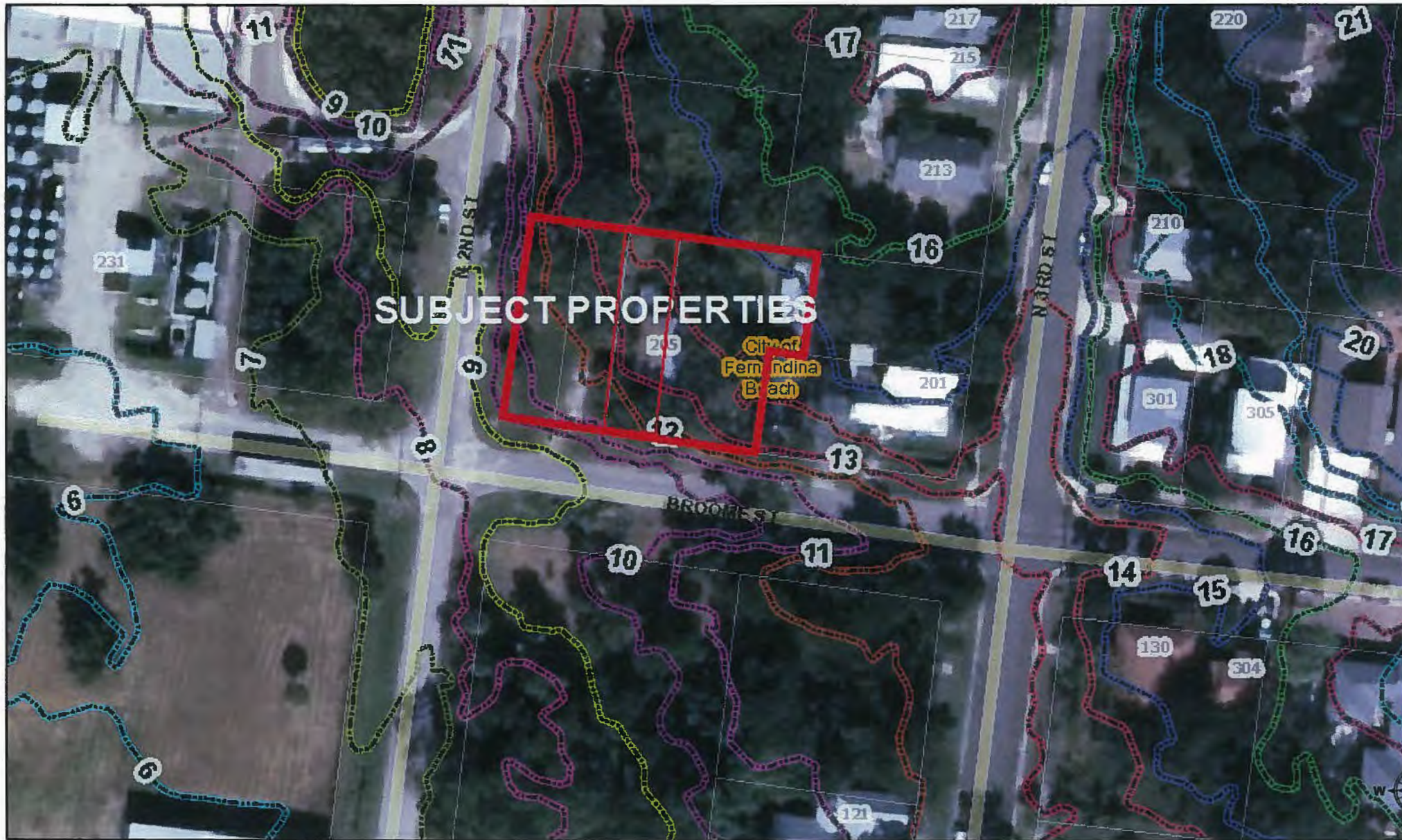
March 6, 2017

- Land Parcels
- Nassau Soils



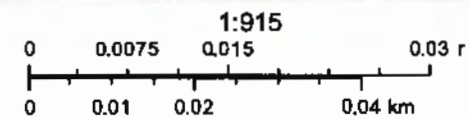
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TOPOGRAPHICAL MAP



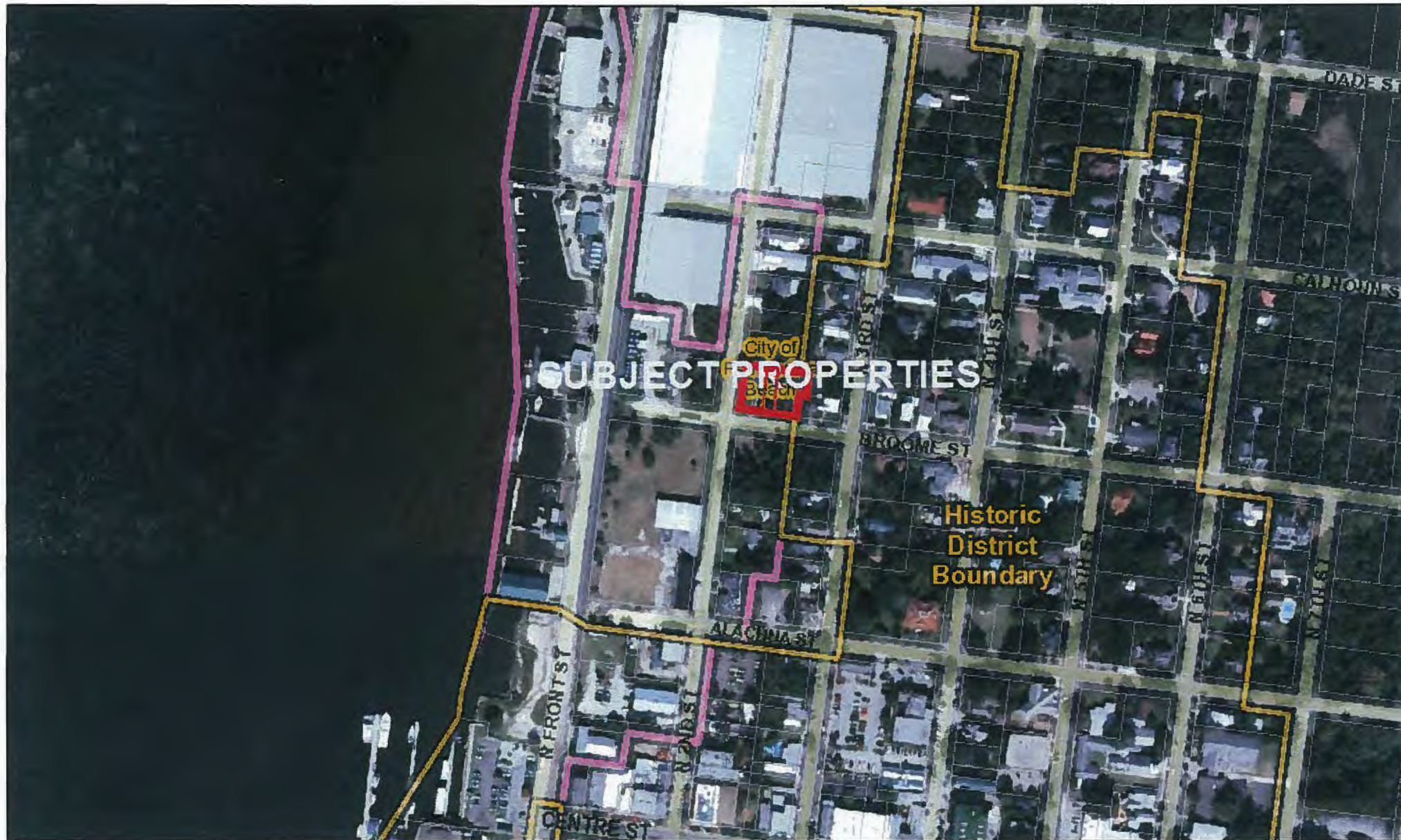
March 6, 2017

☐ Land Parcels



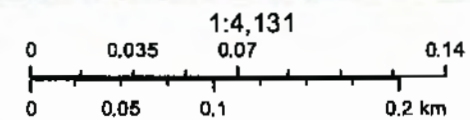
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CRA/HDC MAP



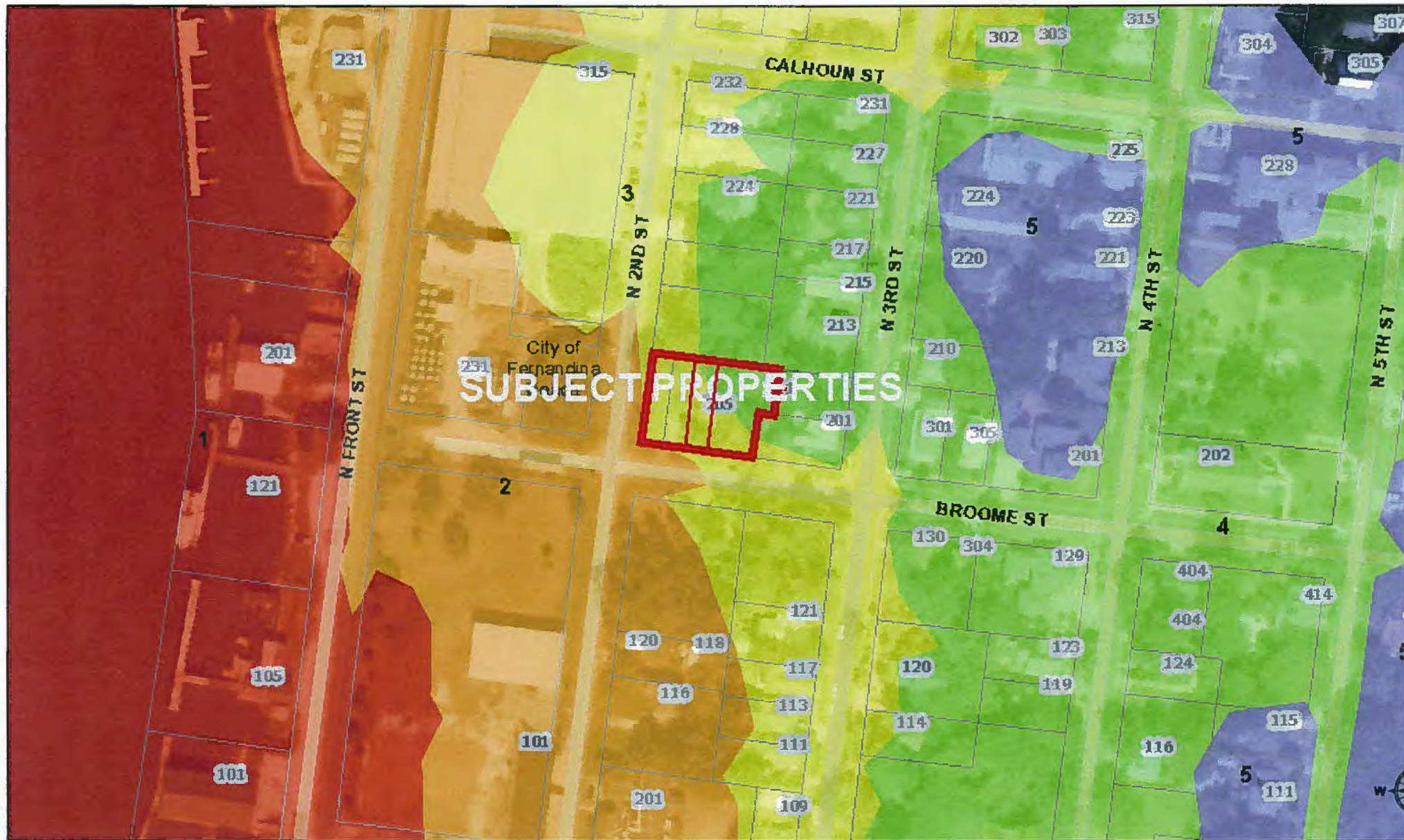
March 6, 2017

- City of F.B. Historic District
- City of F.B. Community Development District



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, N Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), N NGCC, © OpenStreetMap contributors, and the GIS User Community

COASTAL HIGH HAZARD MAP (STORM SURGE)

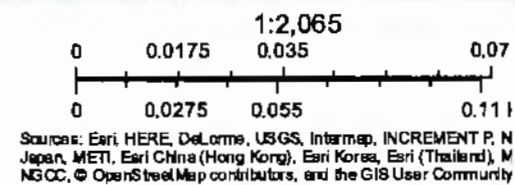


FIRE HYDRANT LOCATION MAP



March 6, 2017

- Land Parcels
- + Water Hydrant



MAP OF BOUNDARY SURVEY

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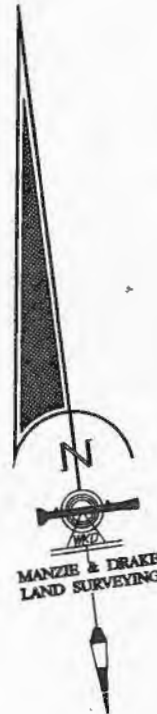
PREPARED FOR:
CLAYTON PROPERTIES

LEGEND

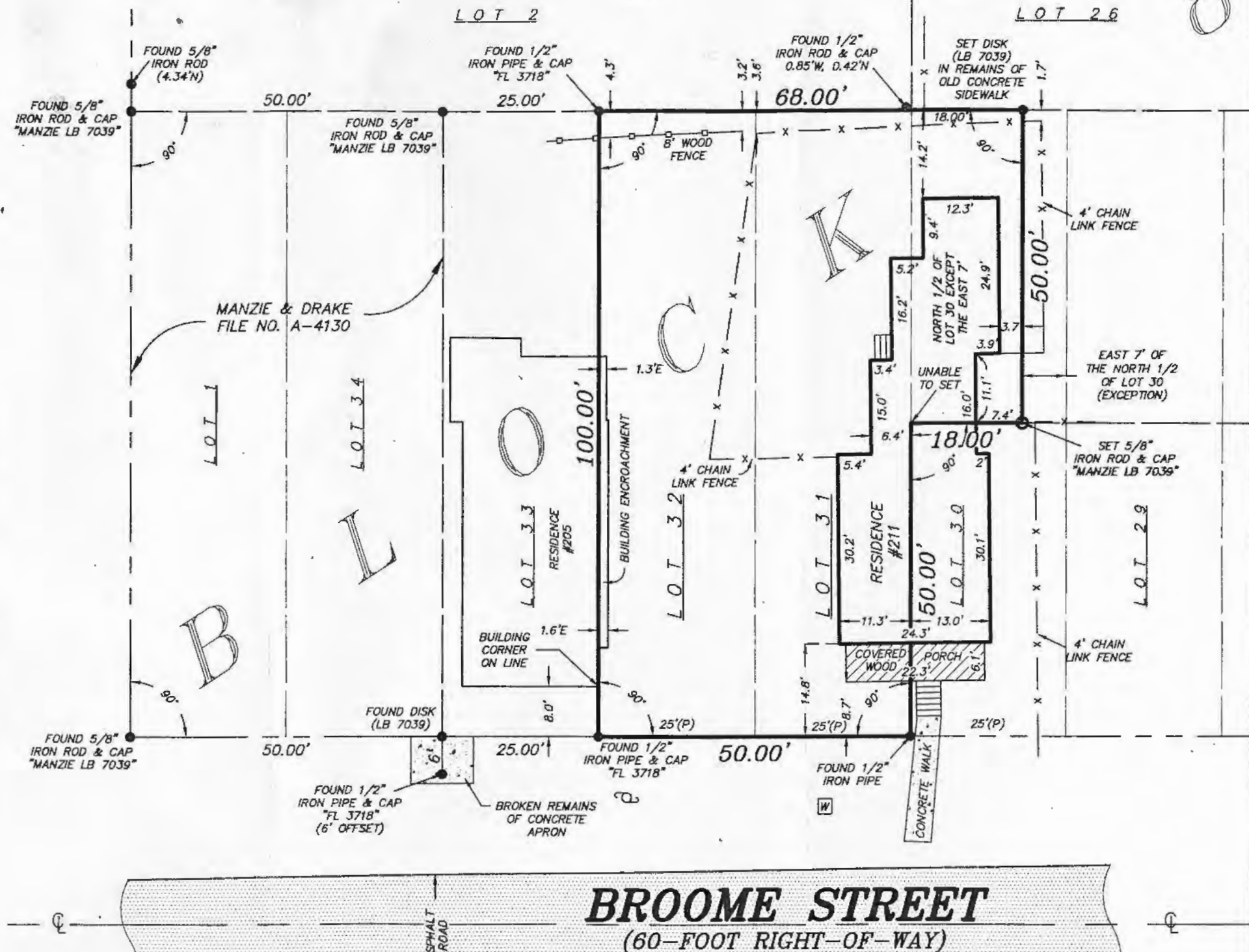
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SCALE: 1"=20' JOB NO: 19686 DATE: 7/29/16 CADD: WKD
F.B. NO: X-289 PAGE NO: 34 FIELD CREW: SS FILE NO: A-4131

1. Call to Order - The meeting was called to order at 5:03 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair
Judith Lane
Donna Lewis (Alt 1)

David Beal, Vice-Chair
Benjamin Morrison
Jenny Schaffer (Alt 2)

Board Members Absent

Wayne L. Peterson

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Considering the absence of Member Peterson, Chair Bennett seated Member Lewis as a voting member, with all Members approving by voice vote.

2. Approval of Meeting Minutes

2.1 Review and Approval of February 8, 2017 Regular Meeting Minutes – A motion was made by Member Beal, seconded by Member Lane to approve as presented. Vote upon passage of the motion was taken by ayes and nays and being all ayes, carried.

2.2 Review and Approval of March 8, 2017 Regular Meeting Minutes – Chair Bennett asked that the discussion regarding item 4.6 be more detailed and Minutes be presented to the next meeting for approval.

3. New Business

3.1 PAB CASE 2017-07: FUTURE LAND USE MAP AND ZONING CHANGE REQUEST FOR PROPERTY LOCATED ON BROOME STREET AND NORTH 2ND STREET.

PAB case 2017-07: Property owners Erickson and Clayton, et Al. request a small scale Future Land Use Map Amendment and Zoning Map change for properties located along Broome Street and N. 2nd Street totaling approximately 0.32 acres of land from industrial (IND) land use and I-1 zoning to Central Business District future land use and C-3 zoning for parcel ID numbers: 00-00-31-1800-0008-0310, 00-00-31-1800-0008-0330, 00-00-31-1800-0008-0340, 00-00-31-1800-0008-0010.

Ms. Gibson presented the case and summarized the applicants' request to amend zoning from Industrial (IND) land use and I1 zoning to Central Business District future land use and C-3 zoning for properties located at 211 Broome Street, 205 Broome Street, and vacant properties at N. 2nd Street and Broome Street.

She explained that this change would be correcting non-conforming use of properties where there are two (2) single family homes which have existed for many years. This request will also be consistent with the associated Land Development Code policies, the CRA and the historic built pattern of the area. Staff recommended approval of the applicant's request to move forward towards C-3 zoning and Central Business District land use.

Member Morrison asked about the reason why this case is coming back. City Attorney Bach explained that an administrative appeal of Staff's finding of sufficiency and completeness of the application was questioned and was to be presented in front of the Board of Adjustment on March 15th, 2017 and that based on Mr. Ross's arguments and the reason of the appeal, the decision was made that the Board of Adjustment wasn't right outlet for this appeal. Ms. Bach also noted that after meeting with Mr. Ross it was established that if the applicants withdrew their application and re-submitted it with the same amount of details included in a similar case presented by neighboring owners, Mr. Ross would withdraw his appeal, which he has done. Ms. Gibson then confirmed that this latest application is complete and sufficient and that this stretch of the City on N. 2nd Street is consistent with the CRA and is in keeping with what was previously built.

Member Morrison then asked Ms. Gibson to go through the additional documents presented with the most recent application. Ms. Gibson stated that the principal difference is the requested zoning change as the original application requested Medium Density Residential and this most recent application requested a Central Business District zoning. She added that the applicant also provided a more detail statement of justification through attachments and documentation, and relied in resources noted in said additional attachments and documentation.

Robert Erickson, 30 S. 3rd Street, reiterated the difference between the 2 applications and that he provided more documentation and justification. He then asked that the Board consider this request favorably.

Public Hearing was then opened.

John Sauer, 205 Broome Street, future owner of record of this property, is looking forward in moving into the property and has been renovating it for about a year.

Lynn Williams, 1899 S. Fletcher Avenue, voiced his opposition to C3 zoning as oppose as R2 which abuts to the property. He also voiced concerns about the upcoming review to increase the density from 8 to 34 units per acre under this C3 zoning.

Lou Goldman, 23 S. 6th Street, voiced his support for the change in zoning and also explained his positive experience living downtown in a C3 zoning amongst residential and commercial properties.

Public Hearing was then closed.

Member Lane voiced her support for this change and hope that this would bring the vibrancy back in that area. Member Schaffer lives downtown and also voiced her support to this change along with Member Beal and Member Lewis who noted that she feels this is a good transitional change.

Member Morrison asked Ms. Gibson if previously approved zoning changes from this Board had already been presented to the Commission for final approval. Ms. Gibson answered that they would be presented at the same time as this one.

Chair Bennett then commented about his opposition to this change especially about the increase in density and transitional zoning. He then asked Ms. Gibson about funds for sidewalks, water retention, etc. Ms. Gibson answered that through redevelopment efforts a funding mechanism in the TIF account (Tax Increment Financing), would be created to support infrastructure related improvements and that streetscape improvements would be included in and that a minimum sidewalk connection would be established at the front of a new development site. Ms. Gibson then explained the process of TIF and how the tax benefit portion returns to the general fund. Chair Bennett also questioned possible issues with truck traffic and asked about any traffic studies. Ms. Gibson answered that in 2009 a traffic analysis was performed which indicated circulation enhancement was required. She also answered Chair Bennett question about density.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Lane, to recommend approval of PAB case number 2017-07 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-07 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Vice Chair Beal:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

4. Board Business –

Member Lane asked if a private drive can be designated a City Street to which Ms. Gibson answered that it can if the City accepts it as a Right of Way.

Member Morrison spoke about previous discussions regarding the need for studies such as street lighting, traffic and parking, and also asked if the current RFQ being put together includes some of these studies. Ms. Gibson answered that parking and traffic circulation would be addressed within this RFQ. City Attorney Bach also mentioned that there had been a discussion during a Commission workshop about the scope of this RFQ which includes a Master Plan for the waterfront specifically, but also includes a traffic circulation study. She also mentioned that the Commission has not yet approved the final scope and are questioning the fees.

Member Morrison asked when the density change would be presented in from of the Commission, Ms. Gibson answered April 18, 2017 but only as a Comprehensive Plan change, the Land Development Code amendment would be presented in May 2017 as 1st reading. Chair Bennett then asked if there are changes to be expected to reduce the parking requirements to which Ms. Gibson answered in the negative. She noted that no changes would be made until results of parking studies would be received.

5. Comments by the public –

Mr. Erickson 30 S. 3rd Street commented on the inevitable movement of growth and its impact and shared the story of growth in Bentonville, Arkansas starting with Walmart moving in and noted similarities with our area. He also cautioned Board members not to be complacent and know that growth is coming and to plan carefully and accordingly.

Member Lane commented that although there is a lack of vision regarding growth on the part of the City, caused mainly by changes with the Commission and waves of anti-growth movement, the growth is here and is happening.

6. Staff Report

Ms. Gibson announced that the City was recognized the day before by the American Planning Association for its 2030 Comprehension Plan as a sustained place. She added that communities were reviewed nationally starting with 30, out of thirty (30) five (5) were selected and the City ranked third. She also added that a proclamation and formal award would possibly be issued on the May 2, 2017 Commission meeting. Ms. Gibson also noted that there is not meeting in May 2017 with the next meeting being June 14, 2017.

7. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 5:49 pm.

Secretary

Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Ordinance
Future Land Use Map Amendment - North 2nd Street

2017-15

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-15 at First Reading.

SYNOPSIS: The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on North 2nd Street .

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development.

The Planning Advisory Board considered the request at its Regular Meeting on March 8, 2017, and issued a recommendation of approval (4-1). Staff finds the request consistent with the CRA Plan for eliminating inefficient and outdated land uses as well. as Comprehensive Plan policy statements 1.01.02,1.02.03,1.02.04,1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02 and recommends approval.

FISCAL IMPACT: Fiscal impact will be based upon proposed future development (number of sites and structures, infrastructure construction and maintenance, etc.).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-15 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date:04/26/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S FUTURE LAND USE MAP FROM INDUSTRIAL (IND) TO ASSIGN A LAND USE DESIGNATION OF CENTRAL BUSINESS DISTRICT (CBD) FOR THREE PARCELS TOTALING APPROXIMATELY 0.59 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON NORTH 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Advisory Board reviewed the small-scale Future Land Use Map Amendment application numbered PAB 2017-05 at its Regular Meeting on March 8, 2017, and by a vote of 4-1 recommended approval of the change to Central Business District (CBD) land use; and

WHEREAS, notice of public hearing on such application was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on February 22, 2017; and

WHEREAS, City Planning staff found the applicant's request to be consistent with the direction of the Community Redevelopment Area Plan for eliminating inefficient land use patterns as well as consistency with Comprehensive Plan policies 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02.

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

SECTION 1. PROPERTY INVOLVED. The properties identified for this change of the Future Land Use Map is located in the City's Amelia River Waterfront Community Redevelopment Area and identified as Parcel ID numbers 00-00-31-1800-0008-0080, 00-00-31-1800-0008-0050, and 00-00-31-1800-0008-0020 totaling approximately 0.59 acres, and as shown on the map attached hereto as Exhibit "A".

SECTION 2. FUTURE LAND USE MAP CHANGE. For the properties in question, the City's Future Land Use Map is hereby changed to Central Business District (CBD).

