City of Atlantic Beach

Final Agenda

Regular City Commission Meeting

Monday, July 28, 2025 - 6:00 p.m.
Commission Chamber
City Hall, 800 Seminole Road
Atlantic Beach, FL 32233

INVOCATION AND PLEDGE TO THE FLAG
CALL TO ORDER

			Page(s)
1.	**APPROVAL OF MINUTES**		
	1.A.	Approve minutes of the Budget Workshop on July 14, 2025 7-14-25 Budget Workshop Draft Minutes	5 - 6
	1.B.	Approve minutes of the Regular Commission Meeting held on July 14, 2025. 7-14-25 Regular City Commission Draft Minutes	7 - 26
*	1.C.	Approve minutes of the Town Hall Meeting held on July 19, 2025. 7-19-25 Town Hall Draft Minutes	27 - 28
2.	**COURTESY OF FLOOR TO VISITORS**		
		PUBLIC COMMENT	
3.	**CITY MANAGER REPORTS**		
	3.A.	Accept the 90-Day Calendar (July - Sept. 2025) 90-Day Calendar (July - Sept. 2025)	29 - 32
*	3.B.	West First Street turf block project	
4.	**REPORTS AND/OR REQUESTS FROM CITY COMMISSIONERS**		
5.	**UNFINISHED BUSINESS FROM PREVIOUS MEETINGS**		
		None.	
6.	**CONSENT AGENDA**		

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY. SUPPORTING DOCUMENTATION AND STAFF RECOMMENDATIONS HAVE BEEN PREVIOUSLY SUBMITTED TO THE CITY COMMISSION ON THESE ITEMS.

6.A. Approve Resolution No. 25-64. 33 - 37
A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA ESTABLISHING THE CITY'S FISCAL YEAR 2025-26 PRIORITIES; AND PROVIDING AN EFFECTIVE DATE.
Resolution No. 25-64

7. COMMITTEE REPORTS

None.

8. ACTION ON RESOLUTIONS

8.A. **RESOLUTION NO. 25-65** 39 - 48
A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AUTHORIZING STAFF TO ISSUE A TASK AUTHORIZATION TO GEOSYNTEC CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES TO CONDUCT A FEASIBILITY STUDY OF DISCHARGING HIGHLY TREATED RECLAIMED WATER TO AREA DRAINAGE DITCHES TO PREVENT SALTWATER INTRUSION FROM KILLING ADJACENT WETLAND HARDWOOD TREES; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.
Resolution No. 25-65

9. ACTION ON ORDINANCES

9.A. **ORDINANCE NO. 90-25-256, Public Hearing and Final Reading** 49 - 61
AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, HEREBY AMENDING THE LAND DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCE NUMBER 90-24-253; THIS ORDINANCE SPECIFICALLY AMENDING SECTION 24-113(c), LIGHT INDUSTRIAL AND WAREHOUSING DISTRICTS, PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.
Ordinance No. 90-25-256

10. MISCELLANEOUS BUSINESS

10.A. **Public Hearing on Waiver Request (WAIV25-0003)**
Request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way at 341 6th Street.

10.A1. City Attorney Procedural Reminders 63 - 70
Waiver Hearing Procedures

10.A2. Disclosure of Ex Parte Communications, if any

10.A3. Swearing in of all persons who will speak

10.A4. City Staff Overview 71 - 91
WAIV25-0003

10.A5. Applicant Presentation

10.A6. Public Comments

10.A7. Closing Comments/Rebuttal

10.A8. Commission Deliberation and Action

11. CITY ATTORNEY/CITY CLERK REPORTS AND/OR REQUESTS

12. CLOSING COMMENTS BY CITY COMMISSIONERS AND CITY MANAGER

13. ADJOURNMENT

This meeting will be live-streamed and videotaped. The video recording will be posted within four business days on the City's website. To access live or recorded videos, visit www.coab.us/live.

If any person decides to appeal any decision made by the City Commission with respect to any matter considered at any meeting, such person may need a record of the proceedings, and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record shall include the testimony and evidence upon which the appeal is to be based.

Any person wishing to speak to the City Commission on any matter at this meeting should submit a request to the City Clerk prior to the meeting. For your convenience, forms for this purpose are available at the entrance to the Commission Chamber.

Every effort is made to indicate what action the City Commission is expected to take on each agenda item. However, the City Commission may act upon any agenda subject, regardless of how the matter is stated on the agenda.

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) 247-5821 or at City Hall, 800 Seminole Road, Atlantic Beach, FL 32233, no later than 5:00 PM on the Thursday prior to the meeting.

MINUTES
Budget Workshop Meeting
Monday, July 14, 2025 - 5:00 PM
City Hall, Commission Chamber
800 Seminole Road, FL 32233

ATTENDANCE:

Present:
Curtis Ford, Mayor - Seat 1 (At Large)
Bruce Bole, Commissioner - Seat 2 (District 1308)
Thomas Grant, Commissioner - Seat 3 (District 1307)
Candace Kelly, Commissioner - Seat 4 (District 1306)
Jessica Ring, Commissioner - Seat 5 (District 1312)

Also Present:
William B. Killingsworth, City Manager (CM)
Kevin Hogencamp, Deputy City Manager (DCM)
Ladayija Nichols, Deputy City Clerk (DCC)
Rick Carper, Interim Public Works Director (PWD)

CALL TO ORDER
Mayor Ford called the meeting to order at 5:02 PM.

1. PUBLIC COMMENT
None.

2. TOPICS

A.
- **Budget Workshop #3 Presentation**
- **Overview**
- **Public Works Department**

CM Killingsworth and PWD Carper presented as detailed in the agenda packet and answered questions from the Commission.

There was a ***CONSENSUS*** to direct the CM to increase the stormwater resource allocation by $25,000 bringing the total to $100,000.

CM Killingsworth indicated that he would provide a progress report on Howell Park.

ADJOURNMENT
Meeting Adjourned at 5:44 PM.

Attest:

DRAFT

Ladayija Nichols, Deputy City Clerk

Curtis Ford, Mayor

Date Approved:_____

DRAFT

MINUTES
Regular City Commission Meeting
Monday, July 14, 2025 - 6:00 PM
Commission Chamber
City Hall, 800 Seminole Road
Atlantic Beach, FL 32233

INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER:

Following the Pledge of Allegiance, Mayor Ford called the meeting to order at 6:03 PM. DCC Nichols called the roll.

ATTENDANCE:

Present:	Curtis Ford, Mayor - Seat 1 (At Large)
	Bruce Bole, Commissioner - Seat 2 (District 1308)
	Candace Kelly, Commissioner - Seat 4 (District 1306)
	Jessica Ring, Commissioner - Seat 5 (District 1312)
	Thomas Grant, Commissioner - Seat 3 (District 1307)
Also Present:	William B. Killingsworth, City Manager (CM)
	Jason Gabriel, City Attorney (CA)
	Kevin Hogencamp, Deputy City Manager (DCM)
	Ladayija Nichols, Deputy City Clerk (DCC)
	Rick Carper, Interim Public Works Director (PWD)
	Amanda Askew, Neighborhoods Department Dir. (NDD)

1 APPROVAL OF MINUTES

1A. Approve minutes of the Regular Commission Meetings held on June 9 and June 23, 2025.

The Commission approved the minutes as submitted.

1B. Approve minutes of the Board and Committee Training held on June 18, 2025.

The Commission approved the minutes as submitted.

1C. Approve minutes of the Budget Workshop on June 23, 2025.

The Commission approved the minutes as submitted.

2. COURTESY OF FLOOR TO VISITORS

PUBLIC COMMENT

The following speakers provided their comments:

DRAFT

Mitch Reeves
George Garcia
Don Wolfson
Brinkley Harrell
Cary Cosgrove
Christine Michel

3. CITY MANAGER REPORTS

3.A. Accept the 90-Day Calendar (July-Sept. 2025)

CM Killingsworth reported as detailed in the agenda packet and noted the cancelation of the August 7, 2025, Speaker Series.

There was a ***CONSENSUS*** to accept the 90-Day Calendar.

3.B. FY 2025-26 Priorities

CM Killingsworth reported as detailed in the agenda packet.

There was a ***CONSENSUS*** to proceed with a resolution outlining the priorities.

3.C. FLC Voting Delegate

CM Killingsworth reported as detailed in the agenda packet.

Commissioner Bole indicated he would attend the conference, and there was ***CONSENSUS*** for him to serve as the Voting Delegate.

3.D. Onsite Stormwater

CM Killingsworth reported as detailed in the agenda packet. PWD Carper responded to questions from the Commission. Commissioner Grant expressed interest in holding a workshop on this topic.

There was a ***CONSENSUS*** for the CM to bring back an ordinance.

4. REPORTS AND/OR REQUESTS FROM CITY COMMISSIONERS

Commissioner Bole

- Reported on attending the Beaches Town Center Agency meeting, highlighting their upcoming Parade of Homes fundraiser and noting that the agency provides scholarships to Fletcher High School students.

Commissioner Grant

- Announced he would attend an upcoming ESC meeting to explore ways to engage more homeowners in discussions about tree and landscaping plans. He expressed interest in the committee adopting a more consultative rather than punitive approach.

Commissioner Kelly

DRAFT

- Mentioned attending a Beaches Watch meeting where Police Chief (PC) Gualillo gave a presentation, which she commended.

Commissioner Ring

- Thanked Former Mayors Gulliford and Wolfson for their service on the Interlocal Agreement Committee.

Mayor Ford

- Addressed concerns raised by Mr. Cosgrove regarding potential violations of the tree ordinance. He requested the CA and CM work with him to explore possible relief options, noting that whether such relief is warranted remains uncertain. He emphasized the importance of reviewing how the City approaches similar issues moving forward.
- He expressed appreciation for PC Gualillo's presentation at Beaches Watch.

5. UNFINISHED BUSINESS FROM PREVIOUS MEETINGS

None.

6. CONSENT AGENDA

6.A. Approve Resolution No. 25-56.

A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AWARDING BID NO. 2425-03 FOR WASTEWATER TREATMENT PLANT CHLORINATION-DECHLORINATION UPGRADES; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

6.B. Approve Resolution No. 25-57.

A RESOLUTION ADOPTING THE COASTAL VULNERABILITY ASSESSMENT TO INFORM FUTURE PLANNING AND RESILIENCE EFFORTS; AND PROVIDING AN EFFECTIVE DATE.

6.C. Approve Resolution No. 25-58.

A RESOLUTION ADOPTING THE FUTURE FLOOD RISK ADAPTATION PLAN TO ENHANCE COMMUNITY RESILIENCE AND INFORM LONG-TERM PLANNING; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Approve Resolution 25-56, 25-57, and 25-58 (consent agenda items 6A-6C as written).

Motion: Bruce Bole
Second: Candace Kelly

Curtis Ford	***For***
Bruce Bole (Moved By)	***For***
Candace Kelly (Seconded By)	***For***
Jessica Ring	***For***
Thomas Grant	***For***

DRAFT

Motion passed 5 to 0.

7. COMMITTEE REPORTS
None.

8. ACTION ON RESOLUTIONS

8.A. RESOLUTION NO. 25-59

A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF ATLANTIC BEACH A UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF ATLANTIC BEACH FOR UTILITY ADJUSTMENTS REQUIRED TO ACCOMMODATE THE MAYPORT ROAD (STATE ROAD A1A) ROAD DIET PROJECT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Approve Resolution No. 25-59.

Motion: Jessica Ring
Second: Bruce Bole

Curtis Ford	***For***
Bruce Bole (Seconded By)	***For***
Candace Kelly	***For***
Jessica Ring (Moved By)	***For***
Thomas Grant	***For***

Motion passed 5 to 0.

8.B. RESOLUTION NO. 25-60

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AGREEING TO TERMS OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE CITY OF JACKSONVILLE REGARDING FIRE AND RESCUE SERVICES; PROVIDING FOR REDUCED PAYMENTS; PROVIDING FOR QUARTERLY PAYMENTS; PROVIDING FOR A COMMENCEMENT AND EXPIRATION DATE FOR SAID REDUCED PAYMENTS; PROVIDING FOR THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: Approve Resolution (No.) 25-60

Motion: Bruce Bole
Second: Thomas Grant

DRAFT

Motion passed unanimously 5 to 0.

MOTION: Amend tonight's resolution that would include a contingency clause giving the City of Jacksonville and City of Atlantic Beach a specified date and time to come up with an agreement.

Motion: Jessica Ring

Motion failed.

MOTION: Approve Resolution (No.) 25-60.

Motion: Bruce Bole
Second: Thomas Grant

Curtis Ford	***For***
Bruce Bole (Moved By)	***For***
Candace Kelly	***For***
Jessica Ring	***Against***
Thomas Grant (Seconded By)	***For***

Motion passed 4 to 1.

8.C. RESOLUTION NO. 25-61
A RESOLUTION OF THE CITY OF ATLANTIC BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PENN CREDIT CORPORATION FOR COLLECTION SERVICES OF PAST-DUE PARKING AND ANIMAL CONTROL CITATIONS; GRANTING THE CITY MANAGER SIGNATORY AUTHORITY; PROVIDING FOR VEHICLE REGISTRATION HOLDS IN ACCORDANCE WITH STATE LAW; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Approve (Resolution No.) 25-61.

Motion: Bruce Bole
Second: Candace Kelly

Curtis Ford	***For***
Bruce Bole (Moved By)	***For***
Candace Kelly (Seconded By)	***For***
Jessica Ring	***For***
Thomas Grant	***For***

Motion passed 5 to 0.

8.D. RESOLUTION NO. 25-62

DRAFT

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ATLANTIC BEACH, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATE, THE CURRENT YEAR ROLLED-BACK RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC HEARINGS TO CONSIDER THE PROPOSED FISCAL YEAR 2025-26 MILLAGE RATE AND BUDGET AS REQUIRED BY LAW; DIRECTING THE CITY MANAGER TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF DUVAL COUNTY PURSUANT TO REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE OF THE STATE OF FLORIDA; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Approve Resolution (No.) 25-62.

Motion: Bruce Bole
Second: Candace Kelly

Curtis Ford	***For***
Bruce Bole (Moved By)	***For***
Candace Kelly (Seconded By)	***For***
Jessica Ring	***For***
Thomas Grant	***For***

Motion passed 5 to 0.

8.E. RESOLUTION NO. 25-63

A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA APPROVING AN AMENDMENT TO INTERLOCAL AGREEMENT WITH THE CITY OF JACKSONVILLE WHICH PROVIDES FUNDING FOR THE CONSTRUCTION AND REMODELING OF THE ATLANTIC BEACH LIFEGUARD STATION; AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE

MOTION: Adopt Resolution No. 25-63 as read.

