



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Tuesday, May 28, 2019

7:00 PM

Council Chambers

MEMORANDUM TO:

Members of the Planning Commission
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Planning Commission.

1. **Call to Order**
2. **Roll Call:** Greg Sutton (Chair), Dave Dahl (Vice-Chair), Britton Sanders, Margo Moehring
Alternates: Jon Walker, Bill Spann
3. **Approval of Minutes:** None
4. **Correspondence:** Emails regarding PC#10-19
5. **New Business:**

(A) **PC#10-19 412 North 1st Street**

Redevelopment District: RD Rezoning Application requesting to rezone real property from *Central Business District CBD* to *Redevelopment District: RD*, pursuant to Section 34-347 of the Jacksonville Beach Land Development Code, for a new oceanfront hotel project.

(B) **PC#12-19 1600 Shetter Avenue**

Planned Unit Development: PUD Rezoning Application requesting to rezone real property from *Residential, multiple-family: RM-1* to *Planned Unit Development: PUD*, pursuant to Section 34-348 of the Jacksonville Beach Land Development Code (*Pablo Hamlet Senior Living*) to accommodate additional dwelling units.

(C) **PC#13-19**

Land Development Code Text Amendment Application to amend the definition of "Pets, household" under Article IV. Definitions to permit female chickens and poultry and female dehorned goats, and to provide standards and regulations for coops and enclosures, where permitted. (Applicant – private sponsor)

6. Planning Department Report:

(A) The next meeting is scheduled for Monday, June 10, 2019 with two agenda items.

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person 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 to be based. The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, extension 10, no later than one business day before the meeting.

MEMORANDUM



TO: Planning Commission Members
FROM: Heather Ireland, Senior Planner
DATE: May 20, 2019
RE: May 28, 2019 - Planning Commission Staff Report

The following information is provided for your consideration regarding the following agenda items for the upcoming **Tuesday, May 28, 2019** Planning Commission meeting.

NEW BUSINESS:

PC#10-19 **Redevelopment District: RD Rezoning Application**

Owner: 412 Boardwalk Inc.
2275 Atlantic Blvd Suite 100
Neptune Beach, FL 32266

Applicant: Jax Pier Lodging, LLLP
505 Riverfront Parkway
Chattanooga, TN 37421

Agent: Connelly & Wicker, Inc.
10060 Skinner Lake Drive
Jacksonville, FL 32246

Location: 412 North 1st Street (existing *Pier Cantina* Restaurant and parking lot)

Request: **Redevelopment District: RD Rezoning Approval** to rezone real property from *Central Business District CBD* to *Redevelopment District: RD*, pursuant to Section 34-347 of the Jacksonville Beach Land Development Code.

Comments: The subject oceanfront property is located on 1st Street North immediately south of the City's public pier parking lot and within the Downtown Community Redevelopment District. The property currently consists of three contiguous lots, one with an existing building (*Pier Cantina* restaurant) on a portion of the lot, and the balance of the property containing a surface parking lot. The property is subject to a 2010 Consolidated Settlement Agreement that allows it to be developed to a maximum building height of 56 feet, under the provisions of the RD zoning standards, and in accordance with the CBD site design and lot layout standards that were in effect in 2010. The applicant approached city staff about a proposed oceanfront hotel project in early 2019. Since the proposed hotel with parking and amenities exceeds 50,000 square feet, rezoning from *Central Business District: CBD* to

Redevelopment District: RD is required by code.

The proposed project is a 136 room *Springhill Suites by Marriot* hotel including approximately 600 square feet of separate retail space at the northwest corner, and oceanfront restaurant/bar/pool area. There will be access to the public boardwalk from the pool deck on the east side of the hotel. The development will provide 123 parking spaces on the ground floor, accessible by car from 1st Street, and parking will be 100% valet service. The applicant will use the “payment in lieu of” program available to CBD businesses to address the balance of the required hotel parking spaces. Adjacent uses include the pier parking to the north, an existing restaurant/bar to the south, parking to the west across 1st Street and the Atlantic Ocean to the east.

The applicant’s project narrative sets forth how the proposed oceanfront hotel achieves various objectives of the Downtown Community Redevelopment Plan, and outlines the project’s consistency with the City’s 2030 Comprehensive Plan. The hotel project will bring additional daytime population to the downtown area while providing amenities to the public along the boardwalk. Additionally, the project will serve as an anchor to development along 4th Avenue North, which pursuant to the 2007 Vision Plan is identified as the “Pier Corridor”, an important east-west corridor where infill development is important to the Central Business District’s revitalization.

PC#12-19

Planned Unit Development: PUD Rezoning Application

Owner: Beaches Elderly Housing Corp.
360 Scarlet Bugler Lane South
Jacksonville, FL 32225

Applicant: Melissa Gilreath, Elderly Housing Corp.
115 South 3rd Street
Jacksonville Beach, FL 32250

Agent: Brian E. Kientz, Connelly & Wicker Inc.
10060 Skinner Lake Drive, Suite 500
Jacksonville, FL 32246

Location: 1600 Shetter Avenue (*Pablo Hamlet* Senior Housing)

Request: **Planned Unit Development: PUD Rezoning Approval** to rezone real property from *Residential, multiple-family: RM-1* to *Planned Unit Development: PUD*, pursuant to Section 34-348 of the Jacksonville Beach Land Development Code.

Comments: The subject property is located at the western most end of Shetter Avenue, and has existed as the *Pablo Hamlet* senior living development since 2002. The property has always been a multiple-family residential use since the buildings were constructed in 1980. The complex currently has a total of 104 residential dwelling units in two buildings. The owner has

identified the need for additional housing units to accommodate the demand for senior living at the beach. There is currently a wait list for housing at the facility. The property is zoned *Residential, multiple-family: RM-1*, which permits a maximum of 20 units per acre, however the future land use of the property in the 2030 Comprehensive Plan is High Density Residential, which permits 21-40 units per acre.

The current density of the property is 19 dwelling units per acre, which does not provide the opportunity to add dwelling units. The new density with the proposed additional units will be approximately 30 dwelling units per acre, well under the maximum of 40 dwelling units per acre allowed by the 2030 Comprehensive Plan. In order to accommodate the additional 84 dwelling units, the applicant was advised by staff that rezoning to *Planned Unit Development: PUD* would be necessary for the increase in density permitted by the Comprehensive Plan.

The proposed new site plan provided by the applicant shows two new buildings on the property, on the east and west ends of the existing campus with 42 dwelling units each. Additionally, two common rooms in the existing buildings would be converted into four new dwelling units. The site plan also shows 84 new parking spaces, and a new community room that will be constructed between the two existing buildings. The parking provided is adequate for the additional dwelling units (1 space / dwelling unit for senior housing). If approved, the PUD ordinance will contain a stipulation that additional parking will be required if the facilities change from senior housing to open market apartment rentals.

Adjacent uses include a private school to the east and south, single-family further to the south, undeveloped wetlands to the west and north, and multiple-family residential to the northeast across Shetter Avenue. The demand for the addition of new dwelling units to this existing senior housing development has been demonstrated via the existing wait lists, both here and at Pablo Towers which the applicant also owns and manages. It is not anticipated that there will be any negative impact to the adjacent uses to the north and east, as the traffic generation of the existing dwelling units is low, as can be exhibited by an analysis of the use of the parking lot.

PC#13-19 Land Development Code Text Amendment Application

Owner/
Applicant: Marcello Bergo & Katrina Lane
603 16th Street North
Jacksonville Beach, FL 32250

Agent: Lindsay Haga, AICP
England-Thims & Miller, Inc.

Request: **Land Development Code Text Amendment Approval** to amend the definition of “Pets, household” under Article IV. Definitions to permit female chickens and poultry and female dehorned goats, and to provide standards and regulations for coops and enclosures, where permitted. (Applicant – private sponsor)

Comments:

Chapter 5. Article I. of the City Code of Ordinances addresses “Animals and Fowl”. Chapter 5 specifically identifies which livestock animals are permitted to be kept in the city, and how they should be kept. Flies, odors, loose animals, and noisy animals are considered a nuisance, and pigs are strictly prohibited, as outlined in the Chapter. Roosters are prohibited within 100 yards of another occupied dwelling. The majority of this Article has not been updated since 1976. Essentially, this Chapter does not regulate horses, mules, cows, cattle, and chicken or poultry, (poultry includes turkeys, ducks, and geese).

Currently, the Land Development Code (LDC) exists in conflict with Chapter 5 of the City Code of Ordinances. Residential zoning districts permit doghouses and similar structures for housing household pets. Under Article IV. Definitions in the LDC, household pets include dogs, cats, hamsters, and birds, but exclude poultry and hoofed animals. So while the “Animals and Fowl” section of Chapter 5 of the City Code may not prohibit certain livestock animals, the LDC prohibits residents from providing the required housing or pens for them based on the LDC definition of what is considered a household pet.

The applicant for this LDC Text Amendment application, under the provisions of Chapter 5 of the City Code of Ordinances had, not incorrectly, been raising and caring for both miniature goats, and miniature hens to provide milk and eggs for her growing family. The applicant raised and housed these animals for years with no complaints from the neighbors to her or the City until recently. After involvement by code enforcement, the applicant rehomed her animals, and met with City staff to discuss ways the LDC could be amended to allow the types of animals she kept on her property, and to establish requirements and standards of housing and care.

The text amendments as proposed by the applicant include the following:

- Amending the definition of “Pets, household” to include female chickens or poultry, and female dehorned miniature goats and to specifically exclude male animals of the same breed and horses, mules, cows, cattle, and hogs.
- Permitting up to 10 female chickens or ducks, and two female miniature goats at single-family residential uses only on lots of at least 5,000 square feet located in *RS-1*, *RS-2*, and *RS-3* zoning districts.
- Standards and requirements for housing poultry and goats, including enclosure size, screening, fencing, setbacks, location, security, and feed storage.

The applicant’s agent modeled the proposed LDC text amendments to be similar in scope and content to Atlantic Beach’s and Neptune Beach’s recent ordinances to permit backyard hens. Neither municipality has permitted miniature goats at this time. Both municipalities set a limit on permits, and neither has reached the maximum, nor has either city had any issues with any of the permitted properties, owner, or animals as indicated by discussions with their planning staff.

If these amendments are approved, violations of the proposed standards and requirements would be handled by both Animal Control and Code Enforcement as needed and appropriate. As proposed by the applicant, there would not be a registration program, but building permits would be required for coops and enclosures and the City would be able to document the location of permitted animals through these permits. Building permits would allow staff to ensure that setbacks, buffering, and other accessory structure requirements are met.



REZONING/TEXT AMENDMENT APPLICATION

PC No. 10-19

Tuesday Meeting
5/28/19

AS/400# 19-100047

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: 412 Boardwalk Inc.

Telephone: _____

Mailing Address: 2275 Atlantic Blvd, Ste. 100

Fax: _____

Neptune Beach, FL 32266

E-Mail: _____

Applicant Name: Jax Pier Lodging LLLP Hiren Desai

Telephone: (423) 208-9833

Mailing Address: 505 Riverfront Parkway

Fax: _____

Chattanooga, TN 37421

E-Mail: alex@grace-cc.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: Connelly & Wicker, Inc.

Telephone: (904) 265-3030

Mailing Address: 10060 Skinner Lake Drive

Fax: (904) 265-3031

Jacksonville, FL 32246

E-Mail: jwilliams@cwicng.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: 412 1st Street N. 32250 / 174065 0000

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See attached.

Current Zoning Classification: CBD Future Land Use Map Designation: _____

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: _____

| | REQUESTED INFORMATION | | Attached? |
|--|-------------------------------------|--------------------------|-----------|
| | Yes | No | |
| 1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked; | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 2. An 8½" x 11" vicinity map identifying the property proposed for amendment; | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked; | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements. | <input type="checkbox"/> | <input type="checkbox"/> | |

Applicant Signature: *Alex Stacc*

Date: 2/12/2019

CAPTION

LOTS 1, 2, AND 3, BLOCK 41, PABLO BEACH NORTH, ACCORDING TO PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; TOGETHER WITH THE SOUTHERLY 5.00 FEET OF FOURTH (4TH) AVENUE NORTH ADJOINING SAID LOT 1; TOGETHER WITH A PART OF OCEAN BOULEVARD (AS CLOSED BY THE CITY OF JACKSONVILLE BEACH ORDINANCE NUMBER E-610), BEING ALL THE LANDS LYING EASTERLY OF SAID LOTS TO THE EROSION CONTROL LINE AS ESTABLISHED BY PLAT BOOK 35, PAGES 59, 59A AND 59B OF SAID PUBLIC RECORDS.

AGENT AUTHORIZATION AFFIDAVIT

February 15, 2019

City of Jacksonville Beach
Planning and Development Department
11 North Third Street
Jacksonville Beach, Florida 32250

Re: 412 & 0 North 1st Street, Jacksonville Beach, Florida 32250 ("Property")

To Whom It May Concern:

I, Chris Hionides, on behalf of 412 BOARDWALK, INC. and 422 BOARDWALK, INC. (collectively, "Owner"), owners of the Property, hereby grant Driver, McAfee, Hawthorne & Diebenow PLLC ("Agent"), the authorization and empowerment to act as Owner's agent to file application(s) for rezoning and other development applications for the Property, and in connection with such authorization, Agent is authorized to sign and execute any documents and take all other actions necessary to effectuate the purpose and intent of such applications.

412 BOARDWALK, INC.



Chris Hionides

422 BOARDWALK, INC.



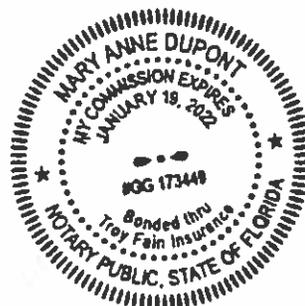
Chris Hionides

Subscribed and sworn to before me this 22nd day of February 2019.



Notary Public

My Commission Expires: 1-19-2022



AGENT AUTHORIZATION AFFIDAVIT

February 15, 2019

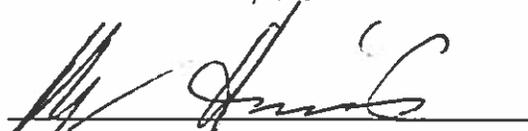
City of Jacksonville Beach
Planning and Development Department
11 North Third Street
Jacksonville Beach, Florida 32250

Re: 412 & 0 North 1st Street, Jacksonville Beach, Florida 32250 ("Property")

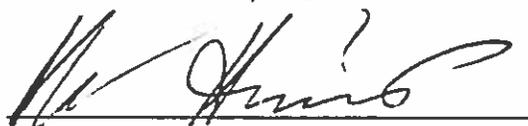
To Whom It May Concern:

I, Chris Hionides, on behalf of 412 BOARDWALK, INC. and 422 BOARDWALK, INC. (collectively, "Owner"), owners of the Property, hereby grant Connelly & Wicker, Inc. ("Agent"), the authorization and empowerment to act as Owner's agent to file application(s) for rezoning and other development applications for the Property, and in connection with such authorization, Agent is authorized to sign and execute any documents and take all other actions necessary to effectuate the purpose and intent of such applications.