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. This Ordinance shall take effect immediately after its final adoption.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

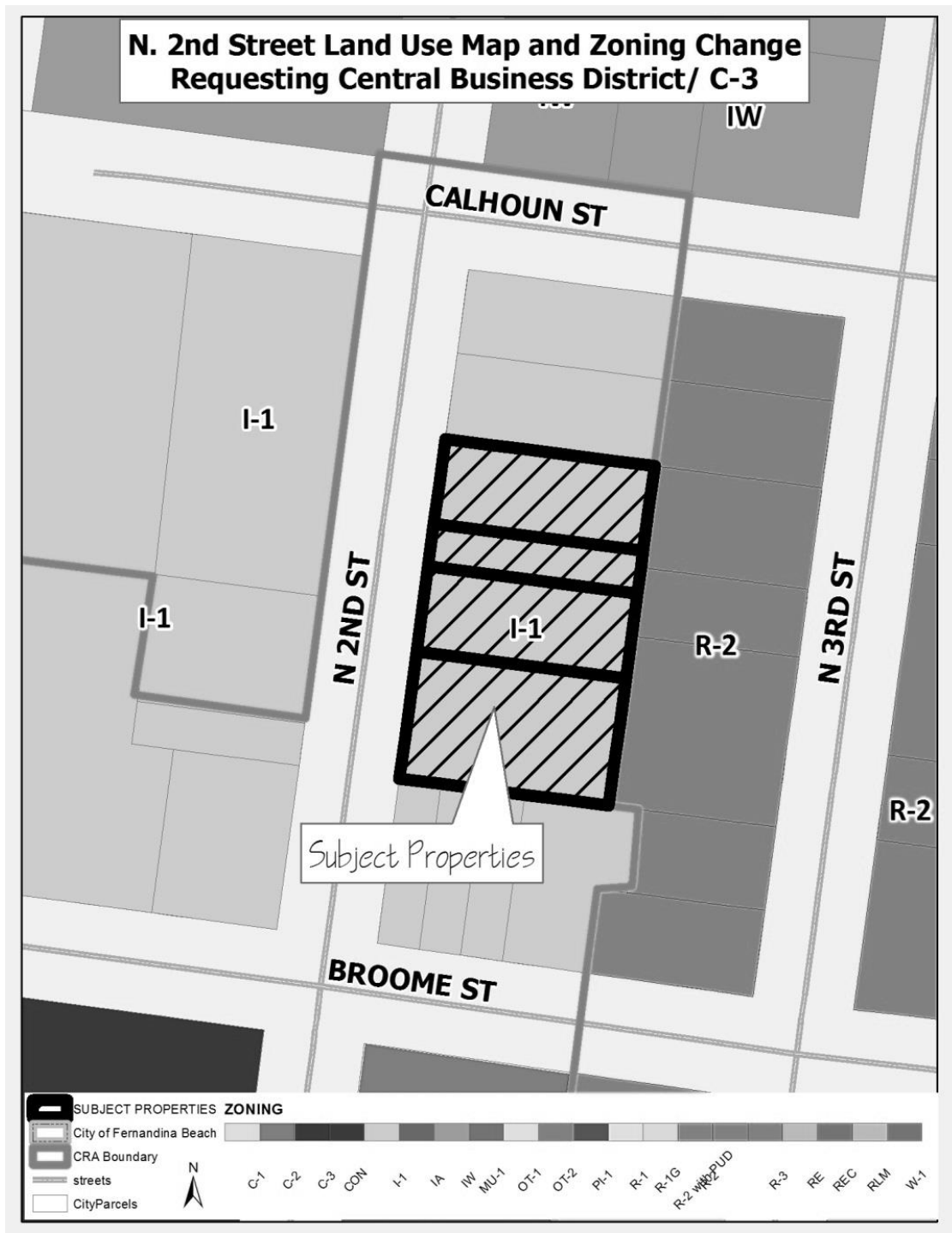


CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

**ORDINANCE 2017-15
EXHIBIT "A"**

REQUEST FOR A FUTURE LAND USE MAP CHANGE FOR 0.59 ACRES OF LAND FROM INDUSTRIAL (IND) TO CENTRAL BUSINESS DISTRICT (CBD) FOR PROPERTIES LOCATED ON N. 2ND STREET AS PARCEL ID#S 00-00-31-1800-0008-0080, 00-00-31-1800-0008-0050, AND 00-00-31-1800-0008-0020.





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APPLICATION FOR SMALL- SCALE AMENDMENT TO THE FUTURE LAND USE MAP & ZONING CHANGE REQUEST

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Susan Courtney McCranie, Daniel McCranie Sr., Marilyn Leibman				
AGENT:	Peter J. King, AICP				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	North 2 nd Street Community Redevelopment Area (CRA) properties – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	Parcel ID #: 00-00-31-1800-0008-0080 (Courtney McCranie) – 224 N. 2nd Street, Multifamily Structure (2,905 conditioned square feet) totaling 0.22 acres of land and constructed in the early 1900's- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0050 (Daniel McCranie, Sr.) - Vacant totaling 0.15 acres of land , This property contains 2 underlying lots of record and measures approximately 50ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0020 (Leibman) - Vacant totaling 0.22 acres of land- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft.				
PROPERTY SIZE:	In total 0.59 acres of land are included within the applicant's request.				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Warehouse	1980	I-1	Industrial (IND)
		Restaurant/Bar	1902		
CRA PROPERTY/ HISTORIC DISTRICT	South	Vacant and Non-Conforming Single Family Homes	Est. 1900	I-1	Industrial (IND)
CRA PROPERTY	West	Warehouse Storage	Est. 1900	I-1	Industrial (IND)
PORT PROPERTY (NOT IN THE CRA)		Warehouse Storage	1990		
CRA PROPERTY	East	Single Family and Multi-Family residential dwellings	Est. 1909- 1925	R-2	Medium Density Residential (MDR)

*** 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. ***



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SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on N.2nd Street (**Exhibit A**).

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development. All three (3) properties involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council. Although the structure located at 224 N. 2nd Street is not within the City's historic district, its location within the CRA would require that any request for demolition of the structure to be approved by the Historic District Council and follow all established procedures identified in LDC Section 8.03.03.01.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 <i>All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)



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Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Central Business District (CBD), 8 dwelling units per acre are supported at this time. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Under the requested action, a total of up to five (5) residential units could be constructed on the vacant properties. The property located at 224 N. 2nd Street contains a non-conforming multi-use structure with two (2) residential dwelling units at the present time.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structure for residential purposes. The applicant's requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a



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Finding of Necessity in 2005, one of the four principal reasons why this area was determined to contain blighted conditions is due to its “inadequate and outdated building density patterns.” It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant’s requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The requested Central Business District (CBD) land use category and C-3 zoning district serves to create a transitional step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the applicant’s request is the most appropriate land use and zoning district assignment under the City’s current regulations.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants’ properties are a range of existing uses including; a warehouse and storage area serving the port’s needs to the west, warehousing for a light manufacturing business to the North, and restaurant/ bar located at the corner of Calhoun Street and N. 2nd Street. On the eastern block face are homes located within the City’s downtown historic district.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City’s comprehensive plan and land development regulations.

The applicant’s request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement.



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Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the properties fronting Broome Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

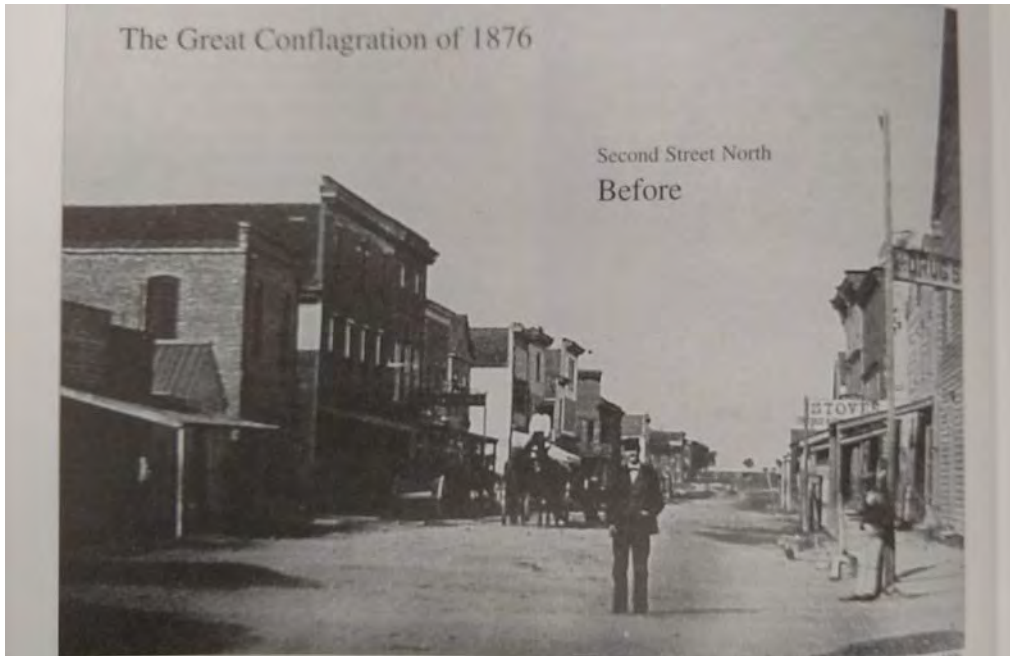
- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face (**See Sanborn Map Exhibits**). Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that



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existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend **(approval or denial)** of PAB case number 2017-05 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, **(is or is not)** sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

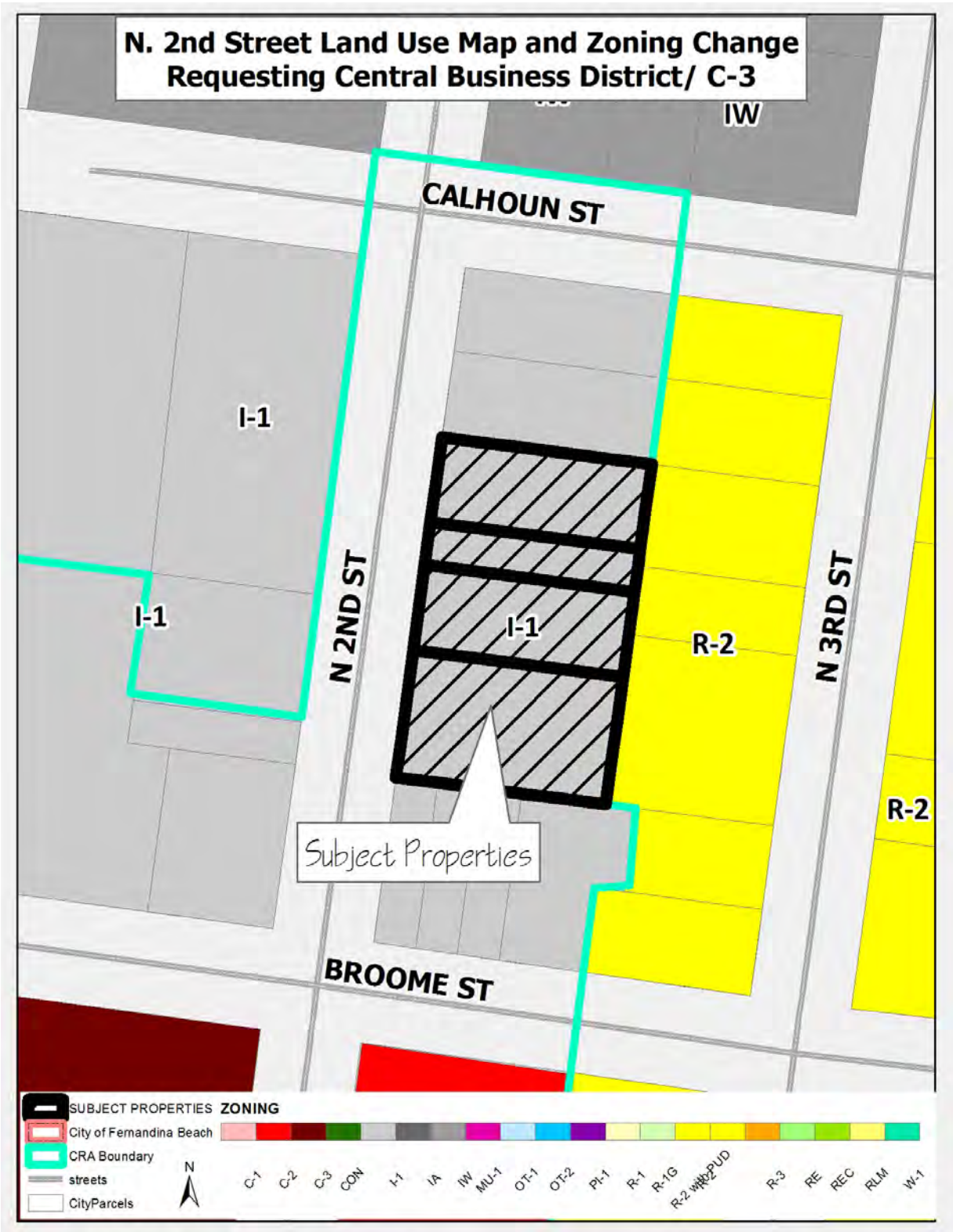
Submitted by:

Kelly N. Gibson
Senior Planner



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EXHIBIT A



KEY

TILE, JAY
BRICK (X)
FIRE-PROOF (X)

Fire proof construction.
(OR FIRE RESISTIVE CONSTN)

ADOBE

Adobe building.

HEIGHT OF BUILDING IN
FEET FROM GROUND
TO ROOF LINE

Stone building.

(C. BR)

Concrete, lime, cinder or
cement brick

(C. B)

Hollow concrete or cement block constn

(CONC)

Concrete or reinforced concrete constn

(TILE)

Tile building.

NUMBER OF STORIES 4

Brick building with frame cornice.

TWO STORIES AND EIGHT 28
COMPOSITION ROOF

" " " " stone front.

SHINGLE ROOF

" " " " frame side.

(VEND)

Brick veneered building.

BRICK 1ST

" and frame building.

FRAME, BRICK LINED

Frame building, brick lined.

F=FLAT S=STORE

" " metal clad.

D=DWELLING

Frame building.

AINB AUTO IN BSHMT

Iron building.

LOFT

Tenant building occupied by
various manufacturing or occupancies

(ASB. CL.)

Frame building covered with asbestos

NON COMBUSTIBLE ROOF
COVERING OF METAL,
SLATE, TILE OR
ASBESTOS SHINGLES

Brick building with brick or metal cornice.

DWELLINGS.

Framed air shafts are shown but colored
over. Brick air shafts are left white.

CLASSIFICATION OF BUILDINGS

Shown by varying number of dots or cir-
cles. Classified by New York Board of
Fire Underwriters as follows:

DWELLING

DWELLING

4 STORE

DWELLING

DWELLING

4 STORE

BRICK

1st Class (.) Slate or metal roof, coped walls.

2nd " (..) " " walls not coped.

3rd " (...) Shingle roof.

FRAME

1st Class (.) Slate or metal roof.

2nd " (..) Shingle roof.

Frame Buildings with BRICK FRONTS.

Height of Buildings, in Stories and feet (7 1/2 ft. 6 in. and over).

Fronts of marble or other stone.

Iron Fronts.

"Dotted line." Interior brick wall, omitted on one or more floors.

Superior construction. { Built of non-inflammable
material "throughout,"
except flooring and trim.

Communications protected by single fire-proof doors { With designation
" " double " " of floors.

Openings exposing Buildings.

Elevators with steam or other power. { Where enclosed with Brick or
Fire-proof material a heavy
line is drawn around them.

Hatchways or "Dumb-waiters."

Sky-lights in Roof only.

" over Opening in floor.

Smoke-houses. Retorts, and Ovens.

Mansard Roofs. Corrugated Iron. Steam-boilers.

REFERENCE.

SPECIAL HAZARDS.

NAMES of Manufactories, &c., are written on buildings, when there is sufficient
space, and their construction classified by the same marks as on Dwellings. Other
Specially Hazardous Risks are COLORED GREEN, the varying number of dots
(brick) and crosses (frame) showing the comparative danger from fire by occupancy.



BRICK.

A Construction = to 1st class Warehouse.
B " = " 2nd " "
C " = " 3rd " "
D " = " 1st " Store or Dw'g.
E " = " 2nd " "
F " = " 3rd " "

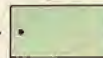


FRAME.

G Construction = to 1st class
Store or Dwelling.
H " = to 2nd class
Store or Dwelling.

NOTE.—In classifying a building
as a Special, its CONSTRUCTION
is obliterated, necessitating a series
of letters, as follows:

Brick.....



.....Frame

Bakeries (ovens in building). Breweries. Cooperages. Drug stores (retail, with
privilege of compounding). Dyeing establishments. Fur dressers. Glass stainers.
Hat finishers. Hay (open stock, loose). Lamp sellers (privilege for kerosene &c.)
Laundries. Malt houses. Manufactories of Baskets, Bonnet-frames, Boots and shoes,
Caps, Clothing, Combs, Envelopes, Feather dusters, Fringe &c., Gas-fixtures, Gold
pens, Hats, Hemp, Jewelry cases, Morocco, Paper bags, Pocket-books, Ruffling and
ruehes, Segars, Shirts, Tobacco, Umbrellas, Vinegar, Watches, Watch-cases, Writing
ink. Map mounting and varnishing. Metal mills. Molasses houses. Photographers.
Private stables. Smoke-houses. Tanneries. Tin-shops. Wheelwrights. Wire
workers. Wool-pullers.

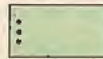
Brick.....



.....Frame

Bleaching works. Book-binders. Brass and iron foundries. Coppersmiths. Cotton
presses. Folling mills. Junk shops. Letter-press printers. Lithographers. Livery
and Cartmen's stables. Machine shops. Manufactories of Agricultural Implements.
Artificial flowers, Brooms, Brushes, Carriages, Cedar-ware, Floor-cloth, Grates, Guns,
Hoop-skirts, Jewelry, Lamps, Musical Instruments, Oil-cloths, Paper boxes, Paper
collars, Paper patterns, Patent Medicines, Plated ware, Rope and cordage, Safes,
Silverware, Starch, Stoves, Tin cans, Upholstery. Oil stores (petroleum and
products). Print works. Rag stores. Slaughter houses. Snuff mills. Type and stereo-
type foundries. (And generally buildings not occupied by workers of light wood).

Brick.....



.....Frame

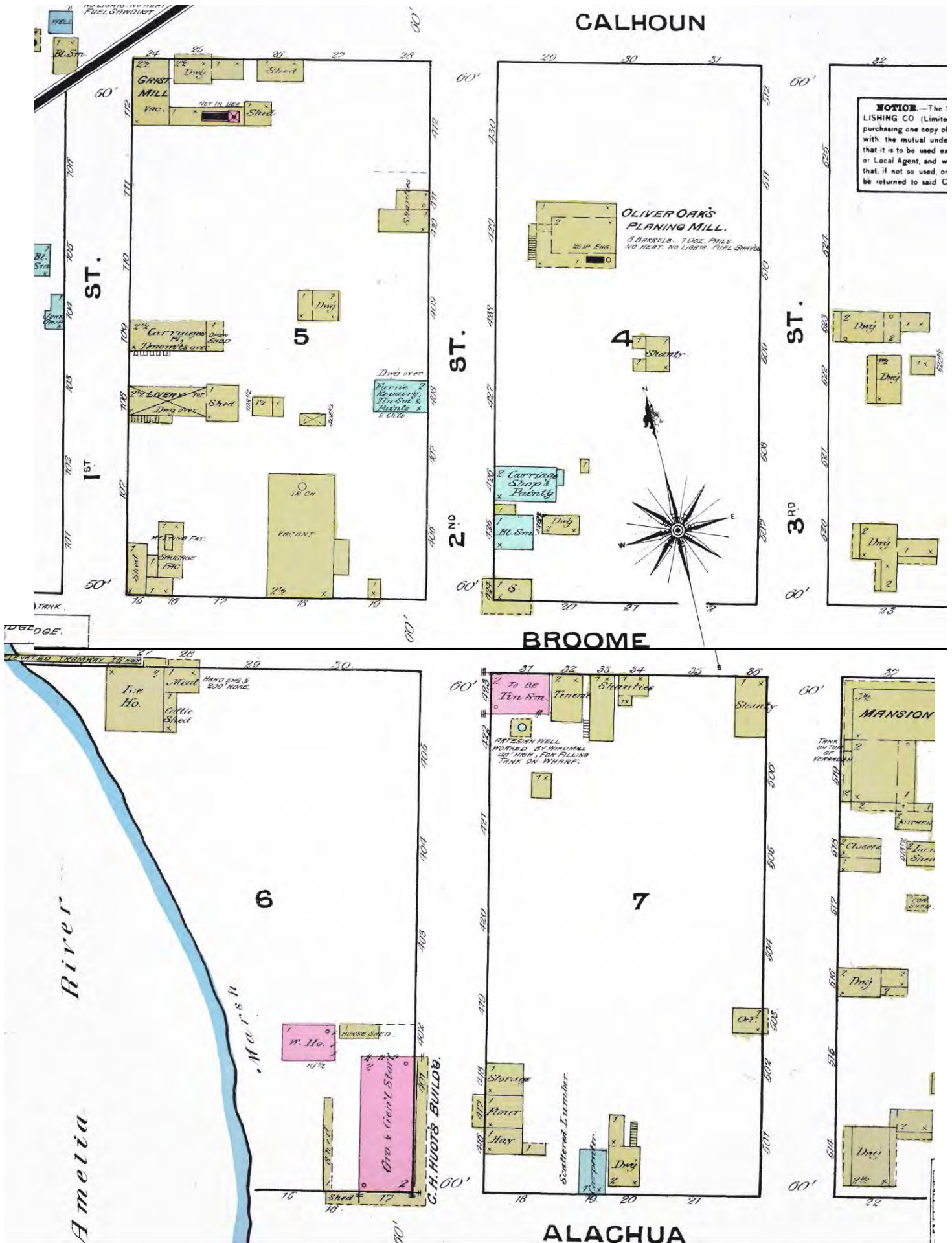
Box repairing. Cabinet-making. Carpenters' shops. Distilleries. Flax mills. Flour
or Grist mills. Japanners. Lard refineries. Manufactories of Artificial hair, Bagging,
Candles, Chairs, Clocks, Confectionery, India-rubber or gutta-percha, Ivory or lamp-
black, Looking-glass and Picture frames, Oiled clothing, Organs, Paper-hangings,
Perfumery, Pianos, Soap, Trunks. Oil mills. Paper mills. Rectifying establishments.
Sugar refineries. Tallow-melting or chandleries. Wholesale druggists (with com-
pounding). Woolen mills. (And generally risks where much heat or light wood is
used.)

Brick.....

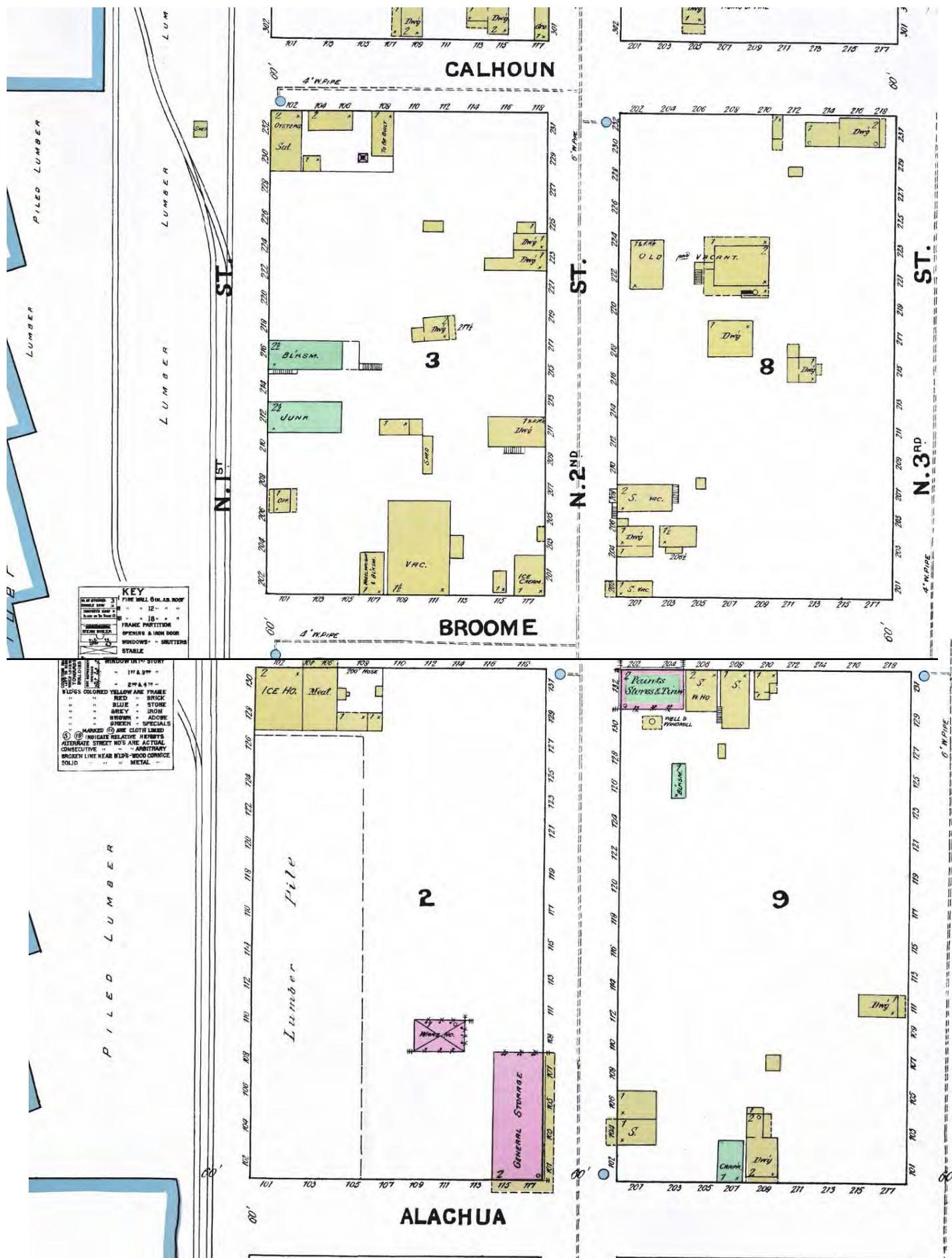


.....Frame

Chemical laboratories. Coffee and Spice mills. Drug mills. Fireworks on sale.
Match factories. Oil-boiling houses. Planing and Moulding mills. Printing-ink
factories. Sash, blind and door factories. Saw mills. Tar-boiling houses. Turpentine
distilleries. Varnish making. Window-shade factories.



