



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**PROPOSED LAND USE REGULATIONS**  
**JUNE 26, 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 June 26, 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  
City Clerk Lisa Volpe, CMC  
Building Official Dan Arlington  
Assistant to the City Manager Terry Klein  
Assistant to Building Official Piper Turner

Member PDRB, John Weldon

Absent:

Councilor Robert Shimp  
Councilor Thomas Tankersley  
City Manager Richard A. Linn  
City Attorney Christopher White

Call to Order/Roll Call

The Mayor called the meeting to order at 7:11 p.m.

Mayor Vaughn explained that the meeting was a continuation of the review of the Proposed Land Use Regulations with the changes that were submitted by Councilor Tankersley. City Clerk Lisa Volpe explained that the council left off at Section 27-240 at the April 24, 2000 Workshop meeting

Group Two Article IV,  
Land Use

Mayor Vaughn introduced each section and asked that any concerns or recommendations be addressed.

Section 27-240

ARTICLE IV, LAND USE SECTION 27-240, BUILDING ELEVATION.

Vice Mayor Jones questioned why the Building Elevation was changed from 6 to 12 inches for commercial districts. Assistant to the Building Official Piper Turner said it would give the City of Neptune Beach points with FEMA which would lower citywide flood insurance rates.

Section 27-241

ARTICLE IV, LAND USE SECTION 27-241, BUFFER AREAS ADJACENT TO RESIDENTIAL DISTRICTS.

There was no discussion and no recommended changes to Section 27-241.

Section 27-242

ARTICLE IV, LAND USE SECTION 27-242, OPEN SPACE REQUIRMENTS.

There was no discussion and no recommended changes to Section 27-242.

Section 27-243 ARTICLE IV, LAND USE SECTION 27-243, PLANNED UNIT DEVELOPMENT.

There was discussion on section (j) about PUD on the oceanfront that was deleted. Council agreed that it should stay deleted. Building Official Arlington stated it should also be addressed on the Comprehensive Plan. There was also discussion on the change "with council approval" that Councilor Tankersley submitted in Section f. The consultants need to reword "with council approval".

ARTICLE V ARTICLE V, ACCESSORY STRUCTURES AND USES

Section 27-321 ARTICLE V, ACCESSORY STRUCTURES AND USES, SECTION 27-321, INTENT.

There was no discussion and no recommended changes to Section 27-321.

Section 27-322 ARTICLE V, ACCESSORY STRUCTURES AND USES, SECTION 27-322, GENERALLY.

There was no discussion and no recommended changes to Section 27-322.

Section 27-323 ARTICLE V, ACCESSORY STRUCTURES AND USES, SECTION 27-323, APPLICABILITY.

There was no discussion and no recommended changes to Section 27-323.

Section 27-324 ARTICLE V, ACCESSORY STRUCTURES AND USES, SECTION 27-324, DEFINITIONS.

There was no discussion and no recommended changes to Section 27-324.

Section 27-325 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-325, GENERAL STANDARDS AND REQUIREMENTS.

Section 27-325 (4): Discussion ensued regarding accessory buildings on blocks being thought of as impervious surface; Building Official Arlington explained that FAR (floor area ratio) meant permanent buildings could not exceed more than 65% of the total lot size. This does not effect the footprint bill at all. The FAR was discussed but not changed.

Section 27-325 (6): Accessory uses shall not involve operations or structures not in keeping with the character of the district where located. Building Official Arlington explained it was to stop business such as construction from running a business out of an accessory building.

Section 27-326 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-326, RADIO AND TELEVISION ANTENNAE.

There was no discussion and no recommended changes to Section 27-326

Section 27-327 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-327, SATELLITE DISH ANTENNAE.

Section 27-327(11): There was discussion on Councilor Tankersley's addition of the word "principle" public right of way, so that people on corner lots could have the opportunity to have a satellite dish. The consultant needs to define "principle".