412 BOARDWALK, INC.

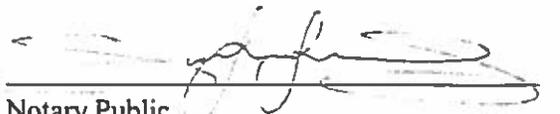

Chris Hionides

422 BOARDWALK, INC.

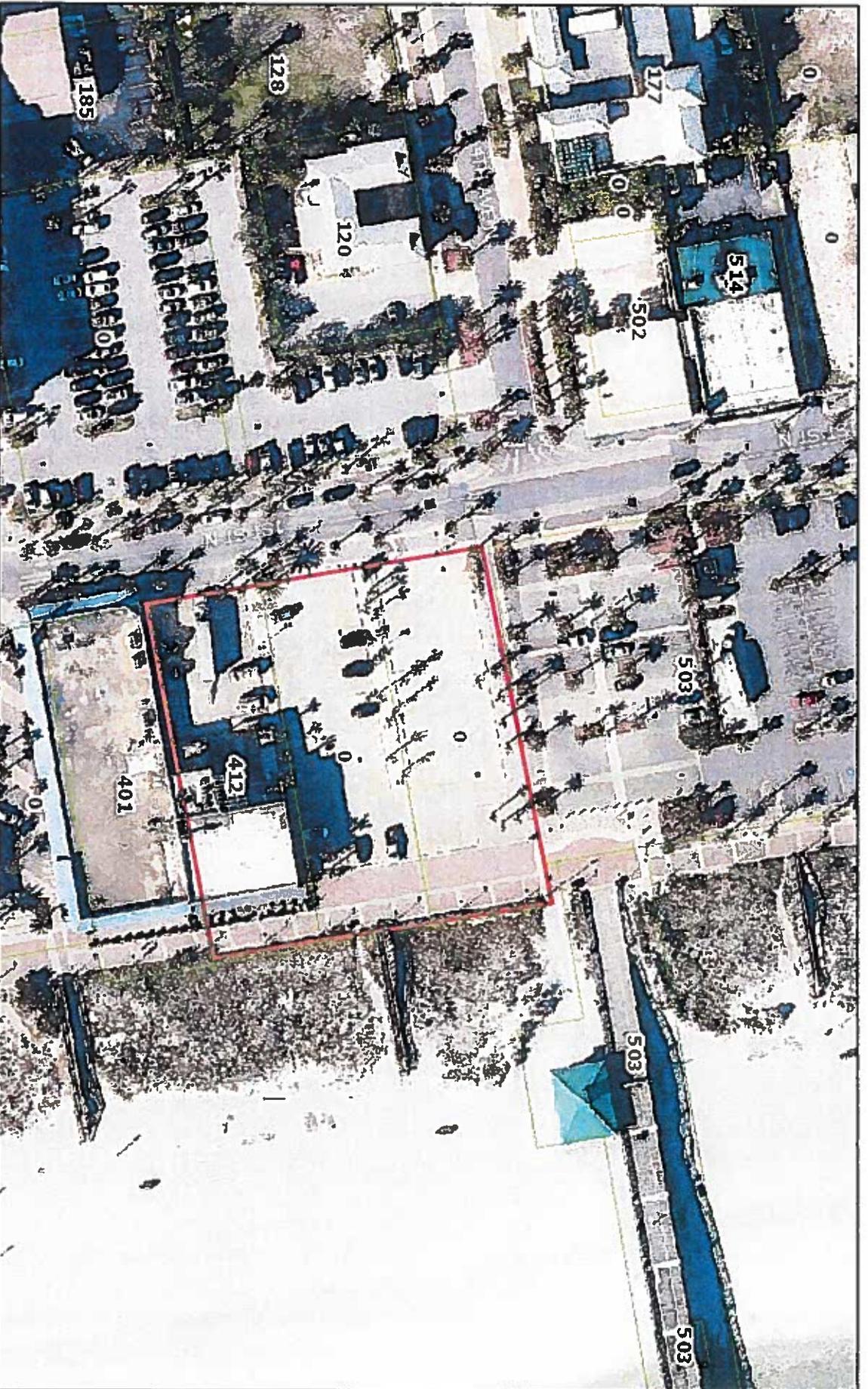

Chris Hionides

Subscribed and sworn to before me this 18th day of February 2019.

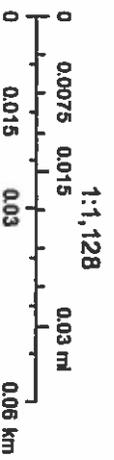


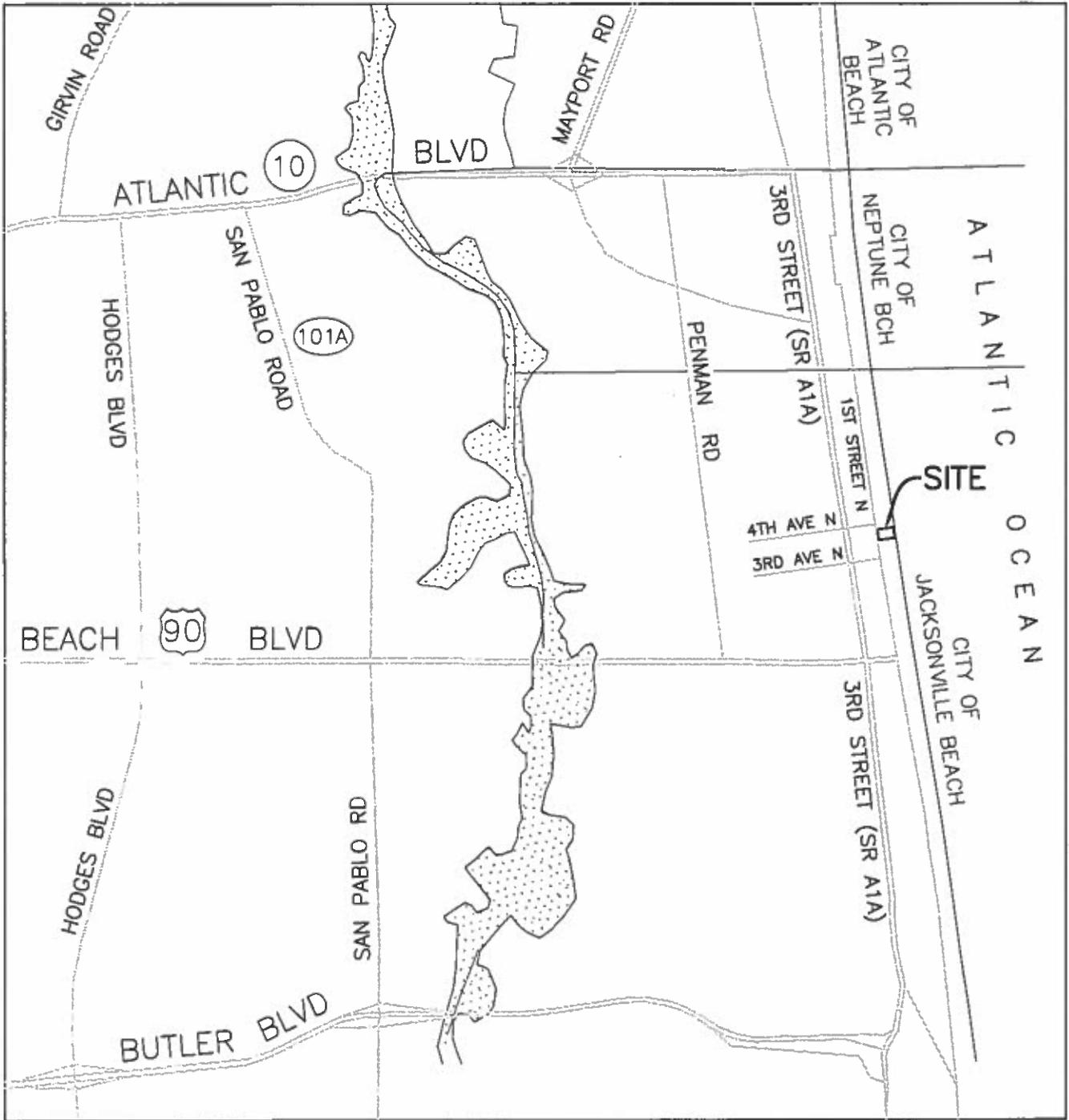

Notary Public
My Commission Expires: 07-04-2022

Duval Map



February 20, 2019





VICINITY MAP

NOT TO SCALE

1. **The name, address, and telephone number of the owners of record of the land proposed for development.**

Mr. Chris Hionides
412 BOARDWALK, LLC AND 422 BOARDWALK, LLC
2440 MAYPORT ROAD, UNIT 7
Jacksonville, Florida 32233

2. **The name, address, and telephone number of the developer, if different from the owner, and an explanation of the difference.**

Jax Pier Lodging, LLLP (the "Applicant" or "Developer")
C/O: Hiren Desai
505 Riverfront Parkway
Chattanooga, TN 37421

3. **The name, address, and telephone number of the agents of the applicant, if there is an agent.**

Mr. Richard C. Welch, P.E.
CONNELLY & WICKER, INC.
10060 Skinner Lake Drive, Suite 500
Jacksonville, FL 32246
(904) 265-3030

Steven Diebenow
Driver, McAfee, Hawthorne & Diebenow PLLC
One Independent Drive, Suite 1200
Jacksonville, Florida 32202
Direct: (904) 807-8211
Fax: (904) 301-1279

4. **The name, address, and telephone number of all the land use, environmental, engineering, economic, or other professionals that are assisting with the application.**

Mr. Richard C. Welch, P.E.
CONNELLY & WICKER, INC.
10060 Skinner Lake Drive, Suite 500
Jacksonville, FL 32246
(904) 265-3030

Steven Diebenow
Driver, McAfee, Hawthorne & Diebenow PLLC
One Independent Drive, Suite 1200
Jacksonville, Florida 32202
Direct: (904) 807-8211
Fax: (904) 301-1279

5. **The name, address, and legal description of the land on which the preliminary development plan is proposed to occur, with attached copies of any instruments referenced, such as but not limited to deeds, plats, easements, covenants and restrictions.**

Property Address (the "Property")

412 and 422 1st Street North
Jacksonville Beach, FL 32250

Legal Description

LOTS 1, 2, AND 3, BLOCK 41, PABLO BEACH NORTH, ACCORDING TO PLAT BOOK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; TOGETHER WITH THE SOUTHERLY 5.00 FEET OF FOURTH (4TH) AVENUE NORTH ADJOINING SAID LOT 1; TOGETHER WITH A PART OF OCEAN BOULEVARD (AS CLOSED BY THE CITY OF JACKSONVILLE BEACH ORDINANCE NUMBER E-610), BEING ALL THE LANDS LYING EASTERLY OF SAID LOTS TO THE EROSION CONTROL LINE AS ESTABLISHED BY PLAT BOOK 35, PAGES 59, 59A AND 59B OF SAID PUBLIC RECORDS.

6. **A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for development, with boundaries already marked.**

Please see attached.

7. **An 8.5"x11" vicinity map locating the proposed land for development.**

Please see attached.

8. **A statement of the planning objectives to be achieved by the planned redevelopment activity and its consistency with the Jacksonville Beach Community Redevelopment Plan. The statement shall include a detailed description of the character of the proposed development, including information relative to the architectural style of the proposed development.**

A. Reason for Rezoning

Pursuant to the City of Jacksonville Beach's Land Development Code ("LDC") Section 34-345 - Central Business District ("CBD"), "buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to redevelopment district: RD or planned unit development: PUD district standards and procedures". However, in addition to this LDC requirement, the Property is also subject to the 2010 Consolidated Settlement Agreement (Case No. 16-2006-CA-006294) that further stipulates the following:

"4. Notwithstanding paragraph 1., 3. of this Settlement Agreement, development review of site plans for any parcel subject hereto shall be processed under Section 34-345 (Central Business District: CBD) of the LDC, as it existed on November 1, 2004; however, development proposals which exceed 50,000 square feet of gross floor area or 50 feet in height shall be processed under the provisions of the Section 34-347 (Redevelopment District: RD) zoning standards; and shall be constructed in accordance with the CBD site design and lot layout standards in Section 34-345(e) (Central Business District: CBD) of the LDC, as currently in effect."

Because the proposed Marriott hotel (the "Marriott") will exceed the thresholds in the 2010 Consolidated Settlement, a rezoning from Commercial Limited (C-1) to Redevelopment District (RD) is required for the Property. In accordance with the 2010 Consolidated Settlement Agreement, the RD district in effect as of September 28, 2010 shall govern the review of this application.

B. Existing Site Conditions

The Property is bounded on the North by a City Parking Lot, on the West by 1st Street North, on the South by a restaurant/bar building owned by Beach Mermaid, Inc. and on the East by the Atlantic Ocean. The site is currently developed as a restaurant and supporting parking lot.

C. Consistency with Surrounding Uses

Currently, the existing uses surrounding the Property are consistent with the uses proposed in this application. The surrounding uses are as follows:

| | |
|-------|--|
| North | City of Jacksonville Beach owned surface parking lot |
| West | Jacksonville Beach CRA owned surface parking lot |
| South | Restaurant / Bar |
| East | Atlantic Ocean |

D. Consistency with Land Development Code (LDC)

The Marriott will meet the purpose and intent of the Redevelopment District (RD) as set forth in Section 34-347 of the City of Jacksonville Beach Land Development Code (LDC). The Marriott is designed to achieve "a diversity of uses in a desirable environment" by proposing hotel with limited retail uses in a concise and consistent built environment. Furthermore, the Marriott will meet or exceed all development standards set forth in this section including:

Site Development Table

| | | |
|---------------------------------|---|--|
| Land Area | 0.997 acres +/- | |
| Permitted Uses | Mixed Use (Commercial/Hotel) | |
| Proposed Uses | | |
| Retail | 2,000 maximum square feet* | |
| Hotel | 136 Hotel Rooms and ancillary uses | |
| Lot Coverage | 100% Maximum | |
| Building Setback requirements | 1st Street | 0' |
| | 4th Avenue | 10' |
| | Atlantic Ocean | The more restrictive of 10' or the Oceanfront Extent Line as established by the FDEP (Pools, decks, seating areas, cabanas, etc. shall be allowed east of the FDEP established oceanfront extent line) |
| | South | 0' |
| Traffic circulation control and | Vehicular access planned from 1 st Street North | |
| Off-street parking and loading | Minimum parking required per COJB LDC Section 34-377 is 136 parking spaces for the hotel (1 space/guest room) PLUS 2 parking spaces for the retail (1 space/500 sq.ft. of floor area). Fulltime mandatory valet parking services are proposed. Applicant is able to provide 123 parking spaces (121 for the hotel and 2 for 610 sq.ft. of retail floor area) including full time valet service as shown on the site plan dated April 19, 2019. ADA Parking Requirements are fully met on site. The applicant intends to make a payment "in-lieu of providing off-street parking spaces" to account for any shortfall. | |
| Open space requirement | Plaza, Pool, Outdoor Seating, Seawalk etc. | |
| Signage | Code Minimum per LDC Article VIII, Division 4 | |
| Landscape | Code Minimum per LDC Article VIII Division 3 | |
| Environmental | Stormwater management provided as required | |

| | |
|--------------------------------|--|
| Utility Easements | Provided as required |
| Adequate public facilities | Sufficient public facilities available |
| Tentative Development Schedule | Commencement 2019; Completion 2021 |
| Comprehensive plan consistency | See below |

While the Marriott meets or exceeds the above site development requirements, two points require further explanation. First, in the RD zoning District, access would typically be prohibited along 1st Street North and encouraged along side streets. However, due to the proximity of the City of Jacksonville Beach public parking lot, adjacent and immediately north of the Marriott, access is only available from 1st Street North (without disturbing the City's public parking lot) because the Property does not have any access to 3rd Avenue North. Second, to enhance the Marriott, the Applicant is proposing to provide outdoor amenities eastward of the building, within a 35 foot setback created by Ordinance 4512 (adopted in April 1946). Such amenities are contemplated in Ordinance 4512, although an approval of a slight adjustment in the size of such amenities may be required by the Jacksonville Beach CRA and/or the Jacksonville Beach City Council.