Motion: Candace Kelly
Second: Thomas Grant

Curtis Ford	***For***
Bruce Bole	***For***
Candace Kelly (Moved By)	***For***
Jessica Ring	***For***
Thomas Grant (Seconded By)	***For***

Motion passed 5 to 0.

DRAFT

9. ACTION ON ORDINANCES

9.A. ORDINANCE NO. 90-25-254, Public Hearing and Final Reading

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE 2045 COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF THOSE LANDS DESCRIBED IN ATTACHED EXHIBIT A FROM RESIDENTIAL MEDIUM (RM) TO COMMERCIAL (CM); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

NDD Askew presented Items 9A and 9B using a PowerPoint (which is attached hereto and made part of this official record as **Attachment A**).

The public hearing was opened for Agenda Items 9A and 9B. There were no speakers and the public hearing was closed.

7-14-25 Attachment A

MOTION: Approve Ordinance No. 90-25-254.

Motion: Jessica Ring
Second: Thomas Grant

Curtis Ford	***For***
Bruce Bole	***For***
Candace Kelly	***Against***
Jessica Ring (Moved By)	***For***
Thomas Grant (Seconded By)	***For***

Motion passed 4 to 1.

9.B. ORDINANCE NO. 90-25-255, Public Hearing and Final Reading

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, REZONING THOSE LANDS DESCRIBED IN ATTACHED EXHIBIT A FROM RESIDENTIAL, GENERAL, TWO- FAMILY (RG), TO COMMERCIAL, GENERAL (CG); PROVIDING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Approve Ordinance No. 90-25-255.

Motion: Jessica Ring
Second: Thomas Grant

Curtis Ford	***For***
Bruce Bole	***For***

DRAFT

Candace Kelly	***Against***
Jessica Ring (Moved By)	***For***
Thomas Grant (Seconded By)	***For***

Motion passed 4 to 1.

9.C. ORDINANCE NO. 90-25-256, Public Hearing and First Reading
AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, HEREBY AMENDING THE LAND DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCE NUMBER 90-24-253; THIS ORDINANCE SPECIFICALLY AMENDING SECTION 24-113(c), LIGHT INDUSTRIAL AND WAREHOUSING DISTRICTS, PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

The public hearing was opened. The following speakers provided their comments:

Christine Michel

The public hearing was closed.

MOTION: Approve Ordinance No. 90-25-256 (on first reading).

Motion: Jessica Ring
Second: Bruce Bole

Curtis Ford	***For***
Bruce Bole (Seconded By)	***For***
Candace Kelly	***Against***
Jessica Ring (Moved By)	***For***
Thomas Grant	***For***

Motion passed 4 to 1.

10. MISCELLANEOUS BUSINESS
None.

11. CITY ATTORNEY/CITY CLERK REPORTS AND/OR REQUESTS
None.

12. CLOSING COMMENTS BY CITY COMMISSIONERS AND CITY MANAGER
Commissioner Bole

- Expressed support for the fire services agreement and emphasized the importance of continuing to pursue a fair long-term solution.

Commissioner Grant

DRAFT

- Echoed support for the progress made on the fire services agreement and highlighted the value of the upcoming third-party study in informing and strengthening future negotiations.

Commissioner Ring

- Requested information on Neptune Beach's fire services contributions over the past 26 years, prompting a discussion about the differing arrangements between Jacksonville and the Beach communities.

13. ADJOURNMENT

The meeting adjourned at 7:53 PM.

Attest:

_____ _____

Ladayija Nichols, Deputy City Clerk Curtis Ford, Mayor

Date Approved:_____

DRAFT

Attachment A to
7-14-25 Minutes

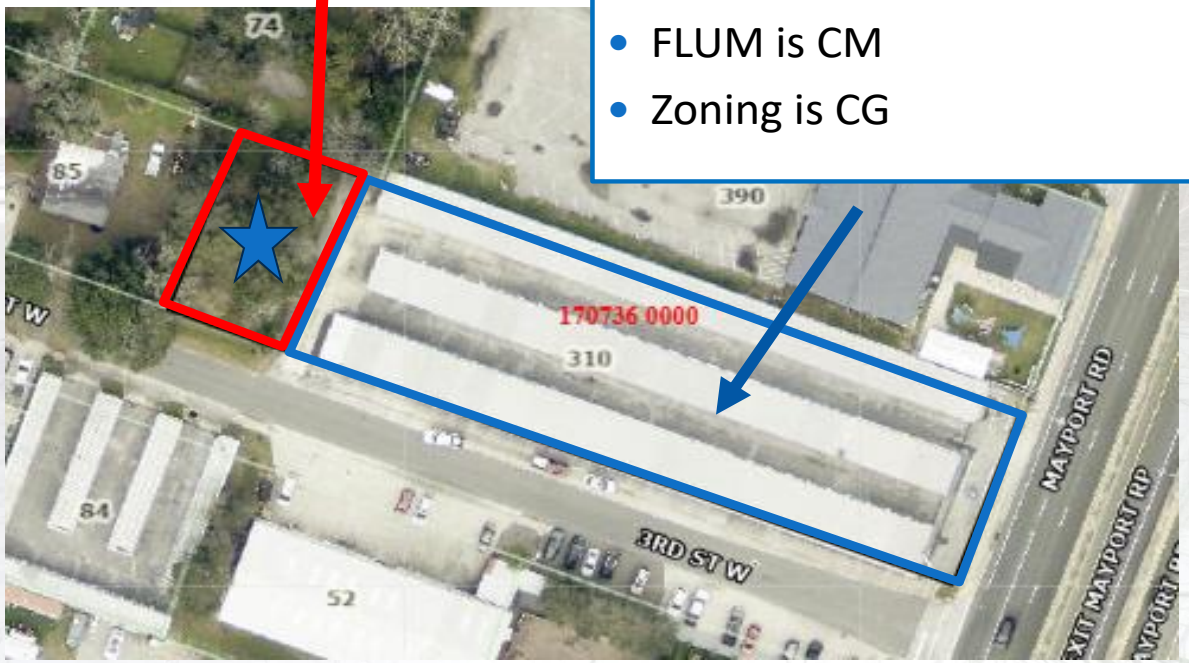
COMP25-0001 & REZN25-0001 & 310 Mayport Road

Request is for a Future Land Use Map (FLUM) amendment to change the future land use map designation of the western 70 feet of 310 Mayport Road (RE# 170736-0000) FROM Residential Low Medium (RM) TO Commercial (CM). Also, a request for a rezoning of the same portion of 310 Mayport Road (RE# 170736-0000) FROM Residential, General, Two-Family (RG) TO Commercial General (CG).

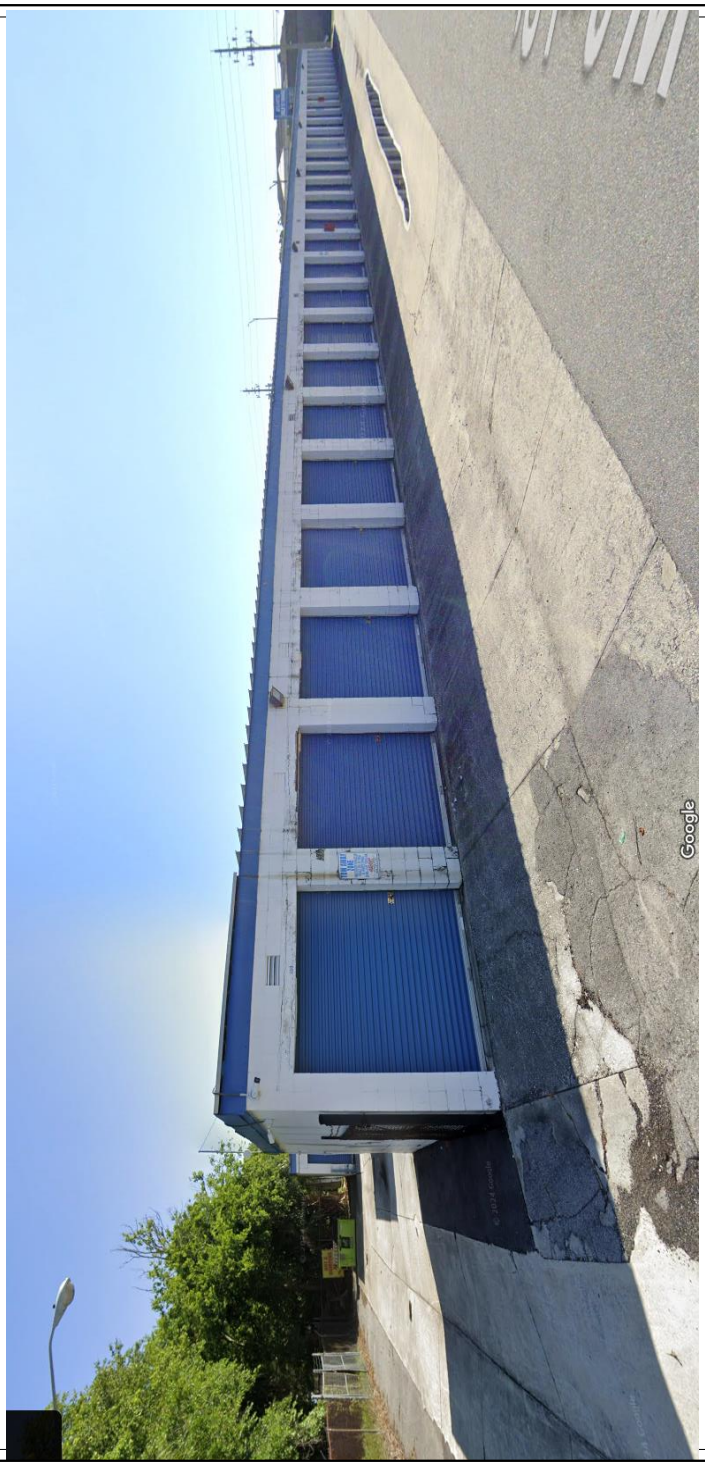
- 310 Mayport – west 70 feet
- FLUM RM to CM
- Zoning RG to CG