1891 Sanborn Map of N. 2nd Street



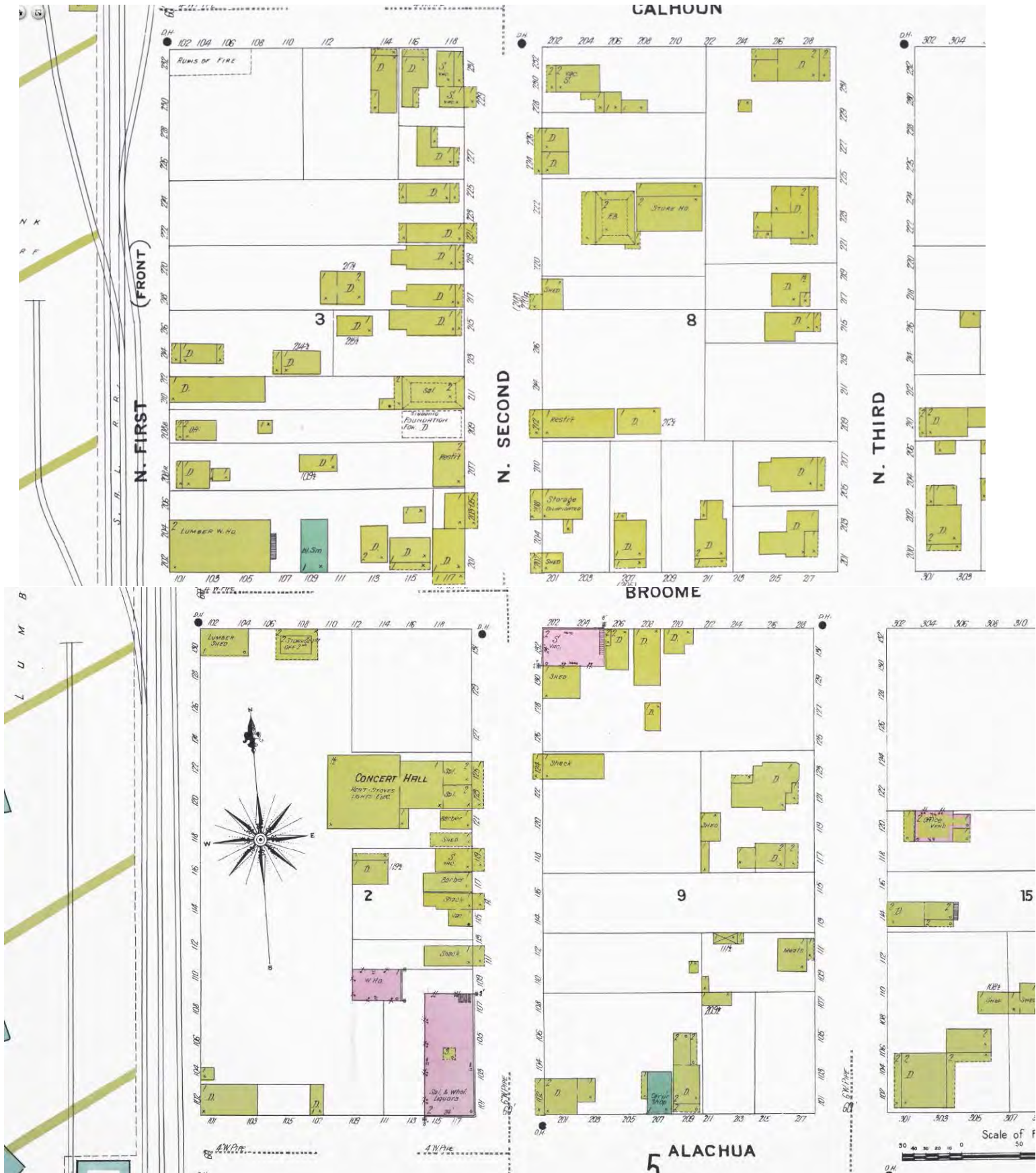
1897 Sanborn Map of N. 2nd Street



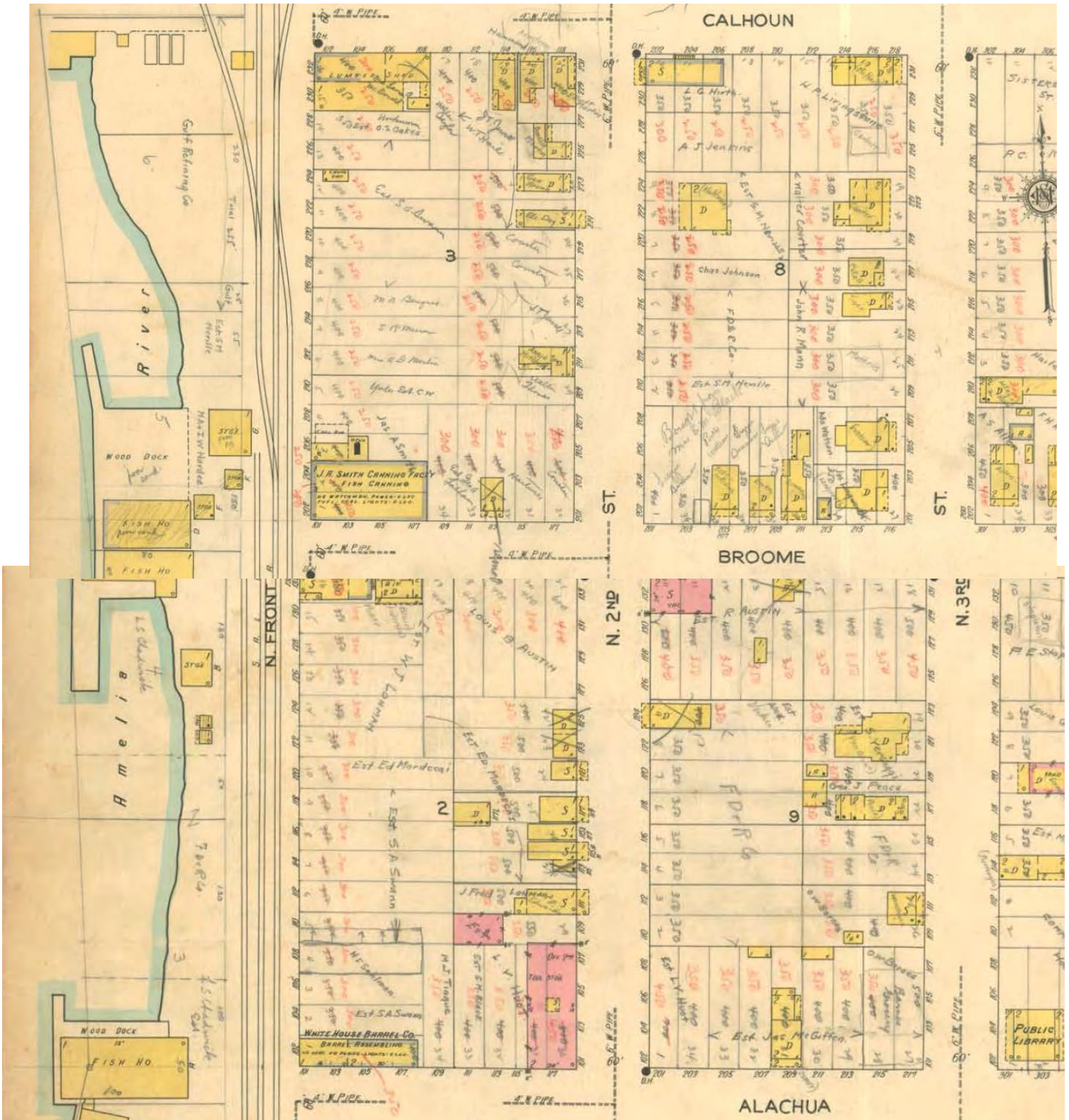
1903 Sanborn Map



1909 Sanborn Map of N. 2nd Street



1926 Sanborn Map of N. 2nd Street



1ms# 2017-0000223

OFFICE USE ONLY	
REC'D: 2/10/2017	BY: KG
PAYMENT \$	✓ #460 ✓ #228
TYPE: 11,700	
APPLICATION #:	2017-05



PLANNING ADVISORY BOARD APPLICATION

BOARD MEETING DATE _____

- | | |
|---|--|
| ☒ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – PRELIM (\$750) |
| ☒ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – FINAL (\$850) |
| ☐ LDC TEXT AMENDMENT (\$850) | ☐ VACATION OF R.O.W. (\$850) |
| ☐ COMP PLAN AMENDMENT (\$850) | ☐ VOLUNTARY ANNEXATION (\$1050) |

APPLICANT INFORMATION

Owner Name: Susan Courtney McCranie and Daniel McCranie, MARILYN LEHRMAN

Mailing Address: 1301 Quattlefield Lane, Fernandina Beach, 32034

Telephone: (904) 321-2222

Fax: N/A

Email: McCranie2222@Gmail.Com

Agent Name: Peter J. King, AICP

Mailing Address: 404 West 70th Street, Jacksonville, FL 32208

Telephone: (904) 710-9375

Fax: N/A

Email: PeterKingJax@Gmail.Com

PROPERTY INFORMATION

Street Address: 224 2nd Street

Parcel Identification Number(s):

00-00-31-1800-0008-0080, 00-00-31-1800-0008-0070,

00-00-31-1800-0008-0050, 00-00-31-1800-0008-0020

Lot Number: ²5 though 9 Block Number: 8 Subdivision: City of Fernandina Beach

Section: 21 Township: 3N Range: 28E

PROJECT INFORMATION

Total Number of Lots/Parcels: Five platted lots. However, no additional lots are planned

Less than One (1) acre Sq. Footage: .37 acre (One (1) Acre or Greater: N/A)

Existing Zoning Classification: I-1

Existing Future Land Use Classification: Industrial

Previous Planning/Zoning Approvals: Unknown

Description of Request:

Amend Future Land Use Map (FLUM) from "Industrial" to Central Business District (CBD) and a companion application to amend the zoning map from "I-1" to "C-3". This application is an effort to provide a transitional land use between the residential district to the east and the industrial district to the south.

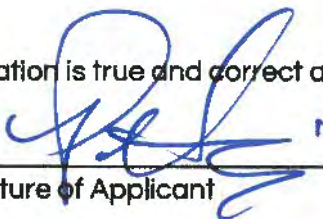
SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

Date

2/10/17

Signature of Applicant



STATE OF FLORIDA

ss }

COUNTY OF NASSAU

Subscribed and sworn to before me this 10 day of February, 2017

Karen M. Austin

Notary Public: Signature

Karen M. Austin

Printed Name

My Commission Expires

Personally Known ☒ OR Produced Identification ☐ ID Produced: ☐

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104



**OWNER'S AUTHORIZATION
FOR AGENT REPRESENTATION**

I /WE Susan Courtney McCranie
(print name of property owner(s))

hereby authorize: Peter King
(print name of agent)

to represent me/us in processing an application for: Rezone + FHM
(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.

[Signature]
(Signature of owner)

(Signature of owner)

S. Courtney McCranie
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 9 day of February, 2017.

Melanie Liddell
Notary Public: Signature

Melanie Liddell
Printed Name

MELANIE LIDDELL
Notary Public, State of Florida
My Comm. Expires August 31, 2019
Commission No. FF 240149

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I /WE DANIEL I. McCRANIE, Trustee
(print name of property owner(s))

hereby authorize: PETER KING
(print name of agent)

to represent me/us in processing an application for: REZONING / COMP PLAN MAP
(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.

[Signature], Trustee
(Signature of owner)

(Signature of owner)

DANIEL I. McCRANIE
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
SS

Subscribed and sworn to before me this 8th day of February, 2017.

[Signature]
Notary Public: Signature

Printed Name

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____





OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I/~~WE~~ MARILYN C. LEIBMAN
(print name of property owner(s))

hereby authorize: PETER KINU
(print name of agent)

to represent me/us in processing an application for: REZONING / FIRM
(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.

Marilyn C. Leibman
(Signature of owner)

(Signature of owner)

MARILYN C LEIBMAN
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
SS }

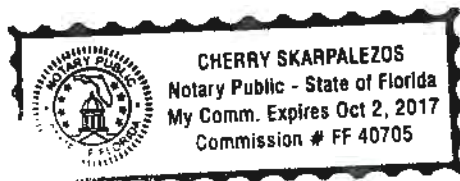
Subscribed and sworn to before me this 10 day of February, 2017.

Cherry Skarpalezos
Notary Public: Signature

Cherry Skarpalezos
Printed Name

10/2/17
My Commission Expires

Personally Known ☒ OR Produced Identification _____ ID Produced: _____





Peter J King, AICP
404 West 70th Street
Jacksonville, FL 32208

February 6, 2017

Kelly Gibson, Senior Planner
City of Fernandina Beach
Community Development Department
204 Ash Street
Fernandina Beach, FL 32034

Re: FLUM amendment and rezoning

Hi Kelly:

In accordance with procedures for submitting an application to the Planning Advisory Board, I am including this Detailed Letter of Intent stating the consistency of the amendment with the City's Comprehensive Plan and a justification for the proposed amendments.

OBJECTIVE 1.01.

Energy Efficient Development

The City shall promote compact, mixed use, and energy efficient development arranged to encourage walkability, bicycle and transit use, which leads to a more sustainable community and a reduction in greenhouse gases (GHGs).

The CBD Future Land Use is designed to promote energy efficient development by promoting a walkable and sustainable environment. This is accomplished by allowing a mixture of residential and commercial uses to be placed within the same structure. In addition, when the subject property is assigned the CBD/C-3 and located amongst other CBD FLU/uses, this places new housing units within walkability of services and employment within the downtown area.

Policy 1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors: a. Type and density or intensity of surrounding uses; b. Zoning districts in the surrounding area; c. Demonstration of adequate water supply and water supply facilities; d. Appropriateness of the size of the parcel compared to the proposed use; e. Physical condition of the site, and the suitability of soils and topography for the proposed use; f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources; g. Compatibility factors; h. Impact on adopted levels of service standards and quality of service standards; and i. Location in a Coastal Upland Protection Zone (CUPZ).

The type and density and intensity of the surrounding uses are compatible with the CBD/C-3 FLU

and Zoning combination as adjacent FLU and zoning is consistent with the proposed change. It is as equally intense as the adjacent industrial uses. Although more intense than the nearby residential, the CBD will act as a transitional use. The proposed change is a transitional use that will be compatible with both residential to the east and industrial to the west. The residential to the east will be buffered from the industrial uses by the CBD/C-3 uses and will be buffered from CBD/C-3 uses by 20' buffer with landscaping. Public water and sewer is available to the subject property and the increase development permitted will promote smart-growth principles by increasing growth where there is existing infrastructure. The area being considered for the change is appropriately sized considering the setback, densities and types of development permitted. Soils and topography are the same as other urban areas that are immediately adjacent. As can be seen from maps included with application, the soils for the subject property, Ortega Fine Sand, is prevalent in the downtown area, is not unique to the subject property, and is developed to urban levels in the city. According to the US Geologic Survey, the Ortega Series of soils are moderately well drained and are located on rises and knolls and is suitable for urban development. As can be seen from the topographic map, a rise of six feet from front to rear will result in a slope over 125 feet of approximately 4.8%. There are no requirements in city code that correlate slope with types of development.

Essentially the lot/block and frontage characteristics of the subject property are very similar to the rest of the historic district CBD/C-3 area. The subject property is not covered by flood zone or other environmentally unsuitable conditions, and the historic structure on the subject property will be made conforming by the proposed amendment.

Policy 1.02.06. The City shall assure that specific density assigned to new development and redevelopment is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following: a. Protecting the integrity and stability of established residential areas; b. Assuring smooth transition in residential densities; c. Encouraging commercial and residential mixed use development patterns; d. Recognizing and being sensitive to the character and form of the surrounding neighborhoods; and e. Requiring application of low impact development (LID) principles, native and drought tolerant landscaping and urban design principles and practices; and f. Encouraging connectivity of pedestrian walkways and bicycle paths on and off site.

The City has expressed interest in pursuing a CBD/C-3 on the subject property as a city-sponsored application due to the sound planning criteria stated in Policy 1.02.06 above. The current situation of exposing residential areas to direct contact with industrial areas is deleterious to the development of industrial areas and the continuation of residential areas. Sound planning principles dictate that a transitional land use be used to buffer these two uses from each other. Such a transitional land use is available in the CBD/C-3 which contains a multi-family element that is both transitional in use and in residential densities. By definition, the CBD/C-3 combination encourages residential and commercial mixed use and is therefore compatible with residential. The proposed CBD/C-3 combination recognizes sensitivity to adjacent neighborhoods as it contains both residential and commercial elements. In addition, the city code contains buffer and setback requirements to residential that will provide additional sensitivity to existing neighborhoods. By definition, development in the CBD will be heavily reliant on pedestrian and bicycle access as these forms of transportation are more practical than auto in the subject area.

Policy 1.02.08. Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.

Compliance with this policy requires very little elaboration. The CBD/C-3 is a mixed use concept and the policy calls for mixed use transitional areas. The subject property is in between and immediately adjacent to industrial (to the west) and residential (to the east) and therefore, the application to change the subject property to CBD/C-3 is precisely what the city's Comprehensive Plan requires.

Policy 1.02.09. The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

See above response. Again the City's Comprehensive Plan not only supports the change, it requires it.

OBJECTIVE 1.04. REDEVELOPMENT AND INFILL DEVELOPMENT The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties.

The subject property is adjacent to nearby job centers and valuable historic resources. The current historic structure is nonconforming to the existing industrial FLU and zoning and it is therefore difficult to improve the property as financing for non-conforming structures is not possible to obtain. If this effort to amend the FLU and zoning is deterred, and the industrial FLU and zoning remains, then blight will be inevitable, in direct conflict with this policy. Although the future of the existing structure is not guaranteed, it has a greater chance of survival if the financing to adaptively reuse is available.

OBJECTIVE 1.05. NONCONFORMING STRUCTURES, USES AND LOTS To promote re-use of structures that contribute to the character, diversity and sustainability of a neighborhood and to promote economic redevelopment by regulating structures and uses that do not conform to the current Plan or Land Development Code, but were lawfully established and in compliance with all applicable ordinances and laws at the time the structure was constructed and/or the use began, the City shall permit the continuation of the structure until such time that it becomes hazardous or dangerous and shall seek to eliminate nonconforming land uses.

As stated in the above response, the decline and eventual removal of the structure on the subject property will be inevitable if there is no way for the current or future owner(s) to obtain financing to repair and/or adaptively re-use the structure. Considering that the use of the land as industrial conflicts with aforementioned policies regarding transitional uses and the protection of residential,

it is clear the solution is to eliminate the industrial zoning, not the use.

OBJECTIVE 5.04. COASTAL HIGH HAZARD AREAS (CHHA) The City shall protect property, residents, and visitors within the Coastal High Hazard Area. Protection shall be provided through appropriate designations on the Future Land Use Map to ensure that population is directed away from the coastal high hazard area, limitations on construction of infrastructure in the Coastal High Hazard Area, and coordination with hazard mitigation and post-disaster plans.

The subject property is not within the CHHA and therefore additional residential development in the area is not in conflict with Objective 5.04

OBJECTIVE 12.05. LAND USE AND INFRASTRUCTURE EXPANSION The City shall protect existing land designated for employment-generating uses, whether vacant or developed, from encroachment of incompatible uses and promote sustainable development and redevelopment of properties within its designated Job Opportunity Areas.

The existing FLU and zoning of Industrial could be considered a "job creating" land use and this policy seeks to limit the loss of job creating land uses. This state of affairs is ameliorated by two factors: 1) the current size of the industrial district (half block) makes use of the industrial area for creating jobs limited at best and 2) the proposed CBD/C-3 will also have a commercial element that can provide jobs from primary and secondary economic impacts (people directly employed on subject property or economic development associated with subject property that spawns off-site employment).

In addition, I offer the following section from the City's Land Development Code, Community Redevelopment Area (CRA) section:

8.01.02 Amelia River Waterfront Community Redevelopment Area A. Purpose: It is the purpose of the CRA overlay to provide a broader mix of uses and compatible design with the downtown area in order to promote revitalization of the working waterfront and adjacent area.

In addition to complying with the Comprehensive Plan elements above, the subject property is within the CRA, which has a goal of providing a mix of uses and compatible with the design with the downtown area. The CBD/C-3 combination is tailored made for this use as it is the predominant zoning and land use within the downtown area.

In conclusion, it is clear that the proposed Future Land Use and Zoning amendment for the subject property complies with the City's Comprehensive Plan and the CRA.

Professional regards,

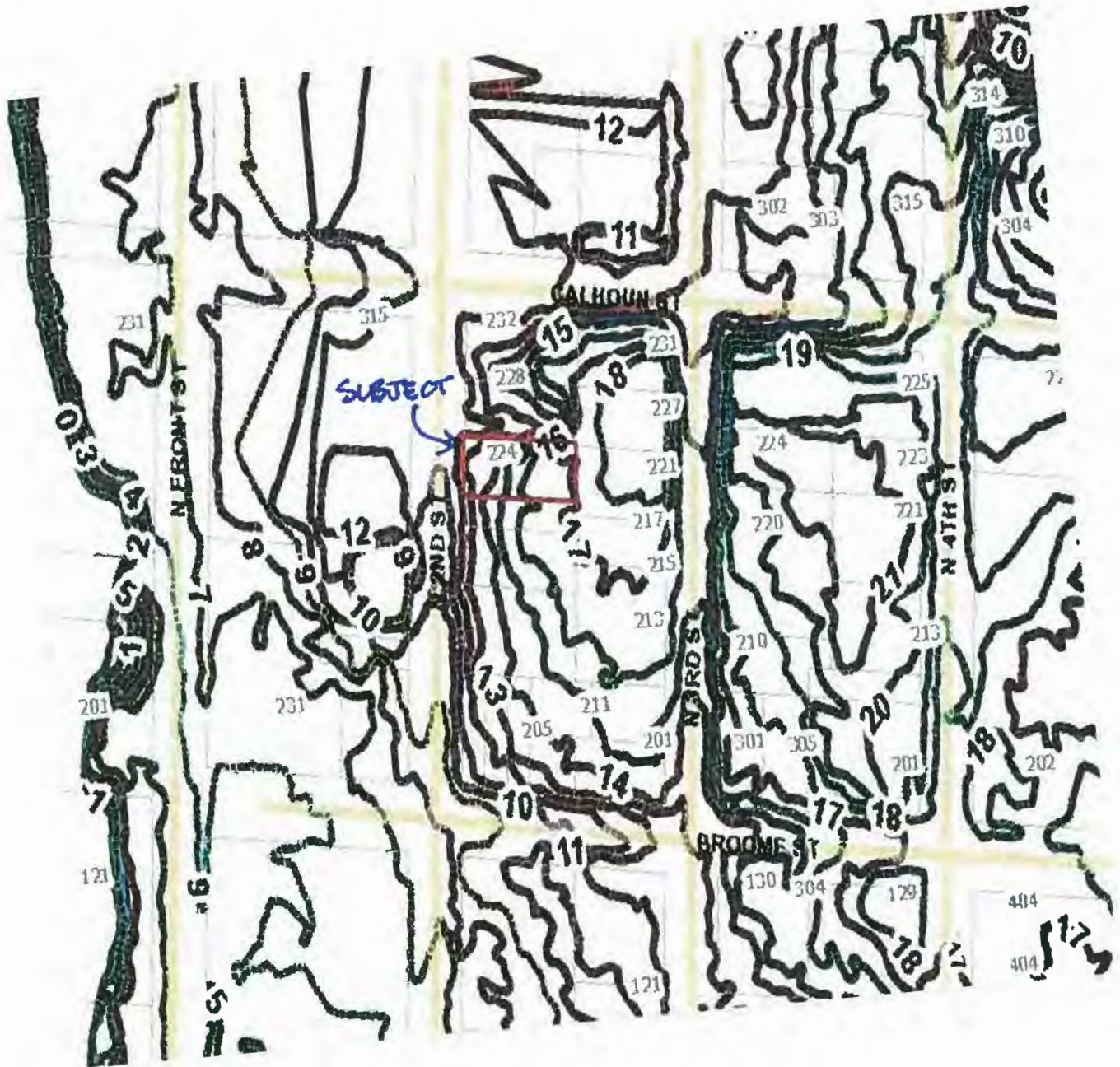


Peter J. King, AICP
Professional city planner
Licensed real estate sales associate