E. Consistency with the Jacksonville Beach Community Redevelopment Plan

The Marriott will achieve redevelopment objectives set forth in the Jacksonville Beach Community Redevelopment Plan, including but not limited to:

- a. Enhancing safety;
- b. Improving walkability;
- c. Improving ocean views and beach access;
- d. Creating a family friendly environment;
- e. Maintaining a small community feel;
- f. Developing through a compact design, that complements the existing development pattern,
- g. Utilizing a mixed-use development within the CBD, oriented to recreation, entertainment, specialty retail, tourism, and hotel operations;
- h. Celebrating Jacksonville Beach Assets by connecting the Seawalk and Jacksonville Beach Pier, thereby enhancing useable open space in the community redevelopment area to support and encourage greater pedestrian activity;
- i. Improving the Pier Corridor;
- j. Continuing the high-quality standards of new development and rehabilitation consistent with the desired image of Jacksonville Beach.
- k. Creating an exemplary public environment consisting of streets, pedestrian walks, and spaces for Jacksonville Beach.

The Marriott will have a maximum building height of fifty-six (56) feet and is planned to consist of ground floor retail, hotel access and valet parking; and up to four floors of hotel uses. The development will be one-hundred (100%) percent commercial (retail and hotel) in gross square footage. In accordance with the Central Business District (CBD) standards, the front yard setback along 1st Street North (western property line); northern property line and southern property line shall all be zero (0) feet, while the eastern property line setback shall be the greater of 10' or 0' from the Oceanfront Extent Line as established by the FDEP. The design, character, and architectural style of the proposed development will result in a unified, cohesive, and compatible plan of development within the Community Redevelopment Plan area. A Conceptual Building Elevation, dated April 19, 2019, is included as an attachment to the rezoning application.

F. Consistency with Comprehensive Plan

The Marriott includes an optimal mix of hotel and retail uses to ensure that the development is consistent with the goals and objectives of the Jacksonville Beach 2030 Comprehensive Plan. The hotel and retail use included in this development specifically supports Jacksonville Beach's tourism industry.

The Applicant also will provide space for commercial and retail uses, that will engage the pedestrians along 1st Street North and support the economic vitality of the downtown area. Outdoor recreation in the Marriott consists of a pool with outdoor seating, Seawalk and beach-front features. These outdoor features, as well as the public beach access that will be preserved and expanded during development, provide adequate recreation for residents and tourists alike while also conserving the natural aesthetics of the downtown beach. The Marriott also addresses building design, landscaping, and parking in order to support an attractive streetscape. The nature and design of the Marriott provides for a continued high quality of life in Jacksonville Beach.

The following objectives from the Jacksonville Beach 2030 Comprehensive Plan are specifically addressed in this development:

Policy LU.1.3.1

It is the intent of the City that the land use proposals in the adopted Downtown and South Beach Community Redevelopment plans currently being implemented are made a part of this Future Land Use Element by reference and development within these designated areas shall be carried out under the Planned Unit Development or Redevelopment District provisions in the City's land development regulations.

Policy LU.1.3.3

The City shall support and encourage redevelopment of the core downtown area, that area within the Central Business District: CBD zoning district boundaries, in accordance with its Downtown Vision Plan, through public investments and the development of detailed site design regulations to guide private development within the CBD. These design regulations shall be incorporated into the *Central Business District: CBD Zoning District* regulations of the Jacksonville Beach Land Development Code by November, 2011, and shall address such aspects as building design and frontage requirements, landscaping, and location of parking facilities and driveways.

Policy LU.1.4.8

Adequate recreation and open space facilities shall be developed over the planning period to provide the adopted level of service for existing and projected population in accordance with the goals, objectives, and policies set forth in the Recreation and Open Space Element.

Policy LU.1.5.10

CENTRAL BUSINESS DISTRICT (CBD)

The Central Business District (CBD) land use category is intended to provide a central core for the city, with a diversity of uses, and to promote flexibility in design and quality in development while preserving public access to the beach recreational area. It is coterminous with the jurisdictional area of those lands within the Downtown Redevelopment Area. The CBD category allows medium to high density residential, commercial, industrial, recreational, and entertainment uses, as well as transportation and communication facilities. The exact location, distribution, and density/intensity of various types of land uses in the Redevelopment Area will be guided by the site development plans approved as part of the Downtown Redevelopment Plan.

Policy LU.1.7.2

Encourage development/redevelopment at an appropriate scale, form, and density/intensity to support more economical and efficient public bus transit service.

Objective LU 1.9

Design of Commercial and Industrial Developments. Commercial and industrial development/ redevelopment will be designed to enhance access and circulation, and result in a positive and attractive built environment.

Objective CM.2.1.1

Shoreline land uses which incorporate public uses and access to shorelines and coastal resources shall have priority during development and redevelopment.

Objective RO.1.8

Throughout the planning period, the City shall ensure that public access to the beachfront and Atlantic Intracoastal Waterway is maintained and improved.

Policy RO.1.8.1

Existing public access to the beach shall be maintained by new development or redevelopment. New beachfront development or redevelopment shall show on their site plans existing provisions for beach access, and the proposed development or redevelopment shall continue the current form of access, modify it in a comparable fashion on-site, or donate to the City an improved provision for public access elsewhere in the City.

Policy RO.1.8.2

New beachfront development or redevelopment shall not result in a net loss of public parking for beach visitors. Replacement parking must be no less convenient for beach visitors than that it replaces.

9. **A statement of the applicant's intentions with regard to the form of ownership contemplated for the development when construction is completed, e.g. sale or lease of all or some of the development including rental units, condominiums, or fee simple conveyance.**

The owner intends on developing and owning the hotel in the name of Jax Pier Lodging LLC and / or it's successors.

10. **A written description of the proposed development including:**

- (a) **The number and type of residential dwelling units.**

There are no residential units.

- (b) **Approximate gross density for the residential development.**

0 units / acre

- (c) **The amounts of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.**

Property Boundary = ±43,417 sq. ft
Building Envelope = ±35,619 sq. ft.
Beachside Public Use = ±7,053 sq. ft.

| Floor | Usage | Square Footage |
|--------|---|----------------|
| First | Hotel Access /Retail/Parking | 35,619 |
| Second | Hotel Lobby, Ancillary Uses & Rooms (enclosed area) | 29,886 |
| Third | Hotel Rooms (enclosed area) | 24,353 |
| Fourth | Hotel Rooms (enclosed area) | 24,353 |
| Fifth | Hotel Rooms (enclosed area) | 24,353 |

(d) **Calculations showing the total lot coverage for building and accessory uses.**

| | | | |
|--------------------------|---|-----------------|-------|
| Building Envelope | = | ±35,619 sq. ft. | 82.0% |
| Setbacks/Public Use Area | = | ±7,798 sq. ft. | 18.0% |
| Property Boundary | = | ±43,417 sq. ft. | 100% |

11. **A concept plan showing the location of all proposed buildings, the proposed traffic circulation system, and parking facilities.**

Please see attached.

12. **A tentative development schedule indicating.**

(a) **The approximate date when construction of the development can be expected to begin.**

September 2019

(b) **The stages in which the development will be built and the approximate date when construction on each stage can be expected to begin.**

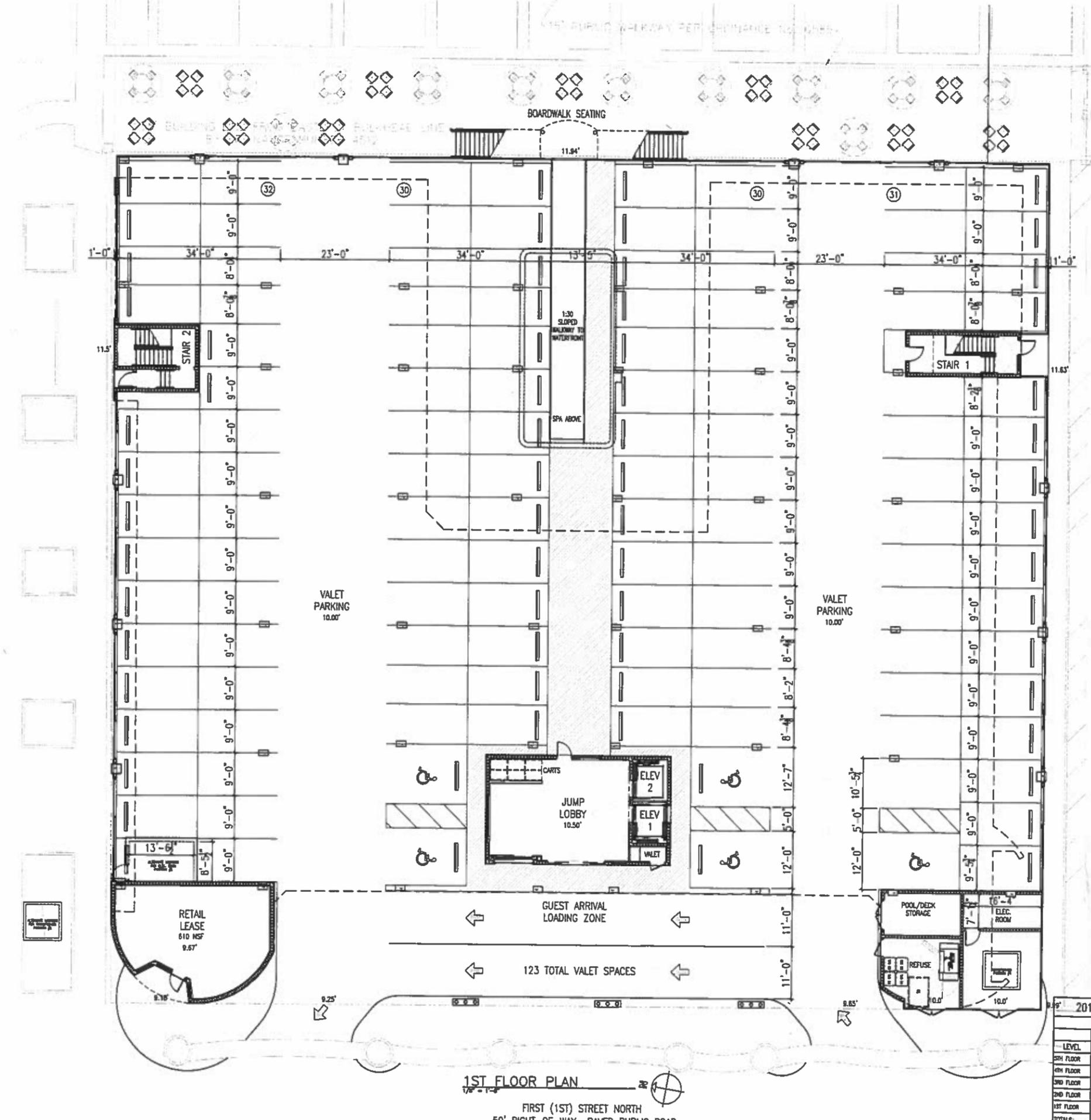
| Construction Stage | Description of Stage | Begin Date |
|--------------------|-----------------------|-----------------|
| I | Site Preparation | September, 2019 |
| II | Foundations | October, 2019 |
| III | Vertical Construction | November, 2019 |
| IV | Hotel Opening | January, 2021 |

PC#10-19



PC1110-19





| GUESTROOM TABULATION | | | | | |
|----------------------------|---------|---------|---------|---------|-------|
| GUESTROOM TYPES | 1ST FLR | 2ND FLR | 3RD FLR | 4TH FLR | TOTAL |
| E-1 STD | 0 | 0 | 6 | 0 | 6 |
| E-2 WIDE STD | 0 | 0 | 1 | 1 | 2 |
| E-3 DD | 0 | 0 | 2 | 2 | 4 |
| E-4 DD | 0 | 0 | 2 | 2 | 4 |
| E-5 WIDE STREET | 0 | 0 | 1 | 1 | 2 |
| E-6 STREET | 0 | 0 | 0 | 0 | 0 |
| E-7 SUITE | 0 | 0 | 1 | 1 | 2 |
| E-8 STD ADA-TUB | 0 | 0 | 1 | 1 | 2 |
| E-9 STREET ADA-TUB | 0 | 0 | 0 | 0 | 0 |
| E-10 CORNER | 0 | 0 | 1 | 1 | 2 |
| E-11 CORNER | 0 | 0 | 1 | 1 | 2 |
| E-12 CORNER | 0 | 1 | 0 | 0 | 1 |
| E-13 CORNER ADA-BATH | 0 | 1 | 0 | 0 | 1 |
| CO-1 STD | 0 | 10 | 10 | 10 | 40 |
| CO-2 WIDE | 0 | 1 | 1 | 2 | 4 |
| CO-3 DD | 0 | 0 | 1 | 1 | 2 |
| CO-4 DD | 0 | 0 | 1 | 1 | 2 |
| CO-5 ADA-BATH | 0 | 1 | 0 | 0 | 1 |
| CO-6 ADA-TUB | 0 | 0 | 1 | 0 | 1 |
| 2-BR OCEAN SUITE 1 | 0 | 1 | 2 | 2 | 7 |
| 2-BR OCEAN SUITE 2 | 0 | 1 | 2 | 1 | 6 |
| 2-BR OCEAN SUITE 3 ADA-TUB | 0 | 0 | 0 | 1 | 1 |
| TOTALS | 0 | 18 | 40 | 40 | 138 |

ARCHITECT: L P B C
 LINCOLN POPE BAYFIELD CLIFFORD
 344 WEST PAUL STREET
 LAWRENCEVILLE, GA 30046
 770 822 8882
 770 822 8883 FAX
 www.lincolnpbc.com