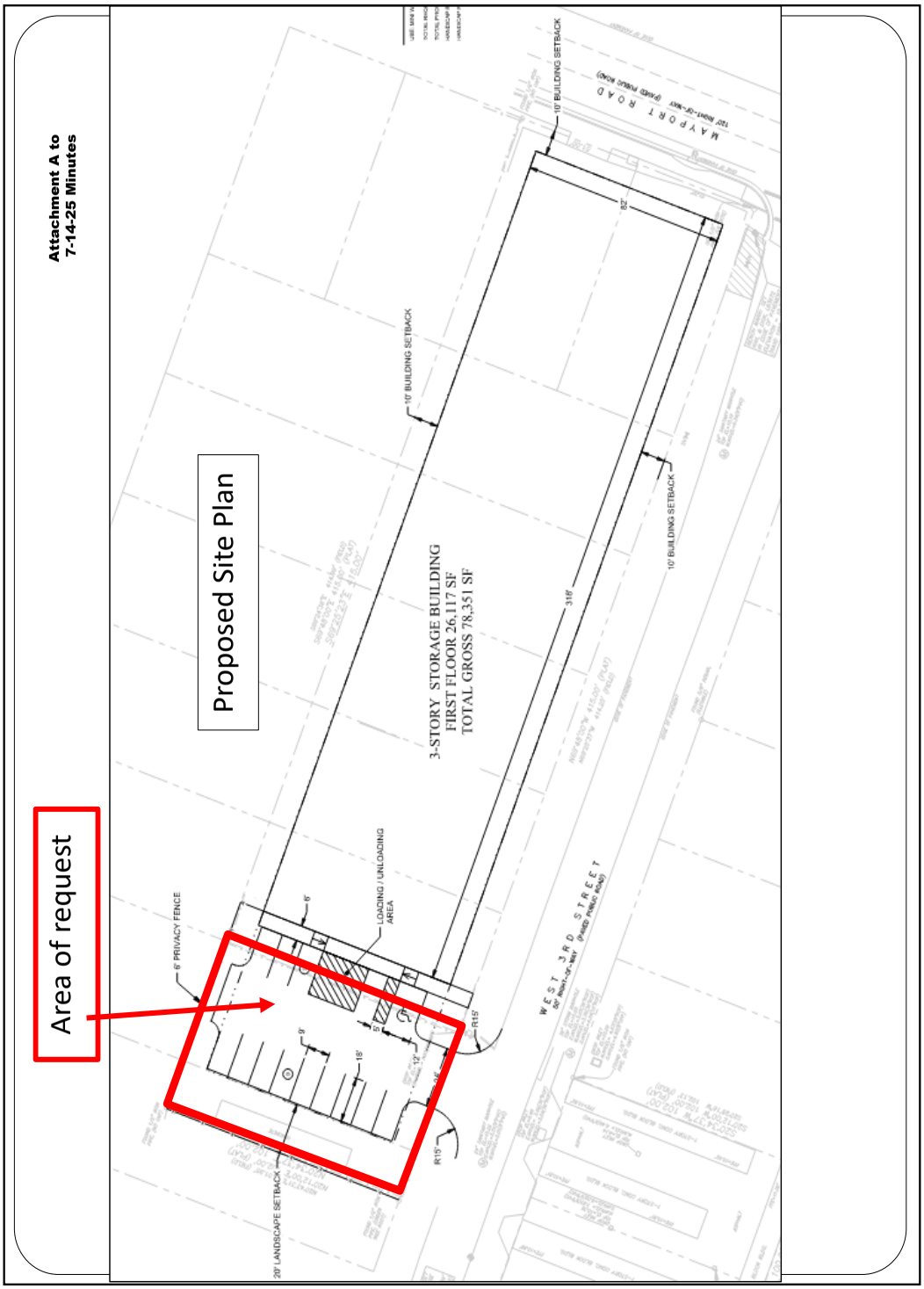
Attachment A to
7-14-25 Minutes

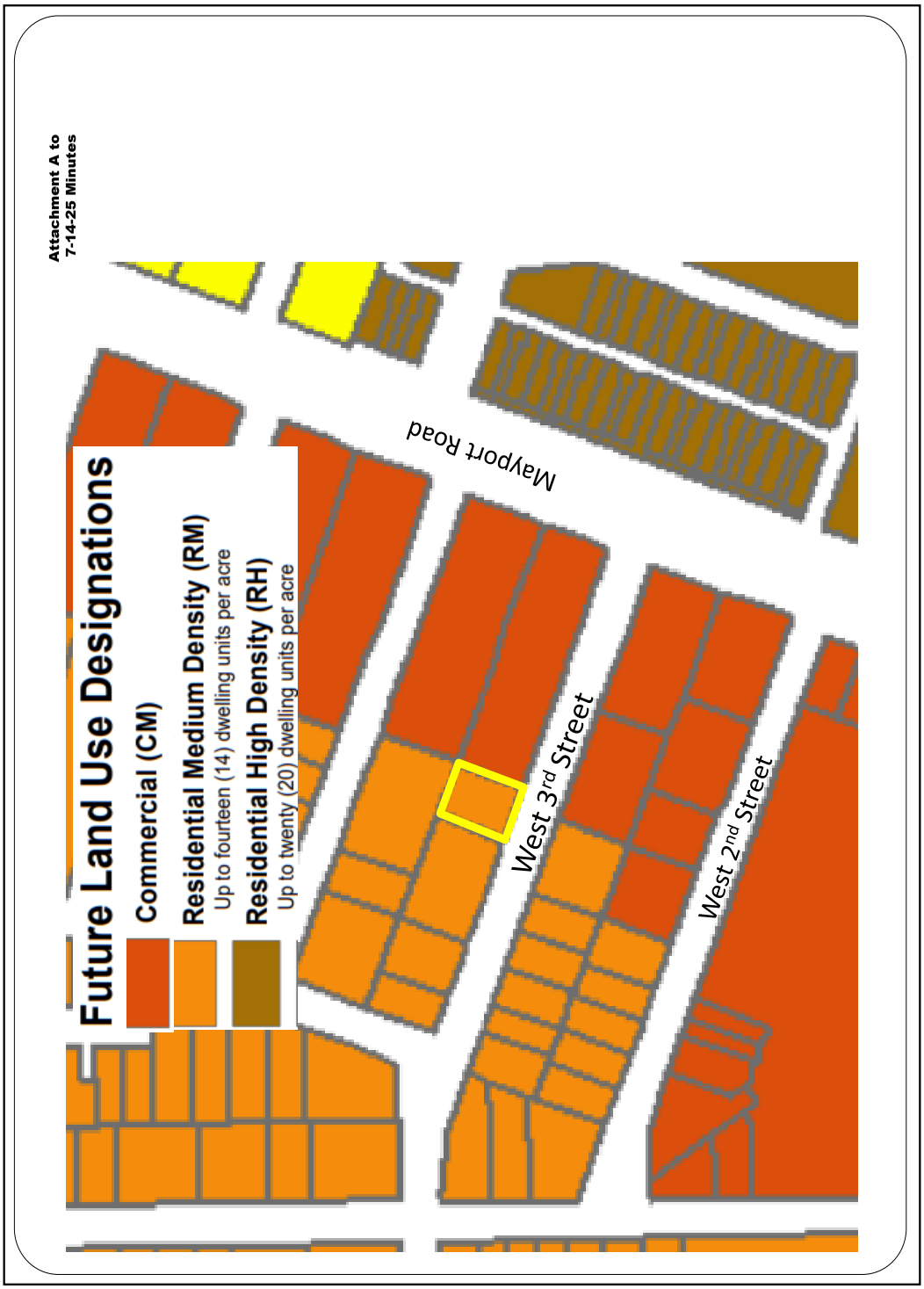
- 310 Mayport – east 345 feet
- FLUM is CM
- Zoning is CG



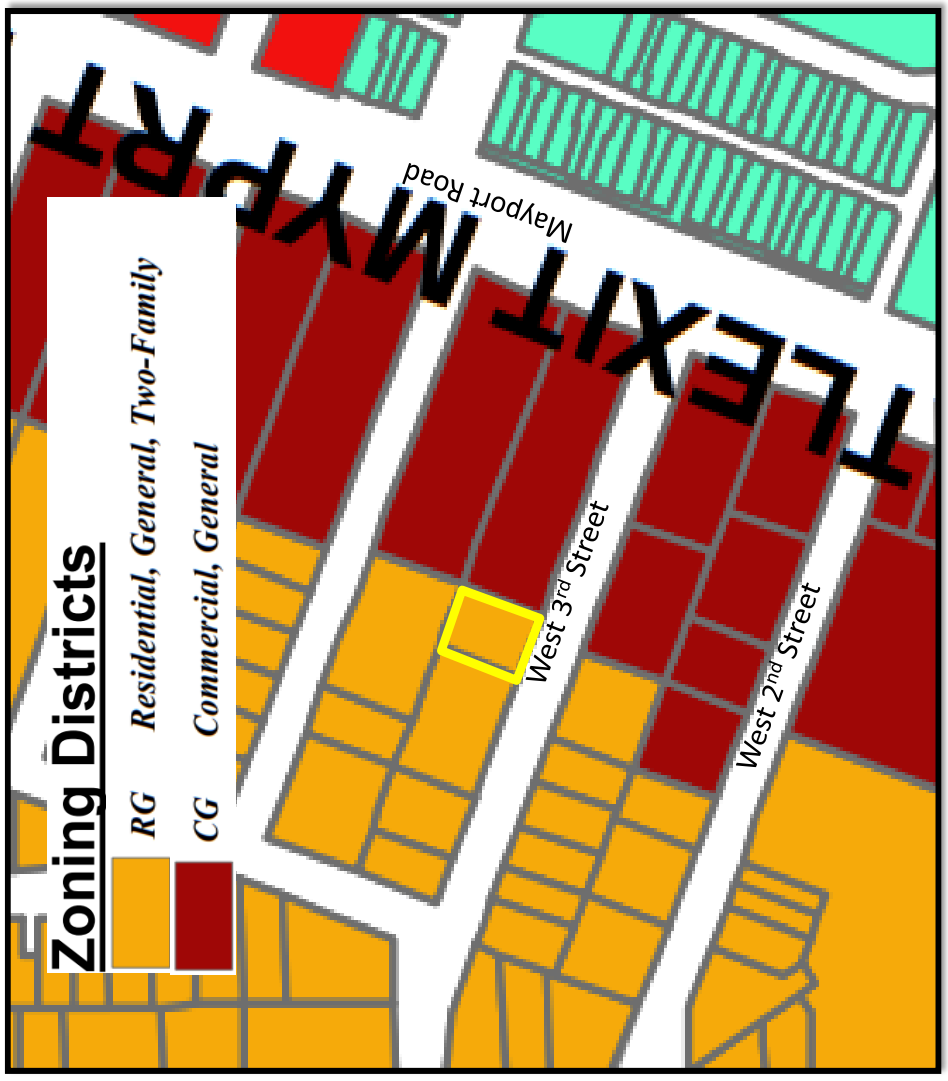
Attachment A to
7-14-25 Minutes




Attachment A to
7-14-25 Minutes
Proposed Site Plan
Area of request
3-STORY STORAGE BUILDING
FIRST FLOOR 26,117 SF
TOTAL GROSS 78,351 SF
10' BUILDING SETBACK
10' BUILDING SETBACK
10' BUILDING SETBACK
20' LANDSCAPE SETBACK
6' PRIVACY FENCE
LOADING / UNLOADING AREA
MAYPORT ROAD
WEST 3RD STREET


Attachment A to
7-14-25 Minutes
Future Land Use Designations
Commercial (CM)
Residential Medium Density (RM)
Up to fourteen (14) dwelling units per acre
Residential High Density (RH)
Up to twenty (20) dwelling units per acre
Maxport Road
West 3rd Street
West 2nd Street

Attachment A to
7-14-25 Minutes



ANALYSIS & REVIEW

Per Section 24-62(C)(2) of the Land Development Code, the Community Development Board shall "indicate the relationship of the proposed rezoning to the Comprehensive Plan for the City and provide a finding that the requested change in zoning is consistent with the Comprehensive Plan".

Policy A.1.5.6 Commercial and light industrial development shall be located and designed so as to minimize adverse effects on residential areas, traffic facilities and aesthetic character of the City.

Policy A.1.10.4 The City shall actively support the appropriate redevelopment and infill development of the Mayport Road corridor. Retail and service uses that sustain neighborhoods, and encourage a more aesthetically pleasing and pedestrian friendly environment shall be encouraged. New development along Mayport Road shall be in compliance with the Commercial Corridor Development Standards as set forth within the Land Development Regulations

Policy A.1.13.4 states that applications to amend the Comprehensive Plan shall be reviewed and evaluated based upon the following factors:

(a) Consistency with the Goals, Objectives and Policies of this Plan;

(b) Consistency with the State Comprehensive Plan and the Northeast Florida Strategic Regional Policy Plan;

(c) Consistency with other adopted policies and plans of the City, the County, the State or other agencies having regulatory authority over the City;

(d) The potential for adverse impacts to Environmentally Sensitive Areas, the natural environment or the aesthetic quality of the City,

(e) The potential to cause deficiencies in adopted levels of service or to adversely impact available water supplies, public facilities, infrastructure and services.

Grounds for Decision

FLUM

Future Land Use Map should be reviewed for consistency with the Comprehensive Plan. The Comprehensive Plan discourages amendments to increase density within environmentally sensitive areas, coastal high hazard areas (CHHA), or areas vulnerable to flooding. This property does not contain environmentally sensitive areas, is not within the CHHA, and is not vulnerable to flooding.

REZONING

Per Section 24-62(C)(2) of the Land Development Code, the Community Development Board shall "indicate the relationship of the proposed rezoning to the Comprehensive Plan for the City and provide a finding that the requested change in zoning is consistent with the Comprehensive Plan".

Grounds for Decision

- Motion to recommend **approval or approval with conditions** finds that the requested zoning map and FLUM amendments **ARE** consistent with the Comprehensive plan

--OR--

- Motion to recommend **denial** finds that the requested zoning map and FLUM amendments are **NOT** consistent with the Comprehensive Plan

MINUTES
Town Hall Meeting
Saturday, July 19, 2025 - 10:00 AM
Donner Park & Gail Baker Community Center
City Hall, 800 Seminole Road
Atlantic Beach, FL 32233

Mayor Ford called the meeting to order at 10:01 AM.

ATTENDANCE:

Present:	Curtis Ford, Mayor - Seat 1 (At Large) Bruce Bole, Commissioner - Seat 2 (District 1308) Candace Kelly, Commissioner - Seat 4 (District 1306) Jessica Ring, Commissioner - Seat 5 (District 1312)
Absent:	Thomas Grant, Commissioner - Seat 3 (District 1307)
Also Present:	William B. Killingsworth, City Manager (CM) Kevin Hogencamp, Deputy City Manager (DCM) Ladayija Nichols, Deputy City Clerk (DCC)

1 PUBLIC COMMENT - OPEN TOPICS

The Commission and CM addressed comments from the public regarding the following topics: 16th Street Beach Access, the COJ Fire Agreement, tree ordinances and mitigation, consistent ordinance enforcement, Neptune Beach's water request, compliments to city staff, building permits, tree arborists, parking concerns, impervious surfaces, stormwater management, and paid parking.

Mayor Ford requested that Commissioner Bole raise the idea of the City potentially obtaining its own arborist for discussion at a future commission meeting.

The Commission directed the CM to follow up on the following items:

- Consult with the City Attorney on the feasibility of the City designating its own arborist.
- Clarify the process for code enforcement in the event of after-hours tree removals.
- Provide an update at the next commission meeting regarding any turf block installation project on West First Street, including associated costs and use of the $50,000 allocation.

Commissioner Bole noted he will gather information at the upcoming FLC conference on how other municipalities are addressing home rule issues related to tree canopy protection.

The following speakers provided their comments:
Katie Rider
Don Wolfson

DRAFT

Carolyn Zisser
Brinkly Harrell
unkown speaker
Nancy Staats
Jackie Beckenbach
Mary Emerson
Susanne Barker
John Flinn

ADJOURNMENT
The meeting adjourned at 11:40 AM.

Attest:

Ladayija Nichols, Deputy City Clerk

Curtis Ford, Mayor

Date Approved:_____

DRAFT

CITY OF ATLANTIC BEACH
CITY COMMISSION MEETING
STAFF REPORT

AGENDA ITEM: 90-Day Calendar for the City Commission

SUBMITTED BY: Adrianna Walsh, Executive Assistant to the City Manager

TODAY'S DATE: July 14, 2025

MEETING DATE: July 28, 2025

BACKGROUND: The rolling 90-day calendar is routinely revised based on input from City staff and the Commission, and is included in each agenda for consideration by consensus.

Please note that the 2025 town hall meetings have been scheduled for:

- Saturday, July 19 at Gail Baker Community Center
- Saturday, October 18 at the Adele Grage Cultural Center

Please note that the Budget Workshops for FY 2025-26 have been scheduled for 5 p.m. on:

- Monday, July 28
- Monday, August 11
- Monday, August 25

BUDGET: None

RECOMMENDATION: Accept the 90-Day Calendar for July 2025-September 2025 by consensus

ATTACHMENT(S): City Commission 90-Day Calendar (July 2025-September 2025)

REVIEWED BY CITY MANAGER: 

CITY COMMISSION

July 2025

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4 July 4th Holiday City Offices Closed	5
6 Farmers Market 10 am-2 pm (Russell Park)	7	8	9 Environmental Stewardship Cmte. 6 pm	10 Code Enforcement Special Magistrate 2 pm	11 Apex Theatre – The 39 Steps 7pm (Gulliford Hall)	12 Apex Theatre – The 39 Steps 2 pm and 7 pm (Gulliford Hall)
13 Farmers Market 10 am-2 pm (Russell Park) Apex Theatre – The 39 Steps 2pm (Gulliford Hall) Songwriters Concert 6 pm (Gulliford Hall)	14 Budget Workshop 5 pm City Commission 6:00 pm (Invoc-Grant)	15 Community Development Board 6 pm	16 Environmental Stewardship Cmte. 6 pm	17	18	19 Town Hall Meeting 10 am Gail Baker Community Center
20 Farmers Market 10 am-2 pm (Russell Park)	21	22 Arts, Recreation, Culture Committee 6 pm	23	24	25	26
27 Farmers Market 10 am-2 pm (Russell Park) Acoustic Night 6 pm (Bull Park)	28 Budget Workshop 5pm City Commission 6:00 pm (Invoc-Kelly)	29 Board Member Review Committee 6 pm	30	31	**Youth Tennis Camp** The City of Atlantic Beach is excited to offer a three-week youth tennis camp for ages 6-14 beginning July 14. Registration is weekly, and you may register for one, two, or all three weeks. Visit www.coab.us/tennis for more information.	