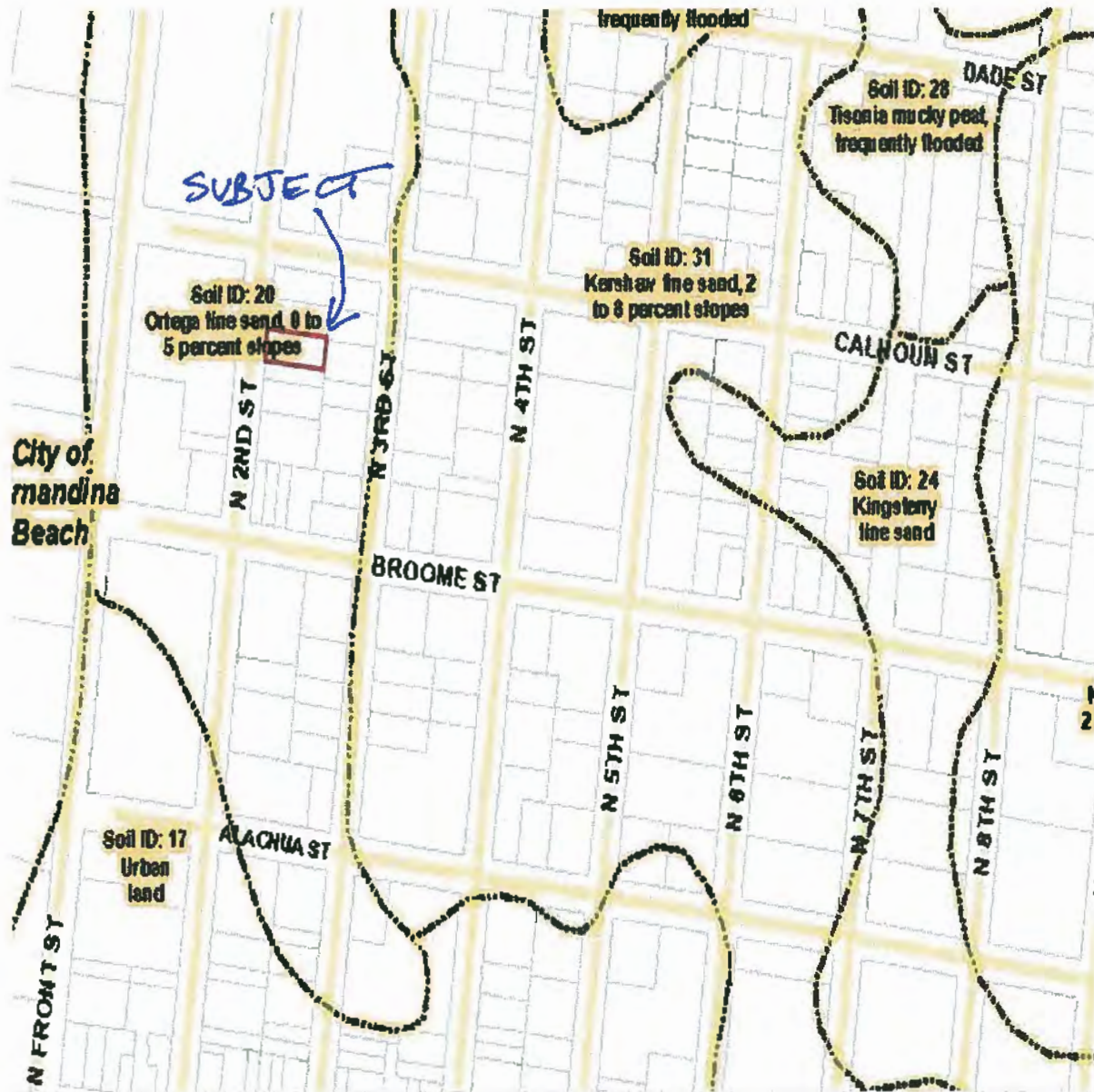
FLUM and ZONING MAP



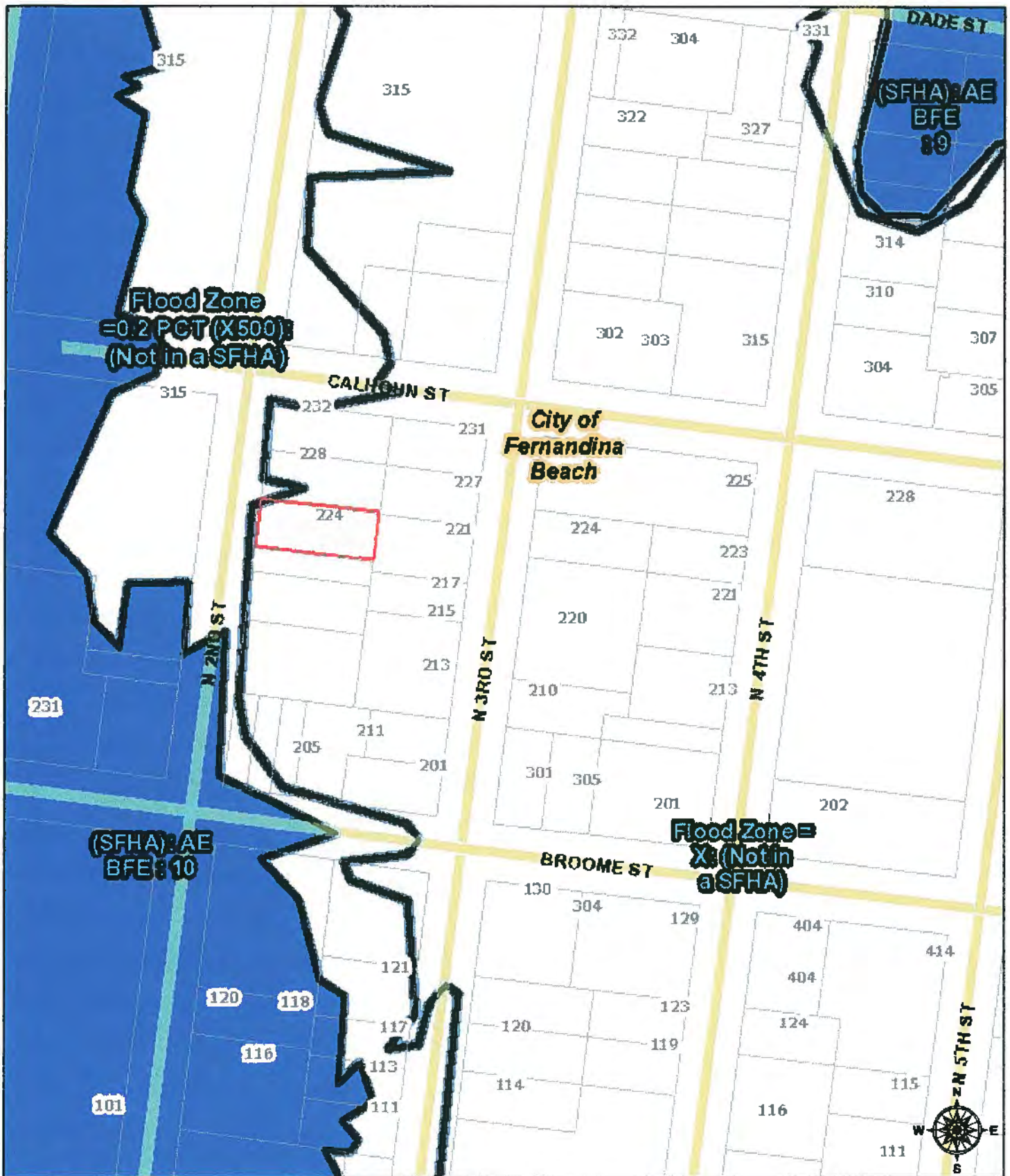
Topographic Map



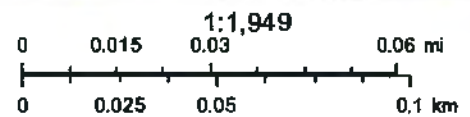
Soils Map



Flood Map



February 9, 2017



MAP SHOWING SPECIFIC PURPOSE SURVEY OF:

ALL THAT CERTAIN PIECE OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH, (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND BEING FURTHER DESCRIBED ACCORDING TO THE OFFICIAL MAP OR PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1887 AND 1901) AS:

THE NORTHEAST CORNER OF LOT 9, BLOCK 8, CITY OF FERNANDINA BEACH.

PREPARED FOR:
COURTNEY M. McCRANIE ROWE
JASON N. ROWE

BLOCK
2

BLOCK
3

BLOCK
9

BLOCK
7

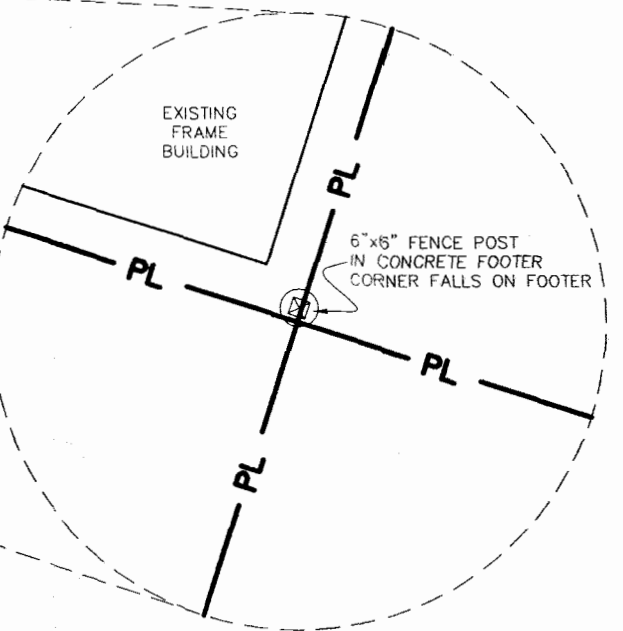
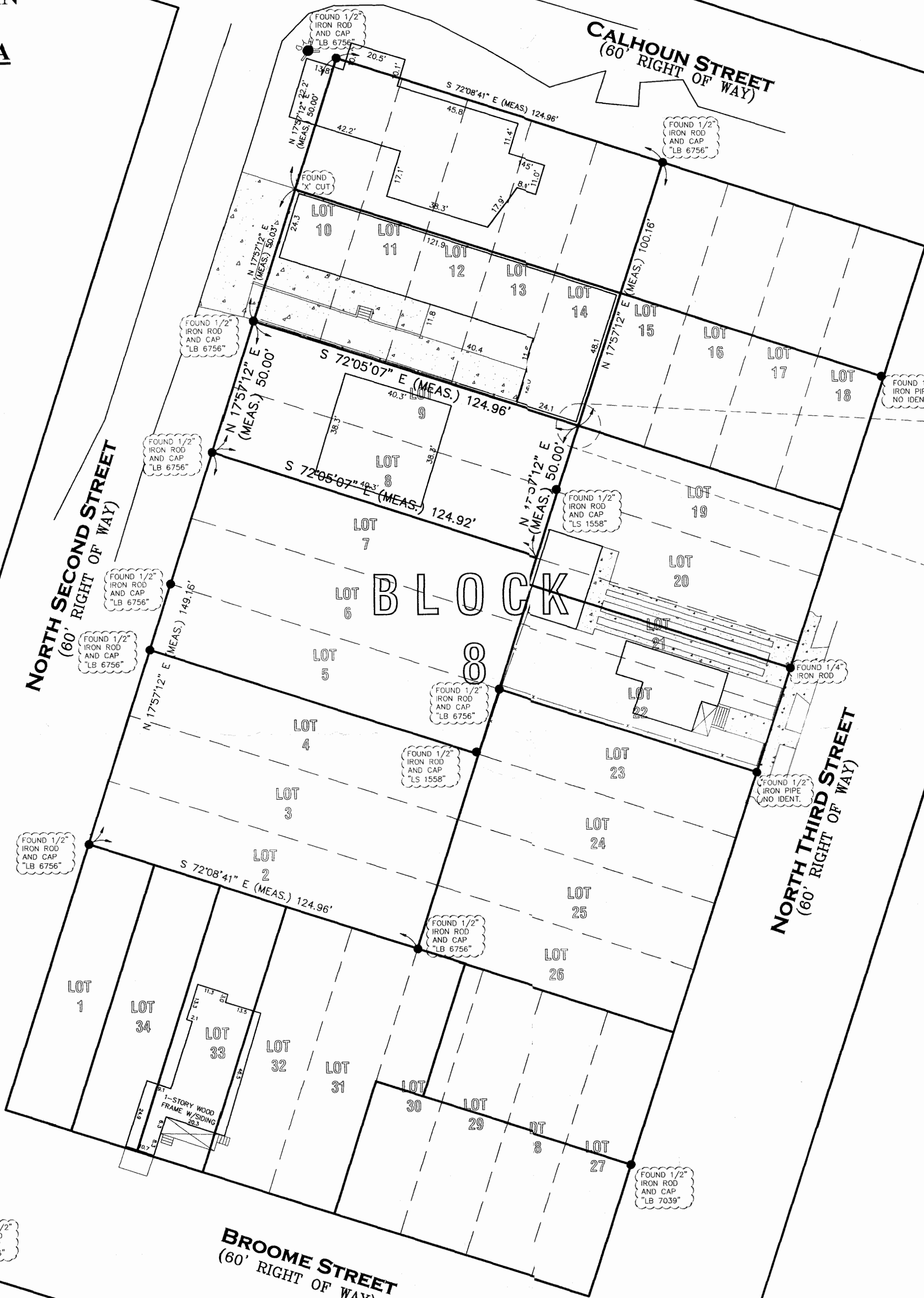
BLOCK
17

BLOCK
16

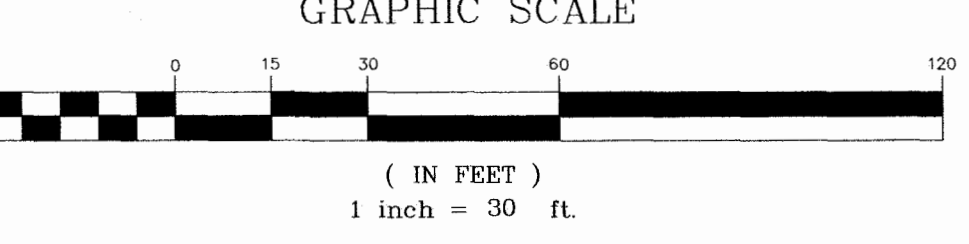
BLOCK
8

SURVEY NOTES:

- 1) The "Legal Description" hereon is in accord with the the description provided by the client.
- 2) Underground improvements were not located or shown.
- 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- 4) Bearings based on N 17°57'12" E for the East right-of-way line of North Second Street, (Assumed).
- 5) Fence ownership, if applicable, has not been determined by this office. Fences are drawn out of scale in order to accentuate their relationship to property lines. Fences are not deemed to be encroachments unless ownership is apparent.
- 6) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid."
- 7) The property shown hereon lies within flood zone " X " as per F.E.M.A. Flood Insurance Rate Map, Panel 120172 0004 E, Dated 5/18/03.
- 8) Unless otherwise noted Measured angles and distances are the same as Plat or Deed angles and distances.



CORNER DETAIL
SCALE 1"=5'



LEGEND:

A/C = AIR CONDITIONER
AKA = ALSO KNOWN AS
B.R.L. = BUILDING RESTRICTION LINE
CALC. = CALCULATED
CB = CHORD BEARING
CD = CHORD DISTANCE
CONC. = CONCRETE
CMP = CORRUGATED METAL PIPE
D.B. = DEED BOOK
ELEV. = ELEVATION
F.F. = FINISHED FLOOR
INV. = INVERT

IDENT. = IDENTIFICATION
L = ARC LENGTH
MEAS. = MEASURED
MON. = MONUMENT
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
O.R.B. = OFFICIAL RECORD BOOK
P.C. = POINT OF CURVATURE
P.I.N. = PARCEL IDENTIFICATION NUMBER
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.T. = POINT OF TANGENCY
R = RADIUS
RCP = REINFORCED CONCRETE PIPE

REC. = RECORD
RNG. = RANGE
R/W = RIGHT OF WAY
SEC. = SECTION
TWP. = TOWNSHIP
—OHE— = OVERHEAD ELECTRIC
—UG— = UNDERGROUND ELECTRIC
X = FENCE AS NOTED
—C— = CENTERLINE
—A— = CENTRAL ANGLE
—D— = DRAINAGE MANHOLE
—E— = ELECTRIC METER
—F— = FIRE HYDRANT

□ = GAS METER
○ = LIGHT POLE
⊙ = SANITARY MANHOLE
⊖ = SEWER CLEANOUT
⊕ = TELEPHONE PEDESTAL
⊗ = TELEVISION PEDESTAL
⊘ = UTILITY POLE
⊙ = WATER METER
⊙ = WELL
⊙ = SET 4x4\" CONC. MON. & DISK (LB 7366)
⊙ = SET 1/2\" IRON ROD & CAP (LB 7366)
● = FOUND IRON AS NOTED
■ = FOUND MONUMENT AS NOTED

THE INFORMATION SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

STEPHEN W. HOFFMAN
FLORIDA REGISTERED SURVEYOR
AND MAPPER CERTIFICATE NO. 5774

SCALE: 1"=30'
DATE: 11/27/07
DRN BY: RCR
CHK BY: SWH
JOB NO: 04308SP
F.B. NO: 167
PAGE NO: 56

1. **Call to Order** - The meeting was called to order at 5:01 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair	Judith Lane
Benjamin Morrison	Wayne L. Peterson
Donna Lewis	Jenny Schaffer (Alt 2)

Board Members Absent

Member Beal

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Member Lewis (Alt 1) was seated as a voting member in place of Member Beal's absence.

2. **New Business**

- 2.1 **PAB 2017-04: FINAL PLAT/ REPLAT OF THE SURF UNIT 2**

FINAL PLAT/ REPLAT REQUEST FOR THE SURF UNIT 2 TO CREATE EIGHT (8) SINGLE FAMILY HOME SITES. THE 2007 APPROVED PLAT ALLOWED FOR 10 SINGLE FAMILY HOME SITES.

Ms. Gibson introduced herself and presented the case. She explained that the property is located on the west side of South Fletcher Avenue between Eventide Court and unimproved Ocklawaha Avenue and accessed from First Avenue. She also noted that the applicant is modifying the original approved plat allowing 10 single family homes sites to 8 single family home sites. Ms. Gibson then stated that she recommended a favorable recommendation of approval to the Board.

Mike Antonopoulos, 115 Solana Road, Ponte Vedra, welcomed questions from the Board.

Member Lane asked where the main access to the community would be located. Mr. Antonopoulos confirmed that the main access would remain the same common driveway as the one already approved off of First Avenue. Member Morrison asked if these would be zero lot line lots to which Mr. Antonopoulos answered in the negative. Member Schaffer asked if these properties would be zoned for short term rental and Ms. Gibson confirmed that these properties are zoned R3 which allows short term rentals.

The Public Hearing was then opened.

James Roach, St. Augustine, representative for the Surf Owner's Association which includes 4 town home owners and 1 single home owner. Mr. Roach presented Power Point slides showing the current driveway and homes and explained that the narrowness of the driveway and materials would not be able to serve and sustain two-way traffic very efficiently. He also commented about the existing recorded

Covenants and Restrictions and its funding mechanism for common infrastructure and storm water management. He also mentioned that the increased density also brings a safety issue pertaining to the visibility triangle. Mr. Roach then suggested that opening Ocklawaha Avenue for access would address the safety concern. He also noted that the current permit from St. John's Water Management is expired and still under the previous owner's name. Mr. Roach addressed some LDC sections 7.03.03 Water Management requirement, 7.01.01 Access and Driveway Requirements and 7.01.08 Visibility Triangle and asked that Board Members to consider denial of this request.

Carlton Tolbert, 3205 Eventide Court, current resident explained the impact this increase in density would have on the current driveway and their concern about drainage with the added development.

Member Morrison asked Staff about point of access requirements exemption. Member Lane then asked Mr. Antonopoulos about construction vehicles and a secondary access to which a discussion ensued. Chair Bennett then asked about the previously approved condition of having no direct access through Fletcher Avenue and First Avenue.

Frank Miller, Gunster, Yoakley & Stewart, 225 Water Street Suite 1715, Jacksonville, representative for the applicant discussed the right of using the existing easement and the possibility of the Surf 2 joining the existing Surf 1 HOA.

Sandra Buice, 3201 Eventide Court, current owner explained that her concern is about safety and presented pictures of the drainage area and the driveway. She commented that the driveway/easement is deeded to her and was only designed for access to 5 residences.

Tim Schremmer, 3215 Eventide Court, current resident discussed his concerns for safety regarding the common driveway being used by additional home owners.

Member Morrison asked Staff whose responsibility it was to review and approve the final plat. Ms. Gibson answered that this proposal was presented to the Technical Review Board and except for some changes to be incorporated was approved by the Planning Dept., Building Dept., Code Enforcement, Emergency Services, Street Department and also noted that it be maintained by a HOA. Members then discussed the issue with the easement, the common driveway and sizes of roadways according to code.

Member Lane asked Ms. Gibson to reiterate the role of the Board in regards to this case. Ms. Gibson reiterated that the Board's role is to review the proposed final plat/replat for the Surf Unit 2 and to look for consistency with what was previously approved through the preliminary plat and with consistency with the City's Land Development Code and Comprehensive Plan justified but Staff's analysis. She also added that it is not the Board's purview to make recommendation regarding maintenance or water management permitting.

Eric Bartell, 3820 S. Fletcher Avenue, commented about the developer considering widening the driveway.

Eddie Buice, 3201 Eventide, current resident commented further about his issue with the driveway's ownership and usage through easement.

Carlton Tolbert, 3205 Eventide Court, current resident and President of the HOA, asked the Board to confirm that their approval recommendation is for a plat that has been reconfigured and changed.

Public Hearing was then closed.

Chair Bennett asked Ms. Gibson about ingress and egress according to the plat and the usage of the southern access to which Board members added comments.

City Attorney Bach then also reconfirmed the role of the Board.

Member Lane suggested to Mr. Antonopoulos to work closely with the residents of the existing homes.

Ms. Gibson then commented that if changes are suggested this Board has the option to table this discussion or continue and make a recommendation to the City Commission.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Peterson, to recommend denial of PAB case number 2017-04 to the City Commission requesting that a Final Plat/ Replat for The Surf Unit 2 subdivision be denied and that PAB case 2017-04, as presented, is not sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time for the following reason: questions are still not clear pertaining to requirements to vehicle circulation within this property and the Board's responsibility regarding enforcement. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Nay</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

City Attorney Bach explained that this recommendation will be presented to the City Commission and that all parties should expect the same questions to be presented at that meeting. She also suggested that at that time, Staff be able to provide explanations pertaining the Land Development Code citations associated with this case.

2.2 PAB 2017-05: FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR CRA PROPERTIES LOCATED ON N. 2ND STREET.

PROPERTY OWNERS MARILYN LEIBMAN, DANIEL MCCRANIE TRUSTEE, AND COURTNEY MCCRANIE REQUEST A SMALL SCALE FUTURE LAND USE MAP AMENDMENT AND ZONING MAP CHANGE FOR PROPERTIES LOCATED ALONG N. 2ND STREET TOTALING APPROXIMATELY 1.22 ACRES OF LAND FROM INDUSTRIAL (IND) LAND USE AND I-1 ZONING TO CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE AND C-3 ZONING FOR PARCEL ID NUMBERS: 00-00-31-1800-0008-0020, 00-00-31-1800-0008-0050, 00-00-31-1800-0008-0070, AND 00-00-31-1800-0008-0080.

Ms. Gibson explained the case, she first stated that the property is zoned Industrial (IND) and Light Industrial (I-1) and that the property is surrounded by a variety of usage including Medium Density

Residential, Industrial Warehousing, General Commercial as well as Central Business District. She added that this request is consistent with the direction of the CRA moving forward with the extension of the Central Business District to this area. She commented that the staff report provides explanation of her findings and is consistent with the intent of the CRA and recommended approval.

Peter King, 404 West 70th Street, Jacksonville, representing the Mr. & Mrs. McCranie and Ms. Leibman, presented slides showing the area and explained the request and the reasons why the Comprehensive Plan needs to be amended. He also referred to the CRA guidelines.

Public Hearing was then opened.

Robert Erickson, 30 S. 3rd Street, owner of property at 205 Broome Street which is adjacent to the subject property, expressed support for this case.

Lynn Williams, 1899 S. Fletcher Avenue, asked about property owned by Mrs. Leibman.

Lawrence Holmes, owner of property on Broome Street, commented about past zoning decisions that destroyed the character of the Historic District and advised the Board to weigh their decisions. He also mentioned that he supported the change of zoning.

Public Hearing was then closed.

Member Morrison commented about his support for this change and suggested that any addition submissions may be presented simultaneously to the Commission.

Chair Bennett voiced that he did not support this change and commented about leap frogging according to section 1.02.03(D). City Attorney expressed that this was not spot zoning. Chair Bennett continued his comments with regards to transitional zoning, step down zoning and density restrictions within the CRA as stated in section 1.07.09. Member Lewis voiced her definition of transitional zoning and Member Lane reiterated her support for this change.

A motion was made by Member Lane, seconded by Member Lewis, to recommend approval of PAB case number 2017-05 the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays, and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

At this time, Member Lane departed and Member Schaffer (Alt 2) was seated as a voting member.

2.3. PAB 2017-06: LDC Text Amendments Outdoor Lighting for Wildlife

THE CITY OF FERNANDINA BEACH REQUESTS AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 1.07.00 AND 3.06.00 ADDING DEFINITIONS FOR WILDLIFE LIGHTING (SEA TURTLE), PROVIDING UPDATED STANDARDS, COMPLIANCE PROCEDURES, PENALTIES, AND ESTABLISHING A SEA TURTLE FRIENDLY FUND.

Ms. Gibson presented the request which is a proposal for new wildlife standards for outdoor lighting. She explained that this bundle of changes previously approved by the PAB Board was moved to the City Commission and a request for additional coordination with different stakeholders, agencies and departments was requested by the Commissioners. Ms. Gibson then stated that the coordination had been completed and presented the revisions. She mentioned that all stakeholders have agreed to the changes.

Board Members discussed correcting the description of the area affected and an amendment to that description was made. Board Member then discussed guidelines regarding window tinting, compliance requirements, citations and penalties and a consensus was established by Board Members that a map of the defined area would be created.

Len Kreger, 1739 S. Fletcher Avenue, spoke about the proposal mainly emphasizing that although window tinting requirements are necessary and helpful the main focus should be applied to public education and effective enforcement. Member Morrison asked about street lighting and Mr. Kreger clarified that street lighting posts are excluded but do have some kind of shielding.

City Attorney Bach explained the procedures for citations, penalties and fees from Code Enforcement.

A motion was made by Member Peterson, seconded by Member Morrison, to recommend approval of PAB case number 2017-06 for LDC amendment adding definitions for Wildlife Lighting (sea turtle). Vote upon passage of the motion was taken by ayes and nays, being all ayes, carried.

5. Board Business –

Chair Bennett asked why the TRC Minutes were not available online. Staff explained that this is caused by the agenda system currently used and a new agenda system will be implemented in the very near future.

Members then discussed the time limits of case presentation along with time limit for public input.

7. Comments by the public – There were no comments from the public at this time.

6. Staff Report

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:47 pm.

Secretary

Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM

City of Fernandina Beach



SUBJECT: Ordinance
Zoning Map Amendment - North 2nd Street

2017-16

ITEM TYPE: Ordinances

REQUESTED ACTION: Approve Ordinance 2017-16 at First Reading.

SYNOPSIS: The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on N. 2nd Street

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development. The Planning Advisory Board considered the request at its Regular Meeting on March 8, 2017, and issued a recommendation of approval (4-1).

Staff finds the request consistent with the CRA Plan for eliminating inefficient and outdated land uses as well as Comprehensive Plan policy statements 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02 and recommends approval.

FISCAL IMPACT: Fiscal impact will be based upon proposed future development (number of sites and structures, infrastructure construction and maintenance, etc.).

CITY ATTORNEY COMMENTS: No additional comments.

CITY MANAGER RECOMMENDATION(S): I recommend that the City Commission approve proposed Ordinance 2017-16 at First Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

Vee Sellers, Paralegal

Date: 04/26/2017

COMMISSION ACTION: Approve

ORDINANCE 2017-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, CHANGING THE CITY'S ZONING MAP FROM INDUSTRIAL (I-1) TO ASSIGN A ZONING MAP CATEGORY OF CENTRAL BUSINESS DISTRICT (C-3) FOR THREE PARCELS TOTALING APPROXIMATELY 0.59 ACRES OF LAND LOCATED WITHIN THE AMELIA RIVER WATERFRONT COMMUNITY REDEVELOPMENT AREA ON NORTH 2ND STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning Advisory Board reviewed the Zoning Map Change application numbered PAB 2017-05 at its Regular Meeting on March 8, 2017, and by a vote of 4-1 recommended approval of the change to Central Business District (C-3) zoning; and

WHEREAS, notice of public hearing on such application was published in the News Leader, a newspaper of general circulation in Fernandina Beach, Nassau County, Florida, on February 22, 2017; and

WHEREAS, City Planning staff found the applicant's request to be consistent with the direction of the Community Redevelopment Area Plan for eliminating inefficient land use patterns as well as consistency with Comprehensive Plan policies 1.01.02, 1.02.03, 1.02.04, 1.02.08, 1.02.09, 1.07.09, 4.01.01, and 4.01.02.