DEVELOPER:
 3H GROUP
 3H GROUP
 HOTELS, INC
 505 RIVERFRONT PARKWAY
 CHATTANOOGA, TN 37402

PROJECT:
 SPRINGHILL SUITES
 MARRIOTT
 SPRINGHILL SUITES
 BY MARRIOTT
 JACKSONVILLE
 BEACH, FL

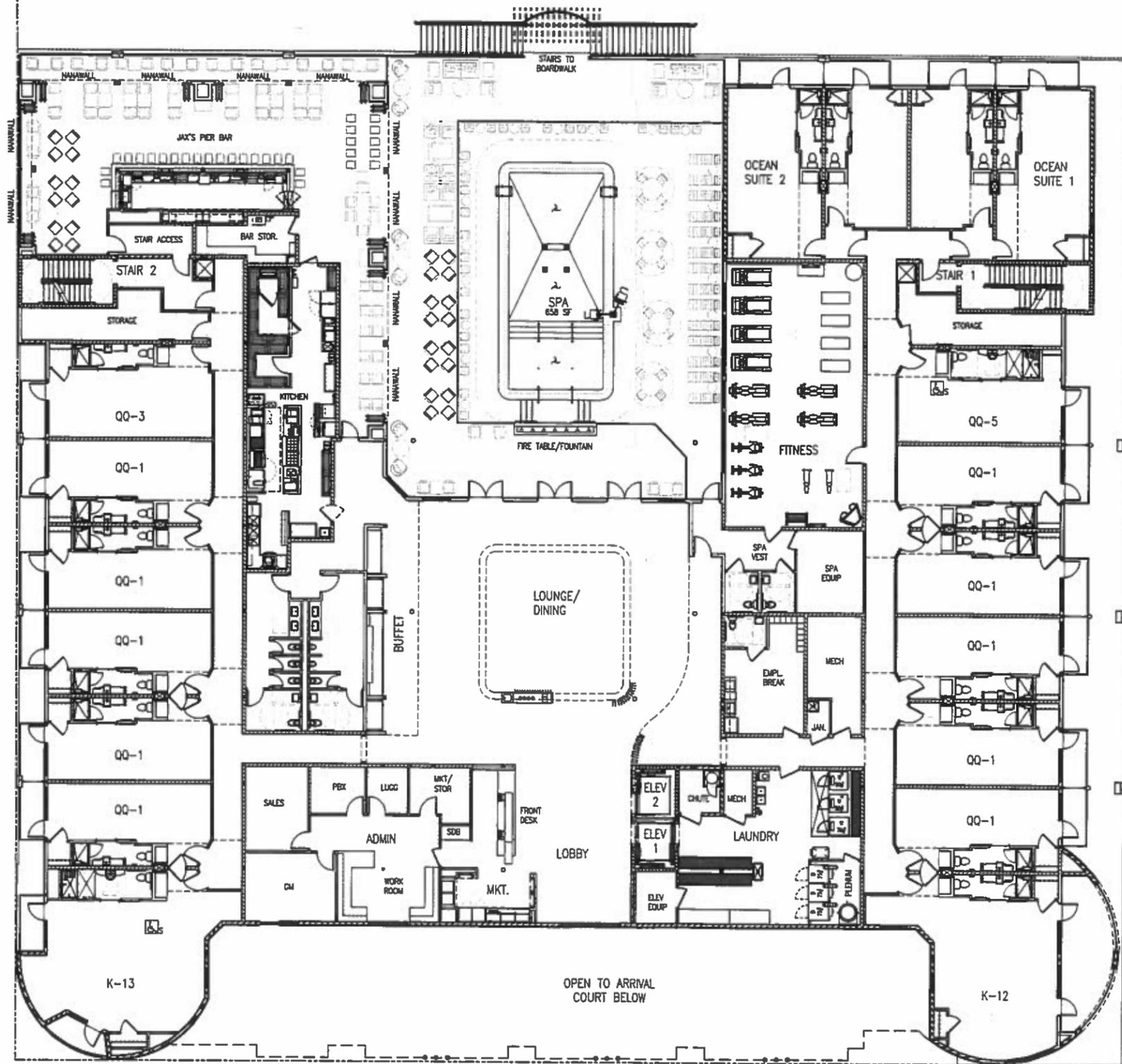
412 1ST STREET NORTH
 JACKSONVILLE BEACH, FL
 32254
 EDITION
 00 UPDATE 04-19-19

PROJECT NO.: 219005
 DRAWN BY:
 CHECKED BY:
 APPROVED BY:
 PLOT DATE:
 © 2019 ALL RIGHTS RESERVED LINCOLN POPE BAYFIELD CLIFFORD & ASSOCIATES, INC.

| 2017 FLORIDA BUILDING CODE AREA TABULATION | | | | | | |
|--|--------|---------|-----------|-------------|----------------|-------------|
| PROJECT AREAS (IN SQUARE FEET) | | | | | | |
| LEVEL | COND. | UNCOND. | SUB-TOTAL | LEASE COND. | GARAGE UNCOND. | TOTAL AREAS |
| 5TH FLOOR | 24,188 | 2,180 | 26,378 | 0 | 0 | 26,378 |
| 4TH FLOOR | 24,188 | 2,180 | 26,378 | 0 | 0 | 26,378 |
| 3RD FLOOR | 24,188 | 1,562 | 25,751 | 0 | 0 | 25,751 |
| 2ND FLOOR | 24,231 | 6,114 | 30,445 | 0 | 0 | 30,445 |
| 1ST FLOOR | 1,470 | 0 | 1,470 | 711 | 32,780 | 34,961 |
| TOTALS: | 98,365 | 12,056 | 110,424 | 711 | 32,780 | 143,915 |

1ST FLOOR PLAN
 FIRST (1ST) STREET NORTH
 50' RIGHT-OF-WAY PAVED PUBLIC ROAD

1ST FLOOR PLAN
 A101



2ND FLOOR PLAN
1/8" = 1'-0"

| GUESTROOM TABULATION | | | | | |
|---------------------------|---------|---------|---------|---------|-------|
| GUESTROOM TYPE | 1ST FLR | 2ND FLR | 3RD FLR | 4TH FLR | TOTAL |
| K-1 CTD | 0 | 0 | 6 | 6 | 12 |
| K-3 WIC CTD | 0 | 0 | 1 | 1 | 2 |
| K-3 DD | 0 | 0 | 2 | 2 | 4 |
| K-4 DD | 0 | 0 | 2 | 2 | 4 |
| K-4 WIC STREET | 0 | 0 | 1 | 1 | 2 |
| K-4 STREET | 0 | 0 | 6 | 6 | 12 |
| K-7 WIC | 0 | 0 | 1 | 1 | 2 |
| K-8 CTD ADJ-RM | 0 | 0 | 1 | 1 | 2 |
| K-9 STREET ADJ-RM | 0 | 0 | 0 | 1 | 1 |
| K-10 CORNER | 0 | 0 | 1 | 1 | 2 |
| K-11 CORNER | 0 | 0 | 1 | 1 | 2 |
| K-12 CORNER | 0 | 1 | 0 | 0 | 1 |
| K-13 CORNER ADJ-BDR | 0 | 1 | 0 | 0 | 1 |
| QQ-1 SD | 0 | 10 | 10 | 10 | 40 |
| QQ-2 WIC | 0 | 1 | 1 | 2 | 4 |
| QQ-3 DD | 0 | 0 | 1 | 1 | 2 |
| QQ-4 DD | 0 | 0 | 1 | 1 | 2 |
| QQ-5 ADJ-BDR | 0 | 1 | 0 | 0 | 1 |
| QQ-5 ADJ-RM | 0 | 0 | 1 | 0 | 1 |
| 3-BR OCEAN SUITE 1 | 0 | 1 | 2 | 2 | 7 |
| 3-BR OCEAN SUITE 2 | 0 | 1 | 2 | 2 | 7 |
| 2-BR OCEAN SUITE 3 ADJ-RM | 0 | 0 | 0 | 1 | 1 |
| TOTALS | 0 | 12 | 40 | 40 | 132 |

ARCHITECT: L P B C
 LINDSEY POPE BRAYFIELD CLIFFORD
 244 WEST PINE STREET
 LAWRENCEVILLE, GA 30046
 770 962 8904
 770 922 8482 FAX
 www.lpbcb.com

DEVELOPER:
 3H GROUP HOTELS
 3H GROUP HOTELS, INC.
 885 EVERFRONT PARKWAY
 CHATTANOOGA, TN 37402

PROJECT:
 SPRINGHILL SUITESSM
 MARRIOTT
 SPRINGHILL SUITES BY MARRIOTT
 JACKSONVILLE BEACH, FL

413 1ST STREET NORTH
 JACKSONVILLE BEACH, FL 32250
 EDITION
 08 UPDATE 04-19-19

PROJECT NO.: 219003
 DRAWN BY:
 CHECKED BY:
 APPROVED BY:
 PLOT DATE:
 © 2018 ALL RIGHTS RESERVED LINDSEY POPE BRAYFIELD CLIFFORD & ASSOCIATES, INC.

| 2017 FLORIDA BUILDING CODE AREA TABULATION | | | | | | |
|--|--------|---------|-----------|--------------|---------|-------------|
| PROJECT AREAS (IN SQUARE FEET) | | | | | | |
| LEVEL | HOTEL | | | LEASE GARAGE | | TOTAL AREAS |
| | COND. | UNCOND. | SUB-TOTAL | COND. | UNCOND. | |
| 5TH FLOOR | 24,180 | 2,190 | 26,370 | 0 | 0 | 26,370 |
| 4TH FLOOR | 24,180 | 2,190 | 26,370 | 0 | 0 | 26,370 |
| 3RD FLOOR | 24,180 | 1,562 | 25,742 | 0 | 0 | 25,742 |
| 2ND FLOOR | 24,331 | 6,114 | 30,445 | 0 | 0 | 30,445 |
| 1ST FLOOR | 1,470 | 0 | 1,470 | 711 | 32,780 | 34,961 |
| TOTALS: | 88,368 | 12,056 | 110,424 | 711 | 32,780 | 143,915 |

2ND FLOOR PLAN

A102

Stacy M. Tinker

For

PC#10-19

From: Meade Marston-Coplan <meadebiz@gmail.com>
Sent: Wednesday, May 15, 2019 4:45 PM
To: Planning Division
Subject: [POSSIBLE SPAM] NO TO MARRIOTT

1. WE DON'T NEED MORE HOTELS IN JAX BEACH
2. WE NEED SMALL BOUTIQUES, RETAIL, QUAIN BEDS AND BREAKFASTS, LOW IMPACT TRAFFIC GENERATORS, MORE PEDESTRIAN ATTRACTIONS, MUSEUMS, LESS CRIME, LESS NOISE.
3. NO HOTEL UNLESS YOU INCREASE POLICE PATROLS.
4. WE THOUGHT YOU WERE TRYING TO MAKE JAX BEACH MORE ARCHITECTURALLY APPEALING? MARIOTT IS UGLY.
5. MORE LANDSCAPING.

QUESTION? JUST WHAT IS JAX BEACH TRYING TO BE?

THANK YOU, MEADE AND AL COPLAN/METROPOLITAN

Stacy M. Tinker

From: Aaron Houser <aaron@rebaterentals.com>
Sent: Tuesday, May 14, 2019 7:09 PM
To: Planning Division
Subject: Marriott Springhill Suites

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

It's my opinion that adding another 5-story hotel next to the pier while might be the highest and best use for tax revenue, it's a major pain point for folks that already live in the neighborhood and have been paying taxes for years. This section is already nuts on the weekends without the additional traffic load that this will bring. With that said, I'm not completely against improving the area with a higher use but it would be nice to balance it with mixed uses that can also benefit the locals and not just the weekend warrior that doesn't have affinity and respect for the neighborhood. In turn, the locals can help support the local establishments without increasing traffic, noise, and crime.

Respectfully,

Aaron



Aaron J. Houser
Lic. Real Estate Broker

RebateRentals.com Realty, Inc.
6817 Southpoint Parkway, Suite 1603
Jacksonville, Florida 32216
(904) 281-2100 Office
(904) 621-9988 Fax

[Search MLS](#) or [Search New Homes](#)

All offices are independently owned and operated.

DISCLAIMER: RebateRentals.com Realty, Inc. aides in the transmittal of written communication between property owners and tenants. Any verbal representations must be in writing with mutual acceptance to have effect. All decisions are made solely by the property owner.

Stacy M. Tinker

From: Steven Gold <steventgold@gmail.com>
Sent: Tuesday, May 14, 2019 6:35 PM
To: Planning Division
Subject: Unit 712

Follow Up Flag: Follow up
Flag Status: Flagged

I'm the owner of the metropolitan building unit 712 and against the proposed Marriott Springhill suites. The best use of the space is a redeveloped restaurant - same use. Thanks!

Sent from my iPhone

Stacy M. Tinker

From: nayla chahlavi <nayla222@hotmail.com>
Sent: Tuesday, May 14, 2019 9:39 PM
To: Planning Division
Subject: Re: Spring Hill suites

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

My name is Nayla chahlavi and I own a unit at the Metropolitan building, on 320 1st street, unit 907.

I would like to state my disapproval for permitting this hotel due to crime concern, traffic congestion and noise level.

Thank you,

Nayla chahlavi

Sent from my iPhone

On Thursday, May 16, 2019, Plannng@jaxbchfl.net <Plannng@jaxbchfl.net> wrote:

To whom this may concern

I am a resident at 3201st Street North Unit 810 Jacksonville Beach in the Metropolitan Building . I am writing about the proposal to tear down the Pier Restaurant and replace it with a Five Story Marriot Springhill Suites Hotel. I think it is absurd to consider adding yet another hotel to this section of the Jacksonville Beach community. The congestion, Traffic, crime and parking are a nightmare now and this would exacerbate the problems immensely. The infrastructure is too small and clogged already . Within 8 blocks of this proposed area for another hotel, we have a Marriot Courtyard, Hampton Inn, the Element Boutique Hotel coming in the Museum, Casa Marina, Margaritaville, Best Western, Sheraton Four Points, and even another hotel going into the spot across from MacDonalds on 1st Ave. South not to mention the Waterfall Condos being built down the street on 1st Street.South. Traffic for all of us is a nightmare already especially on the weekends. The Beach Bars draw enough extra with limited parking and we pay a large HOA fee to keep our residences and parking lots safe and protected. We do not need to add to the present Jacksonville Beach reputation as the party place with a hotel right there to house Bachelor and Bachelorette parties with drugs, alcohol, fights and chaos. Where willl their friends park? Do we need a line up of Uber and Lyft cars in front of this proposed hotel as well NO!!! Jacksonville Beach is trying to improve the community appearance and it is starting to become more desirable with property values increasing according to the realtors. Nocatee traffic has tarnished the desirability of Ponte Vedra. Jacksonville Beach we were told when buying our condo in December, is trying to become less crowded with less crime as that is what the other Beach communities near us enjoy. We were told their is an ordinance in place that buildings can no longer exceed three stories so we don't become Daytona or South Florida and overcrowd our coasts as well. Finally, our beautiful views and privacy will be removed if this is approved. Please consider NOT APPROVING this unneeded hotel and consider a 3 story upscale restaurant as we have nothing on the ocean with class right now in Jax Beach.

Sincerely,

Mary Southwick Jones and Hal Jones III

phone: 904-343-7668

Stacy M. Tinker

From: VALERIE THOMAS <valthomas322@gmail.com>
Sent: Thursday, May 16, 2019 12:22 PM
To: Planning Division
Cc: Gray Thomas
Subject: Springhill Suites Proposal for Rezoning

We are the owners of a condominium in The Metropolitan, and we strongly object to rezoning The Pier restaurant to allow a new oceanfront hotel. This is our primary/only residence. This is our home.

Jacksonville Beach already has 8 major hotels. 4 of those hotels are owned by Marriott, the owner of Springhill Suites. 2 additional hotels are being built now or soon, Margaritaville and The Element. We don't need another hotel. It is our impression that the Planning Commission is in the process of developing a vision for the future of Jacksonville Beach, one that would decrease the number of drinking establishments vs. encouraging more to come.

We are smack in the middle of the "young drinking crowd" area. This hotel will encourage even more young drinkers with large party groups celebrating birthdays, weddings, etc. These young drinkers will pack themselves into these "suites" which will result in inadequate parking for the hotel.

Most importantly this 5 story hotel will block our view of the pier and the ocean.

We need more upscale restaurants vs. hotels and drinking bars. Please do not allow this rezoning application.

Sincerely,

Valerie and D. Gray Thomas
320 1st Street N. Apt 911
Jacksonville Beach, FL 32250
904-687-4515

Stacy M. Tinker

From: cathybattreall@comcast.net
Sent: Saturday, May 18, 2019 11:17 AM
To: Planning Division
Cc: rusty-diane@ellijay.com
Subject: rezoning application for The Pier Restaurant property at 412 N. 1st Street.

Dear Planning Commission

I am strongly opposed to this rezoning for the following reasons:

- We currently have at least 9 major hotels in Jacksonville Beach. Two additional hotels are being built soon, Margaritaville (oceanfront and north of Casa Marina hotel) and The Element (3rd St. and Beach). This equates to 326 more hotel rooms in our neighborhood. Too much room capacity could translate to less expensive rooms which can lead to a very young clientele capable of filling these "suites" for various celebrations.
- It will increase traffic congestion in the area. It will attract more bar patrons to our neighborhood it is already VERY loud at night. Its surprising how much noise they produce
- We do not need more bars and hotels in our neighborhood we have already experienced more violence this past year than normal. (shootings)
- My view from the north and east sides of the building will be obstructed from seeing the pier and much of the ocean. I purchased this condo based on the assumption that nothing could be built over 35 feet and my view would be preserved.