CITY COMMISSION

August 2025

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3 Farmers Market 10 am-2 pm (Russell Park) Songwriters Concert 6 pm (Gulliford Hall)	4	5	6	7	8	9
10 Farmers Market 10 am-2 pm (Russell Park)	11 Budget Workshop 5 pm City Commission 6:00 pm (Invoc-Ring)	12	13 Environmental Stewardship Cmte. 6 pm	14 Pension Boards 6 pm	15	16 Movie in the Park – Wild Robot Sunset (Johansen Park)
17 Farmers Market 10 am-2 pm (Russell Park)	18	19 Community Development Board 6 pm	20 Environmental Stewardship Cmte. 6 pm	21 Employee Appreciation City Offices Closed 11:30am – 1:30pm	22 Blood Drive Noon-5 pm	23
24 Farmers Market 10 am-2 pm (Russell Park) Acoustic Night 6 pm (Bull Park)	25 Budget Workshop 5 pm City Commission 6:00 pm (Invoc-Ford)	26	27 Arts, Recreation, Culture Committee 6 pm	28	29	30
31 Farmers Market 10 am-2 pm (Russell Park)						

CITY COMMISSION

September 2025

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1 Labor Day Holiday City Offices Closed	2	3 Code Enforcement Special Magistrate 2 pm Environmental Speaker Series 6 pm	4	5	6
7 Farmers Market 10 am-2 pm (Russell Park) Songwriters Concert 6 pm (Gulliford Hall)	8 City Commission 6:00 pm (Invoc-Bole)	9 Arts, Recreation, Culture Committee 6 pm	10 Environmental Stewardship Cmte. 6 pm	11	12	13
14 Farmers Market 10 am-2 pm (Russell Park)	15	16 Community Development Board 6 pm	17 Environmental Stewardship Cmte. 6 pm	18	19 Fall Paint Night – Registration Required 6 pm Adele Grage	20 Fall Festival (Donner Park) 10 am-1 pm
21 Farmers Market 10 am-2 pm (Russell Park) Acoustic Night 6 pm (Bull Park)	22 City Commission 6:00 pm (Invoc-Grant)	23	24	25	26	27
28 Farmers Market 10 am-2 pm (Russell Park)	29	30				

CITY OF ATLANTIC BEACH
CITY COMMISSION
STAFF REPORT

AGENDA ITEM: Resolution No. 25-64 adopting the City's 2025-26 Priorities

TODAY'S DATE: July 16, 2025

MEETING DATE: July 28, 2025

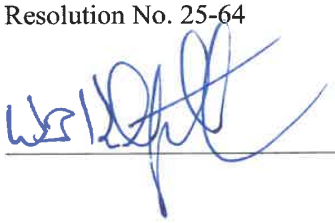
SUBMITTED BY: William B. Killingsworth, City Manager

SUMMARY: The City Commission held its annual priority-setting exercise, facilitated once again by Linda Lanier, on May 12, 2025. Exhibit A, the Fiscal Year 2025-26 priorities document, is the outcome of the priority-setting exercise. It was presented to the City Commission for review at its July 14 meeting.

RECOMMENDATION: Commission approve Resolution No. 25-64

BUDGET: N.A.

ATTACHMENT: Resolution No. 25-64

CITY MANAGER: 

RESOLUTION NO. 25-64

A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA ESTABLISHING THE CITY'S FISCAL YEAR 2025-26 PRIORITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Atlantic Beach develops priorities annually to use as a tool to guide policy and budget decision-making, and to outline strategies to work toward outcomes of significant projects, initiatives, programming, and activities; and

WHEREAS, these priorities affect many aspects of civic life in Atlantic Beach; and

WHEREAS, establishing and sharing priorities helps inform residents, businesses and other stakeholders on what the City Commission's constituents and elected officials view as important for the community in an easy-to-understand and transparent manner; and

WHEREAS, the City Commission desires to affirm its priorities by Resolution.

NOW, THEREFORE, be it resolved by the Commission of the City of Atlantic Beach:

SECTION 1. The City Commission hereby establishes the Fiscal Year 2025-26 Priorities identified in Exhibit A.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the City of Atlantic Beach, this 28th day of July 2025.

_____
Curtis Ford, Mayor

Attest:

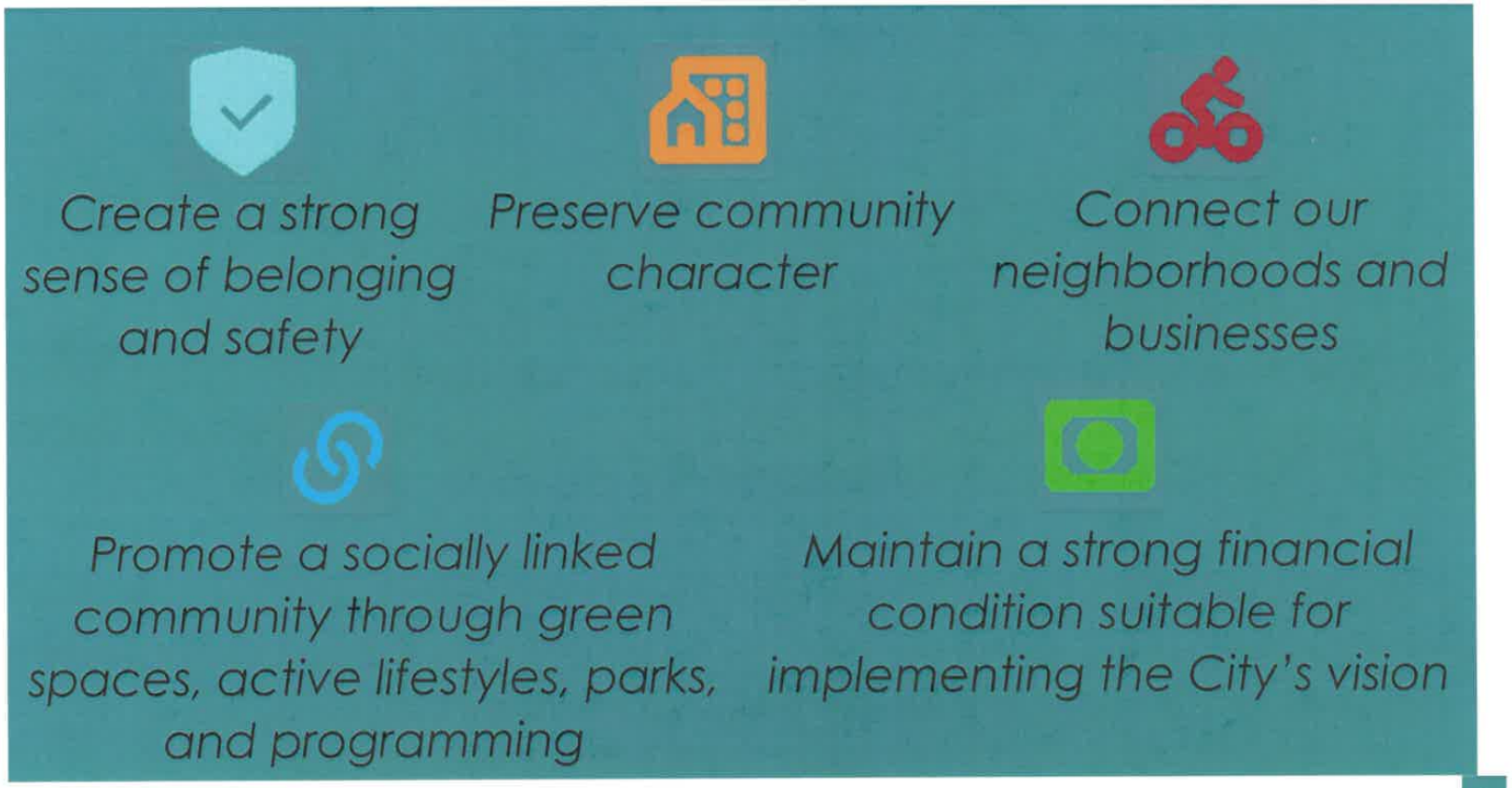
_____
Donna L. Bartle, City Clerk

Approved as to form and correctness:

_____
Jason Gabriel, City Attorney

Resolution No. 25-64
EXHIBIT A

Strategic Plan Themes



Create a strong sense of belonging and safety

	Priorities
1.0	*The Director of Neighborhoods working with the Arts, Recreation and Culture Committee will update Recreation's website presence to improve functionality by December 2025.*
2.0	*The Deputy City Manager will conduct ongoing customer satisfaction surveys by December 2025.*

Preserve community character

	Priorities
1.0	*The Neighborhoods Director working with the Environmental Stewardship Committee will introduce incentives for the protection of mature trees by December 2025.*

Connect our neighborhoods and businesses

	Priorities
1.0	*The Public Works Director will create a stormwater conveyance maintenance plan by March 2026.*

Promote a socially linked community through green spaces, active lifestyles, parks, and programming

	Priorities
1.0	*The Neighborhoods Director upgrade the dog parks with additional features such as turf and agility/obstacle courses by March 2026.*
2.0	*The Neighborhoods Director will enhance the lighting and dugouts at Donner Park's baseball field by June 2026.*

Maintain a strong financial condition suitable for implementing the City's vision

	Priorities
1.0	*The Risk Management Officer will continue to reduce the City's liability with a measurable outcome by June 2026.*
2.0	*The City Manager will negotiate changes to the Interlocal Agreement with the City of Jacksonville by June 2026.*
3.0	*The Public Utilities Director will migrate to AMI water metering for residential customers by September 2026.*
4.0	*The Public Utilities Director will procure and implement a Public Utilities and Public Works asset management system by September 2026.*

CITY OF ATLANTIC BEACH
CITY COMMISSION MEETING
STAFF REPORT

AGENDA ITEM: Resolution No. 25-65 authorizing staff to issue a Task Authorization to Geosyntec Consultants for professional engineering services to conduct a feasibility study of discharging highly treated reclaimed water to area drainage ditches to prevent saltwater intrusion from killing adjacent wetland hardwood trees.

SUBMITTED BY: Steve Swann, City Engineer

TODAY'S DATE: July 17, 2025

MEETING DATE: July 28, 2025

BACKGROUND: Staff received a Scope & Fee Proposal from Geosyntec Consultants in the amount of $48,440 dated July 15, 2025. The scope of work is to conduct a feasibility study of discharging highly treated wastewater to area drainage ditches to prevent saltwater intrusion from killing hardwood trees in the wetland areas along the drainage ditches. The Geosyntec Consultants team area uniquely qualified to complete this work.

The City of Atlantic Beach discharges up to 1.5 million gallons per day of highly treated wastewater to the St. Johns River adjacent to Helen Floyd Cooper Park (Little Jetties). Pursuant to 403.064, F.S. (aka SB 64) the City has until January 2032 to remove this discharge from the St. Johns River. One of the options provided to utilities under Chapter 403.064, F.S. is the ability to discharge treated wastewater to surface waters if the City can demonstrate that there is a direct ecological benefit. Due to sea level rise and increased tidal inundation, many of the hardwood trees in wetland areas along the City's drainage ditches are showing signs of stress. These trees are expected to die in the future as salinity levels increase in the drainage ditches due to higher sea levels. Discharging highly treated wastewater effluent in targeted areas of the drainage ditches may serve as a salinity barrier in the drainage ditches and greatly extend the life of the adjacent trees.

The purpose of this feasibility study is to collect and analyze available data and conduct a preliminary hydraulic and wetland assessment. If we have reasonable confidence that discharging treated wastewater into the drainage ditches can be considered a direct ecological benefit, the team will meet with Florida Department of Environmental Protection personnel to present the project and obtain their buy-in. If the study determines that this is not a feasible means of discharging treated wastewater, then other more costly alternatives of complying with Chapter 403.064, F.S., such as deep well injection, will be studied in more detail.

The tasks included in Scope & Fee Proposal include: 1) Baseline Data Collection, 2) Preliminary Hydraulic Assessment, 3) Preliminary Wetland Assessment, 4) FDEP coordination, and 5) Feasibility Report. Further details are outlined in the Scope & Fee Proposal (attached) from Geosyntec Consultants, dated July 15, 2025.

The City has a Professional Engineering Services Agreement with Geosyntec Consultants, and this scope of work would be Task Authorization No. RFQ-25-02-GEO TA #1 under said Agreement.

BUDGET: The funds for this project, $48,440, will be transferred to the Public Utilities Treatment account 410-5508-535-6300 from excess funding in Lift Station Inflow & Infiltration Project PU2305.

RECOMMENDATION: Approve Resolution No. 25-65 authorizing staff to issue a Task Authorization to Geosyntec Consultants in the amount of $48,440 for a feasibility study of discharging treated wastewater to forested wetlands as described in the Scope & Fee Proposal from Geosyntec Consultants dated July 15, 2025.

ATTACHMENT: 1) Resolution No. 25-65
2) Proposal from Geosyntec Consultants dated July 15, 2025.

REVIEWED BY CITY MANAGER:

RESOLUTION NO. 25-65

A RESOLUTION OF THE CITY OF ATLANTIC BEACH, FLORIDA, AUTHORIZING STAFF TO ISSUE A TASK AUTHORIZATION TO GEOSYNTEC CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES TO CONDUCT A FEASIBILITY STUDY OF DISCHARGING HIGHLY TREATED RECLAIMED WATER TO AREA DRAINAGE DITCHES TO PREVENT SALTWATER INTRUSION FROM KILLING ADJACENT WETLAND HARDWOOD TREES; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS AND PURCHASE ORDERS IN ACCORDANCE WITH AND AS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 15, 2025, staff received a scope and fee proposal from Geosyntec Consultants in the amount of $48,440 to provide professional engineering services to conduct a feasibility study of discharging highly treated wastewater to area drainage ditches to prevent saltwater intrusion from killing hardwood trees in the wetland areas along the drainage ditches.; and

WHEREAS, the City of Atlantic Beach Wastewater Treatment Facility currently discharges up to 1.5 million gallons per day of highly treated wastewater to the St. Johns River; and

WHEREAS, Chapter 403.064, F.S. requires the City to remove this discharge from the St. Johns River by January 2032; and

WHEREAS, sea level rise and increased tidal inundation are causing many of the hardwood trees in wetland areas along the City's drainage ditches to show signs of stress; and

WHEREAS, many of these trees are expected to die in the future as salinity levels increase in the drainage ditches due to higher sea levels.; and

WHEREAS, if a direct ecological benefit can be demonstrated by discharging highly treated wastewater to targeted areas of the drainage ditches, then the requirements of Chapter 403.064, F.S. can be economically met; and

WHEREAS, the tasks included in the Scope & Fee proposal include data collection, a preliminary hydraulic and wetland assessment, regulatory agency coordination and a feasibility report; and

WHEREAS, the City has a Professional Engineering Services Agreement with Geosyntec Consultants; and

WHEREAS, funds for this project will be transferred to the Public Utilities Treatment account 410-5508-535-6300 from excess funding in Lift Station Inflow & Infiltration Project PU2305.