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

SECTION 1. PROPERTY INVOLVED. The properties identified for this change of the Zoning Map is located in the City's Amelia River Waterfront Community Redevelopment Area and identified as Parcel ID numbers 00-00-31-1800-0008-0080, 00-00-31-1800-0008-0050, and 00-00-31-1800-0008-0020 totaling approximately 0.59 acres, and as shown on the map attached hereto as Exhibit "A".

SECTION 2. ZONING MAP CHANGE. For the properties in question, the City's Zoning Map is hereby changed to Central Business District (C-3).

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this Ordinance, or the particular application thereof, shall be held invalid by any court, administrative agency or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses and phrases under application shall not be affected thereby.

SECTION 4. This Ordinance shall take effect immediately after its final adoption.

ADOPTED this 6th day of June, 2017.

CITY OF FERNANDINA BEACH

ROBIN C. LENTZ
Mayor - Commissioner

ATTEST:



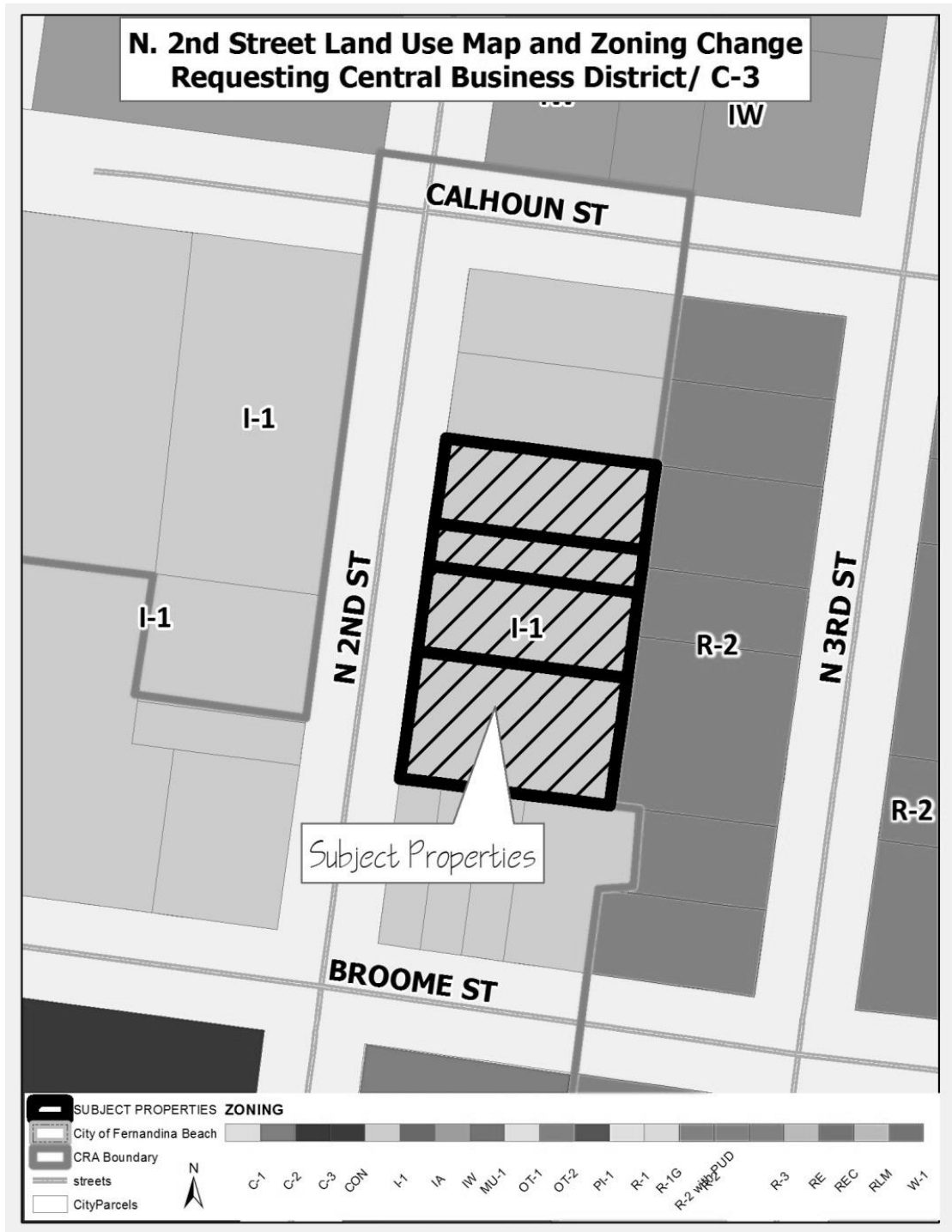
CAROLINE BEST
City Clerk

APPROVED AS TO FORM AND LEGALITY:

TAMMI E. BACH
City Attorney

**ORDINANCE 2017-16
EXHIBIT "A"**

REQUEST FOR A ZONING MAP CHANGE FOR 0.59 ACRES OF LAND FROM INDUSTRIAL (I-1) TO CENTRAL BUSINESS DISTRICT (C-3) FOR PROPERTIES LOCATED ON N. 2ND STREET AS PARCEL ID#S 00-00-31-1800-0008-0080, 00-00-31-1800-0008-0050, AND 00-00-31-1800-0008-0020.





STAFF REPORT
PAB (LU/CZ) 2017-05
Planning Advisory Board Hearing
March 8, 2017

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

APPLICATION & SURROUNDING AREA INFORMATION:

OWNER/APPLICANT:	Susan Courtney McCranie, Daniel McCranie Sr., Marilyn Leibman				
AGENT:	Peter J. King, AICP				
REQUESTED ACTION:	Small Scale Future Land Use Map Change and Zoning Map Change				
LOCATION:	North 2 nd Street Community Redevelopment Area (CRA) properties – See Exhibit A				
CURRENT LAND USE + ZONING:	Industrial (IND)/ Light Industrial (I-1)				
PROPOSED LAND USE + ZONING:	Central Business District (CBD)/ Central Business District (C-3)				
EXISTING USES ON SITE:	Parcel ID #: 00-00-31-1800-0008-0080 (Courtney McCranie) – 224 N. 2nd Street, Multifamily Structure (2,905 conditioned square feet) totaling 0.22 acres of land and constructed in the early 1900's- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0050 (Daniel McCranie, Sr.) - Vacant totaling 0.15 acres of land , This property contains 2 underlying lots of record and measures approximately 50ft. x 125ft. Parcel ID #: 00-00-31-1800-0008-0020 (Leibman) - Vacant totaling 0.22 acres of land- This property contains 3 underlying lots of record and measures approximately 75ft. x 125ft.				
PROPERTY SIZE:	In total 0.59 acres of land are included within the applicant's request.				
ADJACENT PROPERTIES:	<u>Direction</u>	<u>Existing Use(s)</u>	<u>Year Built</u>	<u>Zoning</u>	<u>FLUM</u>
CRA PROPERTY	North	Warehouse	1980	I-1	Industrial (IND)
		Restaurant/Bar	1902		
CRA PROPERTY/ HISTORIC DISTRICT	South	Vacant and Non-Conforming Single Family Homes	Est. 1900	I-1	Industrial (IND)
CRA PROPERTY	West	Warehouse Storage	Est. 1900	I-1	Industrial (IND)
PORT PROPERTY (NOT IN THE CRA)		Warehouse Storage	1990		
CRA PROPERTY	East	Single Family and Multi-Family residential dwellings	Est. 1909- 1925	R-2	Medium Density Residential (MDR)

*** 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. ***



**STAFF REPORT
PAB (LU/CZ) 2017-05
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SUMMARY OF REQUEST AND BACKGROUND INFORMATION:

The applicants, Courtney McCranie, Daniel McCranie, Sr., and Marilyn Leibman, have requested a small scale Future Land Use Map amendment and zoning change from the Industrial (IND) land use, and I-1 (Light Industrial) zoning designation to Central Business District (CBD) land use, and C-3 (Central Business District) zoning designation for property located at 224 N. 2nd Street, and the vacant properties located on N.2nd Street (**Exhibit A**).

The action is requested in order to correct existing non-conforming use of the properties where a multi-family residential structure has existed for many years at 224 N. 2nd Street. The vacant lots located to the south of the multi-family structure are anticipated for infill development. All three (3) properties involved with the applicants' request are within the City's Amelia River Waterfront Community Redevelopment Area (CRA). As such, any future structures constructed on the vacant properties must comply with LDC provisions specific to CRA properties. LDC Section 8.01.02 addresses criteria for development within the CRA; more specifically 8.01.02 (E) contains standards for CRA properties located east of Front Street. In 2007, City adopted CRA design guidelines to guide the design of future redevelopment of this area. The City's website contains more information about the CRA and its design guidelines at www.fbfl.us/CRA. Design review is handled through the Historic District Council. Although the structure located at 224 N. 2nd Street is not within the City's historic district, its location within the CRA would require that any request for demolition of the structure to be approved by the Historic District Council and follow all established procedures identified in LDC Section 8.03.03.01.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

Policy 1.01.02. The approval of all development shall be subject to the availability of adequate levels of service for all facilities and services that are subject to concurrency management requirements.

AND

Policy 4.01.01. The following level of service standards are hereby adopted, and shall be used as the basis for determining the availability of facility capacity and the demand generated by a development.

Facility/Service Area	Level of Service Standard
Wastewater Treatment System	300 gallons per day per ERU (Equivalent Residential Unit)
Solid Waste Facilities	Average Solid Waste Generation Rate: 5.9 pounds per capita per day
Stormwater Management Facilities	Policy 4.01.02 <i>All subdivisions, multifamily, commercial, industrial, city, and institutional projects shall provide for retention of stormwater resulting from project, unless off-site shared facilities are available. For projects within areas designated for "zero discharge," storage shall accommodate a ten (10)-year, twenty-four (24)-hour storm event. For all other areas, retention shall accommodate the greater of: (a) the first one-half (1/2) inch of stormwater within the boundaries of their project, or (b) the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not. The project shall also provide detention for all storm flows. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.</i>
Potable Water Facilities	Water Allocation Level of Service: 350 gallons per day per ERU (Equivalent Residential Unit)



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Fire-Rescue Services	240-second travel time to 90% of the incidents (EMS with AED or BLS) & 480-second travel time to 90% of the incidents (ALS Response)
Police and Law Enforcement Services	Response Time: 3 minutes or less for emergency calls and 7 minutes or less for non-emergency calls

The existing land use and zoning (Industrial/ I-1) of these properties does not permit any residential dwelling units. Under the proposed request of Central Business District (CBD), 8 dwelling units per acre are supported at this time. Under Comprehensive Plan Section 1.05.04, existing platted lots of record within a residential or mixed use land use category are permitted one (1) residential unit due to nonconforming lot size. Under the requested action, a total of up to five (5) residential units could be constructed on the vacant properties. The property located at 224 N. 2nd Street contains a non-conforming multi-use structure with two (2) residential dwelling units at the present time.

The City has seven public facilities that have adopted levels of service: Transportation, Water, Sewer, Drainage, Solid Waste, Fire-Rescue Services and Police and Law Enforcement Services. A determination of the impact of the proposed land use and zoning change must assess the net increase in development potential. The applicant has not provided a site plan as part of their application materials. A site plan is not required for Future Land Use Map change or zoning assignment request. All public facilities and services are currently available to the development and each service is able to maintain or exceed its level of service standards as required by Policies 1.01.02, 4.01.01 and 4.01.02. All levels of service will again be evaluated at the time that a development proposal is made through the Technical Review Committee and/or through a preliminary plat request.

Policy 1.02.03. The City shall ensure that the location, scale, timing, and design of development is coordinated with the availability of public facilities and services. The City seeks to ensure compact development patterns that integrate neighborhood and commercial activities and promote connectivity through the use of sidewalks, bike lanes and alternative low-speed shared-use vehicle paths in order to achieve a reduction in vehicular trips on arterial roadways. The purpose of this policy is to prevent the proliferation of urban sprawl and to achieve cost effective and energy efficient land development patterns and avoid or eliminate existing patterns that may be described as:

- a. No Areas of urban development or uses, which are not functionally related to land uses which predominate the adjacent area;**
- b. No Areas of urban development or uses which fail to maximize the use of existing public facilities;**
- c. No Areas of urban development or uses which fail to use areas within which public services are currently provided; and**
- d. No Leapfrog/scattered development or ribbon/strip commercial development patterns.**

Any requested future land use category and corresponding zoning district containing residential density would serve to address the applicants' immediate need for continuing to occupy the existing structure for residential purposes. The applicant's requested land use of Central Business District (CBD) and C-3 zoning achieves compliance with the direction provided in policy statement 1.02.03, specifically subsections a and b. Although, the properties located on the east side of the same block contain a future land use category of MDR and R-2 zoning, those properties are not located within the Community Redevelopment Area. The requested CBD land use/ C-3 zoning serves to create a transitional zoning district between the more intensive warehousing permitted in the Industrial (IND)/ I-1 properties to the west and the established residential homes to the east.

The CRA was created and specific properties targeted for the purpose of realizing compact and energy efficient development which serves to maximize the use of existing public facilities within this area. The CRA established a



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Finding of Necessity in 2005, one of the four principal reasons why this area was determined to contain blighted conditions is due to its “inadequate and outdated building density patterns.” It found that the entire district needed to be assessed for outdated land use patterns in connection with the downtown urban core, waterfront area, and industrial port properties.

The applicant’s requested action serves to address the long term redevelopment strategy and for future infill opportunities in the CRA which serve to extend the urban development pattern leading from downtown to the port. The requested Central Business District (CBD) land use category and C-3 zoning district serves to create a transitional step down the land use pattern from General Commercial and Industrial to the adjoining Residential areas. In keeping with the historic pattern for this area which contained a variety of uses (**See Exhibit B – Sanborn Maps**), the applicant’s request is the most appropriate land use and zoning district assignment under the City’s current regulations.

1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors:

- a. Type and density or intensity of surrounding uses;**
- b. Zoning districts in the surrounding area;**
- c. Demonstration of adequate water supply and water supply facilities;**
- d. Appropriateness of the size of the parcel compared to the proposed use;**
- e. Physical condition of the site, and the suitability of soils and topography for the proposed use;**
- f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources;**
- g. Compatibility factors;**
- h. Impact on adopted levels of service standards and quality of service standards; and**
- i. Location in a Coastal Upland Protection Zone (CUPZ).**

Within the area surrounding the applicants’ properties are a range of existing uses including; a warehouse and storage area serving the port’s needs to the west, warehousing for a light manufacturing business to the North, and restaurant/ bar located at the corner of Calhoun Street and N. 2nd Street. On the eastern block face are homes located within the City’s downtown historic district.

The applicant has not supplied a report stating the soil suitability or the presence or absence of natural resources; however, this is not a greenfield development. A soil suitability analysis and biological survey will be required prior to receiving a local development order from the Technical Review Committee, as applicable. Adequate levels of service are discussed in the preceding paragraphs. The applicant has provided some general information within their synopsis letter which describes the type of soil found on the properties.

Policy 1.02.08.

Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City’s comprehensive plan and land development regulations.

The applicant’s request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement.



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Policy 1.02.09.

The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

The applicant's request for assignment of the Central Business District (CBD) future land use category for the subject properties serves to accomplish the intent of this policy statement. The existing land use and zoning under Industrial/ I-1 of the subject properties is not compatible with the adjoining residential historic district properties to the east. The requested action provides a down-zoning or transition from the port's industrial operations to the adjoining residential areas. The most compatible land use and zoning designation for these CRA properties as well as the properties fronting Broome Street is Central Business District (CBD)/ C-3 zoning in order to create a smooth land use transition. The City has established policies for buffering and setbacks established in Chapter 4 of the Land Development Code. Further, these properties are bound by even more stringent design criteria found in Chapter 8 of the LDC due to its location within the CRA.

Policy 1.07.09.

Central Business District (CBD)

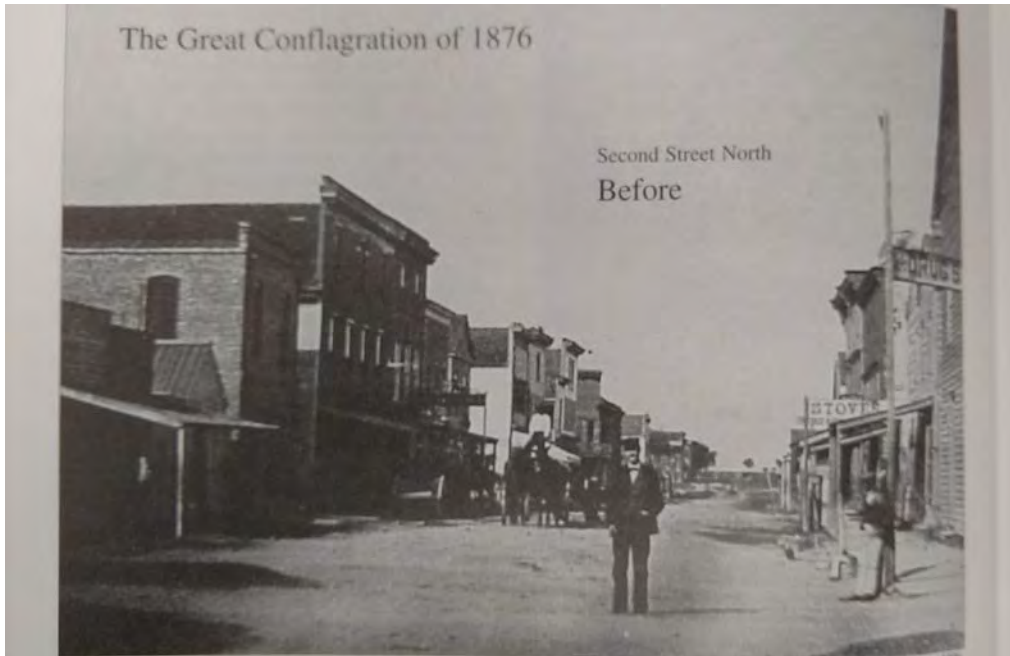
- a. The FLUM designation of central business district is applied to the City's downtown, as the center for residential, financial, commercial, governmental, professional, cultural, and related activities.
- b. The Central Business District category is designed to accommodate single-family or duplex residential uses, either "stand alone" or in mixed residential and business use structures; offices; commercial retail; personal services establishments; restaurants; transient accommodations; commercial parking facilities; civic uses; and cultural uses.
- c. Additional uses may be permissible subject to additional standards: indoor recreation facilities, multi-family dwellings, marinas, day-care centers, and educational facilities.
- d. The density of residential development in the Central Business District land use category shall not exceed eight (8) units per acre.
- e. The intensity of non-residential development shall not exceed a FAR of 2.0.
- f. A proposed amendment to the FLUM to increase the land area within the Central Business District; land use category shall demonstrate the suitability of the proposed site based on:
 1. The need for additional land area within the Central Business District land use category;
 2. Consistency of the land area with the characteristics of the Central Business District; and;
 3. Consistency of the land area with the characteristics of the downtown.

The applicant clearly articulates the consistency of the proposed CBD land use with the subject properties on the surrounding area. Staff finds that the need for additional land area within the CBD land use category is demonstrated through the properties' location within the Community Redevelopment Area (CRA) and further bolstered by the range of uses which historically existed on this block face (**See Sanborn Map Exhibits**). Application of the CBD land use category to these properties serves to correct the current inefficient and inadequate land use pattern which exists within the area. Further, the proposed land use category serves to protect the neighboring residential uses and allows for residential development opportunities within walking distance to the services and employment options in the downtown area. The future infill development of these properties that may be accomplished under the proposed CBD land use enables the downtown streetscape to be extended thereby, making an even clearer connection between this area and the rest of downtown consistent with how the City originally developed. This would make the area more walkable and pedestrian friendly to the adjoining residential neighborhood. Staff found photographic evidence of the urbanized streetscape that



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existing along N. 2nd Street prior to the 1876 fire which burned the original structures within this area. Previously, the County Courthouse was located along N. 2nd Street in addition to a variety of retail and trade services.



Reference: Johannes, J. (2000). *Yesterday's Reflections II Nassau County, Florida - A Pictorial History*. Fernandina Beach: Lexington Ventures, Inc.



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CONSISTENCY WITH THE LAND DEVELOPMENT CODE:

The requested Central Business District C-3 zoning provides for a mix of residential and non-residential uses which are typically found within a downtown urban environment. Permissible uses are provided in Table 2.03.02 of the Land Development Code (LDC).

Section 2.01.13 of the LDC states the intent of the C-3, Central Business District, zoning classification.

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

The C-3 zoning assignment is requested by the applicants in order to correct the existing non-conforming use aspects of the multi-family structure and allow for development of residential and non-residential use either as stand-alone structures or in a mixed use form. Any future redevelopment of the site will be reviewed by the Technical Review Committee (TRC) and Historic District Council (HDC) and consistency with LDC and design requirements will be addressed at that time.

CONCLUSION:

Staff finds the requested action to be consistent with the Comprehensive Plan and Land Development Code, as it is an appropriate extension of a mixed residential and non-residential land use and zoning district into a historically urbanized area leading to the port. The requested action extends a compatible zoning district to properties adjoining industrial and commercial land uses. Further, the requested action serves to satisfy the goals to eliminate inadequate and inefficient land uses within the Community Redevelopment Area (CRA) Plan and provide for meaningful redevelopment opportunities.

It is recommended that the assignment of Central Business District (CBD) land use and C-3 zoning be approved for these properties. Extension of the CBD/C-3 land use and zoning district provides a harmonious and beneficial relation among buildings and uses within the area. This mixed use category allows for redevelopment and infill development opportunities which serve to enhance the City's downtown core while realizing the goals established for the CRA. The CRA guidelines and LDC requirements, previously discussed, provide standards intended to protect the exiting residential zoned properties on the east side of this block.

Please Note: All properties within the CRA, regardless of the assigned zoning district, are required to satisfy requirements for on-site parking as determined by use and allocated in LDC Section 7.01.04. Non-residential uses within the CRA are able to pay a fee in-lieu of the required parking in order to satisfy their on-site parking demands.

MOTIONS TO CONSIDER

I move to recommend **(approval or denial)** of PAB case number 2017-05 to the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, **(is or is not)** sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time.

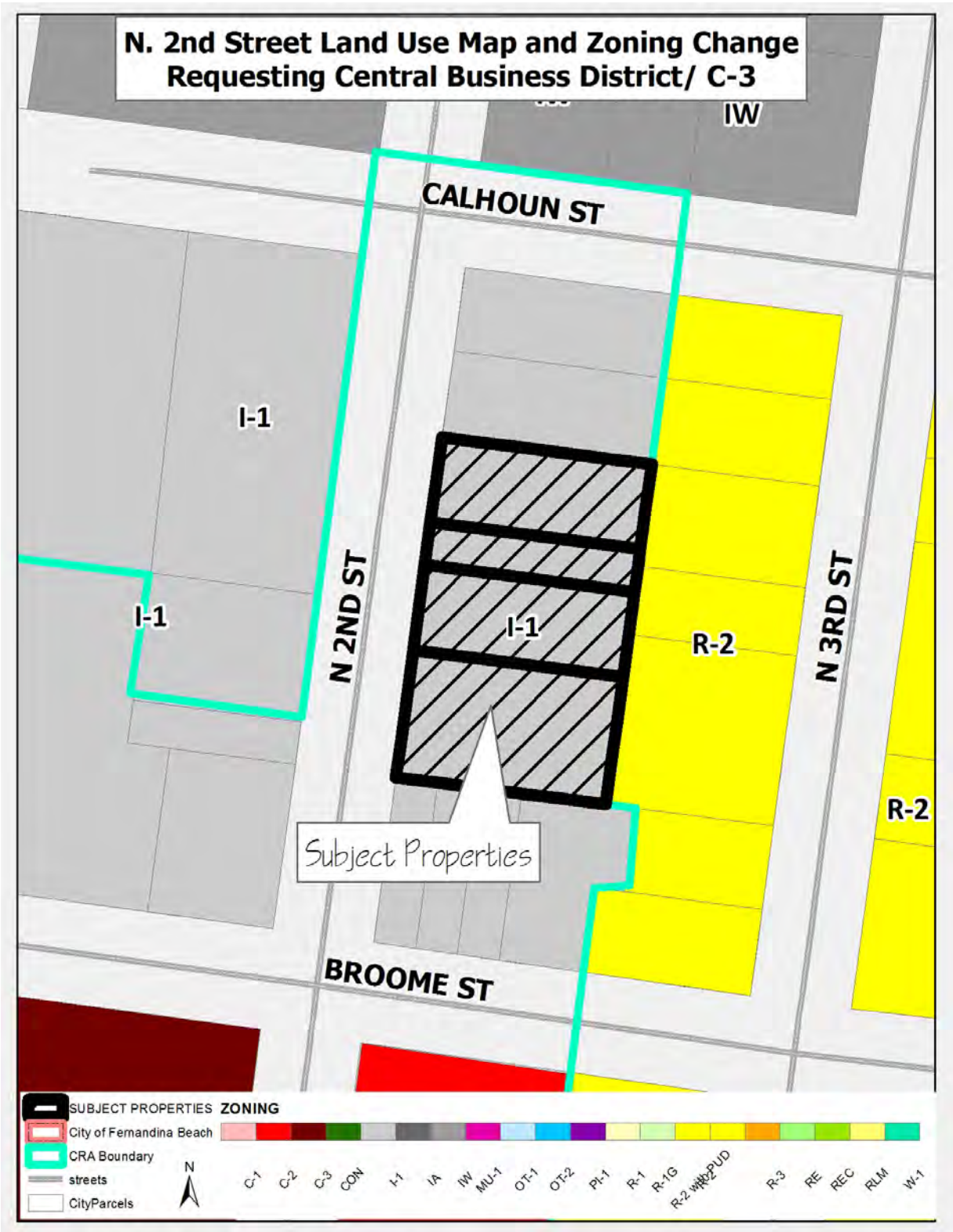
Submitted by:

Kelly N. Gibson
Senior Planner



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EXHIBIT A



KEY

TILE 1ST
BRICK (C)
FIRE-PROOF

Fire proof construction.
(OR FIRE RESISTIVE CONSTN)

ADOBE

Adobe building.