I urge you to deny the rezoning application for this hotel

Cathy Battreall
Cell 305-522-2525

Stacy M. Tinker

From: rlummus <rlummus@bellsouth.net>
Sent: Sunday, May 19, 2019 2:11 PM
To: Planning Division
Cc: Randy Lummus; Sandra Lummus
Subject: Opposition To PC#10-19 - Proposed Rezoning for Hotel

Good Day,

As a directly impacted property owner, thank you in advance for providing my wife and me an opportunity to present our opposition to the re-zoning for a proposed hotel under PC#10-19.

My name is Randy Lummus. Sandra and I own property and reside at the Metropolitan Building, 1st N, Unit 908, Jacksonville Beach, FL.

In reviewing the application, we understand this to be a proposed five story hotel located on the property.

We have concerns in several different areas:

- This property is directly adjacent to several high volume public beach access points. High volumes of beach goers access the beach at these points on a daily basis, especially in the non-winter months. This will materially increase beach access volume and people locating on the beach in and around the pier. With the public access points, it is currently extremely difficult to navigate the beach in this area. Adding a hotel at a landmark public access point (Pier) will make the beach impassible due to the additional volume of people on the beach.
- I understand there may be an Exception requested to exceed the 35 feet limit. When enacted, this limit was important to both the Jacksonville Council and Jacksonville Beach citizens for specific higher rise buildings - as to not create early afternoon shade directly on the beach. The Margaritaville hotel (within close distance) was made exempt from this ordinance. Adding this hotel to the exemption at this specific location is in direct conflict of the Jacksonville Beach council's and citizen's will and desire when the ordinance was enacted.
- Automobile and pedestrian traffic volume will materially increase on the streets in this area. The 1st street road design does not support the expected traffic volume and will lead to higher risk that restaurant patrons, beach goers, bike riders and pets could be injured.
- Noise volume will materially increase both from the additional traffic and the hotel stayers in and around the boardwalk. While many of the bars in this area produce a large amount of noise well into the early morning on a nightly basis, the restaurant currently on this property does not.

Thank you for allowing Sandra and me an opportunity to voice our concerns in a written format. We will also attend the upcoming council meeting.

Best Regards,

Randy and Sandra Lummus
Metropolitan Building
1 Street N

Unit 908
Jacksonville Beach, FL 32250



REZONING/TEXT AMENDMENT APPLICATION

PC No. 12-19
AS/400# 19-100053

5/28/19 PC meeting

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

Lickfeld APPLICANT INFORMATION

Land Owner's Name: Sue Lickfield, Beaches Elderly Housing Corp.
Mailing Address: 360 Scarlet Bugler Lane South
Jacksonville Beach, Florida 32225

Telephone: (904) 241-5207
Fax: _____
E-Mail: _____

Applicant Name: Melissa Gilreath, Elderly Housing Mgmt. Corp., Inc.
Mailing Address: 115 South Third Street
Jacksonville, FL 32250

Telephone: (904) 339-0262
Fax: _____
E-Mail: mgilreath@ehmcorp.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: Brian E. Kientz, Connelly & Wicker Inc.
Mailing Address: 10060 Skinner Lake Drive, Suite 500
Jacksonville, FL 32246

Telephone: (904) 265-3030
Fax: (904) 265-3031
E-Mail: bkientz@cwieng.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

(1600 Shetter Avenue)

Street address of property and/or Real Estate Number: Duval County RE #177556 0000, 177566 0030, 177566 0010

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See Attachment "A"

Current Zoning Classification: RM-1 + Future Land Use Map Designation: HDR +

TEXT AMENDMENT DATA

PLANNING AND DEVELOPMENT Current Chapter, Article, Section, Paragraph Number: _____ N/A

| REQUESTED INFORMATION | Attached? | |
|--|-----------|----|
| | Yes | No |
| 1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked; See Attachment "B" | ✓ | |
| 2. An 8½" x 11" vicinity map identifying the property proposed for amendment; See Attachment "C" | ✓ | |
| 3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked; See Attachment "D" | ✓ | |
| 4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC. See Attachment "E" | ✓ | |
| 5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements. | | ✓ |

Applicant Signature: Melissa Gilreath Date: 4-11-19

AGENT AUTHORIZATION FORM

Beaches Elderly Housing Corp. Inc/Pablo 177556 0000 and 177566 030, AND
(Project Name) HAMLET (City Development Number) 177566 0010

Property Legal Description: See attached legal description.

The undersigned, registered property owner(s) of said property described on the attachment to this Agent Authorization Form, do hereby authorize

MELISSA GILREATH of Elderly Housing Management Corp.
(Registered Professional/Contractor / Agent) (Name of Firm)

to act on my/our behalf and take all actions necessary with the City of

Jacksonville, Florida, regarding the development of the property described in the

attached legal description.

RECEIVED

Property Owner's Address:

APR 12 2019

360 Scarlet Bugler Ln S

PLANNING & DEVELOPMENT

Telephone: 904-910-9226

Robina Sue Lickfeld
Printed Name of Property Owner

Printed Name of Property Owner

Robina Sue Lickfeld
Signature of Property Owner

Signature of Property Owner

Date: 4/11/2019

Date: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 11 day of APRIL, 2019, by SHERYL ROUSSIN
(name/names)

Sheryl Roussin
(Signature of Notary Public, State of Florida)
(Notary Stamp)



Personally known OR produced identification _____
Type of identification produced _____

ATTACHMENT "A"

Legal Description

RE # 177556 0030

38-2S-29E 5.20 B DE CASTRO Y FERRER
GRANT PT RECD O/R 10437-732

RE # 177556 0000

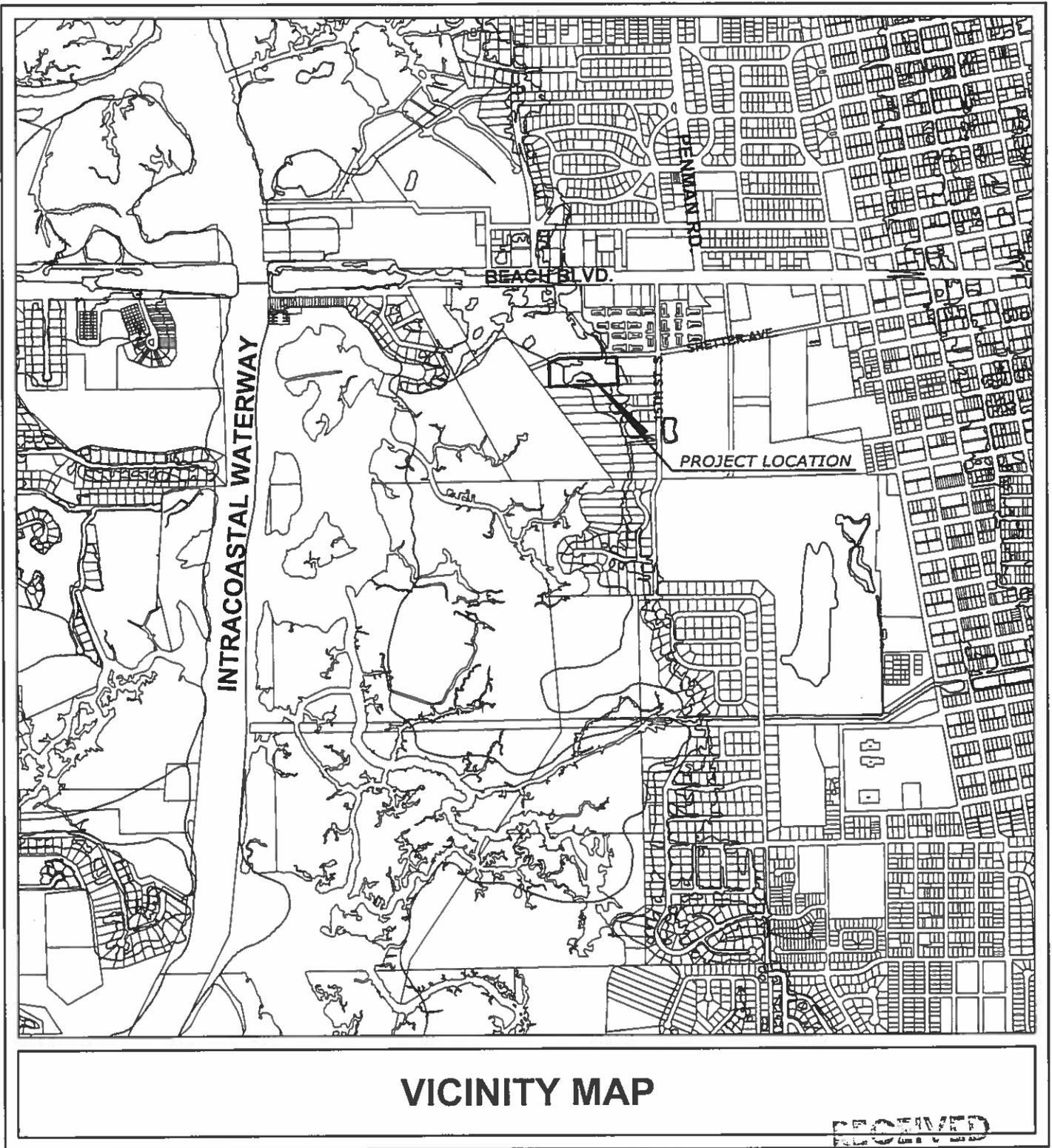
38-2S-29E 5.20 B DE CASTRO Y FERRER
GRANT PT RECD O/R 10437-732

RECEIVED

APR 12 2019

PLANNING & DEVELOPMENT

ATTACHMENT "C"



APR 12 2019

PLANNING & DEVELOPMENT

Duval Map

ATTACHMENT "D"

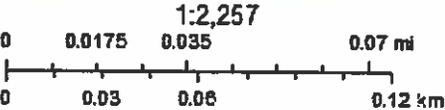


April 10, 2019

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APR 12 2019

PLANNING & DEVELOPMENT



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ATTACHMENT "E"

APR 30 2019

I. NARRATIVE AND PROJECT DESCRIPTION

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During the course of time, the property was renamed to Pablo Hamlet and the use was changed from conventional multifamily housing to affordable senior living. Today Pablo Hamlet contains 104 senior residents, well short of high demand for senior housing at the beaches.

The 2030 Comprehensive Land Use for the property is High Density Residential allowing 21 to 40 dwelling units per acre. The current Zoning of the two subject parcels is RM-1 limiting the maximum density of 20 dwelling units per acre.

The proposed PUD formally modifies the intended use from conventional multifamily to affordable senior living and increases the density from 104 dwelling units to 192 dwelling units with 192 parking spaces meeting the minimum requirement of 1 space per unit. The expansion will consist of renovating existing common areas with 4 new dwellings and construction 84 dwelling units in two new expansion wings. In accordance with the Florida Housing Finance rules, Pablo Hamlet will remain Affordable Senior Housing for a minimum of 50 years.

We believe the intended use for this project is provides the community with new affordable senior living dwellings to meet the current demand and is compatible with the adjacent Discovery Montessori School site to the east. Traffic trips associated with senior living are very low and well below the allowable capacity of the original multi-family RM-1 zoning.

The rezoning to for RM-1 to PUD is necessary due to the fact that the current Jacksonville Beach Zoning code does not address senior living in any of the zoning categories, and for the reasons mentioned above.

II. USES AND RESTRICTIONS

A. Senior Living Residential Use

1. One bedroom minimum unit: 650 sq. ft.
2. Two bedroom minimum unit: 900 sq. ft.
3.
 - a. Leasing office, amenity/recreation center, which may include a clubhouse, fitness/exercise facility, and similar uses.
 - b. Essential Services, including water, sewer, gas, telephone, radio, television and electric.
4. Permitted Accessory Uses

- a. Utility sheds and workshops; gazebos, cabanas, and other similar structures; barbecue pits; vegetable gardens, non-commercial greenhouses, and similar uses; any other use customarily accessory to senior living use.
5. Maximum Lot Coverage (by all buildings and structures):
 - a. Thirty-five percent (65%).
 - b. Common Area (20% minimum) excluding parking areas, street rights-of-way, minimum yards, and spacing between buildings. Water bodies contained on-site may account for up to fifty (50 percent) of the required open space.
 6. Minimum Yard Requirements
 - a. Front - Twenty (20) feet.
 - b. Corner/Side - Ten (10) feet.
 - c. Rear - Thirty (30) feet.
 7. Maximum Height of Structures:
 - a. Thirty-five (35) feet.
 - b. Building height means the vertical distance from the elevation of the crown of the road of the nearest adjacent roadway at the center of the front of the building to the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for hip, gable and gambrel roofs.
 8. Gross Density
 - a. Gross residential density shall not exceed forty (40) units per acre.
- B. Common Recreation and Usable Open Space
1. Active recreation/amenities (including active recreational facilities such as an amenity/recreation center, pool, clubhouse, fitness/exercise facility, and similar uses) shall be provided as shown on the Site Plan. Such common recreation and usable open space comprises a minimum of twenty percent (20%) of the gross land area in the PUD, and will comply with the standards in Section 34-348G(3)(h), Jacksonville Beach Ordinance Code.
- C. Access

1. Active recreation/amenities (including active recreational facilities such as an amenity/recreation center, pool, clubhouse, fitness/exercise facility, and similar uses) shall be provided as shown on the Site Plan. Such common recreation and usable open space comprises a minimum of twenty percent (20%) of the gross land area in the PUD, and will comply with the standards in Section 34-348G)(3)(h), Jacksonville Beach Ordinance Code.

D. Supplemental Standards

1. Unless otherwise provided herein, the Supplemental Standards provided in Chapter 34, Article VIII, Division 2, Jacksonville Beach Code of Ordinances, shall apply.

E. Landscaping

1. Site clearing and landscape standards as provided in Chapter 34, Article VIII, Division 3, Jacksonville Beach Code of Ordinances, shall apply, with the following additional provision: landscape standards shall be applied within the PUD without regard to Parcel boundaries.

F. Parking

1. Parking will be provided at a ratio of one (1) space per residential unit, as shown on the Site Plan and Parking Tabulation key therein. For the proposed 192 residential units, 192 parking spaces are required.
2. Parking for disabled persons will be provided as required in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances.
3. Unless otherwise provided in this Section H, the provisions in Chapter 34, Article VIII, Division 1, Jacksonville Beach Code of Ordinances, shall apply.

G. Environmental Standards

1. Stormwater shall be treated as described on Site Plan and will comply with the Environmental Standards provided in Chapter 34, Article VIII, Division 5, Jacksonville Beach Code of Ordinances.