NOW THEREFORE, be it resolved by the City Commission of the City of Atlantic Beach as follows:

SECTION 1. The City Commission hereby authorizes the City Manager to execute a Task Authorization with Geosyntec Consultants in the amount of $48,440 for a feasibility study of discharging treated wastewater to forested wetlands as described in the Scope & Fee Proposal from Geosyntec Consultants dated July 15, 2025.

SECTION 2. The City Commission hereby authorizes the City Manager to approve a Purchase Order to Geosyntec Consultants in the amount of $48,440 for said Task Authorization.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the City of Atlantic Beach, this 28th day of July, 2025.

_____
Curtis Ford, Mayor

Attest:

_____
Donna L. Bartle, City Clerk

Approved as to form and correctness:

_____
Jason Gabriel, City Attorney

Geosyntec consultants

2201 NW 40th Terrace
Gainesville, FL 32605
PH 386-256-1477
www.geosyntec.com

July 15, 2025

Steve Swann, PE
City Engineer
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233

Subject: **Proposal for a Feasibility Study of Re-Use Discharge to Forested Wetlands**
Atlantic Beach, Florida

Dear Mr. Swann:

Geosyntec Consultants, Inc. (Geosyntec) is pleased to provide this proposal for providing services to the City of Atlantic Beach (City) for the above-referenced project. The work will be performed under our Professional Engineering Services Agreement.

PROJECT LOCATION

The project area includes the incorporated areas of the City along with adjacent waters into which the City drainage discharges.

PROJECT BACKGROUND AND DESCRIPTION

The City would like to investigate the feasibility of discharging advance wastewater treated (AWT) effluent to various forested wetland areas within and immediately surrounding the City. This includes City effluent as well as potentially effluent from Neptune Beach to the south. The discharge would replace deep well injection, which is the present approach for disposal of water not utilized in re-use. The figure below shows the forested areas that would be considered for potential discharge (red) along with the City boundaries (yellow) and major outfall drainage areas (yellow). Effluent would be routed to the head of the drainageways or to various locations along them that drain to the forested wetland areas. The goal of the discharge is to combat impacts of sea level rise (SLR) by creating freshwater salinity barriers to mitigate surface water and groundwater saltwater intrusion.



Geosyntec consultants

SCOPE OF WORK

The consultant shall perform the following tasks under this proposed scope of work. Estimated costs to perform these services are provided in **Attachment A**.

1. **TASK 1: Baseline Data Collection**

Under this task, Geosyntec personnel will gather and review all relevant data that would aid in the determination of the feasibility of the discharge to the forested wetland areas. Based on previous work for the City, some of the information outlined below has already been collected. Specific data will include but not be limited to:

- LiDAR/Digital Elevation Model (DEM) data,
- Aerial photography,
- Outfall drainage boundaries,
- National Hydrography Dataset (NHD) flowlines,
- Available water level and flow information within the City and within adjacent waterbodies (including measured or predicted tides),
- Drainage ways,
- Parcel coverages,
- Land use,
- Soils,
- Ambient water quality [Impaired Waters Rule (IWR) and other sources] from adjacent waters,
- Waterbody classifications and impairment status,
- Total maximum daily load (TMDL) or basin management action plan (BMAP) information,
- Available Federal Emergency Management Agency (FEMA) flood information and results of recent studies on local vulnerability,
- Stormwater or drainage infrastructure,
- Records or reports of wetland water levels during storm events,
- Wetland surveys,
- Effluent characterization data for Atlantic Beach and Neptune Beach, and
- Species level data on hydrologic tolerances of tree species expected at the study wetlands.

The data will be reviewed and analyzed to support work efforts under Tasks 2 and 3. Water quality data will be evaluated to define ambient background conditions in the potential receiving waters of the discharge. Additionally, the impairment status and TMDL targets will be evaluated against characterized effluent conditions and potential impacts on water quality. A technical memorandum will be prepared that provides an inventory of the data gathered and any analyses or determinations made under Task 1.

2. **TASK 2: Preliminary Hydrologic Assessment**

Geosyntec personnel will conduct reconnaissance of the subject forested wetlands. Inflow points from the City's stormwater system to the subject wetlands will be identified and inspected. The wetlands will be characterized with respect to configuration and flow patterns. Of particular interest will be the identification of hydraulic control points in the wetland systems where stages are most sensitive to outflow rates. It is noted that these wetlands experience tidal fluctuations. Estimates of baseline stage changes in the wetlands due to the additional effluent inflows will be calculated based on the data collected in Task 1 and informed by observations during the reconnaissance. Conceptual layouts of an effluent discharge system to the wetlands will be developed with the goal of maximizing system hydraulic and water quality performance and minimizing potential hydraulic changes in the wetland systems.

3. **TASK 3: Preliminary Wetland Assessment**

Consultants will conduct floral surveys at readily accessible areas of the study wetlands. Species lists of trees, shrubs, and herbaceous plants (if applicable) observed at each wetland shall be developed by staff experienced in Florida Department of Environmental Protection (FDEP) Forested Wetland Condition Index methods. These data will be compiled and evaluated against literature-derived information to determine the wetland's sensitivity to increases in

the hydrologic regime and whether the proposed discharges would produce conditions expected to result in *de minimis* changes to the forested community. Based upon the floral surveys and preliminary hydrologic data assessment, conclusions regarding the ecological feasibility of the proposed action shall be determined. Upon completion of Tasks 1 through 3, a virtual meeting will be scheduled to present the preliminary findings. This will occur prior to the meeting with FDEP.

4. TASK 4: FDEP Coordination

Upon completion of Tasks 1 through 3, a meeting will be scheduled with the Northeast District of FDEP to present the findings from the data review, the preliminary hydrologic assessment, and the preliminary wetland assessment. Additionally, the presentation will outline the proposed approach for the discharges, the associated benefits, and any identified issues that would need to be resolved. The purpose of this meeting is to get feedback from FDEP on their opinion on the feasibility of the proposed discharges and any recommendations that would aid in carrying forward permitting. For this meeting, both Geosyntec representatives will attend in person.

5. TASK 4: Feasibility Report

Upon completion of Tasks 1 through 4, a draft Feasibility Evaluation Report will be prepared and provided to the City for review and approval. The report will outline the data and analyses completed, the results of the preliminary hydraulic and wetland assessments (including species lists with hydrologic tolerances), feedback from FDEP, final determinations on the feasibility, considerations on data needs, and other aspects relative to permit application if it is determined to move forward with the project. Additionally, if it is determined to move forward, a preliminary cost to carry through permitting will be provided. Upon receipt of comments from the City, a final version of the report will be developed and submitted.

DELIVERABLES

a. Data Technical Memorandum (with inventory).
b. Preliminary Findings Meeting PowerPoint
c. FDEP Coordination Meeting PowerPoint
d. Draft Feasibility Report
e. Final Feasibility Report

SCOPE ASSUMPTIONS

1. The City shall provide all pertinent and available supporting information and will make it available to Geosyntec.
2. This scope of services has assumed that the consultant will not be involved in any face-to-face meetings during the duration of the project other than meetings associated with the site visits under Tasks 2 and 3 and the FDEP meeting.
3. All deliverables to the County will be electronic. No hard copy reports are included.

BUDGET ESTIMATE

Geosyntec proposes to provide the services discussed herein for **$48,440** on a lump sum basis, in accordance with the terms and conditions specified herein and pursuant to the Professional Engineering Services Agreement. The lump sum amount is based on our estimated budget for performing these services, which includes the labor and other direct costs necessary to complete the work scope described in the proposal, as detailed in **Attachment A**.

Project efforts will be billed to the City on a lump sum task percent complete basis, based on the major tasks defined in the cost build-up spreadsheet in **Attachment A**. Other direct costs will likewise be billed lump sum based on a percent complete basis. Invoices will be structured to list project tasks (and other direct cost) with accomplished percent complete, then corresponding budget invoiced, overall budget expended and overall budget remaining. A

Geosyntec consultants

separate status report will be provided to the City's project manager providing a narrative of work accomplished supporting the invoice.

SCHEDULE

Geosyntec can begin work immediately upon receipt of the Notice to Proceed (NTP) and proceed per the estimated schedule below. Work will commence and proceed in accordance with the schedule provided.

Task	Duration (Weeks)	Cumulative Duration (Weeks From NTP)
Task 1 – Baseline Data Collection	2	2
Task 2 – Preliminary Hydrologic Assessment	3	5
Task 3 – Preliminary Wetland Assessment	3	5
Task 4 – FDEP Coordination	1	6
Task 5 – Feasibility Report	2	8

CLOSURE

We appreciate the opportunity to work with the City on this project. If you have any questions or comments regarding this proposal, please do not hesitate to contact me at (850) 591-1888.

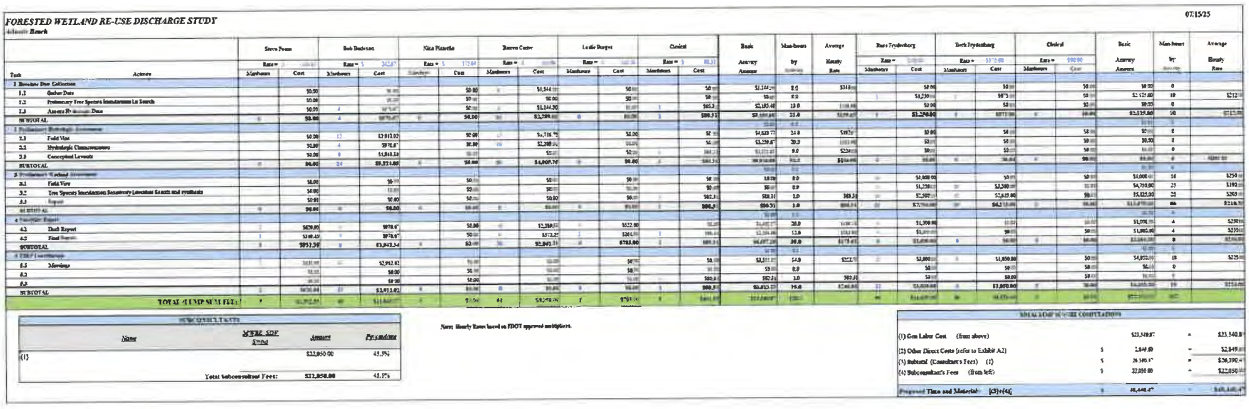
Sincerely,

Steven J. Peene, PhD
Senior Principal - Project Manager
speene@appliedtm.com

Attachments: A – Project Budget Estimate

ATTACHMENT A

BUDGET ESTIMATE



FORESTED WETLAND RE-USE DISCHARGE STUDY

07/15/25

Task	Activity	Steve Penn Rate = $	Steve Penn Members	Steve Penn Cost	Bob Dadvisat Rate = $	Bob Dadvisat Members	Bob Dadvisat Cost	Nina Pistorius	Nina Pistorius	Darren Carter Rate = $	Darren Carter Members	Darren Carter Cost	Leslie Burger Rate = $	Leslie Burger Members	Leslie Burger Cost	Consint Rate = $	Consint Members	Consint Cost	Basic Attorney Assistant	Man-hours by Attorney	Average Hourly Rate	Russ Frydenborg Rate = $	Russ Frydenborg Members	Russ Frydenborg Cost	Beth Frydenborg Rate = $	Beth Frydenborg Members	Beth Frydenborg Cost	Clerical Rate = $	Clerical Members	Clerical Cost	Basic Attorney Assistant	Man-hours by Attorney	Average Hourly Rate
1	Baseline Data Collection																																
1.1	Gather Data			50.00								50.00						50.00	$1,144.00	0.5	$114.00									$0.00	0		
1.2	Preliminary Tree Species Inventories to Search			50.00								50.00						50.00	$0.00	0.0			1	$1,250.00		3	$975.00			$0.00	0		
1.3	Assess Pertinent Data			50.00	4		$0.00					$0.00					1	$65.00	$2,185.00	13.0	$168.00			$0.00			$0.00			$0.00	0		
	SUBTOTAL			$0.00	4		$0.00			$0.00		$0.00			$0.00		1	$65.00	$3,329.00	13.0	$256.00		1	$1,250.00		3	$975.00			$0.00	$2,225.00	13	$171.15
2	Preliminary Hydrologic Assessment																																
2.1	Field Visit			50.00	11		$715.00			$0.00		$0.00			$0.00			$0.00	$4,629.77	24.0	$192.91			$0.00			$0.00			$0.00	$0.00	0	
2.2	Hydrologic Characteristics			50.00	4		$260.00			$0.00		$0.00			$0.00			$0.00	$1,250.47	20.0	$62.52			$0.00			$0.00			$0.00	$0.00	0	
2.3	Conceptual Layouts			50.00	8		$1,040.00			$0.00		$0.00			$0.00			$0.00	$1,271.47	8.0	$158.93			$0.00			$0.00			$0.00	$0.00	0	
	SUBTOTAL			$0.00	24		$1,820.00			$0.00		$0.00			$0.00			$0.00	$7,151.71	52.0	$137.53			$0.00			$0.00			$0.00	$0.00	0	$0.00
3	Preliminary Wetland Assessment																																
3.1	Field Visit			50.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
3.2	Tree Species Inventories to Search			50.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
3.3	Report			50.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
	SUBTOTAL			$0.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	$0.00
4	Permitting Support																																
4.1	Draft Report			$650.00	4		$260.00	4		$1,250.00	5	$250.00	1		$322.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
4.2	Final Report	1	$140.45	1	$978.67		$0.00	4		$212.27	1	$250.00	1		$322.00			$0.00	$1,904.39	13.0	$146.49			$0.00			$0.00			$0.00	$0.00	0	
	SUBTOTAL	1	$140.45	1	$978.67		$0.00	8		$462.27	6	$500.00	2		$644.00			$0.00	$3,808.78	26.0	$146.49			$0.00			$0.00			$0.00	$0.00	0	$0.00
5	TRC Coordination																																
5.1	Meetings			$0.00			$2,912.82			$0.00		$0.00			$0.00			$0.00	$2,912.82	14.0	$208.06			$0.00			$0.00			$0.00	$0.00	0	
5.2				$0.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
5.3				$0.00			$0.00			$0.00		$0.00			$0.00			$0.00	$0.00	0.0				$0.00			$0.00			$0.00	$0.00	0	
	SUBTOTAL	0	$0.00	0	$3,951.82	0	$0.00	0	$0.00	0	0	$0.00	0	0	$0.00	0	0	$0.00	$6,853.25	34.0	$201.57	0	0	$0.00	0	0	$0.00	0	0	$0.00	$0.00	0	$0.00
	TOTAL LUMP SUM FEE:	1	$140.45	1	$4,930.49	4	$1,820.00	8	$0.00	$462.27	6	$500.00	2	0	$644.00	0	1	$65.00	$10,960.03	86.0	$127.44	0	1	$1,250.00	0	3	$975.00	0	0	$0.00	$2,225.00	13	$171.15

Name	MWBE SDF Entity	Amount	Percentage
(1)		$23,860.00	43.3%
	Total Subconsultant Fees:	$23,860.00	43.3%

Note: Hourly Rates based on FDOT approved multipliers.