HEIGHT OF BUILDING IN
FEET FROM GROUND
TO ROOF LINE

Stone building.

(C. BR)

Concrete, lime, cinder or
cement brick

(C. B)

Hollow concrete or cement block constn

(CONC)

Concrete or reinforced concrete constn

(TILE)

Tile building.

NUMBER OF STORIES 4

Brick building with frame cornice.

TWO STORIES AND ROOF 28
COMPOSITION ROOF

" " " stone front.

SHINGLE ROOF

" " " frame side.

(VEND)

Brick veneered building.

BRICK 1ST

" and frame building.

FRAME, BRICK LINED

Frame building, brick lined.

F=FLAT S=STORE

" " metal clad.

D=DWELLING

Frame building.

A in B AUTO IN BSH T

Iron building.

LOFT

Tenant building occupied by
various manufacturing or occupancies

(ASB. CL.)

Frame building covered with asbestos

NON COMBUSTIBLE ROOF
COVERING OF METAL,
SLATE, TILE OR
ASBESTOS SHINGLES

Brick building with brick or metal cornice.

DWELLINGS.

Framed air shafts are shown but colored
over. Brick air shafts are left white.

CLASSIFICATION OF BUILDINGS

Shown by varying number of dots or cir-
cles. Classified by New York Board of
Fire Underwriters as follows:

BRICK

1st Class (.) Slate or metal roof, coped walls.

2nd " (..) " " walls not coped.

3rd " (...) Shingle roof.

FRAME

1st Class (.) Slate or metal roof.

2nd " (..) Shingle roof.

Frame Buildings with BRICK FRONTS.

Height of Buildings, in Stories and feet (7 1/2 ft. 6 in. and over).

Fronts of marble or other stone.

Iron Fronts.

" Dotted line." Interior brick wall, omitted on one or more floors.

Superior construction.

{ Built of non-inflammable
material "throughout,"
except flooring and trim.

Communications protected by single fire-proof doors { With designation
" " double " " of floors.

Openings exposing Buildings.

Elevators with steam or other power.

{ Where enclosed with Brick or
Fire-proof material a heavy
line is drawn around them.

Hatchways or "Dumb-waiters."

Sky-lights in Roof only.

" over Opening in floor.

Smoke-houses. Retorts, and Ovens.

Mansard Roofs. Corrugated Iron. Steam-boilers.

REFERENCE.

SPECIAL HAZARDS.

NAMES of Manufactories, &c., are written on buildings, when there is sufficient
space, and their construction classified by the same marks as on Dwellings. Other
Specially Hazardous Risks are COLORED GREEN, the varying number of dots
(brick) and crosses (frame) showing the comparative danger from fire by occupancy.

NOTE.—In classifying a building
as a Special, its CONSTRUCTION
is obliterated, necessitating a series
of letters, as follows:



BRICK.

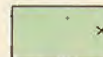
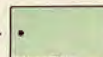
A Construction = to 1st class Warehouse.
B " = " 2nd " "
C " = " 3rd " "
D " = " 1st " Store or D'w'g.
E " = " 2nd " " "
F " = " 3rd " " "



FRAME.

G Construction = to 1st class
Store or Dwelling.
H " = to 2nd class
Store or Dwelling.

Brick.....



.....Frame

Bakeries (ovens in building). Breweries. Cooperages. Drug stores (retail, with
privilege of compounding). Dyeing establishments. Fur dressers. Glass stainers.
Hat finishers. Hay (open stock, loose). Lamp sellers (privilege for kerosene &c.)
Laundries. Malt houses. Manufactories of Baskets, Bonnet-frames, Boots and shoes,
Caps, Clothing, Combs, Envelopes, Feather dusters, Fringe &c., Gas fixtures, Gold
pens, Hats, Hemp, Jewelry cases, Morocco, Paper bags, Pocket-books, Ruffling and
ruches, Segars, Shirts, Tobacco, Umbrellas, Vinegar, Watches, Watch-cases, Writing
ink. Map mounting and varnishing. Metal mills. Molasses houses. Photographers.
Private stables. Smoke-houses. Tanneries. Tin-shops. Wheelwrights. Wire
workers. Wool-pullers.

Brick.....



.....Frame

Bleaching works. Book-binders. Brass and iron foundries. Coppersmiths. Cotton
presses. Folling mills. Junk shops. Letter-press printers. Lithographers. Livery
and Cartmen's stables. Machine shops. Manufactories of Agricultural Implements.
Artificial flowers, Brooms, Brushes, Carriages, Cedar-ware, Floor-cloth, Grates, Guns,
Hoop-skirts, Jewelry, Lamps, Musical Instruments, Oil-cloths, Paper boxes, Paper
collars, Paper patterns, Patent Medicines, Plated ware, Rope and cordage, Safes,
Silverware, Starch, Stoves, Tin cans, Upholstery. Oil stores (petroleum and pro-
ducts). Print works. Rag stores. Slaughter houses. Snuff mills. Type and stereo-
type foundries. (And generally buildings not occupied by workers of light wood).

Brick.....



.....Frame

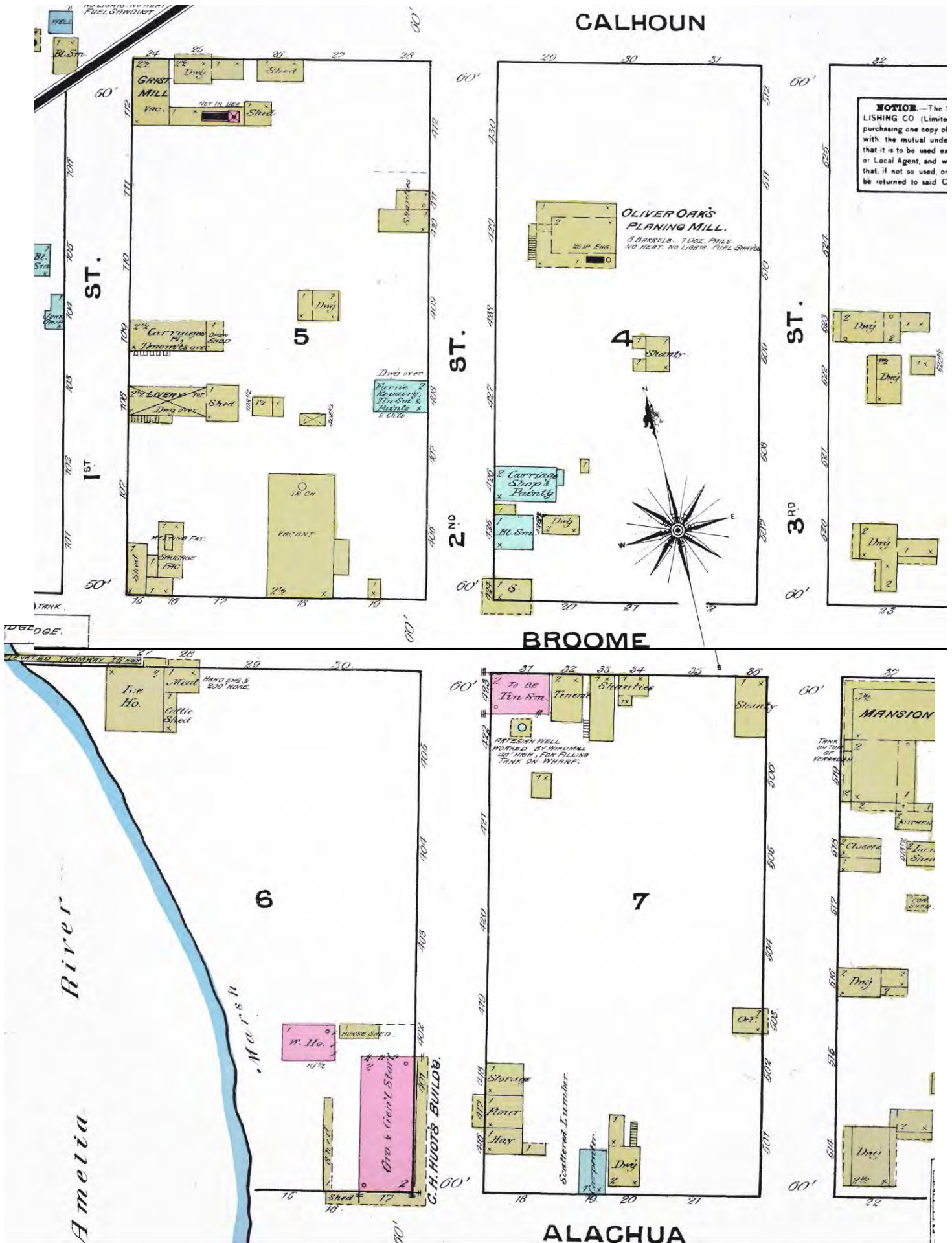
Box repairing. Cabinet-making. Carpenters' shops. Distilleries. Flax mills. Flour
or Grist mills. Japanners. Lard refineries. Manufactories of Artificial hair, Bagging,
Candles, Chairs, Clocks, Confectionery, India-rubber or gutta-percha, Ivory or lamp-
black, Looking-glass and Picture frames, Oiled clothing, Organs, Paper-hangings,
Perfumery, Pianos, Soap, Trunks. Oil mills. Paper mills. Rectifying establishments.
Sugar refineries. Tallow-melting or chandleries. Wholesale druggists (with com-
pounding). Woolen mills. (And generally risks where much heat or light wood is
used.)

Brick.....

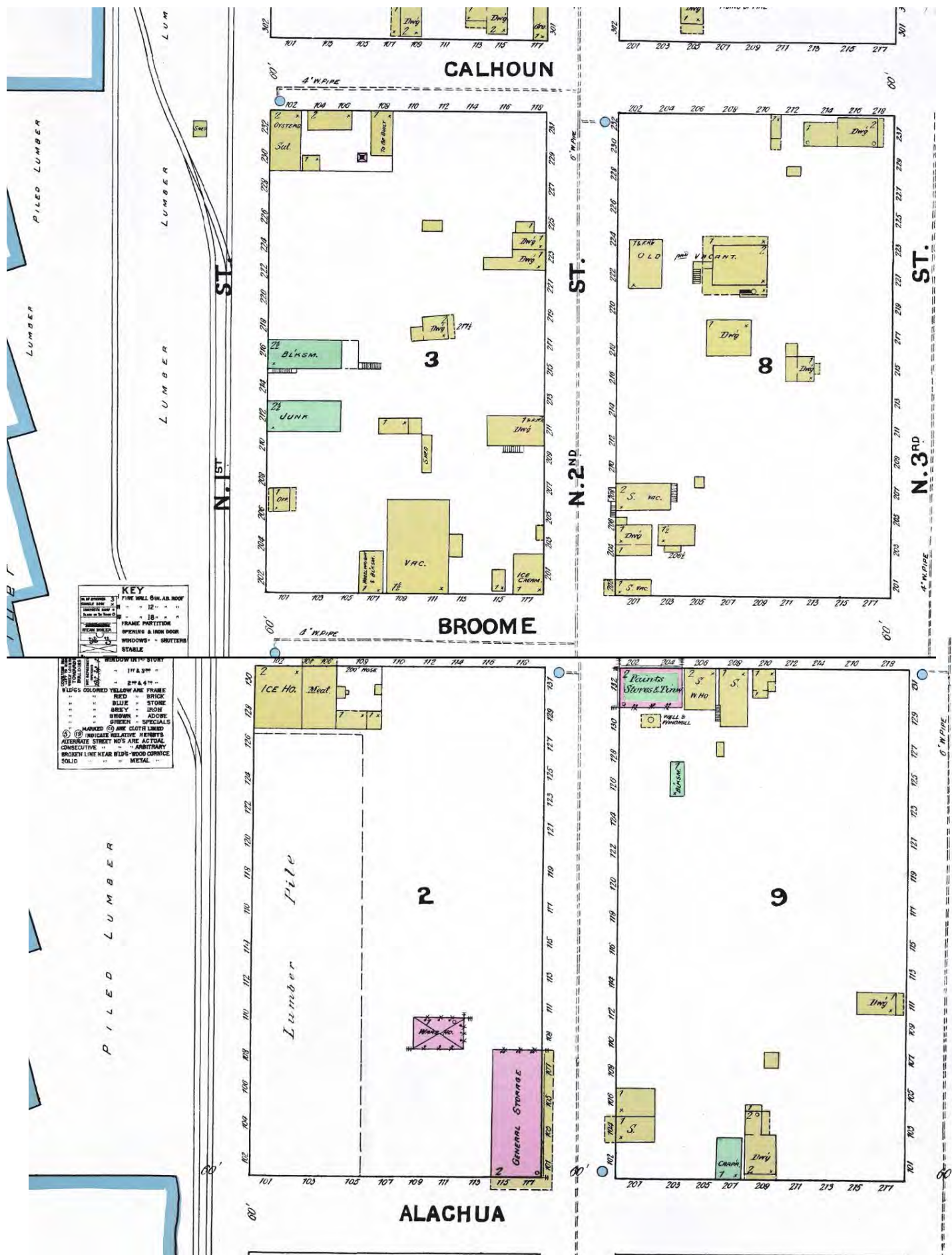


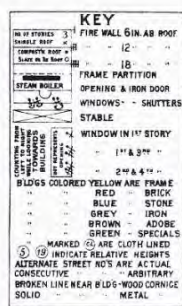
.....Frame

Chemical laboratories. Coffee and Spice mills. Drug mills. Fireworks on sale.
Match factories. Oil-boiling houses. Planing and Moulding mills. Printing-ink
factories. Sash, blind and door factories. Saw mills. Tar-boiling houses. Turpentine
distilleries. Varnish making. Window-shade factories.



1891 Sanborn Map of N. 2nd Street

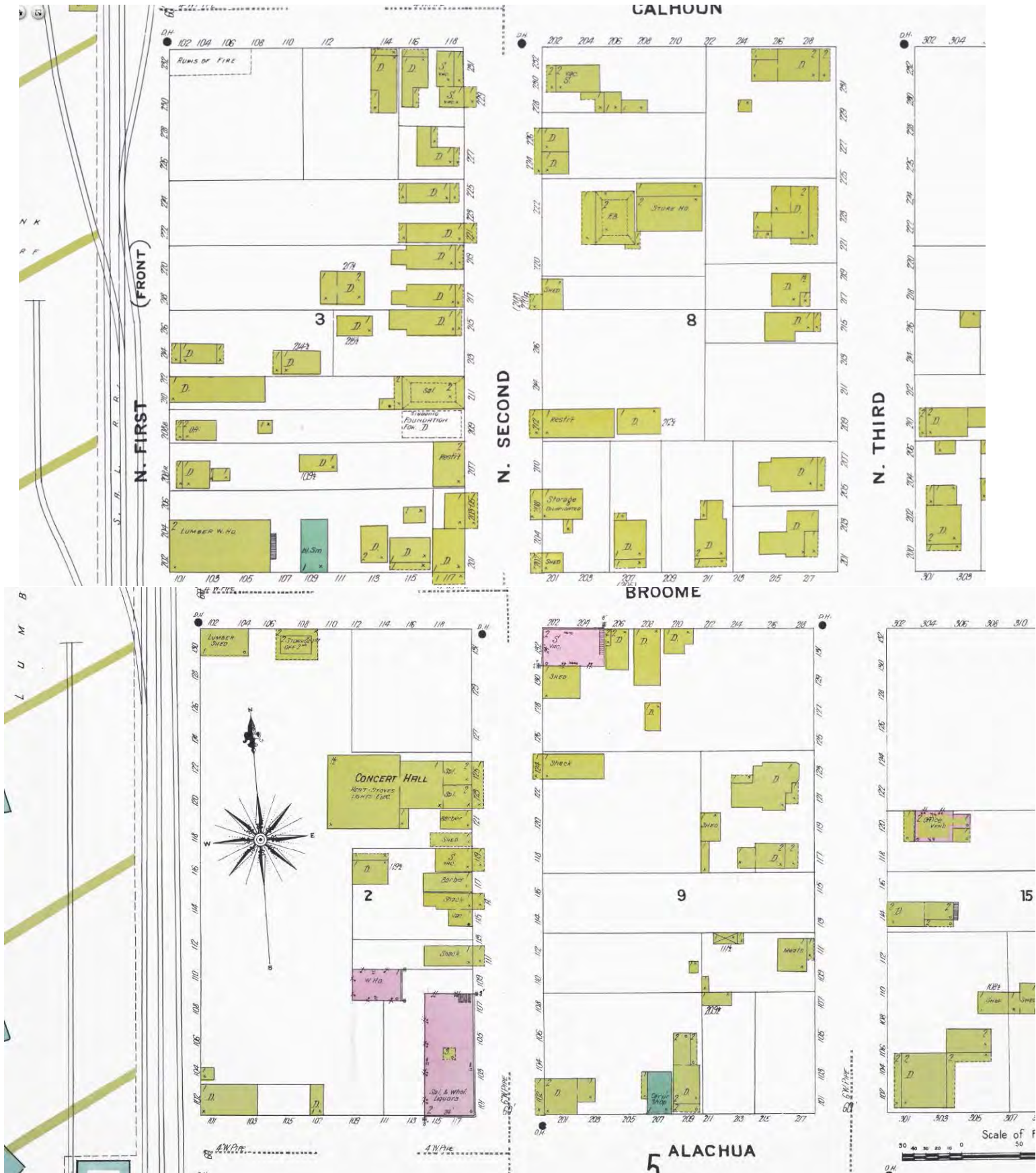




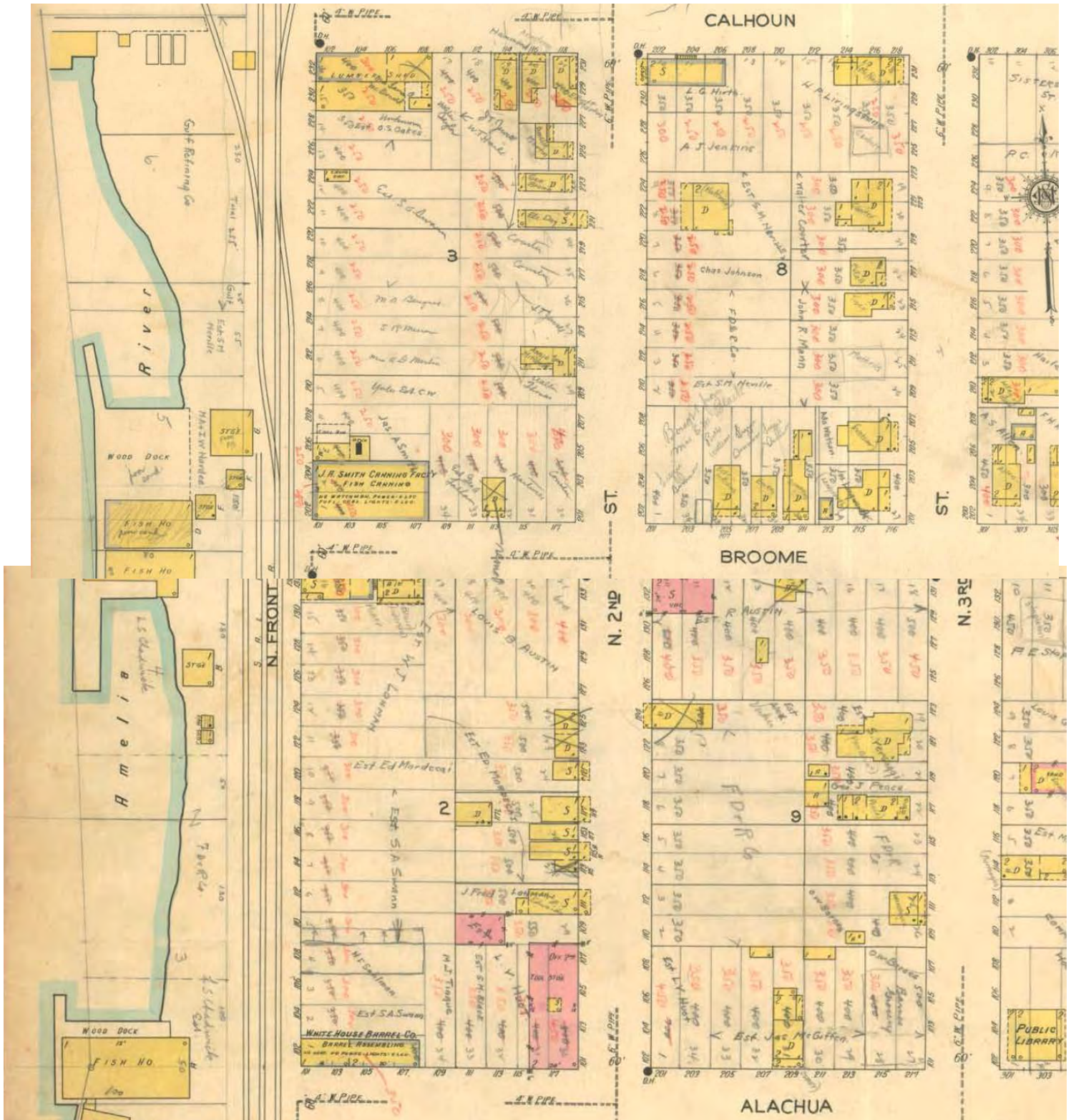
1903 Sanborn Map



1909 Sanborn Map of N. 2nd Street



1926 Sanborn Map of N. 2nd Street



1ms# 2017-0000223

OFFICE USE ONLY	
REC'D: 2/10/2017	BY: KG
PAYMENT \$	✓ #460 ✓ #228
TYPE: 11,700	
APPLICATION #:	2017-05



PLANNING ADVISORY BOARD APPLICATION

BOARD MEETING DATE

- | | |
|---|--|
| ☒ ZONING MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – PRELIM (\$750) |
| ☒ LAND USE MAP AMENDMENT
(≤ 10 acres \$850 / > 10 acres \$1,600) | ☐ SUBDIVISION PLAT – FINAL (\$850) |
| ☐ LDC TEXT AMENDMENT (\$850) | ☐ VACATION OF R.O.W. (\$850) |
| ☐ COMP PLAN AMENDMENT (\$850) | ☐ VOLUNTARY ANNEXATION (\$1050) |

APPLICANT INFORMATION

Owner Name: Susan Courtney McCranie and Daniel McCranie, MARILYN LEHRMAN

Mailing Address: 1301 Quattlefield Lane, Fernandina Beach, 32034

Telephone: (904) 321-2222

Fax: N/A

Email: McCranie2222@Gmail.Com

Agent Name: Peter J. King, AICP

Mailing Address: 404 West 70th Street, Jacksonville, FL 32208

Telephone: (904) 710-9375

Fax: N/A

Email: PeterKingJax@Gmail.Com

PROPERTY INFORMATION

Street Address: 224 2nd Street

Parcel Identification Number(s):

00-00-31-1800-0008-0080, 00-00-31-1800-0008-0070,

00-00-31-1800-0008-0050, 00-00-31-1800-0008-0020

Lot Number: ²5 though 9 Block Number: 8 Subdivision: City of Fernandina Beach

Section: 21 Township: 3N Range: 28E

PROJECT INFORMATION

Total Number of Lots/Parcels: Five platted lots. However, no additional lots are planned

Less than One (1) acre Sq. Footage: .37 acre (One (1) Acre or Greater: N/A)

Existing Zoning Classification: I-1

Existing Future Land Use Classification: Industrial

Previous Planning/Zoning Approvals: Unknown

Description of Request:

Amend Future Land Use Map (FLUM) from "Industrial" to Central Business District (CBD) and a companion application to amend the zoning map from "I-1" to "C-3". This application is an effort to provide a transitional land use between the residential district to the east and the industrial district to the south.

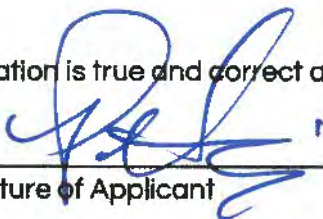
SIGNATURE/NOTARY

The undersigned states the above information is true and correct as (s)he is informed and believes.

Date

2/10/17

Signature of Applicant



STATE OF FLORIDA

ss }

COUNTY OF NASSAU

Subscribed and sworn to before me this 10 day of February, 2017

Karen M. Austin

Notary Public: Signature

Karen M. Austin

Printed Name

My Commission Expires

Personally Known ☒ OR Produced Identification ☐ ID Produced: ☐

KAREN M. AUSTIN
Notary Public, State of Florida
My Comm. Expires June 18, 2018
Commission No. FF 126104



**OWNER'S AUTHORIZATION
FOR AGENT REPRESENTATION**

I /WE Susan Courtney McCranie
(print name of property owner(s))

hereby authorize: Peter King
(print name of agent)

to represent me/us in processing an application for: Rezone + FHM
(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.

[Signature]
(Signature of owner)

(Signature of owner)

S. Courtney McCranie
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU } ss

Subscribed and sworn to before me this 9 day of February, 2017.

Melanie Liddell
Notary Public: Signature

Melanie Liddell
Printed Name

MELANIE LIDDELL
Notary Public, State of Florida
My Comm. Expires August 31, 2019
Commission No. FF 240149

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____



OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I /WE DANIEL I. McCRANIE, Trustee
(print name of property owner(s))

hereby authorize: PETER KING
(print name of agent)

to represent me/us in processing an application for: REZONING / COMP PLAN MAP
(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.

[Signature], Trustee
(Signature of owner)

(Signature of owner)

DANIEL I. McCRANIE
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
SS

Subscribed and sworn to before me this 8th day of February, 2017.

[Signature]
Notary Public: Signature

Printed Name

My Commission Expires

Personally Known ✓ OR Produced Identification _____ ID Produced: _____





OWNER'S AUTHORIZATION FOR AGENT REPRESENTATION

I/~~WE~~ MARILYN C. LEIBMAN
(print name of property owner(s))

hereby authorize: PETER KINU
(print name of agent)

to represent me/us in processing an application for: REZONING / FIRM
(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.

Marilyn C Leibman
(Signature of owner)

(Signature of owner)

MARILYN C LEIBMAN
(Print name of owner)

(Print name of owner)

STATE OF FLORIDA }
COUNTY OF NASSAU }
SS }

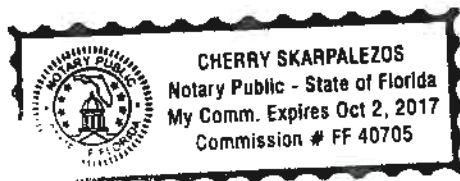
Subscribed and sworn to before me this 10 day of February, 2017.