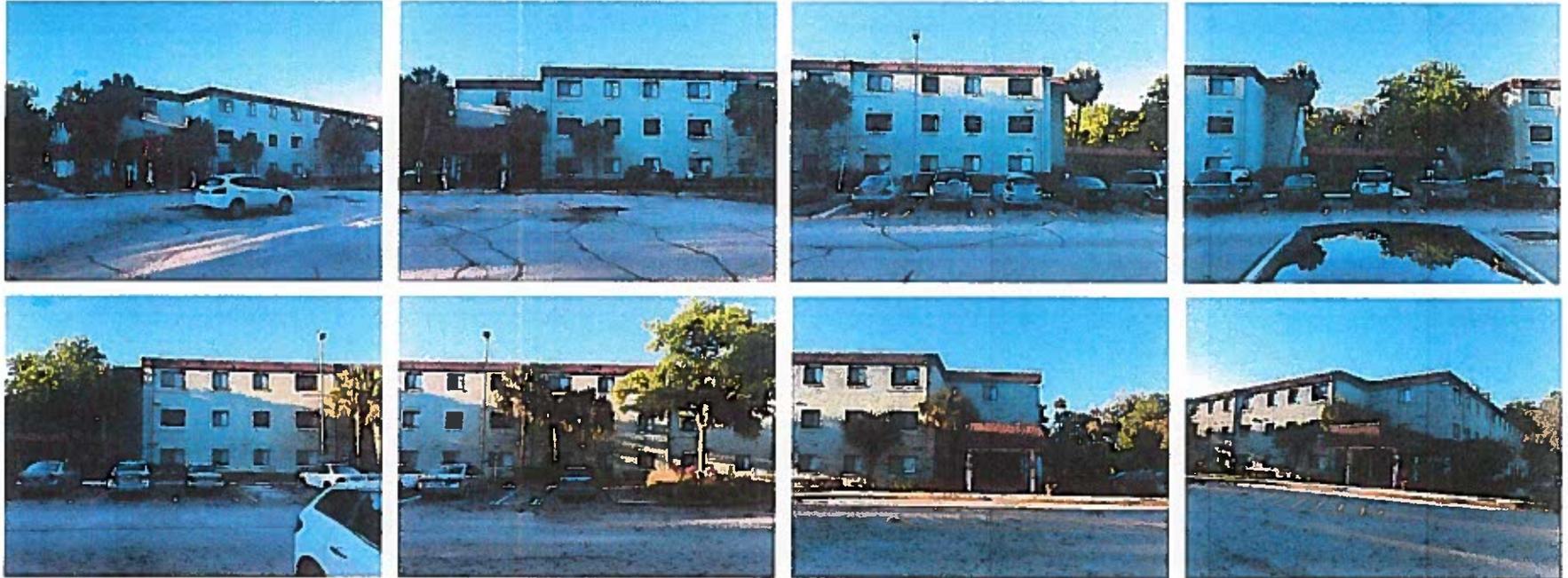
H. Development Schedule

| | <u>Start</u> | <u>Complete</u> |
|--|--------------|-----------------|
| 1. PUD Approval | 4/15/2019 | 6/15/2019 |
| 2. Florida Housing Finance Corp. Application | 9/1/2019 | 11/15/2019 |
| 3. Florida Housing Finance Corp. Award | 11/15/2019 | 2/15/2020 |
| 4. Florida Housing Finance Corp. Appeals | 2/15/2020 | 8/1/2020 |
| 5. Tax Credit Underwriting | 8/1/2020 | 6/1/2021 |
| 6. Design, Engineering & Permitting | 8/1/2020 | 6/1/2021 |
| 7. Construction | 6/1/2021 | 8/1/2022 |

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MAY 20 2019

Existing

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PHOTOGRAPHS OF EXISTING BUILDINGS

Proposed

RECEIVED

PC#12-19

MAY 20 2019

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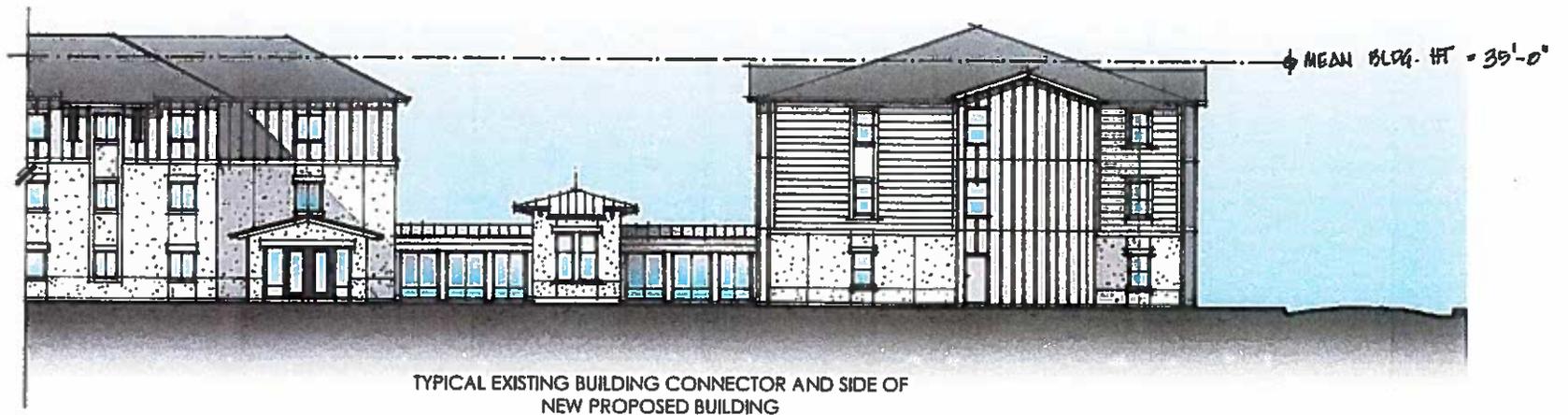


TYPICAL EXISTING BUILDING / WING FRONT ELEVATION

Proposed

RECEIVED
PC#12-19
MAY 20 2019

PLANNING & DEVELOPMENT



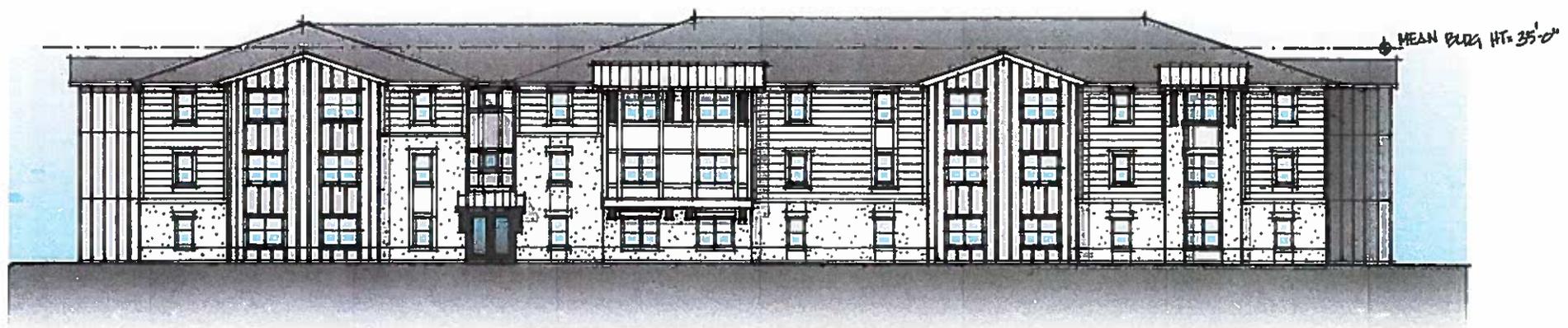
Proposed

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PC#12-19

MAY 20 2019

PLANNING & DEVELOPMENT



TYPICAL NEW PROPOSED BUILDING FRONT ELEVATION



REZONING/TEXT AMENDMENT APPLICATION

Tuesday 5/28/19

PC No. 13-19

AS/400# 19-100060

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: Marcello Bergo & Katrina Lane
Mailing Address: 603 16th Street North, Jacksonville Beach, 32250

Telephone: (839) 955-9725
Fax: _____
E-Mail: katrinamarie2012.kl@gmail.com

Applicant Name: same as above
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: Lindsay Haga, AICP, Senior Planner
Mailing Address: England-Thims & Miller, Inc.

Telephone: (904) 642-8990
Fax: _____
E-Mail: hagal@etminc.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: n/a APR 26 2019

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): n/a PLANNING & DEVELOPMENT

Current Zoning Classification: n/a Future Land Use Map Designation: n/a

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Article IV Definitions, Section 34-41 General and Article VIII, Section 34-392(2)

| REQUESTED INFORMATION | Attached? | |
|--|-----------|----|
| | Yes | No |
| 1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked; | ✓ | |
| 2. An 8½" x11" vicinity map identifying the property proposed for amendment; | ✓ | |
| 3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked; | ✓ | |
| 4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC. | | ✓ |
| 5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements. | ✓ | |

Applicant Signature: Lindsay Haga AGENT

Date: 4/24/19

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PC#13-19

APR 26 2019

PLANNING & DEVELOPMENT

**City of Jacksonville Beach
Land Development Code
Text AMENDMENT**

**Urban Farming:
Backyard Poultry & Miniature Goats**

PREPARED FOR:

**Marcello & Katrina Bergo
603 16th Street North
Jacksonville Beach, Florida 32250**

PREPARED BY:

**England-Thims & Miller, Inc.
14775 Old St. Augustine Road
Jacksonville, FL 32258
Phone: 904-642-8990
Attention: Lindsay Haga, AICP**

April 24, 2019

City of Jacksonville Beach

Land Development Code Text AMENDMENT

Urban Farming: Backyard Poultry & Miniature Goats

Request summary

In 2017, the surrounding cities of Jacksonville, Neptune Beach and Atlantic Beach adopted backyard hen pilot programs. The programs recognized the strong positive outcomes of urban farming: self-sufficiency, sustainability and recycling (kitchen scraps, grass clippings) to produce fresh eggs and milk. In addition to these individual quality of life benefits, urban farming also advances education and provides companionship of animal husbandry.

These programs did not overlook concerns typically voiced with introducing traditional uses in the urban environment. The regulations address noise, odor and sanitation by outlining site level standards, requirements to manage the animals and defining which animals are permitted. Together, the regulations address the goal of balancing quality of life with the protection of public health and protection from nuisance.

With this background, why then is the amendment necessary? The City of Jacksonville Beach Land Development Regulations appear to include two conflicting Chapters: *Chapter 5 Animals and Fowl* and *Chapter 34 Land Development Code Definitions and Supplementary Uses*. Chapter 5 permits poultry and backyard goats in addition to other fowl and hoofed animals, excluding swine. Chapter 34 excludes the same animals from the household pet definition. Citizens are caught between complying with one set of regulations and violating another. To close the loop and permit a coop, the proposed text amendments will modify the definition of household pets and modify the residential accessory structure standards to carry forward the restrictions to mitigate potential noise, odor and sanitation concerns. Lastly, the amendment is needed to clarify a general conception that the backyard poultry and miniature goats are permitted in the City of Jacksonville Beach, as reported in a July 2017 Florida Times Union article.

This package also includes a site survey and details for Mr. Marcello Bergo and Katrina Lane, homeowners residing at 603 16th Street North, Jacksonville Beach and the applicants proposing this amendment. The Bergo family home illustrates the impact of the regulatory conflict and more importantly illustrates the application of the regulations on a real backyard with neighbor support. We are fortunate to have Katrina lead the movement to allow backyard poultry and urban goats. She is a model property owner because of her experience with keeping hens, poultry and urban goats.

A recent citizen inquiry led to a Code Enforcement site visit to their home, citing the Chapter 34 violation with household pets. This event provided us with an opportunity to clarify the City's regulations. Together, we worked with Code Enforcement and Planning to identify the path forward once the animals were removed from the home. She was able to rehome the poultry and miniature goats within three weeks of the notification. The case is closed.

Ms. Lane researched Municode and read through Chapter 5 Animals and Fowl. Following these rules, she created a backyard enclosure that eliminated any concern with noise, odor and disease. She respected property lines by holding a setback for the coop and goat enclosure and planting a living screen of creeping vine. Not only did she locate the coops to be away from any open areas to minimize noise, she selected female poultry and goats -which are not particularly loud or frequent in any noise. The backyard poultry and miniature goats are supported by the neighborhood. Neighbors often visited, learning about the animals, their names and how they provide fresh eggs and milks for Katrina's family.

Proposed Text Amendments

The attached redline drafts include amendments to Article IV Definitions, Section 34-41 General and Article VIII, Section 34-392(2). The amendments cover three areas identified by the model ordinances and resources (see Exhibits B, C): animals, accessory structures and permitting process.

Animals

The definition for Household Pets is revised to specifically allow female poultry and female dehorned miniature goats. The definition is further revised to specifically exclude other fowl and male hoofed animals and/or any animal intended for slaughter. The amendment aims to permit backyard poultry for the local production of eggs and backyard miniature goats to produce milk as well as the companionship these animals provide.

The supplementary standards for Residential uses are revised to specifically limit backyard poultry and miniature goats to the RS-1, RS-2 and RS-3 zoning districts. Within this reference, the number of animals is limited to no more than ten (10) poultry and no more than two (2) dehorned goats older than eight (8) weeks.

Accessory Structures

The supplementary standards require housing for the poultry and miniature goats, subject to current accessory structure setbacks with additional standards for size, height and screening requirements. Accessory structures include coops, enclosures and goat barns or sheds. These standards are site level restrictions that define property characteristics for animal welfare and productivity (lot size, enclosure size). The regulations also include requirements for managing the animals and structures and limiting use to personal consumption (i.e. no commercial activity on site).

Permitting process

The coops, enclosures and goat barns will be reviewed through the existing building permit process. This simplifies permitting for both the homeowner and staff by avoiding a separate permitting or registry program and by providing a site plan review.

Chapter 34 Land Development Code, Article IV, Definitions

applies only to commercial message signs. For purposes of Article VIII, Division 4, Sign Standards of this chapter, all signs with noncommercial speech messages shall be deemed to be "on-site," regardless of location.

Outdoor restaurant or bar means any restaurant or bar, or portion thereof, which exists outside of the permanent exterior walls of the principal building(s) on a lot. This definition includes any deck or other area constructed and/or utilized on the roof of a structure.

Owner means any part or joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or beneficial title to whole or part of a building or land.

Package liquor store means any establishment devoted primarily to the sale of alcoholic beverages for consumption off-premises, which is licensed by the State of Florida to dispense or sell alcoholic beverages for consumption off-premises.

Painted wall sign means any sign painted on any surface or roof of any building.

Parcel of land means any quantity of land and water capable of being described with such definiteness that its location and boundaries may be established, which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.

Parking bay means a parking module consisting of one (1) or more rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces.

Parking lot means an off-street, ground level area or plot of land used for the storage or parking of vehicles.

Parking space means a space for the parking of a motor vehicle within a public or private parking area.

Permanent sign means any sign which is intended to be and is so constructed as to be of lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear and tear) and position and in a permanent manner affixed to the ground, wall or building. Unless otherwise provided for herein, a sign other than a temporary sign shall be deemed a permanent sign unless otherwise indicated elsewhere in this Land Development Code.

Pennant means any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, which will flutter or swing in the wind.

Person means any person, individual, public or private corporation, firm, association, joint venture, partnership, municipality, governmental agency, political subdivision, public officer or any other entity whatsoever or any combination of such, jointly or severally.

Personal wireless service means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access facilities and those defined by the Communications Act, including but not limited to, the transmission and reception of radio microwave signals used for communication, data, cellular phone, personal communication services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

Personal wireless service facility or personal wireless service facilities means facilities used for the provision of personal wireless service including any freestanding facility, antennae, distributed antennae system, and/or small cell technology. Personal wireless service facilities include, but are not limited to, utility poles, towers, monopoles, communications facilities, and other facilities, equipment, and appurtenances that are used in the delivery or transmission of personal wireless services,

Personal wireless service provider means a company licensed by the Federal Communications Commission (FCC) that provides personal wireless service. A builder or owner of a personal wireless service facility is not a personal wireless service provider unless licensed to provide personal wireless services.

Pets, household means any domestic animal such as cats, dogs, hamsters, ~~and birds, female chickens or poultry and female dehorned miniature goats other than poultry~~ that are customarily kept for personal use including collection of eggs or milk and/or enjoyment within the home or residential lot. Poultry, hooved animals of any type (geese, turkeys, peafowl), male goats and/or horned goats, horses, mules,

Chapter 34 Land Development Code, Article IV, Definitions

cows, cattle, hogs, predatory animals, or any animal which is normally raised ~~to provide food for slaughter or commercial sale for people~~ shall not be considered as household pets.