(1) Gen Labor Cost (from above)		$23,540.87	= $23,540.87
(2) Other Direct Costs (refer to Exhibit A2)	$	1,849.89	= $2,849.89
(3) Subtotal (Consultant's Fees) (1)	$	26,389.87	= $26,390.76
(4) Subconsultant's Fees (from left)	$	22,000.00	= $23,860.00
Proposed Time and Material: (3)+(4)	$	48,448.87	= $49,448.87

CITY OF ATLANTIC BEACH
CITY COMMISSION
STAFF REPORT

AGENDA ITEM: Ordinance No. 90-25-256 (Amending the Land Development Code to Section 24-113(c) Light Industrial Warehousing to permit health clubs and gyms by an use-by-exception)

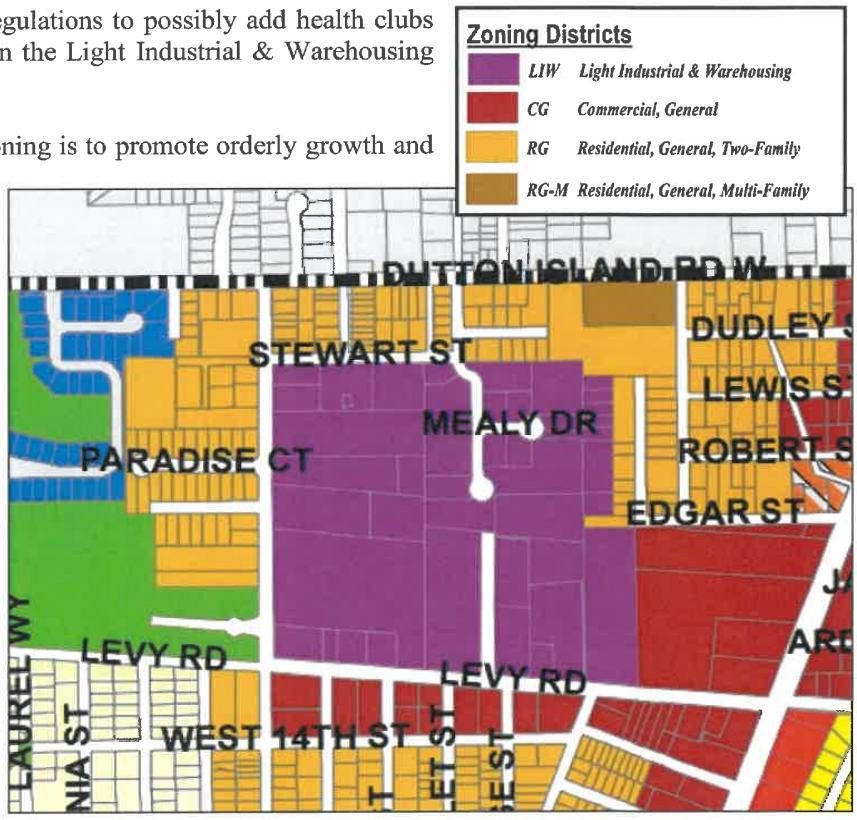
SUBMITTED BY: Amanda L. Askew, Neighborhoods Department Director

TODAY'S DATE July 15, 2025

MEETING DATE: July 28, 2025

BACKGROUND:

In May 2025, City Commission directed staff to initiate a text amendment to discuss Section 24-113(c) of the land development regulations to possibly add health clubs and gyms as a use by exception in the Light Industrial & Warehousing (LIW) zoning district.



One of the primary purposes of zoning is to promote orderly growth and development. Zoning laws and provisions help prevent haphazard and incompatible development patterns by designating specific areas for different land uses. According to the American Planning Association, classifications of industrial uses started in the 1950 following an era of unprecedented industrial expansion that began after World War II. Industry standards were set to establish zoning districts that separate incompatible uses based on performance standards such as noise, smoke, odor, vibration, glare, and sewage. To further separate incompatible uses, "light" and "heavy" industrial zoning districts are established.

Health clubs and gyms are currently a permitted use in the Commercial General (CG) zoning district, which is intended for uses which provide general retail sales and services for the City of Atlantic Beach and the loosely surrounding neighborhoods.

The Light Industrial and Warehousing zoning district is intended for light manufacturing, storage and warehousing, processing or fabrication of non-objectionable products, not involving the use of materials, processes or machinery likely to cause undesirable effects upon nearby or adjacent residential or commercial activities. Heavy industrial uses generally identified as industry groups 32-37 by the Standard Industrial Classification (SIC) Code Manual issued by the United States Office of Management and Budget shall not be permitted within the LIW district.

By adding health clubs and gyms to the list of uses-by-exception in the LIW zoning district, any person looking to open a business of this nature will need to receive approval from the Community Development Board based on the following considerations:

(1) Ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe.



(2) Off-street parking and loading spaces, where required, with particular attention to the items in [subsection] (1) above.

(3) The potential for any adverse impacts to adjoining properties and properties generally in the area resulting from excessive noise, glare and lighting, odor, traffic and similar characteristics of the use-by-exception being requested.

(4) Refuse and service areas, with particular reference to items [subsections] (1) and (2) above.

(5) Utilities, with reference to locations, availability and compatibility.

(6) Screening and buffering, with reference to type, dimensions and character.

(7) Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects and compatibility and harmony with properties in the district (see "Signs and advertising," chapter 17).

(8) Required yards, impervious surface ratios and other open space regulations.

(9) General compatibility with adjacent properties and other property in the surrounding zoning district as well as consistency with applicable provisions of the comprehensive plan.

(10) For those properties within the commercial districts, consistency with the intent of section 24-171, commercial development standards.

(11) Number of similar businesses that exist in the area with consideration that such uses are intended to be an exception and not to excessively proliferate in one (1) area of the city.

ANALYSIS & REVIEW

Per Section 24-62(f) of the Land Development Code, the City Commission shall evaluate applications for a zoning code amendment based on the following factors:

(1) Consistency with the comprehensive plan;

(2) Consistency with the intent of the land development regulations;

(3) Consistency with other professional planning principles, standards, information and more detailed plans and studies considered relevant;

(4) Whether the proposed amendment and development permitted thereunder is premature or otherwise creates or contributes to an urban sprawl pattern of development;

(5) Whether the proposed amendment will constitute "spot zoning," that is an isolated zoning district unrelated to adjacent and nearby districts;

(6) Whether the uses permitted under the proposed rezoning will be consistent or compatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area; or will deviate from an established or developing logical and orderly development pattern;

(7) Whether the uses permitted under the proposed rezoning will deviate from an established or developing development pattern that is logical and orderly;

(8) Whether the proposed rezoning and development permitted thereunder will result in significant adverse impacts upon property values of adjacent or nearby properties or in the general area more than the types of uses currently permitted; and

(9) Whether the proposed rezoning and development permitted thereunder will detract from the character and quality of life in the general area or neighborhood by creating excessive traffic, noise, lights, vibration, fumes, odors, dust, physical activities or other detrimental effects or nuisances.

Relevant and applicable language from the City's Comprehensive Plan is listed below.

Policy A.1.5.6 Commercial and light industrial development shall be located and designed so as to minimize adverse effects on residential areas, traffic facilities and aesthetic character of the City.

Policy A.1.11.1 (f) Light Industrial – The Light Industrial category shall be limited to light manufacturing and production, storage, warehousing and distribution uses as further controlled by the Land Development Regulations. Light industrial uses may have outdoor storage and business related activity, but such uses shall not include processes that create negative effects to surrounding properties due to noise, heat, fumes, debris, chemicals or hazardous materials.

The Community Development Board reviewed the proposed text change at its June 17 meeting. A motion to recommend approval to Commission resulted in a 3-3 tie vote, causing the motion to fail. No other motion was made.

City Commission reviewed the proposed text amendment on July 14th, and voted to approve the text change through a 4-1 vote.

BUDGET: None

RECOMMENDATION: Consideration of Ordinance No. 90-25-256

ATTACHMENTS:

- Ordinance No. 90-25-256
- CDB Meeting Minutes

REVIEWED BY CITY MANAGER: 

ORDINANCE NO. 90-25-256

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, COUNTY OF DUVAL, STATE OF FLORIDA, HEREBY AMENDING THE LAND DEVELOPMENT REGULATIONS AS ADOPTED BY ORDINANCE NUMBER 90-24-253; THIS ORDINANCE SPECIFICALLY AMENDING SECTION 24-113(c), LIGHT INDUSTRIAL AND WAREHOUSING DISTRICTS, PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 14, 2024 the City Commission of the City of Atlantic Beach enacted Ordinance No. 90-24-0253 amending and restating the City of Atlantic Beach Land Development Regulations, Chapter 24 of the City's Code of Ordinances, and

WHEREAS, the City of Atlantic Beach recognizes that said Chapter 24, Land Development Regulations, requires comprehensive revisions periodically to meet the community's needs to update content, standards, and administrative guidance; and

WHEREAS, the City of Atlantic Beach desires to have Land Development Regulations that are clear, concise, and streamlined; and

WHEREAS, Section 163.3174(1), Florida Statutes, requires that the governing body of each local government in Florida shall designate and by ordinance establish a "local planning agency;" and

WHEREAS, the City of Atlantic Beach Community Development Board has been duly designated as the Local Planning Agency of the City; and

WHEREAS, Section 163.3174(4)(c), Florida Statutes, provides that the land planning agency shall review all proposed text amendments to land development regulations and make recommendations to the governing body as to the consistency of the proposed revisions with the adopted comprehensive plan; and

WHEREAS, the Community Development Board acting in its capacity as Local Planning Agency, held a duly advertised public hearing on June 17th, to receive public comments on the proposed amendment to Chapter 24, Land Development Regulations and, finding the proposed amendment to said Chapter 24 inconsistent with the City's adopted 2045 Comprehensive Plan, voted to recommend denial of said update and revisions to Chapter 24, Land Development Regulations; and

WHEREAS, after due notice and publication, the City Commission held two (2) public hearings to receive public comments and receive the recommendation of the Community Development Board; and

WHEREAS, the City Commission has found and determined that the proposed update and revisions to Chapter 24, Land Development Regulations will foster and preserve the public health, safety and welfare and aid in the harmonious, orderly and progress development of the City of Atlantic Beach and thus will serve a valid public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:

SECTION 1. Regulation Amended. Section 24-113(c) of the Code of Ordinances of the City of Atlantic Beach, Florida, is hereby amended to read as follows:

(c) *Uses-by-exception.* Within the light industrial and warehousing zoning district, the following uses may be approved as a use-by-exception.

(1) Bulk storage of flammable liquids or gases subject to provisions of county and state fire codes.

(2) Communication tower (radio, TV and telecommunications).

(3) Concrete batching plants.

(4) Establishments for sale of new and used automobiles, motorcycles, trucks and tractors, boats, automobile parts and accessories (except salvage yards), machinery and equipment, farm equipment, lumber and building supplies, mobile homes, monuments and similar sales establishments.

(5) Establishments for major automotive repair and towing service.

(6) Permanent storage of automobiles, motorcycles, trucks and tractors, boats, machinery and equipment, farm equipment and similar uses within completely enclosed buildings.

(7) Welding shops, metal fabrication and sheet metal works.

(8) Manufacture and production of boats and surfboards.

(9) Pain management clinics.

(10) Processing (excluding animal processing and slaughterhouses).

(11) Wholesale food processing.

(12) Off-street parking lots.

(13) Cabinet shops, woodworking shops.

(14) Recycling collection center within an enclosed building.

(15) Truck rental and leasing.

(16) Health clubs and gyms

SECTION 2. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, as codified in the applicable portions of Chapter 163, Part II, Florida Statutes.

SECTION 3. Findings. The City Commission hereby finds and determines that:

(a) The findings set forth in the recitals to this Ordinance are true and correct.

(b) The Community Development Board, acting in its capacity as the Local Planning Agency for the City held a public hearing on June 17th, to consider the proposed amendment to Chapter 24, Land Development Regulations of the City's Code of Ordinances, and found them to be inconsistent with the Comprehensive Plan and incompatible with the light industrial area, and

is not recommended that the City Commission not adopt said amendment to Chapter 24, Land Development Regulations.

(c) The amendment to Chapter 24, Land Development Regulations, of the City's Code of Ordinances, is consistent with the City's adopted 2045 Comprehensive Plan.

SECTION 4. Conflict. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are repealed to the extent inconsistent herewith.

SECTION 5. Codification and Scrivener's Errors. The publisher of the City of Atlantic Beach's Code of Ordinances, the Municipal Code Corporation, is hereby directed to incorporate the Land Development Regulations Update as Chapter 24 into the City's Code of Ordinances. Sections of the Land Development Regulations Update may be renumbered or re-lettered and scrivener's errors, formatting and typographical errors and other minor, inadvertent graphical errors in Chapter 24 which do not affect the intent may be authorized by the City Manager and City Attorney without the need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 6. Applicability. The provisions of the Land Development Regulations amendment shall apply to all applications, decisions or controversies pending before the City of Atlantic Beach upon the effective date hereof or filed or initiated thereafter, provided that certain development, land use or construction, if qualified, may have vested rights to continue or be completed under the terms of the repealed ordinances or provisions therein.

SECTION 7. Severability. If any section, sentence, clause, or other provision of this Ordinance, or any provision of the Land Development Regulations amendment shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding of invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance, or of the Land Development Regulations Update.

SECTION 8. Effective Date. This Ordinance shall take effect upon final review and approval.

PASSED on first reading and following a public hearing on July 14, 2025.

PASSED AND DULY ADOPTED on final reading and following a public hearing on July 28, 2025.

