



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**PROPOSED LAND USE REGULATIONS**  
**APRIL 10, 2000 AT 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held April 10, 2000, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor George F. Vaughn, Jr.  
Vice Mayor Edward S. Jones  
Councilor Ronald Patronik  
Councilor Thomas A. Tankersley  
Councilor Robert D. Shimp  
City Manager Richard A. Linn  
Assistant to the City Manager Terry Klein

City Clerk Lisa Volpe, CMC  
Deputy City Clerk Karla Strait  
Building Official Dan Arlington  
Assistant to Building Official Piper Turner  
Member PDRB, Brian Greenwood  
Member PDRB, John Weldon

Absent:

City Attorney Christopher White

Call to Order/Roll Call

The Mayor called the meeting to order at 7:00 p.m.

Mayor Vaughn explained that the meeting was a continuation of the review of the Proposed Land Use Regulations and would pick up where we left off with Section 27-222 Part 4.

Group Two Article IV,  
Land Use

Mayor Vaughn read each Section aloud and asked that any concerns or recommendations be addressed at the end of each section.

Section 27-222 Part 4

ARTICLE IV, LAND USE SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 4, RESIDENTIAL ZONING R-4.

Building Official Dan Arlington was asked to provide information on the specific density east of Third Street and reported that he had counted 1181 dwellings averaging about 13 units per acre.

Council discussed changing the density east of Third Street from not exceeding 10 dwelling units per acre from not exceeding 15 units per acre to reflect what was currently in the field.

There was no consensus from council and Section 27-222, Part 4 remained in question.

Section 27-222 Part 5 ARTICLE IV, LAND USE SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 5, RESIDENTIAL ZONING R-5.

Discussion ensued over density.

Consensus: **CITY MANAGER TO GET A LEGAL OPINION FROM THE CITY ATTORNEY AND THE ATTORNEY HIRED BY THE CONSULTANT CONCERNING DENSITY IN REGARD TO SECTION 27-222, PARTS 4 AND 5 BEFORE MAKING A FINAL DECISION.**

Consensus: **TO HAVE BUILDING OFFICIAL DAN ARLINGTON PROVIDE A SPECIFIC DENSITY IN R-5.**

Section 27-222 Part 6 ARTICLE IV, LAND USE SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 6, COMMERCIAL C-1.

Discussion ensued about difference between the word's "several" and "one or more". There were no recommended changes to Section 27-222, Part 6.

Section 27-222 Part 7 ARTICLE IV, LAND USE SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 7, COMMERCIAL C-2.

There was no discussion and no recommended changes to Section 27-222, Part 7.

Section 27-222 Part 8 ARTICLE IV, LAND USE, SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 8, COMMERCIAL C-3.

There was no discussion and no recommended changes to Section 27-222, Part 8.

Consensus: **ALL IN FAVOR OF SECTION 27-222, PARTS 6, 7 & 8, C-1, C-2, AND C-3.**

Section 27-222 Part 9 ARTICLE VI, LAND USE, SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 9, CENTRAL BUSINESS DISTRICT.

There was no discussion and no recommended changes to Section 27-222, Part 9.

Consensus: **ALL IN FAVOR OF SECTION 27-222, PART 9, CENTRAL BUSINESS DISTRICT.**

Section 27-222 Part 10 ARTICLE VI, LAND USE, SECTION 27-222, PURPOSE AND INTENT OF ZONING DISTRICTS, PART 10, CONSERVATION.

There was no discussion and no recommended changes on Section 27-222, Part 10.

Section 27-223 ARTICLE IV, LAND USE, SECTION 27-223, REGULATIONS TO APPLY UNIFORMLY THROUGHOUT ZONING DISTRICT.

There was no discussion and no recommended changes on Section 27-223.

Section 27-224 ARTICLE IV, LAND USE, SECTION 27-224, SPECIAL FLOOD HAZARD DISTRICT, SHALLOW FLOODING DISTRICT, AND COASTAL HIGH HAZARD DISTRICT ESTABLISHED.

There was no discussion and no recommended changes on Section 27-224.