Pharmacy means a retail store where prescription and other medicines and related products are dispensed and sold retail as the principal use, and where the retail sale of other miscellaneous goods may also be permitted.

Planned unit development means a development of land that is under unified control and is planned for and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features or improvements.

Planning and development director means the person appointed to direct the Planning and Development Department of the City of Jacksonville Beach.

Planning commission means the Jacksonville Beach Planning Commission.

Plant nurseries means an agricultural endeavor devoted exclusively to the raising of ornamental plants for sale or transplanting.

Plat means a map or drawing upon which an exact representation of a subdivision and other information is presented in compliance with the requirements of Article IX, Subdivision Standards.

Pole sign means a ground sign that is supported by one or more poles and otherwise separated from the ground by air. A *pole sign* is not a *monument sign*, another type of *ground sign*.

Portable sign means any sign, banner, or poster that is not permanently attached to the ground or to a structure that is attached to the ground or a sign capable of being transported, including, but not limited to, signs designed to be transported by means of wheels or carried by a person, and signs converted to an A-Frame sign or a T-frame sign. For purposes of this division, a cold air inflatable sign shall be considered to be a portable sign.

Porte-cochere means a porch or portico-like structure at a main or secondary entrance to a building, through which it is possible for a vehicle to pass, in order for the occupants to enter or exit under cover, protected from the weather.

Potable water facilities means the planning of, engineering for, acquisition of land for, or construction of potable water facilities necessary to meet the LOS for potable water facilities.

Preserve area means vegetative areas required to be preserved under the jurisdiction of DER, SJRWMD or other governmental regulatory agencies.

Proportionate share mitigation means an applicant's voluntary provision of public school facilities proportionate to a development proposal's impact on school capacity. Proportionate share mitigation options may include contribution of or payment for land acquisition; construction or expansion of, or payment for construction of public school facilities; or the creation of mitigation banking based on the construction of public school facilities, in exchange for the right to sell capacity credits to other residential development affecting those facilities. Proportionate share mitigation must be identified in a work program, unless the school district has committed itself in a proportionate share mitigation agreement to include the mitigation in the work program during the next annual update to the work program.

Proportionate share mitigation agreement means a voluntary, legally-binding commitment to provide proportionate share mitigation to ensure public school concurrency can be achieved, where school capacity would not otherwise be adequate to support the demand resulting from approval of a development proposal at the time the development proposal is being considered. The applicant, school district and the city shall be parties to a proportionate share mitigation agreement.

Projecting sign means any sign affixed perpendicular, or at any angle to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall.

Protected tree means any tree, except those which are hereinafter exempted in section 34-424(b), with a DBH of six (6) inches or more.

Sec. 34-392. - Accessory uses and structures.

Accessory uses and structures are permitted in all zoning districts provided that such uses and structures are customarily incidental and clearly subordinate to a permitted use and, unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as the permitted use. Where a building or portion thereof is attached to a building or structure containing such principal use, such building or portion thereof shall be considered as a part of a principal building and not an accessory building. Accessory uses shall not involve operations or structures not in keeping with the character of the zoning district where they are located and shall be subject to the following requirements.

- (1) **Setbacks.** Detached accessory structures shall observe the following setback requirements from adjacent property lines:
 - a. **Generally.** Detached accessory structures excluding temporary structures may be located in a required rear yard but shall be no closer than five (5) feet from any interior lot line. Street side and front yard setbacks shall be maintained on corner lots for the full length and width of the lot. Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side or rear yard, but shall not project more than three (3) feet into any required yard in a residential district.
 - b. **Oceanfront lots.** A detached accessory building may be constructed in the required setback area of the front yard of any oceanfront lot provided that the following conditions are met:
 1. The accessory building shall not extend beyond the width of the principal building.
 2. The accessory building shall not exceed fifteen (15) feet in height above grade.
 3. A landscape buffer strip with a minimum width of fifteen (15) feet from the front or rear property line shall be established and maintained, exclusive of required walks and driveways.
- (2) **Household pets.** Household pets, such as cats, dogs, hamsters, or birds, along with related doghouses and pens, are a permitted accessory use to residential uses in all zoning districts, provided the number of such pets over six (6) months in age shall not exceed three (3), and the keeping of four (4) or more dogs, six (6) months of age or older, shall be considered a kennel. Household pets, such as female chickens, poultry and female miniature dehorned goats, along with related coops, sheds and enclosures are also a permitted accessory use to single-family residential uses only in the RS-1, RS-2, and RS-3 zoning districts which have a minimum lot size of 5,000 square feet, provided the number of such poultry shall not exceed a total of ten (10) and the number of such miniature goats shall not exceed two (2) which are eight (8) weeks and older.

a. Doghouses and pens shall follow the standards listed below in Section 34-392(3).

b. Coops and enclosures for those household pets such as poultry (female chickens or ducks) shall be subject to the following supplemental design regulations:

1. Poultry shall be kept within a coop or enclosure (a fenced or wired in area, pen or run, required in conjunction with a coop to provide an outside exercise area free from predators and of a size that allows access to a foraging area, sunlight, etc.) at all times. A coop is herein defined as a covered house, structure or room that will provide poultry with shelter from weather and with a roosting area protected from predators.
2. The coop shall be screened from the neighbors' view, using an opaque fence and/or landscape screen.

3. Any coop and/or fenced enclosure shall be located in the rear yard of the property, unless the property is deemed to have double frontage. No coop, enclosure or hens shall be allowed in any front or side yard (corner lots and through lots shall be excluded from side setback restriction) unless as otherwise described above.
4. All coops will be required to obtain a building permit from the Building and Zoning Department.
5. The coop shall be covered and ventilated, and a fenced enclosure/run is required that is well drained so that there is no accumulation of moisture. The coop and enclosure shall be completely secured from predators, including openings, ventilation holes, doors and gates.
6. The coop plus enclosure together shall provide a minimum of two (2) feet wide and three (3) square feet per chicken or duck and be of sufficient size to afford free movement of the poultry. The coop may not be taller than six (6) feet measured from the natural grade, and must be easily accessible for cleaning and maintenance.
7. All stored feed shall be kept in a rodent and predator proof container.

c. Sheds or goat barns and enclosures for those household pets such as female miniature goats shall be subject to the following supplemental design regulations:

1. Miniature goats shall be kept in a four (4) sided shed or goat barn a minimum of two hundred (200) square feet and an enclosure (a fenced or wired in area, pen or run, required in conjunction with a shed to provide an outside exercise area free from predators and of a size that allows access to a foraging area, sunlight, etc.) at all times. A shed or goat barn is herein defined as a covered four-sided house, structure or room that will provide goats with shelter from weather and protected from predators.
2. The shed or goat barn shall be screened from the neighbors' view, using an opaque fence and/or landscape screen.
3. Any shed or goat barn and/or fenced enclosure shall be located in the rear yard of the property, unless the property is deemed to have double frontage. No shed, barn or enclosure shall be allowed in any front or side yard (corner lots and through lots shall be excluded from side setback restriction) unless as otherwise described above.

4. All sheds and barns will be required to obtain a building permit from the Building and Zoning Department.
5. The shed or barn shall be covered and ventilated, and a fenced enclosure/run is required that is well drained so that there is no accumulation of moisture.
6. The shed or barn plus enclosure together shall provide a minimum of 500 square feet for the free movement of two (2) goats. Additional exercise area may include a fenced rear yard (or front and side yards for corner and through lots).
7. The shed or barn may not be taller than six (6) feet measured from the natural grade, and must be easily accessible for cleaning and maintenance.
8. All stored feed shall be kept in a rodent and predator proof container.

- (3) *Residential accessory uses.* Accessory uses and structures in any residential zoning district shall include non-commercial greenhouses, gardens, detached garages and carports, piers, docks, and boat houses or shelters, utility sheds and workshops, swimming pools, tennis courts, private golfing facilities, barbecue pits, non-commercial antenna structures for television and radio, children's playhouses or play equipment, and similar uses or structures which:
- a. Do not exceed fifteen (15) feet in height,
 - b. The combined ground floor area of all enclosed, detached accessory use buildings shall not exceed six hundred twenty-five (625) square feet,
 - c. Do not involve the conduct of business of any kind;
 - d. Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood; and
 - e. Do not involve operations or structures not in keeping with the character of the residential neighborhood.
- (4) *Pools.* Private swimming pools, as regulated herein, shall be any pool, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bathing purposes.
- a. *General.* A private swimming pool shall be allowed in any residential zoning district as an accessory use only if it fully complies with the following standards:
 1. The pool shall be used solely for the enjoyment of the occupants of the principal use on the property or their guests.
 2. The pool shall be located, designed, operated, and maintained so as not to interfere with the rights of the adjoining properties.
 3. The pool shall be located no closer than five (5) feet from any property line, provided, however, that it shall not be located in any required front yard nor encroach into any required side yard.

4. The pool shall be constructed and enclosed in compliance with the requirements set forth in the Standard Swimming Pool Code as adopted or amended by the city.
 - b. *Oceanfront lots.* Below ground swimming pools and a related pump house no more than fifteen (15) feet in height may be constructed in the required front and rear yards if a landscape buffer strip is provided and maintained, with a minimum width of fifteen (15) feet from the property line, exclusive of required walks and driveways.
 - c. *Screen enclosures.* A screen enclosure constructed around and over a swimming pool shall be considered a part of the principal structure and shall comply with the standards with the dimensional standards and requirements of section 34-336 et seq., of the LDC, except that the screen enclosure, whether attached to or detached from the principal structure, may be constructed to within five (5) of the rear property line.
- (5) *Communications antennae on structures in C-1, CBD and RM-2 zoning districts.* Communications antennae and related equipment may be located as accessory structures on principle structures in commercial, limited: C-1, Central business district: CBD, and Residential, multiple-family: RM-2 zoning districts including, but not limited to, buildings, water towers, and essential public utility structures, subject to the following conditions:
 - a. No portion of the communications facility, including all antenna and equipment components, may extend more than twenty (20) feet above the structure on which it is located.
 - b. Facility components shall be located, designed, and screened or otherwise treated to blend with the existing natural or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed communications service and the need to be compatible with neighboring uses and the character of the community.
 - c. Proof, in writing, must be submitted with building permit application materials that the facility conforms with regulations of the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA), and that the existing structure is structurally capable to accept the proposed facility.
 - d. No communications facility shall be designed and or sited such that it poses a potential hazard to humans, on-site improvements, or surrounding properties.

(Ord. No. 7500, § 8.2(B), 8-19-91; Ord. No. 97-7714, § 1, 8-4-97; Ord. No. 2004-7880, § 1, 7-19-04)

Consistency Analysis with 2030 Comprehensive Plan

The following sections identify relevant goals, objectives and policies the proposed text amendments most clearly support and advance. Any goal, objective or policy not listed is considered not directly applicable to the requested accessory residential use of backyard poultry and miniature goats.

Future Land Use Element

Goal LU.1

Provide for a continued high quality of life in Jacksonville Beach by planning for population growth, public and private development and redevelopment, energy conservation; and the proper distribution, location, and extent of land uses by type, density, and intensity consistent with efficient and adequate levels of services and facilities, and the protection of natural and environmental resources.

The proposed amendment furthers Goal LU.1 by allowing single family homeowners to sustain a healthy lifestyle, enhancing their quality of life with locally grown fresh food and addressing energy conservation through opportunities to recycle and limit daily trips to buy needed food for the household.

Objective LU.1.1

Future growth and development will be managed through the preparation, adoption, implementation, and enforcement of land development regulations in accordance with Chapter 163.3202, Florida Statutes.

The amendments address the specific accessory residential uses within the RS-1, 2 and 3 Zoning Districts providing clear and concise regulations to protect the public health, safety and welfare of residents of Jacksonville Beach.

Policy LU.1.1.1

Adopt (or revise existing) land development regulations that will contain the specific provisions required to implement the adopted Comprehensive Plan Elements, and which as a minimum:

(2) Regulate the use of land and water consistent with this Future Land Use Element and ensure the compatibility of adjacent land uses and provide for open space;

The supplemental design standards provide for appropriate setbacks, lot size and housing enclosure size to support animal welfare, screening to maintain neighborhood character and compatibility.

Policy LU.1.1.3

Prepare, adopt, and enforce regulatory measures to promote and enhance the visual appearance of the City such as sign controls, tree preservation and landscaping requirements, and nuisance laws. Encourage the use of street furniture in appropriate pedestrian areas

The regulations limit the backyard poultry and miniature goats in number and to female species, require enclosures to prevent roaming and housing for animal welfare. The standards also include screening of the enclosures to maintain neighborhood character.

Objective LU1.5

The City supports and will adopt innovative land development regulations to facilitate development of projects which are environmentally sensitive, encourage economical and efficient use of land, reduce

housing costs, and promote the implementation of this Future Land Use Element and the other elements of this Comprehensive Plan by December 31, 2012.

While this policy includes a specific deadline, the amendments comply with the intent which is to adopt regulations that encourage the efficient use of land and encourage the economical use of land. In addition, these amendments will provide an opportunity for continued recycling or composting as well as eliminating some daily trips to purchase food.

Objective LU 1.6

Energy Efficiency. Promote compact, mixed-use, and energy efficient development arranged to encourage pedestrians, bicycle and transit use, leading to a more sustainable community and a reduction in greenhouse gases (GHGs).

Backyard poultry and miniature goats provide the individual with a way to become more self-sustaining as well as to reduce demand on commercial agriculture. Urban farms as proposed give neighbors, kids, family and friends an opportunity to learn about locally source food – a living classroom to promote energy conservation and sustainability.

Solid Waste Management Element

Objective SW.1.2

The City shall encourage technological innovations in waste disposal, recycling, reduction, and reuse through conformance with Florida statutes in accordance with Policy SW.1.2.1

Policy SW.1.2.1

Continue residential recycling program to maintain a level where 30 percent of the wastes generated are recycled, annually.

Food waste and scraps feed the backyard poultry and miniature goats. Overtime this may result in an overall individual reduction in solid waste generation. The backyard program does promote sustainability which is often in combination with other efforts to reduce waste production.