CITY OF ATLANTIC BEACH

_____
Curtis Ford, Mayor

Attest:

_____
Donna L. Bartle, City Clerk

Approved as to form and correctness:

_____
Jason Gabriel, City Attorney

MINUTES
Community Development Board (CDB) Meeting
Tuesday, June 17, 2025 - 6:00 PM
City Hall, Commission Chamber
800 Seminole Road, Atlantic Beach, FL 32233

Present:
Kirk Hansen, Chair
Ellen Golombek, Vice Chair
Angela Farford, Member
Harold Gear, Member
Richard Arthur, Member
Gregory (Greg) Beliles, Alternate Member

Absent:
Jennifer Lagner, Member
Jeff Haynie, Member

Also Present:
Amanda Askew, Neighborhoods Department Director (NDD)
Abrielle Genest, Principal Planner (PP)
Valerie Jones, Recording Clerk
Rob Graham, City Attorney (CA)

1. CALL TO ORDER AND ROLL CALL
The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES

A. Approve minutes of the May 20, 2025 regular meeting of the Community Development Board.

The minutes were approved.

3. OLD BUSINESS
There was no old business.

4. NEW BUSINESS

A. 341 6th Street WAIV25-0003 James Lucas
Request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way and Section 19-7(a) to exceed the maximum impervious area within the right-of-way at 341 6th Street.

STAFF REPORT: Director Askew presented the waiver request for 341 6th Street. She explained that it was a request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way and Section 19-7(a) to exceed the maximum impervious area within the right-of-way.

Director Askew provided details about the property, noting it was located on the north side of 6th Street, mid-block, and zoned residential single-family (RS2). She mentioned

that the current parking pad was constructed without a permit in 2012 and consists of gravel. Director Askew also noted that there were multiple unpermitted parking pads along the street.

She explained the relevant code sections, including 19-1(c) which prohibits obstructions in the right-of-way, 19-2 which authorizes staff to issue permits based on public benefit, and 19-7 which limits impervious area between the front property line and street pavement to 50%.

Director Askew clarified that the applicant was requesting to rework the parking pad with turf block pavers, which would exceed the 50% impervious area limit, resulting in 51.7% impervious area in the right-of-way.

She mentioned that the STOP committee had made recommendations regarding planting and landscaping in the right-of-way, noting that obstructions are not permitted and can be removed by the city if necessary.

Director Askew outlined the evaluation criteria for waivers, stating that compliance must be unreasonable, conflict with public interest, and be practically impossible for approval.

Board members asked questions about the city manager's ability to grant exceptions, the status of STOP committee recommendations, and whether the homeowner's request was triggered by any specific event.

APPLICANT REPORT: James Lucas, the applicant, addressed the board. He explained that he and his wife had lived in Atlantic Beach for 37 years and started the improvement concept in April. Mr. Lucas detailed his communications with the city engineer and staff, emphasizing his willingness to comply with city requirements. He expressed surprise at learning the parking area was unpermitted when they bought the house in 2015, noting they had obtained five permits for other work without being informed of any issues with the parking area.

Mr. Lucas stressed that their goal was to make the parking area smaller, change the material to something acceptable to the city, and maintain the 50% impervious rule while improving their property.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment.

Brinkley Harrell spoke in support of the applicant, noting that several properties on 6th Street had similar gravel parking areas. He suggested the board consider deferring the decision to look at all properties in that block simultaneously.

BOARD DISCUSSION: Board members discussed the prevalence of similar parking pads throughout Atlantic Beach and the challenges of enforcing regulations consistently. They debated the merits of approving the waiver given the applicant's efforts to improve the situation.

MOTION: To recommend **APPROVAL** of **WAIV25-0003** to the City Commission subject to the parking pad maintaining 50% or less impervious ratio requirement coverage as defined by the City.

Motion: ***Gregory (Greg) Beliles***
Second: ***Harold Gear***

Kirk Hansen	***For***
Ellen Golombek	***For***
Angela Farford	***For***
Harold Gear (Seconded By)	***For***
Richard Arthur	***For***
Gregory (Greg) Beliles (Moved By)	***For***

Motion passed 6 to 0.

B. 210 Mayport Road UBEX25-0002 (Alex Ertel)

Request for a use-by-exception from Section 24-112(c)(6) to allow contractor business within the Commercial General (CG) zoning district at 210 Mayport Road.

STAFF REPORT: Planner Genest, Principal Planner, presented the use-by-exception request for 210 Mayport Road. She explained that it was a request to allow a contractor business within the Commercial General (CG) zoning district.

Planner Genest provided details about the property, noting that it was located on the northwest corner of Mayport Road and Second Street West. She mentioned that the business, Florida Turf Company, had relocated from another address on Mayport Road.

She explained that the business falls under section 24-112(c)(6) of the code, which allows contractors not requiring outdoor storage, with limitations on manufacturing, construction, and equipment use. Planner Genest noted that this use is considered a use-by-exception within the CG zoning district.

Planner Genest mentioned that under the previous zoning code, this business would have been permitted as a lawn care service, but that use was removed in recent updates. She also noted that a business tax receipt had been issued in error earlier in the year, which was discovered when the business applied for a sign permit.

She presented images of the property showing cars parked on the eastern side and materials stored on the west side. Planner Genest explained that outdoor storage is not permitted in this zoning district but could be remedied with fencing and screening.

Planner Genest outlined the considerations for use-by-exception requests, including ingress/egress, parking, potential impacts on adjoining properties, utilities, screening, signs, and compatibility with adjacent properties.

Board members discussed the nature of the business, its compatibility with the area, and potential impacts on neighboring properties. They also considered the fact that the business was already operating due to the erroneously issued permit.

APPLICANT REPORT: The applicant was not present.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment. There were no public comments.

BOARD DISCUSSION: There was no further discussion.

MOTION: To **APPROVE UBEX25-0002.**

Motion: ***Richard Arthur***
Second: ***Harold Gear***

Kirk Hansen	***For***
Ellen Golombek	***For***
Angela Farford	***For***
Harold Gear (Seconded By)	***For***
Richard Arthur (Moved By)	***For***
Gregory (Greg) Beliles	***For***

Motion passed 6 to 0.

C. Ordinance 90-25-256 Text Amendment

An ordinance of the City of Atlantic Beach, County of Duval, State of Florida, hereby amending the Land Development Regulations as adopted by Ordinance No. 90-24-253; This ordinance specifically amending Section 24-113(c), light industrial and warehousing districts to add gyms and health clubs as a use-by-exception, providing recordation and providing an effective date.

STAFF REPORT: Director Askew presented the text amendment to Section 24-113(c), which would add gyms and health clubs as a use-by-exception in light industrial and warehousing districts. She explained that this amendment was requested by Commission in May 2025, prompted by an inquiry about an indoor batting cage.

Director Askew provided background on the light industrial warehouse zoning district, noting its intended use for light manufacturing and storage. She mentioned that some municipalities allow gyms and health clubs in industrial areas, citing examples of CrossFit gyms in commercial industrial areas.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment.

Richard Krilich of 501 Levy Road expressed concerns about sewage and water drainage issues in the area. He noted that many properties on the north side of Levy Road use

septic tanks due to the lack of a city sewer line. Mr. Krilich also raised concerns about potential water usage from gyms and health clubs, as well as increased parking lot runoff.

BOARD DISCUSSION: Board members discussed the compatibility of gyms with the light industrial area and potential impacts on surrounding residential areas. They debated whether the amendment aligned with the comprehensive plan and zoning policies.

MOTION: To recommend **APPROVAL** of **Ordinance 90-25-256** to the City Commission.

Motion: ***Richard Arthur***
Second: ***Harold Gear***

Kirk Hansen	***Against***
Ellen Golombek	***Against***
Angela Farford	***Against***
Harold Gear (Seconded By)	***For***
Richard Arthur (Moved By)	***For***
Gregory (Greg) Beliles	***For***

Motion failed 3 to 3.

5. REPORTS

Chair Hansen reported on two recommendations made by the board in the previous meeting:

- The recommendation to remove mandatory on-site storage requirements for 400 square foot additions has been favorably received by the city commission, who have requested an ordinance to be drafted.
- The recommendation to treat on-site parking the same as off-site parking for requirement purposes is being considered by the commission, who have requested an ordinance to be drafted.

Chair Hansen noted that these items will be coming up for two readings before the city commission for approval.

6. PUBLIC COMMENT

Brinkley Harrell addressed the Board, commending them for their support in changing the trigger in Chapter 24 for on-site water storage requirements. He also raised concerns about the definition of impervious surface in Chapter 24-17, particularly regarding the 50% credit for swimming pools. Mr. Harrell argued that modern swimming pools can hold as much water as natural grass before runoff occurs and suggested changing the credit to 100% for the water surface area of pools.

Mr. Harrell also brought attention to zoning issues in Chapter 24-101, specifically regarding lot sizes in RS2 zoning areas. He expressed concern about the inability to split conjoined lots in Old Atlantic Beach, leading to the construction of oversized homes. He suggested potential solutions, including consolidating zoning districts or modifying footnotes to allow lot splitting in RS-2 zones.

7. ADJOURNMENT

There being no further discussion, Chair Hansen declared the meeting adjourned at 7:03 p.m.

Attest:

Amanda Askew	Kirk Hansen, Chair

CITY OF ATLANTIC BEACH
WAIVER HEARING PROCEDURES
WAIV25-0003 (341 6th Street)

Quasi-judicial proceedings, such as rezonings, uses by exception, variances and waiver requests, are not controlled by strict rules of evidence and procedure, but certain standards of basic fairness must be adhered to in order to afford due process. In quasi-judicial hearings, the parties must be able to present evidence, cross-examine witnesses and be informed of all of the facts upon which the Commission acts. The hearing must be fair and impartial and contain the following requirements:

- Notice
- Quasi-judicial hearings can be very informal. The record must be made at the hearing and the parties must be able to comment on the evidence or to introduce contrary evidence
- Written decision. The decision must be based on the record as it is produced at the hearing and should include an analysis of the applicable statutes, ordinances, regulations and policies as well as the facts
- Fairness protections require an unbiased decision maker and decisions are to be based on information presented at the hearing and made a part of the record

Suggested Procedure for Waiver Hearing, WAIV25-0003

- Mayor to Open Hearing
- City Attorney – Procedural reminders/correspondence made part of record/swearing in of staff, applicant and any person(s) wanting to testify before Commission on this matter.
- Disclosure by the Commission members of any ex parte communications (per Resolution 95-26, each Commissioner must disclose the subject of the communication and the identity of the person, group or entity who made the communication before final action).
- Staff presents an overview of the subject matter and timeline of the application.
- Applicant, and/or Applicant's legal counsel, present the request and support for approving the waiver request and Applicant's witnesses, if any, make presentations.
- Public comments – 3 or 5 minutes, depending on number of speaker cards submitted to Clerk.
- Closing comments/rebuttal by Applicant (may include cross-examination if requested).
- Commission deliberation and action, based on provisions set forth in Section 24-190, Land Development Regulations, Waivers, which will be memorialized in the writing.
- Commission shall review the recommendation made by the Community Development Board.
- Commission may approve, approve with conditions or deny the waiver request.
- Per Section 24-66, The city commission shall not approve a waiver unless:
  (1) Compliance with such provision(s) would be unreasonable; or
  (2) Compliance with such provision(s) are in conflict with the public interest; or
  (3) Compliance with such provision(s) are a practical impossibility.

(c) A waiver shall not modify any requirement or term customarily considered as a variance.

(d) A waiver shall be considered only in cases where alternative administrative procedures are not set forth within the city Code of Ordinances.

(e) A waiver from the land development regulations may be approved only upon showing of good cause, and upon evidence that an alternative to a specific provision(s) of this chapter shall be provided, which conforms to the general intent and spirit of these land development regulations. In considering any request for a waiver from these land development regulations, the city commission may require conditions as appropriate to ensure that the intent of these land development regulations is enforced.

REFERENCED CODE SECTIONS

Sec. 24-66. - Waiver.

(a) General. Except for those waivers authorized by section 24-190, where the city commission finds that undue hardship due to unreasonable practical difficulties may result from strict compliance with this chapter, the city commission may approve a waiver.

(b) Conditions of waiver. An applicant seeking a waiver shall submit to the city commission a written request for the waiver stating the reasons for the waiver and the facts, which support the waiver. The city commission shall not approve a waiver unless:

(1) Compliance with such provision(s) would be unreasonable; or

(2) Compliance with such provision(s) are in conflict with the public interest; or

(3) Compliance with such provision(s) are a practical impossibility.

(c) A waiver shall not modify any requirement or term customarily considered as a variance.

(d) A waiver shall be considered only in cases where alternative administrative procedures are not set forth within the city Code of Ordinances.

(e) A waiver from the land development regulations may be approved only upon showing of good cause, and upon evidence that an alternative to a specific provision(s) of this chapter shall be provided, which conforms to the general intent and spirit of these land development regulations. In considering any request for a waiver from these land development regulations, the city commission may require conditions as appropriate to ensure that the intent of these land development regulations is enforced.

REFERENCED CODE SECTIONS IN STAFF REPORT

Sec. 19-1. - Construction within and/or use of city rights-of-way.

(a) Except as expressly set forth below in article II of this chapter regulating utilities, and in article III of this chapter regulating communication services, the provisions in this article I shall apply to any construction within and/or use of city rights-of-way.

(b) The following terms and phrases shall have the meanings given herein for purposes of this chapter 19. Words not otherwise defined shall be construed to mean the common and ordinary meaning.

Construction means any use of, activity, placement, replacement, repair or installation performed by any person or entity other than the city within the boundaries of any city right-of-way, including, but not limited to, curb cuts; driveways; excavation activities; installation of pavers, poles, conduits, wires, cables, fencing, signage and sidewalks; structures or other improvements or fixtures; and landscaping activities. The term does not include pedestrian, bicyclist or vehicular use of the rights-of-way.

Rights-of-way or *public rights-of-way* means land in which the city owns the fee or has an easement devoted to vehicular, bicycle and/or pedestrian movement, or required for use as a transportation facility, as that term is defined in F.S. § 334.03(21), and may lawfully grant access pursuant to applicable law and includes the surface, airspace over the surface and the area below the surface of such rights-of-way. "Public rights-of-way" shall not include (a) county, state or federal rights-of-way, (b) property owned by any person other than the city, (c) service entrances or driveways leading from the road or street onto adjacent property, or (d) except as described above, any real or personal property of the city, such as, but not limited to, city parks, buildings, fixtures, conduits, water lines, sewer lines, facilities or other structures or improvements, regardless of whether they are situated in the public rights-of-way.

(c) Except as may be permitted in accordance with section 19-2 hereof, no person or entity shall undertake any use of or any type of construction within city rights-of-way, including without limitation, the following:

(1) Installation of mailboxes other than units prescribed by U.S. Postal Service Standards and Florida Department of Transportation Parking and Traffic Design Standards.

(2) Decorative walls.

(3) Retaining walls.

(4) Buildings or structures of any kind.

(5) Barriers or obstructions of any kind.

