

ORDINANCE 2018-38

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE (LDC) BY AMENDING SECTIONS 1.07.00 (DEFINITIONS); 2.01.03 (CENTRAL BUSINESS DISTRICT); 6.02.28 (SUPPLEMENTAL STANDARDS FOR MULTIFAMILY STRUCTURES); 7.01.04 (PARKING REQUIREMENTS); 2.03.02 (TABLE OF LAND USES); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fernandina Beach has applied for an LDC text amendment to provide for supplemental standards of multi-family development within the Central Business District (C-3); and

WHEREAS, the City Commission adopted a unified Land Development Code (LDC) 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, the Planning Advisory Board (PAB), acting as the City's Local Planning Agency, considered the application at its Regular Meeting on Wednesday, August 8, 2018, and issued a recommendation of approval; and

WHEREAS, notice of a 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 July 27, 2018.

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 1.07.00 (Definitions), Section 2.01.03 (Central Business District), Section 6.02.28 (Supplemental Standards for multifamily structures), Section 7.01.04 (Parking Requirements), and Section 2.03.02 (Table of Land Uses).

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 18th day of December, 2018.

CITY OF FERNANDINA BEACH

JOHN A. MILLER
Mayor - Commissioner

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



CAROLINE BEST
City Clerk

TAMMI E. BACH
City Attorney

ORDINANCE 2018-38
EXHIBIT “A”

Section 1.07.00 Acronyms and Definitions

Adding: **Adaptive reuse** - means the renovation and reuse of pre-existing structures for new purposes.

Striking: ~~**Housekeeping unit** means a non-transient (monthly or longer) living arrangement within a dwelling unit in which a common kitchen facility, laundry facility, living and dining rooms and other general living areas of the dwelling, and the duties, rights and obligations associated with the performance of domestic tasks and management of household affairs, are shared by the residents by virtue of legal relationship or mutual agreement. Residents may be comprised of~~

- ~~• an individual;~~
- ~~• two (2) or more persons related by blood, adoption, or marriage, together with any number of offspring, foster, step or adopted children;~~
- ~~• a group of not more than four (4) individuals, including live-in servants, not related by blood or marriage, or~~
- ~~• groups licensed by the State of Florida as Group Homes, as defined and regulated by Objective 3.05 of the City of Fernandina Beach Comprehensive Plan.~~

Amending: **Dwelling unit** means a single housing unit providing complete, independent living facilities for ~~one (1) housekeeping unit~~, including permanent provisions for living, sleeping, eating, cooking, and sanitation. This definition includes site-built ~~homes~~ structures and modular ~~homes~~ structures manufactured under the Florida Manufactured Building Act (553.35, F.S.) and certified by the State of Florida Department of Community Affairs as complying with the structural requirements of the Standard Florida Building Code.

Residents of a dwelling unit may be comprised of:

- an individual;
- two (2) or more persons related by blood, adoption, or marriage, together with any number of offspring, foster, step or adopted children;
- a group of not more than four (4) individuals, not related by blood or marriage, or
- groups licensed by the State of Florida as Group Homes, as defined and regulated by Objective 3.05 of the City of Fernandina Beach Comprehensive Plan.

Types of permissible dwelling units include:

- ***Multi-family*** means a building designed for or occupied exclusively by ~~three (3)~~ four (4) or more ~~housekeeping~~ dwelling units, living independently of each other.
- ***Single-family*** means a building designed for or occupied exclusively by one (1) ~~housekeeping~~ dwelling unit.
- ***Townhouse*** means a single-family dwelling unit which is constructed in a series or group of attached units with property lines separating such units.
- ***Triplex*** means a building, on a single lot or parcel, designed for, or occupied exclusively by three (3) ~~housekeeping~~ dwelling units, living independently of each other.

- ***Two-family or duplex*** means a building, on a single lot or parcel, designed for, or occupied exclusively by two (2) ~~housekeeping~~ dwelling units, living independently of each other.

AMENDING: Section 2.01.13 Central Business District (C-3)

The C-3 District is intended for the development of land uses within the central business district as the City's center for residential, financial, commercial, governmental, professional, and cultural activities. The Central Business District category is designed to accommodate as permissible uses single-family or duplex residential uses dwelling units and uses permissible subject to supplemental standards triplex and multi-family dwelling units. These uses may be 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.

ADDING: Section 6.02.28 Triplex and Multi-family Uses in the Central Business District (C-3) *(Renumbering all sections that follow)*

