



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**LAND DEVELOPMENT REGULATIONS**  
**JUNE 9, 2003 AT 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

---

Pursuant to proper notice a Special Workshop Meeting of the City Council of the City of Neptune Beach was held June 9, 2003, at 7:05 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Richard A. Brown  
Vice Mayor James Gilbert  
Councilor Harriet Pruette  
Councilor Larry Shealy  
Councilor John Weldon

City Manager Richard A. Linn  
City Clerk Lisa Volpe, CMC  
Assistant to the Building Official Piper Turner

Call to Order/Roll Call

The Mayor called the meeting to order at 7:05 p.m.

City Manager Linn asked the council if there was any objection to having the budget meetings on June 23<sup>rd</sup> and July 14<sup>th</sup> at 6 p.m. He reminded the council that the following Monday's meeting started at 6:30 p.m. to have time for a public hearing for the school board regulations interlocal agreement.

Land Development  
Group I  
Articles I, II, & III

LAND DEVELOPMENT REGULATIONS REVIEW – GROUP 1, ARTICLES I, II, & III:  
City Manager Linn stated Gary Dickens of Ivy, Harris & Walls, was present to begin the review. Mayor Brown asked if there were any points to clear up on Group I before beginning Group II.

Councilor Weldon stated at the last LDR meeting, he had submitted a list of goals and objectives for Groups I section and wanted to know if they were going to be placed in Group I even though they were already in the Comprehensive Plan. He suggested that the boards did not look at the Comp plan therefore putting them in the LDR would serve as a reminder to the boards.

Gary Dickens stated he had read the Comprehensive Plan and tried to condense it in the LDR but could not condense it into two or three points. He did not know if the council wanted to repeat the purpose in different sections of the LDR. He wanted to avoid potential internal inconsistencies.

Councilor Weldon stated he did not want to be repetitive but wanted a clear specific statement of the city's goals. Mr. Dickens asked if he wished to place it by the Planning and Development Review Board section or in the land use section.

There was a lengthy discussion as to what and where the goals should be placed. It was discussed that goals would be thought about as the LDR was discussed and would be brought back up later.

Gary Dickens stated he needed to work on the conflict between the Board of Appeals and the Planning and Development Review Board.

Councilor Pruette mentioned that at the May 28, 2002 meeting density was discussed and the consensus was to leave density the same.

Councilor Weldon pointed out the following mistakes in the group I update:

**SECTION 27-82 PROCEDURE FOR APPLYING FOR AND ISSUING DEVELOPMENT ORDERS.**

(h): review of final development plans and issuance of a final development order. The Planning and Development Review Board shall conduct a public hearing on the final development plan to determine whether the plan satisfies the requirements of this code. based on the determination from evaluating the above factors, The Planning and Development Review Board shall either: (1) issue a final development order complying with section 27-87 of this code with or without conditions; or (2) refuse to issue a final development order if it is not possible for the proposed development, even with reasonable modifications, to meet the requirements of this code.

The paragraph should state Council not Planning and Development Review Board.

**SECTION 27-84 PRELIMINARY PLAN REQUIREMENTS.**

- (a) the Concept preliminary plan shall show the following existing conditions, in the form of a current (dated within 30 days of plan submittal) certified, signed and sealed survey;
- (b) the concept preliminary plan shall show the following development and design element:

Consensus: **TO ADD IN SECTION 27-84 (a) AND (b) DEVELOPMENT AFTER PRELIMINARY.**

SECTION 27-84 (b) has a numbering miscount.

Councilor Pruette stated that on SECTION 27-78 there was a consensus on October 8, 2001 meeting to add the ability to get an extension for six months.

Gary Dickens began discussing Group II. Article IV.

Article IV, Land Use

**SECTION 27-215. PURPOSE AND INTENT:** The section was discussed earlier.

**SECTION 27-216. DEFINITIONS:** All definitions had been moved and would be discussed at a later meeting.

**SECTION 27-218 AMENDMENTS TO ZONING MAP:**

- (c) the city manager or designee shall update the zoning map as soon as possible after the amendments to district boundaries or rezonings are adopted by the city council and shall indicate on the map the date of revision.

Councilor Pruette asked to put a definite time for this section.

Consensus: **TO LEAVE SECTION 27-218 AS STATED WITH NO CHANGES.**

SECTION 27-222. PUPOSE AND INTENT ZONING DISTRICTS:

The City of Neptune Beach has developed over the years as a city with unique character and environment. Since a primary goal of the city is to retain this environment as much as possible, this zoning ordinance article must impose certain extraordinary restrictions on the use of land within the corporate limits of Neptune Beach to ensure that future development is in keeping with the existing development.