- Section 27-225 Part 1 ARTICLE IV, LAND USE, SECTION 27-225, USES EXPRESSLY PROHIBITED WITHIN ZONING DISTRICTS. PART 1, R-1, R-2, R-3, R-4 AND R-5 DISTRICTS.
- Discussion ensued about the wording "other non-residential uses that are consistent with the residential character of the district". There were no recommended changes to Section 27-225.
- Section 27-225 Part 2 ARTICLE IV, LAND USE, SECTION 27-225, USES EXPRESSLY PROHIBITED WITHIN ZONING DISTRICTS, PART 2, C-1, C-2, C-3 AND CBD DISTRICT: MINI WAREHOUSES, GAS STATIONS AND DRIVE-IN RESTAURANTS.
- Discussion ensued about the Shell Gas Station on the corner of Penman Road and Atlantic Boulevard.
- Consensus: **TO ALLOW GAS STATIONS BY SPECIAL EXCEPTION IN DISTRICT C-3 ON ATLANTIC BOULEVARD.**
- Section 27-225 Part 3 ARTICLE IV, LAND USE, SECTION 27-225, USES EXPRESSLY PROHIBITED WITHIN ZONING DISTRICTS, PART 3, C-1, C-2, AND C-3: RESIDENTIAL DWELLINGS.
- Discussion ensued but there was no recommended changes to Section 27-222, Part 1.
- Section 27-226: Part A, B, C & D ARTICLE IV, LAND USE, SECTION 27-226, PART (A), (B), (C), AND (D), ALLOWABLE USES WITHIN ZONING DISTRICTS.
- Discussion ensued about the wording in Part (a) regarding the words "interpreted by the City Manager or designee".
- Vice-Mayor Jones read Table 27-226-1 aloud.
- Consensus: **TO MAKE THE FOLLOWING CHANGES TO TABLE 27-226-1:**
- 1. ELIMINATE BED AND BREAKFAST IN CBD.**
  - 2. ELIMINATE DRY CLEANERS IN CBD.**
  - 3. PERMIT GAS STATION'S IN C-3 BY SPECIAL EXCEPTION ONLY.**
  - 4. PERMIT POST OFFICE IN C-3 AND AS SPECIAL EXCEPTION ONLY IN CBD.**
  - 5. PERMIT PUBLIC PARKS AND RECREATION AREAS IN R-4.**
- Section 27-227 Part 1 ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 1, TWO FAMILY RESIDENCES.
- Discussion ensued about subdividing lots. There were no recommended changes on Section 27-227, Part (1) Subsection (a) (b) or (c).
- Section 27-227, Part 2 ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 2, CHILD DAY CARE.
- There was no discussion and no recommended changes to Section 27-227, Part 2 (a) or (b).
- Section 27-227, Part 3 ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 3, FAST

FOOD RESTAURANTS.

There was no discussion on Section 27-227, Part 3 (a) or (b) and no recommended changes to Section 27-227, Part 3 (a), (b) or (c).

Discussion ensued on Section 27-227, Part 3, (c) about drive though windows being located on the rear of the building.

Consensus: **HAVE THE CONSULTANT TO WRITE IT BETTER.**

Section 27-227, Part 4

**ARTICLE IV, LAND USE, SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS PART 4, INTERIOR SERVICE RESTAURANTS.**

There was no discussion on Section 27-227, Part 4, (a), (b), (c) or (d).

Discussion ensued on Section 27-227, Part 4, (e) and (f) over outdoor seating.

Consensus: **LANGUAGE AFTER THE WORD SEATING TO READ OUTDOOR SEATING SHALL BE PERMITTED ONLY AS A SPECIAL EXCEPTION AND BE RENEWED EVERY YEAR AND SHALL BE PROVIDED IN A CONTROLLED AREA ATTACHED TO THE MAIN INTERIOR SERVICE AREA AND CAN BE REVOKED BY CITY COUNCIL. ALSO DO AWAY WITH SECTION F AND INCLUDE THAT LANGUAGE IN SECTION E SEATING SHALL ALSO BE SITUATED IN A MANNER THAT ALLOWS FOR UNIMPEDED PEDESTRIAN ACCESS ALONG ADJACENT SIDEWALKS OR PEDESTRIAN WAYS.**

Mayor Vaughn asked for a verbatim of Section 27-227, Part 4, be given to the consultant for recommendations.

Public Comments

Harriet Pruette, 217 ½ Magnolia Street, felt that the businesses in Neptune Beach should be competitive with those in Atlantic Beach. Ms. Pruette felt that the current ordinances needed to be enforced.

Linda Padrta, 1113 First Street, opposed raising the density east of Third Street and favored restaurants having outdoor seating.

Fred DeSapio, 114 19<sup>th</sup> Avenue, voiced concerns about the density east of Third Street and also felt that non-residential uses permitted in a residential zone and interpretations of the permitted uses should be reserved to the city council.

Robert West, 106 Hall Place, was concerned about the noise ordinance and favored outdoor seating for restaurants to be renewed annually.

John Kowkabany, 110 Palm Place, felt that the existing code should be revised and suggested that outdoor seating have a sunset provision and be renewable annually providing there had been no complaints. Mr. Kowkabany felt we should distinguish the illegal non-conformities east of Third Street from the legal non-conformities.

Dan Arlington suggested adding to Section 27-224 the definition of an additional flooding district to two-x zones. These zones are usually non-flood zones but the gray x zone can possibly flood up to a foot.

Upcoming Meetings

Councilor Tankersley suggested scheduling the next workshop meetings on the Proposed Land Development Review.

Consensus: **TO SCHEDULE MEETINGS FOR THE PROPOSED LAND DEVELOPMENT REVIEW FOR APRIL 24, 2000, AND MAY 8, 2000, TO BEGIN AT 7:00 P.M.**

Adjournment

There being no further business, the meeting adjourned at 9:35 p.m.

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George F. Vaughn, Jr., Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

Approved: \_\_\_\_\_