Cherry Skarpalezos
Notary Public: Signature

Cherry Skarpalezos
Printed Name

10/2/17
My Commission Expires

Personally Known ☒ OR Produced Identification _____ ID Produced: _____





Peter J King, AICP
404 West 70th Street
Jacksonville, FL 32208

February 6, 2017

Kelly Gibson, Senior Planner
City of Fernandina Beach
Community Development Department
204 Ash Street
Fernandina Beach, FL 32034

Re: FLUM amendment and rezoning

Hi Kelly:

In accordance with procedures for submitting an application to the Planning Advisory Board, I am including this Detailed Letter of Intent stating the consistency of the amendment with the City's Comprehensive Plan and a justification for the proposed amendments.

OBJECTIVE 1.01.

Energy Efficient Development

The City shall promote compact, mixed use, and energy efficient development arranged to encourage walkability, bicycle and transit use, which leads to a more sustainable community and a reduction in greenhouse gases (GHGs).

The CBD Future Land Use is designed to promote energy efficient development by promoting a walkable and sustainable environment. This is accomplished by allowing a mixture of residential and commercial uses to be placed within the same structure. In addition, when the subject property is assigned the CBD/C-3 and located amongst other CBD FLU/uses, this places new housing units within walkability of services and employment within the downtown area.

Policy 1.02.04. Decisions on amendments to the FLUM shall be based on an analysis of the suitability and compatibility of the proposed use, based on the following factors: a. Type and density or intensity of surrounding uses; b. Zoning districts in the surrounding area; c. Demonstration of adequate water supply and water supply facilities; d. Appropriateness of the size of the parcel compared to the proposed use; e. Physical condition of the site, and the suitability of soils and topography for the proposed use; f. Suitability of the site based on the presence or absence of natural resources, environmentally sensitive lands, flood zones, or historic resources; g. Compatibility factors; h. Impact on adopted levels of service standards and quality of service standards; and i. Location in a Coastal Upland Protection Zone (CUPZ).

The type and density and intensity of the surrounding uses are compatible with the CBD/C-3 FLU

and Zoning combination as adjacent FLU and zoning is consistent with the proposed change. It is as equally intense as the adjacent industrial uses. Although more intense than the nearby residential, the CBD will act as a transitional use. The proposed change is a transitional use that will be compatible with both residential to the east and industrial to the west. The residential to the east will be buffered from the industrial uses by the CBD/C-3 uses and will be buffered from CBD/C-3 uses by 20' buffer with landscaping. Public water and sewer is available to the subject property and the increase development permitted will promote smart-growth principles by increasing growth where there is existing infrastructure. The area being considered for the change is appropriately sized considering the setback, densities and types of development permitted. Soils and topography are the same as other urban areas that are immediately adjacent. As can be seen from maps included with application, the soils for the subject property, Ortega Fine Sand, is prevalent in the downtown area, is not unique to the subject property, and is developed to urban levels in the city. According to the US Geologic Survey, the Ortega Series of soils are moderately well drained and are located on rises and knolls and is suitable for urban development. As can be seen from the topographic map, a rise of six feet from front to rear will result in a slope over 125 feet of approximately 4.8%. There are no requirements in city code that correlate slope with types of development.

Essentially the lot/block and frontage characteristics of the subject property are very similar to the rest of the historic district CBD/C-3 area. The subject property is not covered by flood zone or other environmentally unsuitable conditions, and the historic structure on the subject property will be made conforming by the proposed amendment.

Policy 1.02.06. The City shall assure that specific density assigned to new development and redevelopment is compatible and consistent with established residential development patterns and provides equitable use of the land. Criteria to be considered in allocating density shall include, but not be limited to, the following: a. Protecting the integrity and stability of established residential areas; b. Assuring smooth transition in residential densities; c. Encouraging commercial and residential mixed use development patterns; d. Recognizing and being sensitive to the character and form of the surrounding neighborhoods; and e. Requiring application of low impact development (LID) principles, native and drought tolerant landscaping and urban design principles and practices; and f. Encouraging connectivity of pedestrian walkways and bicycle paths on and off site.

The City has expressed interest in pursuing a CBD/C-3 on the subject property as a city-sponsored application due to the sound planning criteria stated in Policy 1.02.06 above. The current situation of exposing residential areas to direct contact with industrial areas is deleterious to the development of industrial areas and the continuation of residential areas. Sound planning principles dictate that a transitional land use be used to buffer these two uses from each other. Such a transitional land use is available in the CBD/C-3 which contains a multi-family element that is both transitional in use and in residential densities. By definition, the CBD/C-3 combination encourages residential and commercial mixed use and is therefore compatible with residential. The proposed CBD/C-3 combination recognizes sensitivity to adjacent neighborhoods as it contains both residential and commercial elements. In addition, the city code contains buffer and setback requirements to residential that will provide additional sensitivity to existing neighborhoods. By definition, development in the CBD will be heavily reliant on pedestrian and bicycle access as these forms of transportation are more practical than auto in the subject area.

Policy 1.02.08. Stable or established residential areas shall be protected from encroachment by incompatible development by establishing and increasing the amount of mixed use transitional areas. This policy does not preclude necessary community facilities from locating within residential areas when such activities satisfy the criteria established in the City's comprehensive plan and land development regulations.

Compliance with this policy requires very little elaboration. The CBD/C-3 is a mixed use concept and the policy calls for mixed use transitional areas. The subject property is in between and immediately adjacent to industrial (to the west) and residential (to the east) and therefore, the application to change the subject property to CBD/C-3 is precisely what the city's Comprehensive Plan requires.

Policy 1.02.09. The City shall provide for the orderly transition of incompatible uses. Where infeasible to separate incompatible uses then, buffering and mixed use transition areas shall be required to promote a smooth land use transition. Any potential adverse impacts caused by incompatible land uses located adjacent to each other shall be minimized by drought tolerant and native landscaping, low impact development strategies and buffer requirements.

See above response. Again the City's Comprehensive Plan not only supports the change, it requires it.

OBJECTIVE 1.04. REDEVELOPMENT AND INFILL DEVELOPMENT The City shall reduce blight and encourage redevelopment of underutilized areas and inefficient land use patterns through redevelopment, reuse, and/or removal and replacement of blighted structures and uses. The City will focus its redevelopment and infill efforts to encourage development in its already urbanized areas that provide housing near job centers, preserve open space, capitalize on existing community assets such as parks, create new community assets such as child-care centers, arts districts and shopping centers and removes the crime associated with vacant, underutilized or abandoned properties.

The subject property is adjacent to nearby job centers and valuable historic resources. The current historic structure is nonconforming to the existing industrial FLU and zoning and it is therefore difficult to improve the property as financing for non-conforming structures is not possible to obtain. If this effort to amend the FLU and zoning is deterred, and the industrial FLU and zoning remains, then blight will be inevitable, in direct conflict with this policy. Although the future of the existing structure is not guaranteed, it has a greater chance of survival if the financing to adaptively reuse is available.

OBJECTIVE 1.05. NONCONFORMING STRUCTURES, USES AND LOTS To promote re-use of structures that contribute to the character, diversity and sustainability of a neighborhood and to promote economic redevelopment by regulating structures and uses that do not conform to the current Plan or Land Development Code, but were lawfully established and in compliance with all applicable ordinances and laws at the time the structure was constructed and/or the use began, the City shall permit the continuation of the structure until such time that it becomes hazardous or dangerous and shall seek to eliminate nonconforming land uses.

As stated in the above response, the decline and eventual removal of the structure on the subject property will be inevitable if there is no way for the current or future owner(s) to obtain financing to repair and/or adaptively re-use the structure. Considering that the use of the land as industrial conflicts with aforementioned policies regarding transitional uses and the protection of residential,

it is clear the solution is to eliminate the industrial zoning, not the use.

OBJECTIVE 5.04. COASTAL HIGH HAZARD AREAS (CHHA) The City shall protect property, residents, and visitors within the Coastal High Hazard Area. Protection shall be provided through appropriate designations on the Future Land Use Map to ensure that population is directed away from the coastal high hazard area, limitations on construction of infrastructure in the Coastal High Hazard Area, and coordination with hazard mitigation and post-disaster plans.

The subject property is not within the CHHA and therefore additional residential development in the area is not in conflict with Objective 5.04

OBJECTIVE 12.05. LAND USE AND INFRASTRUCTURE EXPANSION The City shall protect existing land designated for employment-generating uses, whether vacant or developed, from encroachment of incompatible uses and promote sustainable development and redevelopment of properties within its designated Job Opportunity Areas.

The existing FLU and zoning of Industrial could be considered a "job creating" land use and this policy seeks to limit the loss of job creating land uses. This state of affairs is ameliorated by two factors: 1) the current size of the industrial district (half block) makes use of the industrial area for creating jobs limited at best and 2) the proposed CBD/C-3 will also have a commercial element that can provide jobs from primary and secondary economic impacts (people directly employed on subject property or economic development associated with subject property that spawns off-site employment).

In addition, I offer the following section from the City's Land Development Code, Community Redevelopment Area (CRA) section:

8.01.02 Amelia River Waterfront Community Redevelopment Area A. Purpose: It is the purpose of the CRA overlay to provide a broader mix of uses and compatible design with the downtown area in order to promote revitalization of the working waterfront and adjacent area.

In addition to complying with the Comprehensive Plan elements above, the subject property is within the CRA, which has a goal of providing a mix of uses and compatible with the design with the downtown area. The CBD/C-3 combination is tailored made for this use as it is the predominant zoning and land use within the downtown area.

In conclusion, it is clear that the proposed Future Land Use and Zoning amendment for the subject property complies with the City's Comprehensive Plan and the CRA.

Professional regards,



Peter J. King, AICP
Professional city planner
Licensed real estate sales associate

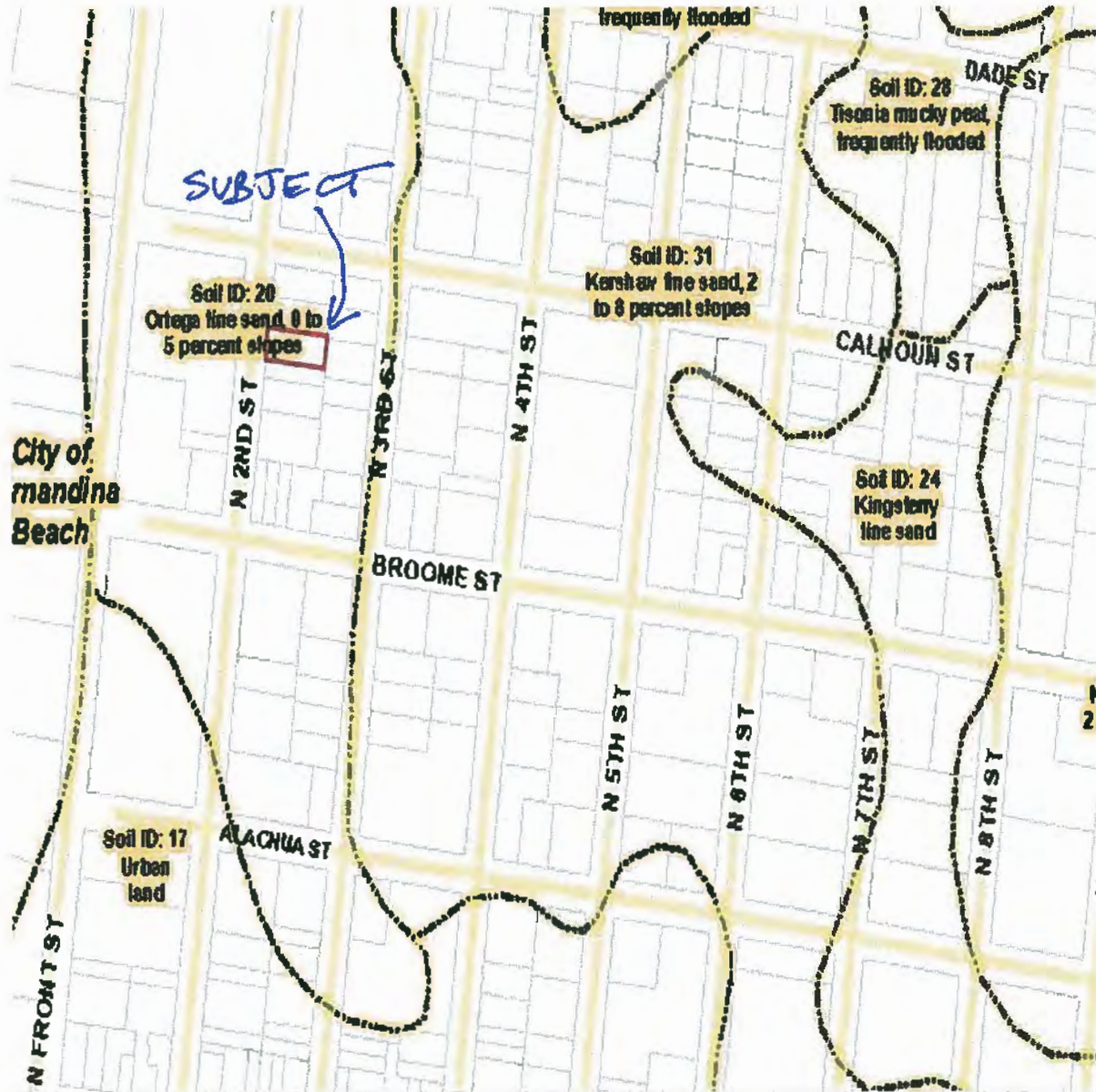
FLUM and ZONING MAP



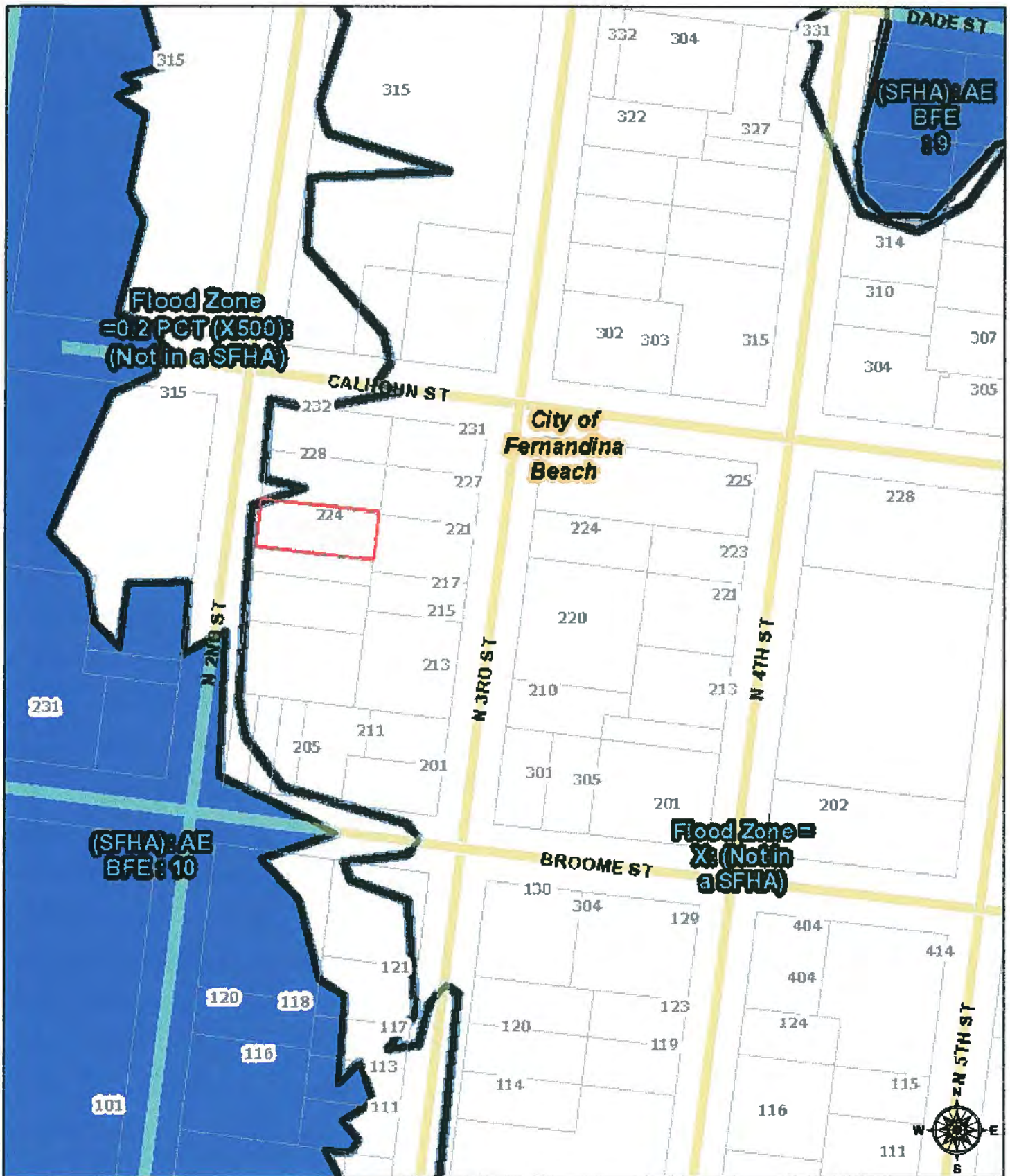
Topographic Map



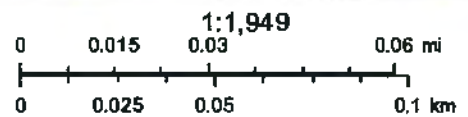
Soils Map



Flood Map



February 9, 2017



MAP SHOWING SPECIFIC PURPOSE SURVEY OF:

ALL THAT CERTAIN PIECE OF LAND SITUATE, LYING AND BEING IN THE CITY OF FERNANDINA BEACH, (FORMERLY NAMED FERNANDINA), COUNTY OF NASSAU AND STATE OF FLORIDA AND BEING FURTHER DESCRIBED ACCORDING TO THE OFFICIAL MAP OR PLAT OF SAID CITY (AS LITHOGRAPHED AND ISSUED BY THE FLORIDA RAILROAD COMPANY IN 1887 AND 1901) AS:

THE NORTHEAST CORNER OF LOT 9, BLOCK 8, CITY OF FERNANDINA BEACH.

PREPARED FOR:
COURTNEY M. McCRANIE ROWE
JASON N. ROWE

BLOCK
2

BLOCK
3

BLOCK
9

BLOCK
7

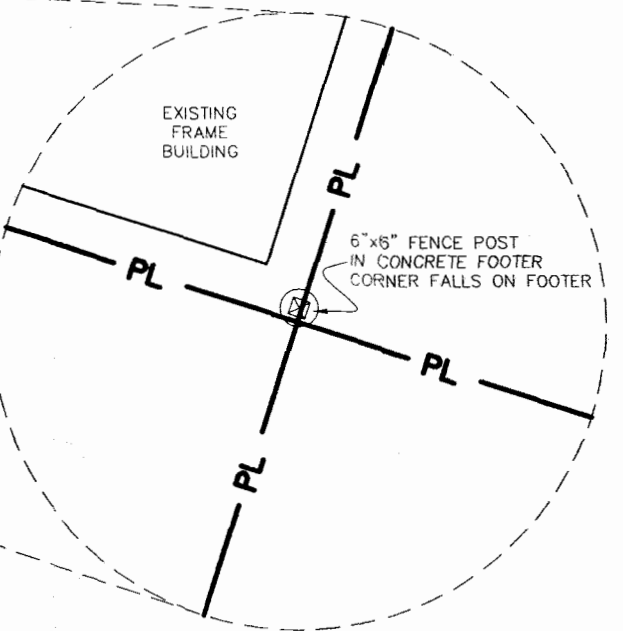
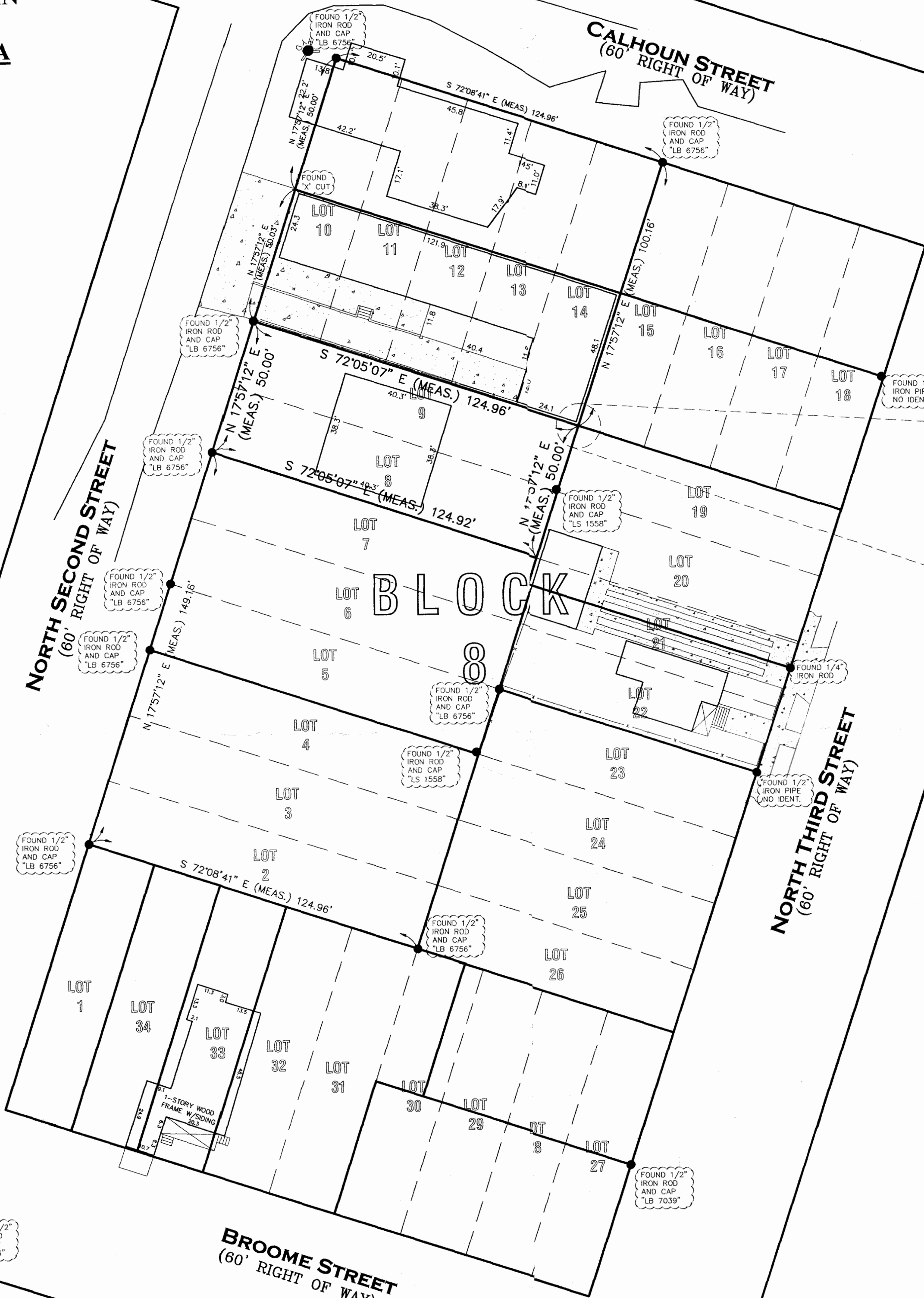
BLOCK
17

BLOCK
16

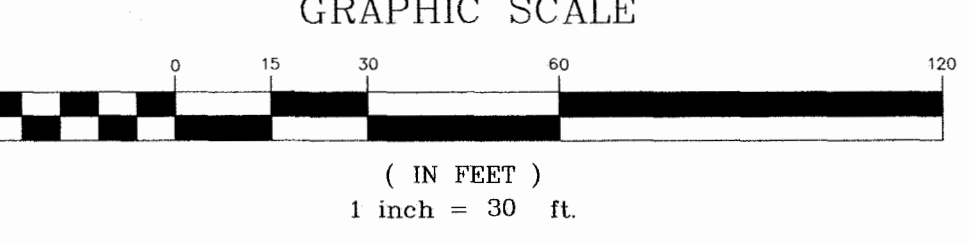
BLOCK
8

SURVEY NOTES:

- 1) The "Legal Description" hereon is in accord with the the description provided by the client.
- 2) Underground improvements were not located or shown.
- 3) Lands shown hereon were not abstracted by this office for easements, rights-of-way, ownership or other instruments of record.
- 4) Bearings based on N 17°57'12" E for the East right-of-way line of North Second Street, (Assumed).
- 5) Fence ownership, if applicable, has not been determined by this office. Fences are drawn out of scale in order to accentuate their relationship to property lines. Fences are not deemed to be encroachments unless ownership is apparent.
- 6) "Unless it bears the signature and the original raised seal of a Florida licensed surveyor and mapper, this map/report is for informational purposes only and is not valid.
- 7) The property shown hereon lies within flood zone " X " as per F.E.M.A. Flood Insurance Rate Map, Panel 120172 0004 E, Dated 5/18/03.
- 8) Unless otherwise noted Measured angles and distances are the same as Plat or Deed angles and distances.



CORNER DETAIL
SCALE 1"=5'



LEGEND:

A/C = AIR CONDITIONER
AKA = ALSO KNOWN AS
B.R.L. = BUILDING RESTRICTION LINE
CALC. = CALCULATED
CB = CHORD BEARING
CD = CHORD DISTANCE
CONC. = CONCRETE
CMP = CORRUGATED METAL PIPE
D.B. = DEED BOOK
ELEV. = ELEVATION
F.F. = FINISHED FLOOR
INV. = INVERT

IDENT. = IDENTIFICATION
L = ARC LENGTH
MEAS. = MEASURED
MON. = MONUMENT
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
O.R.B. = OFFICIAL RECORD BOOK
P.C. = POINT OF CURVATURE
P.I.N. = PARCEL IDENTIFICATION NUMBER
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.T. = POINT OF TANGENCY
R = RADIUS
RCP = REINFORCED CONCRETE PIPE

REC. = RECORD
RNG. = RANGE
R/W = RIGHT OF WAY
SEC. = SECTION
TWP. = TOWNSHIP
OHE = OVERHEAD ELECTRIC
UG = UNDERGROUND ELECTRIC
X = FENCE AS NOTED
CL = CENTERLINE
C.A. = CENTRAL ANGLE
DM = DRAINAGE MANHOLE
E = ELECTRIC METER
F = FIRE HYDRANT

□ = GAS METER
○ = LIGHT POLE
⊙ = SANITARY MANHOLE
⊖ = SEWER CLEANOUT
⊕ = TELEPHONE PEDESTAL
⊗ = TELEVISION PEDESTAL
⊘ = UTILITY POLE
⊙ = WATER METER
⊙ = WELL
⊙ = SET 4x4\"/>

THE INFORMATION SHOWN HEREON MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

STEPHEN W. HOFFMAN
FLORIDA REGISTERED SURVEYOR
AND MAPPER CERTIFICATE NO. 5774

SCALE: 1"=30'
DATE: 11/27/07
DRN BY: RCR
CKD BY: SWH
JOB NO: 04308SP
F.B. NO: 167
PAGE NO: 56

1. **Call to Order** - The meeting was called to order at 5:01 pm.