- Section 27-239 (b)(4) ARTICLE IV, LAND USE, SECTION 27-239(b)(4): The Mayor asked to back up to this section concerning height restrictions: "No exception shall exceed forty feet in height." John Weldon explained that this was added so that no parapet wall for utilities could exceed five feet above the 35 feet height limit.
- Section 27-328 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-328, ACCESSORY BUILDINGS.
- Discussion ensued regarding multiple frontage lots and oceanfront lots. Vice Mayor Jones had concerns over where the air conditioning unit would go on an oceanfront lot. Vice Mayor Jones recommended that oceanfront lots be addressed and treated as a separate item.
- Chairman of the Planning and Development Review Board, John Weldon requested that Vice Mayor Jones present all of his concerns for oceanfront lots so that they could be addressed if they had not been already.
- Mayor Vaughn asked the consultants to submit a definition for oceanfront lots.
- Vice Mayor Jones felt that garage apartments should be allowed by special exception. Dan Arlington pointed out that garage apartments that were not on double frontage lots would not have access to a road.
- Section 27-235 (b) ARTICLE IV LAND USE SECTION 27-235 (1): The mayor asked to back up to this section and have "run off problems" defined due to Councilor Tankersley's change. John Weldon explained it was water run off from the roof on homes that were very close to the setback line. Consultants to define run off and give examples.
- Section 27-329 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-329, SWIMMING POOLS, POOL ENCLURES, HOT TUBS, AND SIMILAR STRUCTURES.
- Section 27-329 (1) Vice Mayor Jones felt that oceanfront lots needed to be defined in order to decide where pools can be on oceanfront lot. Dan Arlington mentioned the problem with the last phrase "located on either side of the main building." And what it would mean to oceanfront property.
- Section 27-330 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-330, FENCES, WALLS, AND HEDGES.
- Discussion of Section 27-330(a)(3) ensued regarding different types of fencing and the amount of privacy. Councilor Tankersley's change of "four feet or less in height" for solid fencing was also discussed.
- John Weldon felt that Councilor Tankersley wanted people to have privacy in their backyard and not allow house to have solid fences and form a tunnel through some alleys that could be a fire hazard.
- Mayor Vaughn asked Building Official Dan Arlington to develop better language for the fence privacy issue.
- Discussion of "discouraging" chain link fences. John Weldon explained the Planning and Development Review Board did not think it was viable to ban them although they would rather not have them.
- Section 27-330(a)(7): Vice Mayor Jones pointed out the inconsistency of the language

"ocean side of ocean front lots" instead of calling them double frontage lots. Discussion ensued on ocean front lots. Building Official Arlington suggested adding a paragraph explaining oceanfront lots. Vice Mayor Jones suggested adding definition for ocean front lots.

Consensus: **TO PLACE A DEFINITION OF OCEANFRONT LOTS.**

Section 27-331

**ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-331, RESERVED ATTACHED PATIOS AND DECKS.**

Council discussed allowing observation decks by special exception as a part of an architectural design. Residents would be required to make a request to the Planning and Development Review Board who only see commercial development. Vice Mayor Jones requested that the consultants use pictures to describe this.

Consensus: **TO ALLOW OBSERVATION DECKS BY SPECIAL EXCEPTION.**

Section 27-332

**ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-332, HOME OCCUPATIONS.**

There was no discussion and no recommended changes to Section 27-332

Section 27-333

**ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-333, HOUSEHOLD PETS.**

There was discussion about Councilor Tankersley's request to delete this entire section. John Weldon explained that it was deleted in order not to impede the revision of the entire Land Development code. Vice Mayor Jones suggested this section be moved to the nuisance ordinance. Dan Arlington recommended it be made part of the animal ordinance.

Consensus: **TO ASK THE CITY ATTORNEY TO MOVE THIS SECTION TO EITHER THE NUISANCE OR ANIMAL ORDINANCE AND BRING BACK A DRAFT. VICE MAYOR JONES AGREED TO SPONSOR.**

Section 27-334

**ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-334, ERECTION OF MORE THAN ONE MAIN USE STRUCTURE ON A LOT.**

There was discussion about what constituted two structures on a lot. Building Official Arlington commented on how it could be possible and how it is a fire hazard. The council discussed Councilor Tankersley's recommendation to delete this section.