Consensus: **TO STRIKE THE WORD EXTRAORDINARY FROM THIS SECTION.**

City Manager Linn questioned whether the area east of Third Street, which is considered R-4 zoning, should be given an overlay district due to its unique characteristics with non conforming lots.

Gary Dickens stated this had been discussed at the last LDR review. It was suggested that since east of Third Street was the largest section of R4, it would be more practical to rezone the other sections of town zoned R4 such as Summer Sands and leave East of Third Street as R4. Mr. Dickens stated that if there were too many variances being applied for then the code should be changed to better fit the community.

Council discussed the small lots in this area and how to allow people their right to build a duplex. Mr. Dickens suggesting waiting to see if the problems would clear up with the rewrite before setting up an overlay district. Discussion ensued over making an overlay district.

Consensus: **TO LEAVE EAST OF THIRD STREET AS R4 AND TO MOVE TO REZONE SUMMER SANDS AS R5 AND TO REZONE THE OTHER PIECE OF R4 ON FLORIDA BLVD.**

Councilor Weldon recognized former Building Official Dan Arlington. Mayor Brown recognized developer Steve Jarrett. Both were in the audience.

Mr. Dickens stated that Section 27-222 was another area that stated goals of the city.

Consensus: **TO ADD "RESIDENTIAL" CHARACTER TO SECTION 27-222.1.a.**

Mr. Dickens brought attention to Section 27-222.4, which discussed the density of each zoning district. Councilor Pruette stated that at the May 28, 2002 meeting the council had consensus to leave density as it was.

The Council had a lengthy discussion over what the density should be. Whether it should be consistent with what is now east of Third Street. City Manager Linn pointed out there is a problem with how many square feet is needed to build a duplex.

Consensus: **TO LEAVE THE DENSITY AT 5, 10 AND 17.**

Assistant Building Official Piper Turner stated that if density is left at the stated amounts then it would not be possible to have a duplex on a 6000 square foot lot. Discussion ensued over what size lot a duplex could be built on. Dan Arlington stated 6000 square foot should work since there is a mixture of single family homes. Vice Mayor Gilbert questioned whether a person with a 48 by 100 foot lot would be able to build a duplex.

Mayor Brown welcomed Jacksonville Councilman-elect Art Graham.

Recess/Reconvene

The meeting recessed at 8:35 p.m. and reconvened at 8:45 p.m.

Gary Dickens moved on to Section 27-226. The Council discussed Table 226-1. Councilor Pruette stated that a constitute asked to include café bar in the chart. It was decided that this issue could be discussed with the definitions. Dan Arlington pointed out that Outdoor Dining had already been added but was not reflected in this edition.

Vice Mayor Gilbert asked for an explanation of Section 27-226.e of PUD's (Planned Unit Development). Gary Dickens stated it was an attempt to do appropriate planning on a macro scale. The philosophy is to let the PUD go as it was and then it will have to go through its own degree of scrutiny because of its nature of being a PUD. There is not a large chance that Neptune Beach will have a PUD since you need three acres of land. After a lengthy discussion as to whether or not to make it more difficult to have a PUD, no changes were made.

Assistant to the Building Official Piper Turner stated the 30 person minimum of persons served at one time in Section 27-227.b.4.b. was not equal to the 150 limit in the Alcoholic Beverages Section 4-4.d of the Code.

Consensus: **TO HAVE SECTION 27-227 b.4.b PARALLEL STATE REQUIREMENTS.**

There was some discussion over whether you could build a church within 1000 feet of adult entertainment. Gary Dickens explained that you can build a church but you cannot build an adult entertainment within 1000 feet of a church.

Section 27-228 USES PERMITTED BY SPECIAL EXCEPTION

Consensus: **TO CHANGE PLANNING AND DEVELOPMENT REVIEW BOARD TO CITY COUNCIL.**

Gary Dickens moved on to Table 27-229-1 Lot Requirements. Vice Mayor Gilbert stated his concern was that if a person had a 50 lot in a zone that allowed duplex would he be able to build a duplex. Discussion ensued over whether a duplex could be built on a 6000 square foot lot or if 8712 was need or if a 50 foot wide lot was needed. The council discussed property rights for homeowners and lot owners.

Consensus: **TO ALLOW DUPLEXS IN THE R4 DISTRICT WITH A MINIMUM LOT SIZE OF 8712 SQUARE FEET.**

Consensus: **TO END THE REVIEW AND RETURN ON JUNE 23, 2003 AT 7:00 P.M.**

Adjournment

There being no further business, the meeting adjourned at 9:50 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

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