Roll Call/Determination of Quorum

Board Members Present

Mark Bennett, Chair	Judith Lane
Benjamin Morrison	Wayne L. Peterson
Donna Lewis	Jenny Schaffer (Alt 2)

Board Members Absent

Member Beal

Others Present

Kelly Gibson, City Planner
Tammi Bach, City Attorney
Sylvie McCann, Recording Secretary

Member Lewis (Alt 1) was seated as a voting member in place of Member Beal's absence.

2. **New Business**

- 2.1 **PAB 2017-04: FINAL PLAT/ REPLAT OF THE SURF UNIT 2**

FINAL PLAT/ REPLAT REQUEST FOR THE SURF UNIT 2 TO CREATE EIGHT (8) SINGLE FAMILY HOME SITES. THE 2007 APPROVED PLAT ALLOWED FOR 10 SINGLE FAMILY HOME SITES.

Ms. Gibson introduced herself and presented the case. She explained that the property is located on the west side of South Fletcher Avenue between Eventide Court and unimproved Ocklawaha Avenue and accessed from First Avenue. She also noted that the applicant is modifying the original approved plat allowing 10 single family homes sites to 8 single family home sites. Ms. Gibson then stated that she recommended a favorable recommendation of approval to the Board.

Mike Antonopoulos, 115 Solana Road, Ponte Vedra, welcomed questions from the Board.

Member Lane asked where the main access to the community would be located. Mr. Antonopoulos confirmed that the main access would remain the same common driveway as the one already approved off of First Avenue. Member Morrison asked if these would be zero lot line lots to which Mr. Antonopoulos answered in the negative. Member Schaffer asked if these properties would be zoned for short term rental and Ms. Gibson confirmed that these properties are zoned R3 which allows short term rentals.

The Public Hearing was then opened.

James Roach, St. Augustine, representative for the Surf Owner's Association which includes 4 town home owners and 1 single home owner. Mr. Roach presented Power Point slides showing the current driveway and homes and explained that the narrowness of the driveway and materials would not be able to serve and sustain two-way traffic very efficiently. He also commented about the existing recorded

Covenants and Restrictions and its funding mechanism for common infrastructure and storm water management. He also mentioned that the increased density also brings a safety issue pertaining to the visibility triangle. Mr. Roach then suggested that opening Ocklawaha Avenue for access would address the safety concern. He also noted that the current permit from St. John's Water Management is expired and still under the previous owner's name. Mr. Roach addressed some LDC sections 7.03.03 Water Management requirement, 7.01.01 Access and Driveway Requirements and 7.01.08 Visibility Triangle and asked that Board Members to consider denial of this request.

Carlton Tolbert, 3205 Eventide Court, current resident explained the impact this increase in density would have on the current driveway and their concern about drainage with the added development.

Member Morrison asked Staff about point of access requirements exemption. Member Lane then asked Mr. Antonopoulos about construction vehicles and a secondary access to which a discussion ensued. Chair Bennett then asked about the previously approved condition of having no direct access through Fletcher Avenue and First Avenue.

Frank Miller, Gunster, Yoakley & Stewart, 225 Water Street Suite 1715, Jacksonville, representative for the applicant discussed the right of using the existing easement and the possibility of the Surf 2 joining the existing Surf 1 HOA.

Sandra Buice, 3201 Eventide Court, current owner explained that her concern is about safety and presented pictures of the drainage area and the driveway. She commented that the driveway/easement is deeded to her and was only designed for access to 5 residences.

Tim Schremmer, 3215 Eventide Court, current resident discussed his concerns for safety regarding the common driveway being used by additional home owners.

Member Morrison asked Staff whose responsibility it was to review and approve the final plat. Ms. Gibson answered that this proposal was presented to the Technical Review Board and except for some changes to be incorporated was approved by the Planning Dept., Building Dept., Code Enforcement, Emergency Services, Street Department and also noted that it be maintained by a HOA. Members then discussed the issue with the easement, the common driveway and sizes of roadways according to code.

Member Lane asked Ms. Gibson to reiterate the role of the Board in regards to this case. Ms. Gibson reiterated that the Board's role is to review the proposed final plat/replat for the Surf Unit 2 and to look for consistency with what was previously approved through the preliminary plat and with consistency with the City's Land Development Code and Comprehensive Plan justified but Staff's analysis. She also added that it is not the Board's purview to make recommendation regarding maintenance or water management permitting.

Eric Bartell, 3820 S. Fletcher Avenue, commented about the developer considering widening the driveway.

Eddie Buice, 3201 Eventide, current resident commented further about his issue with the driveway's ownership and usage through easement.

Carlton Tolbert, 3205 Eventide Court, current resident and President of the HOA, asked the Board to confirm that their approval recommendation is for a plat that has been reconfigured and changed.

Public Hearing was then closed.

Chair Bennett asked Ms. Gibson about ingress and egress according to the plat and the usage of the southern access to which Board members added comments.

City Attorney Bach then also reconfirmed the role of the Board.

Member Lane suggested to Mr. Antonopoulos to work closely with the residents of the existing homes.

Ms. Gibson then commented that if changes are suggested this Board has the option to table this discussion or continue and make a recommendation to the City Commission.

Public Hearing was then closed.

A motion was made by Member Morrison, seconded by Member Peterson, to recommend denial of PAB case number 2017-04 to the City Commission requesting that a Final Plat/ Replat for The Surf Unit 2 subdivision be denied and that PAB case 2017-04, as presented, is not sufficiently compliant with the Comprehensive Plan and Land Development Code to be approved at this time for the following reason: questions are still not clear pertaining to requirements to vehicle circulation within this property and the Board's responsibility regarding enforcement. Vote upon passage of the motion was taken by ayes and nays and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Nay</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

City Attorney Bach explained that this recommendation will be presented to the City Commission and that all parties should expect the same questions to be presented at that meeting. She also suggested that at that time, Staff be able to provide explanations pertaining the Land Development Code citations associated with this case.

2.2 PAB 2017-05: FUTURE LAND USE MAP AMENDMENT AND ZONING CHANGE FOR CRA PROPERTIES LOCATED ON N. 2ND STREET.

PROPERTY OWNERS MARILYN LEIBMAN, DANIEL MCCRANIE TRUSTEE, AND COURTNEY MCCRANIE REQUEST A SMALL SCALE FUTURE LAND USE MAP AMENDMENT AND ZONING MAP CHANGE FOR PROPERTIES LOCATED ALONG N. 2ND STREET TOTALING APPROXIMATELY 1.22 ACRES OF LAND FROM INDUSTRIAL (IND) LAND USE AND I-1 ZONING TO CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE AND C-3 ZONING FOR PARCEL ID NUMBERS: 00-00-31-1800-0008-0020, 00-00-31-1800-0008-0050, 00-00-31-1800-0008-0070, AND 00-00-31-1800-0008-0080.

Ms. Gibson explained the case, she first stated that the property is zoned Industrial (IND) and Light Industrial (I-1) and that the property is surrounded by a variety of usage including Medium Density

Residential, Industrial Warehousing, General Commercial as well as Central Business District. She added that this request is consistent with the direction of the CRA moving forward with the extension of the Central Business District to this area. She commented that the staff report provides explanation of her findings and is consistent with the intent of the CRA and recommended approval.

Peter King, 404 West 70th Street, Jacksonville, representing the Mr. & Mrs. McCranie and Ms. Leibman, presented slides showing the area and explained the request and the reasons why the Comprehensive Plan needs to be amended. He also referred to the CRA guidelines.

Public Hearing was then opened.

Robert Erickson, 30 S. 3rd Street, owner of property at 205 Broome Street which is adjacent to the subject property, expressed support for this case.

Lynn Williams, 1899 S. Fletcher Avenue, asked about property owned by Mrs. Leibman.

Lawrence Holmes, owner of property on Broome Street, commented about past zoning decisions that destroyed the character of the Historic District and advised the Board to weigh their decisions. He also mentioned that he supported the change of zoning.

Public Hearing was then closed.

Member Morrison commented about his support for this change and suggested that any addition submissions may be presented simultaneously to the Commission.

Chair Bennett voiced that he did not support this change and commented about leap frogging according to section 1.02.03(D). City Attorney expressed that this was not spot zoning. Chair Bennett continued his comments with regards to transitional zoning, step down zoning and density restrictions within the CRA as stated in section 1.07.09. Member Lewis voiced her definition of transitional zoning and Member Lane reiterated her support for this change.

A motion was made by Member Lane, seconded by Member Lewis, to recommend approval of PAB case number 2017-05 the City Commission requesting a Future Land Use Map assignment of Central Business District land use and C-3 zoning from Industrial land use and I-1 zoning, as described and that PAB case 2017-05 as presented, is sufficiently compliant with applicable Florida Statutes, Comprehensive Plan and Land Development Code to be approved at this time. Vote upon passage of the motion was taken by ayes and nays, and was as followed:

<i>Member Morrison:</i>	<i>Aye</i>
<i>Member Peterson:</i>	<i>Aye</i>
<i>Member Lane:</i>	<i>Aye</i>
<i>Member Lewis:</i>	<i>Aye</i>
<i>Chair Bennett:</i>	<i>Nay</i>

Motion carried.

At this time, Member Lane departed and Member Schaffer (Alt 2) was seated as a voting member.

2.3. PAB 2017-06: LDC Text Amendments Outdoor Lighting for Wildlife

THE CITY OF FERNANDINA BEACH REQUESTS AMENDMENTS TO LAND DEVELOPMENT CODE SECTION 1.07.00 AND 3.06.00 ADDING DEFINITIONS FOR WILDLIFE LIGHTING (SEA TURTLE), PROVIDING UPDATED STANDARDS, COMPLIANCE PROCEDURES, PENALTIES, AND ESTABLISHING A SEA TURTLE FRIENDLY FUND.

Ms. Gibson presented the request which is a proposal for new wildlife standards for outdoor lighting. She explained that this bundle of changes previously approved by the PAB Board was moved to the City Commission and a request for additional coordination with different stakeholders, agencies and departments was requested by the Commissioners. Ms. Gibson then stated that the coordination had been completed and presented the revisions. She mentioned that all stakeholders have agreed to the changes.

Board Members discussed correcting the description of the area affected and an amendment to that description was made. Board Member then discussed guidelines regarding window tinting, compliance requirements, citations and penalties and a consensus was established by Board Members that a map of the defined area would be created.

Len Kreger, 1739 S. Fletcher Avenue, spoke about the proposal mainly emphasizing that although window tinting requirements are necessary and helpful the main focus should be applied to public education and effective enforcement. Member Morrison asked about street lighting and Mr. Kreger clarified that street lighting posts are excluded but do have some kind of shielding.

City Attorney Bach explained the procedures for citations, penalties and fees from Code Enforcement.

A motion was made by Member Peterson, seconded by Member Morrison, to recommend approval of PAB case number 2017-06 for LDC amendment adding definitions for Wildlife Lighting (sea turtle). Vote upon passage of the motion was taken by ayes and nays, being all ayes, carried.

5. Board Business –

Chair Bennett asked why the TRC Minutes were not available online. Staff explained that this is caused by the agenda system currently used and a new agenda system will be implemented in the very near future.

Members then discussed the time limits of case presentation along with time limit for public input.

7. Comments by the public – There were no comments from the public at this time.

6. Staff Report

8. Adjournment - There being no further business to come before the Planning Advisory Board, the meeting was adjourned 7:47 pm.

Secretary

Mark Bennett, Chair

CITY COMMISSION AGENDA ITEM
City of Fernandina Beach



SUBJECT: Ordinance
Code Amendment - Noise

2017-08

ITEM TYPE: Ordinances

REQUESTED ACTION: Enact Ordinance 2017-08 at Second Reading,

SYNOPSIS:

Recently, the City's noise ordinance has been discussed at City Commission meetings due to a newer restaurant establishment, the Patio Place, occasionally playing live, amplified music on its patio adjacent to residential properties.

Citizens have complained about live music at the Patio Place which led to the issuance of a written warning to Ms. Amy Petroy, the owner of the Patio Place. Ms. Petroy has challenged the language of the noise ordinance since violations of the ordinance are listed specifically in Section 42-142 of the Code of Ordinances. Ms. Petroy was issued a written warning based upon the language of Section 42-145 which lists "Exemptions" to the noise ordinance. The "Exemptions" Section 42-145 states that the noise ordinance is enforced any time of day or night if noise from an instrument or amplification device is plainly audible at a distance of 100 feet.

The proposed changes move the 100-foot distance any time of day or night to Section 42-142. The proposed changes also provide a definition of "plainly audible" based upon the 2013 Florida Supreme Court decision in Catalano finding the "plainly audible" standard constitutional.

In 2009, the City Commission publicly discussed and debated a new noise ordinance for the City. Many residents and businesses, especially from downtown, attended these public meetings. The decision to have enforcement of a noise ordinance (100 feet) any time of day or night was discussed at length. In addition, the plainly audible standard using the 25-foot distance during late night hours (10 P.M. weekdays and 11 P.M. on weekends) was also discussed at these public meetings. According to Code Enforcement and the Police Department, the City has had to issue just a few noise ordinance citations since 2009. The City's current noise ordinance does not use decibel levels to measure noise violations. The "plainly audible" standard has been upheld in Florida and has worked well in the City. If the City Commission decides to make changes to the noise ordinance, the time and distance parameters can be discussed.

FISCAL IMPACT: None

CITY ATTORNEY COMMENTS: See above.

CITY MANAGER RECOMMENDATION(S): Enact Ordinance 2017-08 at Second Reading.

Dale Martin, City Manager

Tammi Bach, City Attorney

James Hurley, Chief of Police

Date: 04/26/2017

COMMISSION ACTION: Enact

ORDINANCE 2017-08

AN ORDINANCE OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING CHAPTER 42, ARTICLE V, NOISE, BY AMENDING SECTION 42-141, DEFINITIONS, TO ADD DEFINITION OF PLAINLY AUDIBLE; AMENDING SECTION 42-142 REGARDING UNNECESSARY AND EXCESSIVE NOISE SETTING FORTH PLAINLY AUDIBLE MEASUREMENT STANDARD; AMENDING SECTION 42-145 REGARDING EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY OF FERNANDINA BEACH HEREBY ORDAINS:

SECTION 1. It is hereby proposed that Section 42-141 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 42-141. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amplification device means any instrument, machine, or system, which by electronic means augments sound by increasing the sound level or volume.

Amplified sound means sound augmented by any electronic means that increases the sound level or volume.

Central business district means the C-3 zoning district as defined by the city's land development code.

City manager means the city manager or the city manager's designee which may be one of his assistants or a department or division head of the city designated by the city manager.

Code inspector means an authorized employee or agent of the city whose duty it is to ensure code compliance, including but not limited to inspectors of the city's code compliance department, police officers, or any authorized agent or employee of the city whose duty it is to assure code compliance.

Emergency work means any work performed for the purpose of remedying conditions that create an imminent peril to life, health or property.

Habitual means when a person or entity has more than five offenses within 18 months of the first offense.

Motorcycle means any motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term shall include motorized bicycles and motor scooters.

Motorized vehicle means any motor-operated vehicle licensed for use on the public highways, but not including motorcycles or recreation vehicles.

Offense means a notice of violation that has not been appealed timely or a finding of violation by the code enforcement and appeals board following the appeal of a violation.

One day means a 24-hour period from noon to noon.

Plainly Audible means any sound that can be detected by a person using his or her unaided hearing faculties and can reasonably determine the source of the noise. ~~who has a direct line of sight and hearing to the source of the noise.~~ The person need not determine particular words or phrases, or the name of any song or artist, the detecting of a rhythmic bass reverberating sound is sufficient.

Premises means any real property or parcel of land, including the buildings, structures, other improvements thereon, private courtyards and private alleys.

Qualified noise engineer means any person selected pursuant to the city's competitive bidding procedures.

Recreational vehicle means any race car, motorcycle or any other motorized vehicle equipped for use in racing or other recreational events or uses off of public rights-of-way on public or private property.

Residential district means the R-E, R1-G, R-1, RLM, R-2, R-3, OT-1, and OT-2 zoning districts as defined by the city's land development code.

Temporary use means those uses deemed temporary uses under the city's land development code.

Violator means a person or entity determined or cited by a code inspector or police officer as being in violation of the provisions of this article.

SECTION 2. It is hereby proposed that Section 42-142 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 42-142. Noises; unnecessary and excessive prohibited; plainly audible measurement.

It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise. Except as provided in Section 42-145, the following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorized vehicle, recreational vehicle, motorcycle, bus or other vehicle on any street or public place of the City that creates any excessive or unreasonably loud noise for any unnecessary and unreasonable period of time.

(b) *Radios, televisions, amplification devices, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, amplification device, musical instrument, phonograph, or other machine or device for the producing, reproducing or amplification of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, premises, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, amplification device, phonograph, machine or other device between the hours of *10:00 p.m. and 7:00 a.m. Sunday through Thursday and 11:00 p.m. to 7:00 a.m. on Friday and Saturday*, in such a manner as to be plainly audible *at a distance of twenty-five (25) feet from the premises or vehicle* in which such noise is located shall be prima facie evidence of a violation of this section. The operation of any such set, instrument, amplification device, phonograph, machine or other device at any other time of day or night, in such a manner as to be plainly audible at a distance of one hundred (100) feet from the premises or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(c) *Animals, birds, etc.* The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of one hundred (100) feet from the building, structure or yard in which the dog, animal or bird is located.

(d) *Whistles.* The blowing of any locomotive whistle or whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of the proper municipal authorities.

(e) *Defect in vehicle or load.* The use of any automobile, motorcycle, jet ski, water bike, recreational vehicle, dirt bike or motorized vehicle so out of repair, so loaded, so modified or in such manner as to create unreasonably loud or unnecessary grating, grinding, rattling or other noise within a residential area.

(f) *Schools, courts, hospitals.* The creation of any excessive or unreasonably loud noise on any street adjacent to any school, institution of learning, house of worship or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, or which disturbs or unduly annoys the patients in the hospital, provided conspicuous signs are displayed in such streets indicating that it is a school, hospital or court street.

(g) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.

(h) *Noises to attract attention.* The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention by creation of any unreasonably loud or unnecessary noise to any performance, show, sale, display or advertisement of merchandise.

(i) *Loudspeakers, etc.* The use or operation on or upon the public streets, alleys and thoroughfares anywhere in this City for any purpose of any device known as a sound truck, loud speaker or sound amplifier or radio or any other instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operated or standing upon such streets or public places aforementioned. It is provided, however, that this subsection is not intended to be construed in a manner that would interfere with the legitimate use of the foregoing loudspeaker type devices in political campaigns.

(j) *Tools and landscaping equipment.* The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools, hammers, air compressors, and other noise-producing tools which are used to maintain property out-of-doors between 8:00 p.m. and 7:00 a.m.

(k) *Shouting and Yelling.* Shouting or yelling in such manner as to be plainly audible at a distance of twenty-five 25 feet from the premises or vehicle in which such noise is located shall be prima facie evidence of a violation of this section.

(l) *Motorized vehicles, Motorcycles and Recreational Vehicles.* The operation of a motorized vehicle, motorcycle, recreational vehicle or combination of vehicles that is not equipped with a muffler or other noise-dissipative device or is otherwise cutout, bypassed or modified to increase noise production and creates any excessive or unreasonably loud noise for any unnecessary and unreasonable amount of time in any Residential District or the Central Business District, or the operation of a motorized vehicle, motorcycle, recreational vehicle or combination of vehicles that creates excessive or unreasonably loud noise for any unnecessary and unreasonable amount of time and which is plainly audible at a distance of two hundred (200) feet from the motorized vehicle, motorcycle or recreational vehicle in all other zoning districts within the city.

(m) *Plainly Audible Standing and Measurement.* In determining whether a sound is plainly audible, law enforcement personnel or code enforcement officers shall be entitled to measure the sound according to the following standards:

(1) The primary means of detection shall be by means of the officer's ordinary auditory senses, so long as the officer's hearing is not enhanced by any mechanical device, such as a microphone or hearing aid.

~~(2) The officer must have a direct line of sight and hearing to the source producing the sound so that he/she can readily identify the offending source and the distance involved.~~

~~(3)~~(2) The officer need not determine the particular words or phrases being produced or the name of any song or artist producing the sound. The detection of a rhythmic bass reverberating type sound is sufficient to constitute a plainly audible sound.

~~—(4)— The standards which shall be considered in determining whether sound annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of a reasonable person of normal sensibilities shall include, but shall not be limited to, the following:~~

- ~~—(a)— The volume of the sound.~~
- ~~—(b)— The intensity of the sound.~~
- ~~—(c)— Whether the nature of the sound is usual or unusual.~~
- ~~—(d)— The volume and intensity of the background sound, if any.~~
- ~~—(e)— The proximity of the sound to residential sleeping facilities.~~
- ~~—(f)— The nature and zoning of the area within which the sound emanates.~~
- ~~—(g)— The time of the day or night the sound occurs.~~
- ~~—(h)— The duration of the sound.~~
- ~~—(i)— Whether the sound is produced by a commercial or noncommercial activity.~~
- ~~—(j)— The measurement period shall be not less than ten (10) minutes (continuous).~~

SECTION 3. It is hereby proposed that Section 42-145 of the Code of Ordinances, City of Fernandina Beach, Florida is hereby amended to read as follows:

Sec. 42-145. Exemptions.

The following uses and activities shall not constitute unreasonably loud, excessive, unnecessary or unusual noises prohibited in section 42-142:

- (1) Cries for emergency assistance and warning calls.
- (2) Radios, sirens, horns and bells and other sounds created by police, fire and other emergency response vehicles.
- (3) Parades, fireworks displays, and other activities for which a permit or other agreement has been obtained from the city, within such hours and in accordance with such restrictions as may be imposed as conditions for the issuance of the permit.
- (4) Authorized activities on or in municipal or publicly owned properties and facilities, except where such publicly owned properties or facilities are under private operation or use, unless the city manager or the city manager's designee has specifically authorized an exemption from this section, which exemption will be subject to specific requirements consistent with the administrative guidelines approved by separate resolution of the city commission.
- (5) Fire alarms and burglar alarms, bells and chimes of churches or other religious institutions.

(6) Locomotives and other railroad equipment and aircraft, to the extent that city regulation is preempted by federal law.

(7) Noises resulting from emergency work and from relief valves rupture disks, and other safety and emergency devices and signals.

(8) Any noise resulting from activities of a temporary duration permitted pursuant to section 42-144.

(9) Noise generated by motor vehicles as defined in F.S. § 320.01 when operated and equipped in accordance with requirements set forth in the Florida Statutes.

(10) Noise resulting from the operation of vessels when operated in compliance with the decibel limitations in F.S. § 327.65. However, noise exceeding the limitations set forth in F.S. § 327.65 shall be subject to enforcement and penalties as set forth in F.S. ch. 327.

(11) Noise as defined in subsection 42-142(b) shall be permitted for extended hours on the Sunday of holiday weekends, specifically, Memorial Day and Labor Day, and on Thursday or Sunday of Fourth of July weekends when the Fourth of July falls on Friday or Monday, from 7:00 a.m. through 11:00 p.m. ~~However, the operation of any such set, instrument, amplification device, phonograph, machine or other device at any time of day or night, in such a manner as to be plainly audible at a distance of one hundred (100) feet from the premises or vehicle in which it is located shall be prima facie evidence of a violation of section 42-142.~~

(12) Noise generated by a forest products processing plant together with all related or ancillary activities, including trucking. ~~if the plant has been in operation for one year or more.~~ The provisions of this subsection shall not apply when a nuisance results from the negligent, improper, or illegal operation of any such forest products processing plant or ancillary activities.

SECTION 4. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. That this Ordinance shall become effective immediately upon its final adoption.

PASSED AND ADOPTED, this 2nd day of May, 2017.

ATTEST:

CITY OF FERNANDINA BEACH

Caroline Best
City Clerk

Robin C. Lentz
Commissioner – Mayor

APPROVED AS TO FORM AND LEGALITY:



Tammi E. Bach
City Attorney

April 19, 2017
Newsheader Edition



NOTICE OF PUBLIC HEARING CITY COMMISSION CITY OF FERNANDINA BEACH

NOTICE IS HEREBY GIVEN that a Public Hearing is scheduled for **Tuesday, May 2, 2017 at 6:00 p.m.** in the City Commission Chambers, 204 Ash Street Fernandina Beach, Florida to consider the following application:

ORDINANCE NO. 2017-08

AN ORDINANCE OF THE CITY OF FERNANDINA BEACH, FLORIDA AMENDING CHAPTER 42, ARTICLE V, NOISE, BY AMENDING SECTION 42-141, DEFINITIONS, TO ADD DEFINITION OF PLAINLY AUDIBLE; AMENDING SECTION 42-142 REGARDING UNNECESSARY AND EXCESSIVE NOTICE SETTING FORTH PLAINLY AUDIBLE MEASUREMENT STANDARD; AMENDING SECTION 42-145 REGARDING EXEMPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Interested parties may appear at said hearing and be heard as to the advisability of any action, which may be considered. Any persons with disabilities requiring accommodations in order to participate in this program or activity should contact 310-3115, TTY/TDD 711 or through the Florida Relay Service at 1-800-955-8771 at least 24 hours in advance to request such accommodation.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD/ COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH HEARING, S/HE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

For information, please contact the Staff of the City Clerk's Office, 204 Ash Street, between the hours of 8:00 AM – 5:00 PM, Monday through Friday, (904) 310-3115. contact the Planning Department at 310-3135.