Consensus: **TO LEAVE THIS SECTION IN THE CODE.**

Section 27-335

**ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27- 335, PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT OR BOATS.**

There was discussion about Councilor's Tankersley recommendation to delete this section. Vice Mayor Jones suggested it be moved to the nuisance ordinance or traffic ordinance. The mayor wanted to go on record stating he strongly supported of this RV issue.

Consensus: **TO ASK THE CITY ATTORNEY TO MOVE THIS SECTION TO EITHER THE NUISANCE OR TRAFFIC ORDINANCE AND BRING BACK A DRAFT, ALSO TO INCLUDE SECTION 27-336. VICE MAYOR JONES AGREED TO SPONSOR.**

Section 27-336 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-336, PARKING OF HEAVY COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS.

This section was included the previous consensus.

Section 27-337 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-337, USE OF RESIDENTIALLY ZONES PROPERTY FOR ACCESS

John Weldon explained this was a recommendation from the consultant. No changes were made to this section.

Section 27-338 ARTICLE V, ACCESSORY STRUCTURES AND USE, SECTION 27-338, ATTACHED DUPLEX OR MULTIFAMILY UNITS.

Dan Arlington explained that this legalized town houses and Summer Sands subdivision. John Weldon stated that this also dealt with unwanted condominiums. Dan Arlington said it would be difficult to stop condominiums completely. Discussion ensued about condominiums.

Consensus: **TO DISCOURAGE CONDOMINIUMS AS MUCH AS POSSIBLE AND ASK THE CONSULTANTS TO BE SURE OUR CODE DOES DISCOURAGE.**

Mayor Vaughn stated the Building Official Dan Arlington had given him a list of policies of the Building Department. Mayor Vaughn had suggested that as many of these as possible be inserted into the code so that Mr. Arlington has more standing. Mr. Arlington was told to work with the city attorney. Mr. Arlington stated he would distribute his policies to the rest of the council.

Section 27-339, 340 ARTICLE V, ACCESORY STRUCTURES AND USE, SECTION 27-339, 340, RESERVED.

There was no discussion and no recommended changes on Section 27-339,340.

ARTICLE XIII ARTICLE XIII, OFF-STREET PARKING AND LOADING.

Section 27-540 (b) ARTICLE XIII, OFF-STREET PARKING AND LOADING, SECTION 27-540(b).

City Clerk Volpe stated that Councilor Tankersley had sent out a memo about this section. Vice Mayor Jones stated that the memo requested that the first subject needed to be decided on was section 27-540(b) concerning reducing parking requirements for Central Business District to be reduced by 50%. Discussion ensued about the amount of parking needed. Mayor Vaughn requested that the current amount of parking is counted and the amount that is supposed to actually have relative to the amount of businesses. Chairman of the Planning and Development Review Board, John Weldon stated the intent was to clear up an inconsistency in the code and not to inflict suburban parking standard in a pedestrian/business district. The count requested from the Building Department should be off street parking and on street parking.

Section 27-229

ARTICLE IV, LAND USE, SECTION 27-229, MINIMUM LOT AREA REQUIREMENTS.

Council discussed Councilor Tankersley's request to use the number of old code. Chairman of the Planning and Development Review Board, John Weldon stated that the board had relied on the consultants to come up with the numbers and was not quite sure why Councilor Tankersley made the recommendations that he did. Mayor Vaughn asked Piper Turner to ask Councilor Tankersley why he changed the numbers on set backs.

The council discussed 5/12 pitched roof requirement. John Weldon stated it was done so that no flat roofs be built on a three story house. Dan Arlington did not agree with this recommendation. Vice Mayor Jones suggested either a 5/12 pitch or limiting flat roof to two stories.

Consensus; **AN EXCEPTION FOR FLAT ROOFS IF BUILT WITH ONLY TWO STORIES.**

Assistant to the Building Official Piper asked if the square footage for a duplex should be "per unit" not "for".

Next meeting date

A meeting was scheduled for July 10, 2000 at 7:00 p.m. for Land Development Revisions. There was some discussion about the July and September Regular Meeting.

Adjournment

There being no further business, the meeting adjourned at 9:38 p.m.

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George F. Vaughn, Jr., Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

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