6.02.28 Triplex and Multi-family Residential Uses in the Central Business District (C-3)

- A. Triplex and Multi-Family Dwellings are allowable in the C-3 zoning district subject to the standards of the C-3 zoning district and additional standards defined herein.
- B. Triplex and Multi-Family Dwellings located within the Historic District or the CRA shall comply with the standards of those District Overlays.
- C. Off-street parking shall be provided as follows and located to the side, ~~or~~ rear, center, or under of the principal structure(s):
 1. Two (2) spaces per dwelling unit over 1,250 sq. ft.
 2. One and one half (1.5) spaces for dwelling units 1001 -1250 sq. ft.
 3. One (1) space per dwelling unit 1,000 sq. ft. or under.
- D. Off Street Parking Required: Off-street parking requirements are subject to the following additional standards:
 1. For adaptive reuse and new construction of Triplex or Multi-family dwellings off-street parking may be met in off-site parking areas.
 2. The off-site parking area must be located within 4,000 feet walking distance of the structures' nearest dwelling entrance. A pedestrian connection providing a safe, well lighted walking environment shall be required.
 3. No more than two (2) off-site non-illuminated signs shall be allowed in order to designate or direct use of off-site parking spaces. Signs are exempt from permitting requirements and are limited to four (4) square feet and no taller than eight (8) feet.
 4. Off-site parking must be located on property under the same ownership as the - principal property [or the association of common owners], or if not under the same ownership, the off-site property for parking must be encumbered by an agreement to which the City must be a party, supplying the off-site parking for so long as it is satisfying the parking requirement of the principal use. The agreement must require the signature of the City Manager, and it may not be terminated or amended except in writing, meeting these same requirements, to which the City must be a party and the City Manager must be a signatory. Any agreement must be in a form acceptable to the City Attorney and recorded with the Nassau County

Clerk of Courts. A copy of the recorded agreement shall be submitted to the City Attorney and City Manager within ten (10) days of its recording.

5. Fee In Lieu: Triplex or Multi-Family dwellings in the Central Business District, exclusive of the Amelia River Waterfront Community Redevelopment Area, may satisfy the requirements of off-street parking in the manner established in subsection (D) 1-4. Alternatively, it may satisfy the requirement in whole or in part by paying a fee in lieu of providing the required parking.
 - a. The fee shall be set annually by the City commission and shall be based on the average cost of acquiring land for and constructing a parking space in a parking structure in the City plus the present value of the cost of maintaining the space for so long as it is satisfying the parking requirement of the principal use. The fee shall be a one-time payment, to be placed in a trust fund for downtown parking improvements which serve the Central Business District, not in the Amelia River Waterfront CRA.
6. Where possible, parking lots shall be designed to utilize existing curb cuts.
- E. Exterior lighting: All exterior lighting on the development site shall be directed and shielded to avoid direct illumination of a lot zoned or used for residential purposes.
- F. Street Lights: Street and common area lighting meeting City standards and provided at the developer's or property owner's expense. Decorative lighting is preferred. Lighting required for safety shall be located to avoid obstruction between the light fixtures and the area to be illuminated. All street lights installed shall be in accordance with the Illuminating Engineer Society of North America recommended values based on the pavement classification.
- G. Dumpsters or other Sanitary Facilities: All triplex and multi-family residential development must provide sanitary facilities that are either fully incorporated inside the multi-family structure or, if located outside, screened from the public rights-of-way and adjacent residentially used or zoned properties as consistent with LDC Section 5.01.07 requirements.
- H. Buffers: Triplex and multi-family development shall comply with buffer requirements set forth in LDC Section 4.05.12.
- I. Accessory Uses: Accessory uses are permissible in compliance with LDC Section 2.03.03 and subject to development standards in LDC Section 5.01.00.
- J. Signage: All permanent signage must comply with standards set forth in LDC Section 5.03.00 for the C-3 zoning district and may be further regulated by design requirements set by the historic district overlay LDC Section 8.01.03.
- K. Architectural Articulation for New Construction: A building's exterior walls shall be articulated using material, architectural elements, arrangement of openings, design of horizontal and vertical planes, and changes in height to provide substantial massing variations. Long, monotonous roof planes and uninterrupted expanses of blank wall are not allowed along street frontages. Articulated roof forms and wall opening shall be used to add visual interest and contribute to a pedestrian scale.
 1. Where solid walls are required by building code, the wall shall be articulated and divided into distinct modules, through the use of projections and recesses (i.e. setbacks, reveals, belt courses, awnings, arcades, porches, etc.) within the building envelope or projecting from upper floors.
 2. Commercial buildings and buildings with ground floor commercial uses shall have a ceiling height minimum of twelve (12) feet for the ground floor.

3.Entryways. Doorways, windows, storefronts, and other openings in the facades of buildings shall be placed and proportioned to reflect pedestrian scale and movement and to encourage visual interest at the street level. The use of functional and decorative elements, including weather protection features (i.e. colonnades, arcades, canopies, etc.), signage, and architectural detailing, shall be used to create human scale on a buildings principal façade. Elements shall be integral to the architecture of the building, designed so as not to appear to be “tacked on” to the building façade.

Table 2.03.02. Table of Land Uses

ZONING DISTRICTS																					
<div><div>– Prohibited (Empty)</div><div>P – Permissible</div><div>S – Permissible Subject to Supplemental Standards</div></div>	R-E	R1-G	R-1	RLM	R-2	R-3	OT-1	OT-2	MU-1	MU-8	C-1	C-2	C-3	I-1	I-2	I-A	I-W	W-1	PI-1	CON	REC
PRINCIPAL LAND USES:																					
Residential Uses:																					
Single-Family	P	P	P	P	P	P	P	P	P	P			P					P Note 2			
Two- and Three-Family Duplex Dwellings					P	P			P	P			P								
Triplex Dwellings					P	P			P	P			S								
Four- or More Multi- Family						P				S			S								
Group Residential (see Note 3)						S			S	S			S								