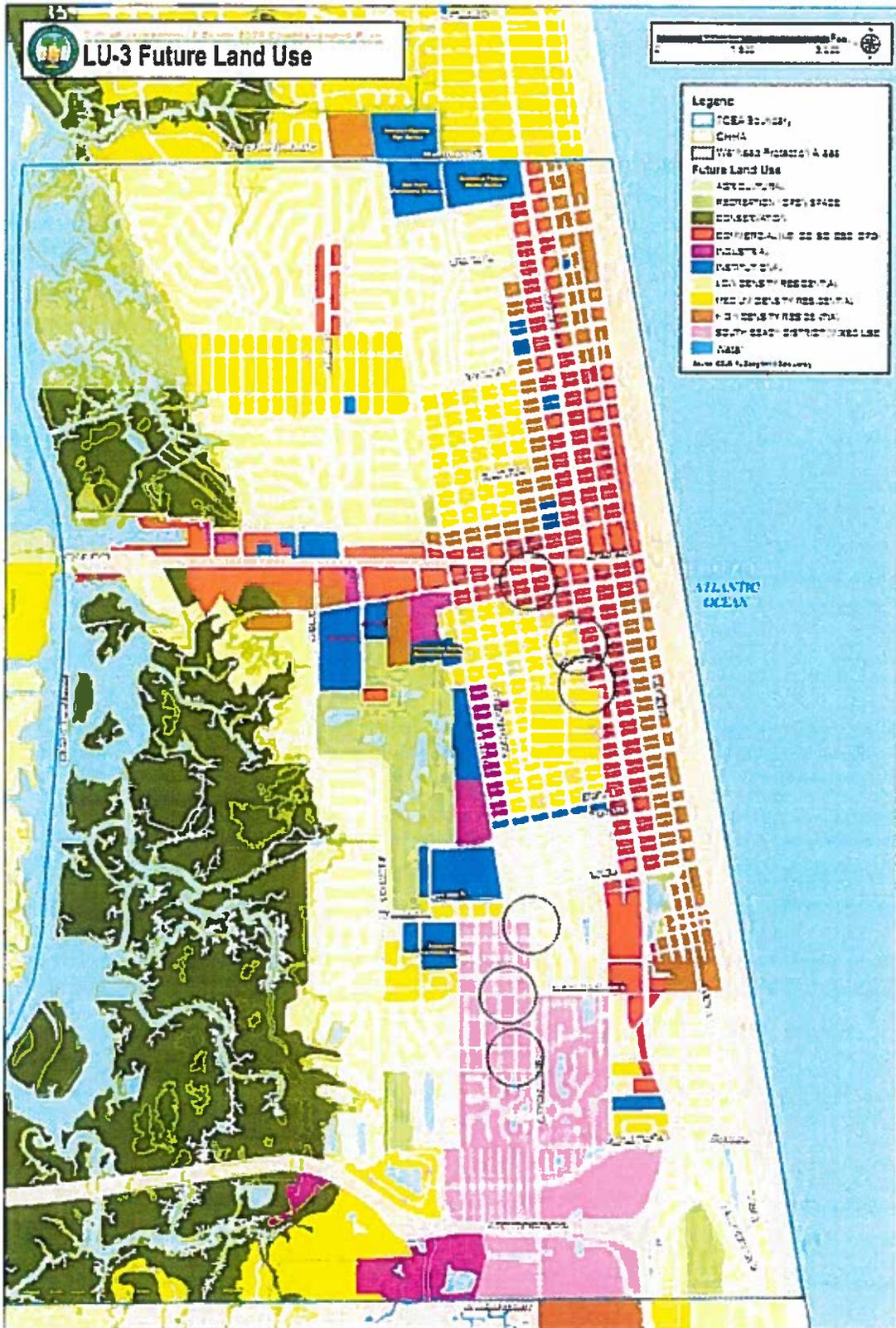
Goal IG.1

Implement the goals, objectives and policies of the Comprehensive Plan through improved coordination and cooperation with St. Johns County, Neptune Beach, Jacksonville, Ponte Vedra MSD, and the regional and State entities and agencies affecting Jacksonville Beach.

Objective IG.1.1

The City shall continue to ensure that all neighboring jurisdictions are consulted with before making major land use decisions by entering into interlocal agreements, involvement in the Development of Regional Impact process and participation in the Regional Planning Council's informal mediation process.

These regulations provide consistency between the Beach Cities and the City of Jacksonville to equalize the land development regulations and avoid homeowner confusion between what is allowed at home within very similar communities.



OFFICIAL ZONING MAP CITY OF JACKSONVILLE BEACH

Figure 25.1 - Zoning Districts and Subdivisions

Legend:

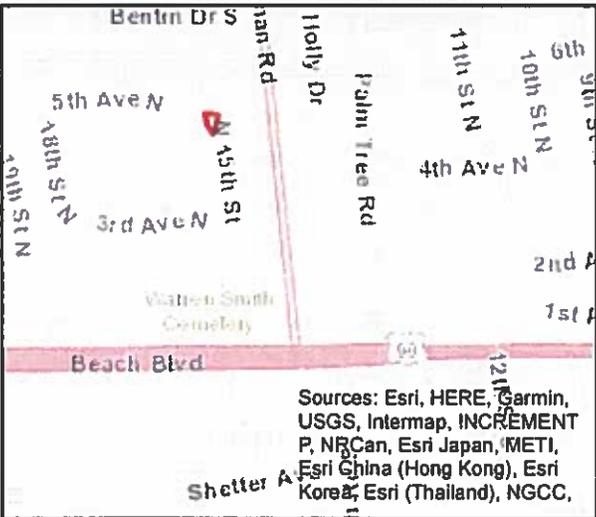
- △ Zoning District
- Zoning Subdivision

Scale: 1" = 100'



INDEX

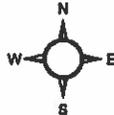
| Block | Address Range | Zoning District | Zoning Subdivision |
|-------|---------------|-----------------|--------------------|
| 101 | 101-102 | R-1 | 101-102 |
| 102 | 103-104 | R-2 | 103-104 |
| 103 | 105-106 | R-3 | 105-106 |
| 104 | 107-108 | R-4 | 107-108 |
| 105 | 109-110 | R-5 | 109-110 |
| 106 | 111-112 | R-6 | 111-112 |
| 107 | 113-114 | R-7 | 113-114 |
| 108 | 115-116 | R-8 | 115-116 |
| 109 | 117-118 | R-9 | 117-118 |
| 110 | 119-120 | R-10 | 119-120 |
| 111 | 121-122 | R-11 | 121-122 |
| 112 | 123-124 | R-12 | 123-124 |
| 113 | 125-126 | R-13 | 125-126 |
| 114 | 127-128 | R-14 | 127-128 |
| 115 | 129-130 | R-15 | 129-130 |
| 116 | 131-132 | R-16 | 131-132 |
| 117 | 133-134 | R-17 | 133-134 |
| 118 | 135-136 | R-18 | 135-136 |
| 119 | 137-138 | R-19 | 137-138 |
| 120 | 139-140 | R-20 | 139-140 |
| 121 | 141-142 | R-21 | 141-142 |
| 122 | 143-144 | R-22 | 143-144 |
| 123 | 145-146 | R-23 | 145-146 |
| 124 | 147-148 | R-24 | 147-148 |
| 125 | 149-150 | R-25 | 149-150 |
| 126 | 151-152 | R-26 | 151-152 |
| 127 | 153-154 | R-27 | 153-154 |
| 128 | 155-156 | R-28 | 155-156 |
| 129 | 157-158 | R-29 | 157-158 |
| 130 | 159-160 | R-30 | 159-160 |
| 131 | 161-162 | R-31 | 161-162 |
| 132 | 163-164 | R-32 | 163-164 |
| 133 | 165-166 | R-33 | 165-166 |
| 134 | 167-168 | R-34 | 167-168 |
| 135 | 169-170 | R-35 | 169-170 |
| 136 | 171-172 | R-36 | 171-172 |
| 137 | 173-174 | R-37 | 173-174 |
| 138 | 175-176 | R-38 | 175-176 |
| 139 | 177-178 | R-39 | 177-178 |
| 140 | 179-180 | R-40 | 179-180 |
| 141 | 181-182 | R-41 | 181-182 |
| 142 | 183-184 | R-42 | 183-184 |
| 143 | 185-186 | R-43 | 185-186 |
| 144 | 187-188 | R-44 | 187-188 |
| 145 | 189-190 | R-45 | 189-190 |
| 146 | 191-192 | R-46 | 191-192 |
| 147 | 193-194 | R-47 | 193-194 |
| 148 | 195-196 | R-48 | 195-196 |
| 149 | 197-198 | R-49 | 197-198 |
| 150 | 199-200 | R-50 | 199-200 |
| 151 | 201-202 | R-51 | 201-202 |
| 152 | 203-204 | R-52 | 203-204 |
| 153 | 205-206 | R-53 | 205-206 |
| 154 | 207-208 | R-54 | 207-208 |
| 155 | 209-210 | R-55 | 209-210 |
| 156 | 211-212 | R-56 | 211-212 |
| 157 | 213-214 | R-57 | 213-214 |
| 158 | 215-216 | R-58 | 215-216 |
| 159 | 217-218 | R-59 | 217-218 |
| 160 | 219-220 | R-60 | 219-220 |
| 161 | 221-222 | R-61 | 221-222 |
| 162 | 223-224 | R-62 | 223-224 |
| 163 | 225-226 | R-63 | 225-226 |
| 164 | 227-228 | R-64 | 227-228 |
| 165 | 229-230 | R-65 | 229-230 |
| 166 | 231-232 | R-66 | 231-232 |
| 167 | 233-234 | R-67 | 233-234 |
| 168 | 235-236 | R-68 | 235-236 |
| 169 | 237-238 | R-69 | 237-238 |
| 170 | 239-240 | R-70 | 239-240 |
| 171 | 241-242 | R-71 | 241-242 |
| 172 | 243-244 | R-72 | 243-244 |
| 173 | 245-246 | R-73 | 245-246 |
| 174 | 247-248 | R-74 | 247-248 |
| 175 | 249-250 | R-75 | 249-250 |
| 176 | 251-252 | R-76 | 251-252 |
| 177 | 253-254 | R-77 | 253-254 |
| 178 | 255-256 | R-78 | 255-256 |
| 179 | 257-258 | R-79 | 257-258 |
| 180 | 259-260 | R-80 | 259-260 |
| 181 | 261-262 | R-81 | 261-262 |
| 182 | 263-264 | R-82 | 263-264 |
| 183 | 265-266 | R-83 | 265-266 |
| 184 | 267-268 | R-84 | 267-268 |
| 185 | 269-270 | R-85 | 269-270 |
| 186 | 271-272 | R-86 | 271-272 |
| 187 | 273-274 | R-87 | 273-274 |
| 188 | 275-276 | R-88 | 275-276 |
| 189 | 277-278 | R-89 | 277-278 |
| 190 | 279-280 | R-90 | 279-280 |
| 191 | 281-282 | R-91 | 281-282 |
| 192 | 283-284 | R-92 | 283-284 |
| 193 | 285-286 | R-93 | 285-286 |
| 194 | 287-288 | R-94 | 287-288 |
| 195 | 289-290 | R-95 | 289-290 |
| 196 | 291-292 | R-96 | 291-292 |
| 197 | 293-294 | R-97 | 293-294 |
| 198 | 295-296 | R-98 | 295-296 |
| 199 | 297-298 | R-99 | 297-298 |
| 200 | 299-300 | R-100 | 299-300 |



Urban Farms Residential Lot

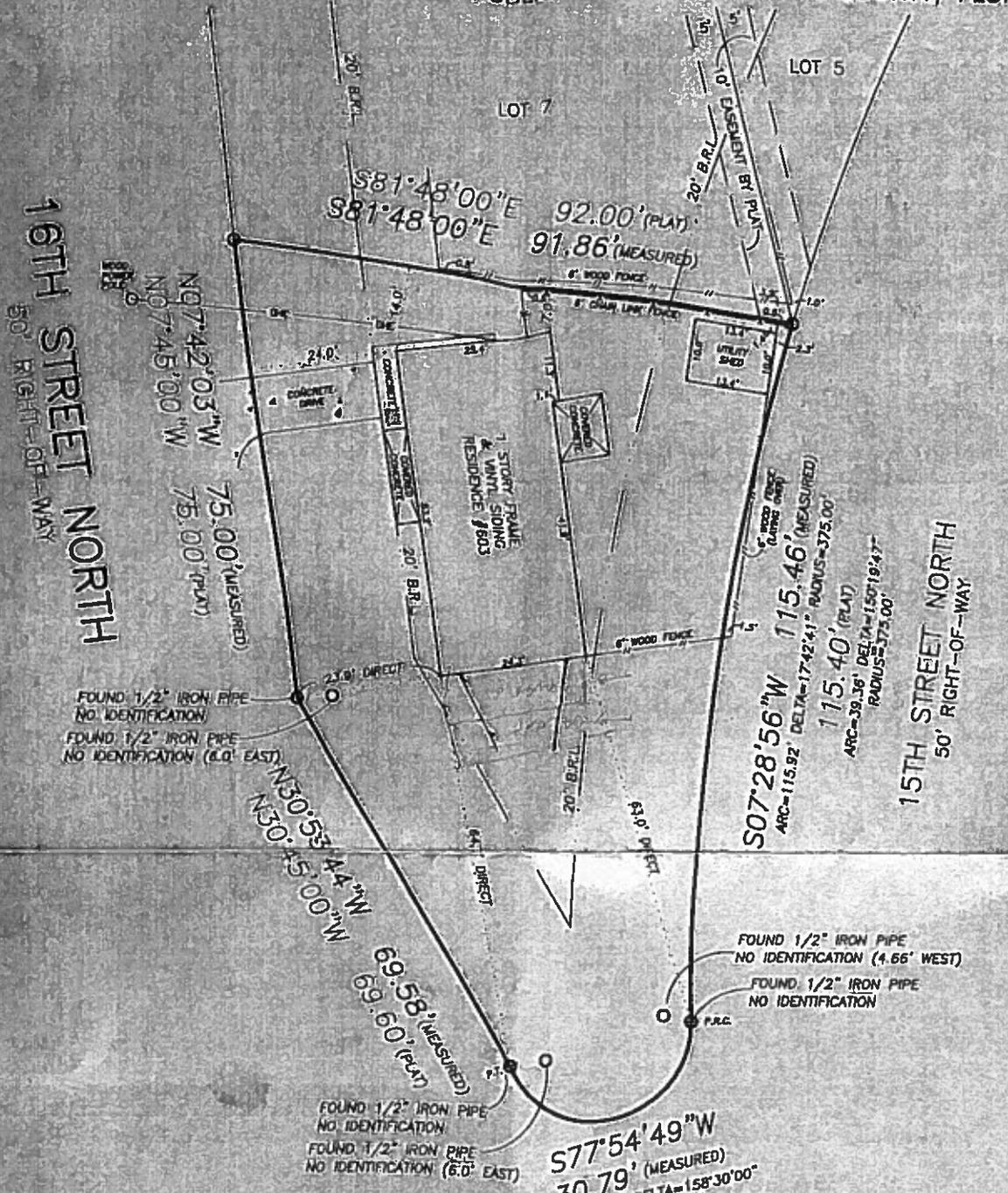
Duval County Parcels NearMap Aerial

Source: ETM, NEARMAP, City of Jacksonville



ETM England-Thims & Miller, Inc.
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 14775 Old St. Augustine Road Jacksonville, FL 32258
 904-642-8990 • Fax: 904-646-8485 • www.etmInc.com

MAP SHOWING BOUNDARY SURVEY OF:
 LOT 6, BLOCK 4, PINE GROVE UNIT NO. 4, AS RECORDED IN PLAT BOOK 19, PAGE
 44 AND 44A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA



16TH STREET NORTH
 50' RIGHT-OF-WAY

15TH STREET NORTH
 50' RIGHT-OF-WAY

NOTES
 THIS PROPERTY LIES IN FLOOD ZONE "C" PER FLOOD INSURANCE RATE MAP (FIRM), DUVAL COUNTY, COMMUNITY NO. 120078 (CITY OF JACKSONVILLE BEACH), MAP/PLAN NO. 12031C-0418-14 (REVISED JUNE 3, 2013)
 BEARINGS BASED ON THE NORTH LINE OF LOT 6 AS BEING S 61°34'00" E
 20' BUILDING RESTRICTION LINE (B.R.L.) BY PLAT
 ONE DENOTES OVERHEAD ELECTRIC LINES
 ALL LOTS SHOWN HEREON LIE WITHIN BLOCK 4
 ---S--- DENOTES 6\"/>

CERTIFIED TO:
 MARCELLO S. BERGO
 TITLE2LAND, LLC
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
 RICHARD T. MOREHEAD TITLE & ESCROW, INC.

I hereby certify that this survey meets the minimum technical standards as set forth by the Florida Board of Land Surveyors, pursuant to Section 472.022 Florida Statutes and Chapter 5J7 Florida Administrative Code.

DURDEN
 SURVEYING AND MAPPING, INC.