(6) Permanent recreational structures of any kind, except no recreational structures whether permanent or temporary on streets listed in section 21-17 of the Code of Ordinances.

(7) Fences.

(8) Swimming pools.

(9) Parking spaces or lots.

(10) Landscaping of any kind, except sod, which is permitted provided the adjoining landowner maintains the sod.

(11) Any other improvement, object or item requiring a permanent foundation or which cannot be removed readily.

(12) Any improvement, object or item designed and intended for personal or private use and not for public use.

(13) Security lights and street lights.

(14) Any work, construction activity or item which creates an obstruction, whether permanent or temporary, to the free and complete use of the right-of-way.

(15) Driveways, new, modified or replaced (see section 19-7).

Sec. 19-2. - Permits and revocable licenses required.

(a) Any person or entity desiring to undertake construction within and/or use of a right-of-way shall obtain, prior to commencement of any work, a permit for such activity issued by the city manager or his designee on terms and conditions as described herein, or in accordance with subsection (f) herein, the issuance of a revocable license.

(b) Any such person or entity shall complete and file an application for such approval in the form prescribed by the city.

(c) Fees for permits and revocable licenses shall be determined by resolution of the city commission.

(d) No use of or construction in a right-of-way shall be permitted or licensed if that use or construction creates an obstruction barrier or safety hazard as defined by generally accepted engineering practices.

(e) All requests for use of or construction within a right-of-way shall be evaluated based on the benefit of said use or construction to the general public and the degree to which the benefit to and convenience gained by a private property owner conflicts with or outweighs the benefit to the general public for the use of the affected right-of-way.

(f) Revocable licenses are required for all improvements in the right-of-way which are not accepted for maintenance by the city.

(g) All requests for revocable license agreements require approval by the city manager or his designee.

(h) The permit or revocable license applicant shall be the owner or owners of the real property located adjacent to the affected right-of-way or a person designated by affidavit of said owner or owners.

(i) Time limitations.

(1) In no case shall construction commence on any improvement within any right-of-way before a permit and, if required, a license is issued. A permit issued by the city shall be valid for a period of up to one hundred eighty (180) days from the date of issuance. If a period in excess of one hundred eighty (180) days is required because of the scope of work, approval shall be obtained in advance of the issuance of the permit and the permit validation period shall reflect such extension. A permit shall not be extended more than three (3) times or for more than one (1) year from the date of issuance.

(2) After issuance of the permit, the permittee shall notify the building department a minimum of two (2) business days prior to commencing construction. This notification will allow for scheduling of inspections. If a road closure is required, the permittee shall submit with the permit application a maintenance of traffic (MOT) plan to include all proposed

road closures and an expected time duration for each closing. Road closures shall require separate approval by the public works department and public safety department and a minimum of three (3) business days' prior notification before the commencement or construction. Road closures of fewer than fifteen (15) minutes shall not require notification.

(j) Application and other requirements.

(1) Any person legally entitled to apply for and receive a permit and/or license under the provisions of this article shall make such application in writing to the city in a form/format provided for that purpose. Every applicant for a permit/license shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith. The city may require plans, specifications or drawings and such other information as it may deem necessary and pertinent prior to the granting of a permit/license. If the city determines that the plans, specifications, drawings, descriptions or other information furnished by the applicant are in compliance with this article, the rules and regulations of any other department having jurisdiction and any other laws, rules and regulations pertaining to work proposed to be done, it shall issue the permit/license applied for upon payment of the required fee.

(2) The order, sequence and prerequisites for making applications shall be as designated by the city.

(3) The applicant shall determine all potential utility conflicts during the design stage and shall show same on the plan and profile drawings submitted with the application. The plan and profile drawings shall be in accordance with utility plan guidelines or as specified by the city.

(4) If it is determined that such work or activity within any right-of-way will not unreasonably interfere with the rights of the public or city, the city may issue a permit/license for such construction work or activity, upon such reasonable conditions as the city deems necessary for the protection of the rights of the public and the city.

(5) Under all conditions prescribed in this section, the construction shall not proceed unless the statewide one-call toll-free telephone notification system or such other method established under the Underground Facility Damage Prevention and Safety Act, as now or hereafter amended, is notified not less than forty-eight (48) hours nor more than five (5) days in advance of beginning construction. Advance notification is waived when it is documented to the city that the excavation work is of an emergency nature involving the public health, safety or welfare.

(6) All applicants shall give the full name, address, electronic mail address and telephone number of the person or organization making such application and all contractors expected to participate in the construction of the work; shall designate the place, extent, nature and purpose of such work or activity; and, if any paving, curbing, sidewalk, drainage feature, sewer or water main will be disturbed by such work, the city manager or designee may require that the application be accompanied by a deposit of money in such amount as shall in the opinion of the city manager of designee be sufficient to pay for the expense of repairing or restoring the same. Pavement replacement shall be in accordance with the conditions set forth in the permit and other standards of the city. Failure or neglect on the part of the applicant to carry out all work in compliance with the conditions set forth in the

permit/license and other standards of the city shall be reason for revocation of the permit/license.

(7) All applicants shall restore the rights-of-way to its previous condition.

(8) All applicants shall verify the location and elevation of all underground facilities and shall protect said facilities from damage; in the event that any facilities are damaged, the applicant or applicants shall, at their sole expense, repair or cause to be repaired the damaged facilities to the satisfaction of the owner or operator of said facilities.

(9) Upon the completion of the work authorized by a permit/license hereunder, the permittee/licensee shall refill all trenches and excavations. All openings in rights-of-way must be promptly filled with suitable material, free from rubbish and perishable matter, and thoroughly and evenly compacted throughout, ramming in thin layers while being put in or by flooding with water. Upon completion of the backfill, the permittee/licensee shall immediately place pavement, if applicable, in a safe condition for traffic by laying a temporary pavement, properly supported, having the top of the pavement flush with the pavement surface. Immediately after completion of work or any consecutive portion of it, the permittee/licensee shall remove from such street or sidewalk all unused material, refuse and dirt placed in the vicinity of the work resulting from its prosecution and restore the right-of-way to a condition satisfactory to the city, notifying the city of such action. In case the work is not completed within the time limited in the permit/license, the city may, if it deems necessary, take steps to return the surface to a safe condition. If an extension of time beyond such date is necessary for completion of the work, a new application must be obtained. All persons in charge of any work in the rights-of-way must retain and have in possession at all times while so engaged the permit/license as described in this section. If the city shall at any time within thirty (30) days after the sidewalks and/or pavement have been replaced or repaired determine that the work has not been completed in a workmanlike manner or otherwise fails to meet city standards, then, and in that event, the city shall cause the sidewalks, pavement or other surfaces within the right-of-way so defectively replaced and repaired to be properly replaced and repaired. All costs and expenses of so replacing and repairing such work shall be charged against the fund deposited by the person to whom the permit was granted to cut, disturb and excavate the pavement or sidewalks, for a period of one (1) year against defect.

(k) Each applicant for a permit and/or license, as may be applicable, under this article shall:

(1) Agree to save the city, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed or existence of any improvement under such permit or revocable license. The acceptance of any permit or revocable license under this article shall constitute such an agreement by the applicant whether such acceptance is expressed or not.

(2) Pay a permit and engineering review fee and security deposit. Developers of major subdivisions may request to pledge assurances to the city in lieu of cash or check, and the city, in the sole exercise of the city manager's judgment and discretion, may accept or reject such assurances.

(3) Furnish a certificate of insurance.

(4) Keep the original copy of the permit or revocable license and an approved copy of the plan in the possession of the party actually doing the work and, when requested, exhibit

such copy to the building official, duly authorized inspectors or, in the instances of county and state roads, to the respective inspectors representing these authorities.

(5) Agree to perform the work in accord with the permit and/or revocable license conditions and the regulations established under this article.

(l) Bond. A performance bond, or other financial security, in form, content and execution approved by the city, may be required to protect the city in the event the specified work is not completed or does not conform to the city's requirements, or when damages to the right-of-way have occurred.

(m) Permit/license revocation. The city may revoke permits and licenses issued upon finding that:

(1) The permit/license was issued by mistake of law or fact;

(2) The permit/license is for work which violates the provisions of this article;

(3) The permit/license was issued upon a false statement or misrepresentation by the applicant;

(4) The permit/license violates any ordinance of the city or any state or federal law, rule or regulation;

(5) The work is not being performed in accordance with the provisions of this article;

(6) The certificate of competency or license of the permittee has become invalid by reason of expiration, suspension, revocation or otherwise;

(7) The work is not being performed under the supervision of the holder of the certificate or license upon which the same was issued;

(8) The work is not being done in accordance with the terms of the permit/license, the plans or the application upon which the same was issued;

(9) Payment of the fees was not effected due to insufficient funds or any other reason;

(10) The work performed is threatening or interfering with public welfare and safety;

(11) The work performed is not in compliance with this article and/or city Code; or

(12) The permittee is not in compliance with this article and/or city Code.

Sec. 19-7. - Construction of driveways in rights-of-way.

The construction of a new driveway in the city's right-of-way, or the modification of an existing driveway in a right-of-way, shall require a construction permit within city rights-of-way and easements. Said permit shall be issued subject to the following requirements:

(a) The proposed driveway shall not create more than fifty (50) percent impervious area within the right-of-way.

(b) Any permit issued shall be a revocable encroachment permit if any nonstandard driveway materials (i.e., pavers) are installed in the right-of-way. If the city is required to do any utility or other work or repairs in a right-of-way which damages such nonstandard materials, the homeowner shall be responsible for repairs necessary to the materials.

(c) Any construction within the city's rights-of-way shall not adversely affect or restrict public parking in the rights-of-way.

(d) No parking aprons shall be allowed in the city's rights-of-way along arterial (through) streets listed in city Code subsection 21-17(h).

(e) Any improvements in the city's rights-of-way that are not part of a driveway or sidewalk shall be constructed of turf block or other pervious material.

(f) Maximum driveway width at the property line and through the right-of-way shall be twenty (20) feet. Maximum driveway width for circular drives shall be twelve (12) feet, and circular drives shall only be permitted on lots having at least one hundred-foot frontage.

(g) Maximum driveway width at the property line and through the right-of-way for duplexes on a fifty-foot lot shall be a combined width for both driveways of twenty-four (24) feet.

(h) Driveways that cross sidewalks. City sidewalks may not be replaced with other materials, but must be replaced with smooth concrete left natural in color so that it matches the existing and adjoining sidewalks.

CITY OF ATLANTIC BEACH
CITY COMMISSION MEETING
STAFF REPORT

AGENDA ITEM: WAIV25-0003 **Public Hearing**
WAIV25-0003 is a request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way at 341 6th Street.

SUBMITTED BY: Amanda L. Askew, AICP, Neighborhoods Department Director

TODAY'S DATE: July 16, 2025

MEETING DATE: July 28, 2025

BACKGROUND: The applicant, Mr. James Lucas, owner of the property located at 341 6th Street, is seeking a waiver from Section 19-1 of the City Code to allow for the modification and continued use of an existing parking pad located within the city right-of-way. The parking pad, currently composed of gravel, was originally constructed in 2012 without the required permit.



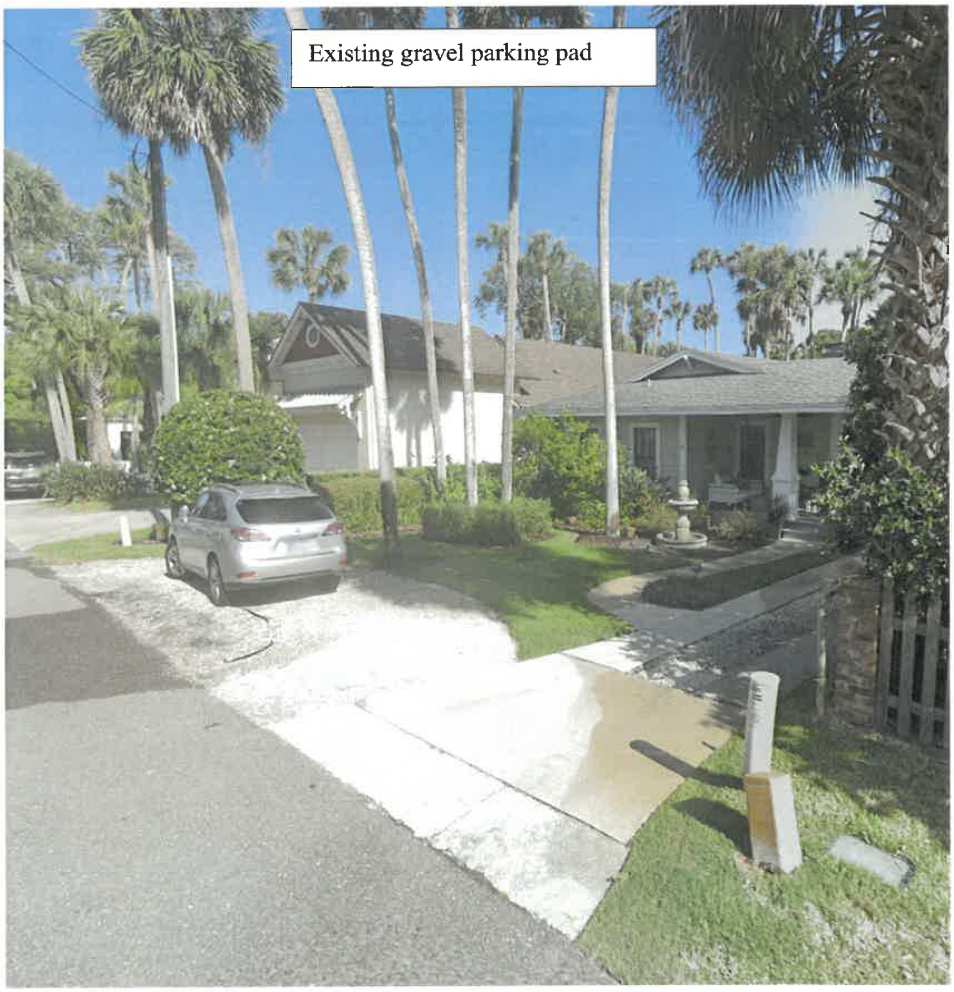
Prior to the 2024 amendments to Chapter 24, similar waiver requests were reviewed solely by the City Commission. However, as many such requests involve deviations from land development regulations not specifically addressed in Chapter 24, the updated code now requires that waiver applications be reviewed by the Community Development Board. The Board is tasked with evaluating the request and making a formal recommendation to the City Commission to either approve, approve with conditions, or deny the application. Section 19-1 of the City Code prohibits numerous types of construction in the right-of-way, including parking pads:

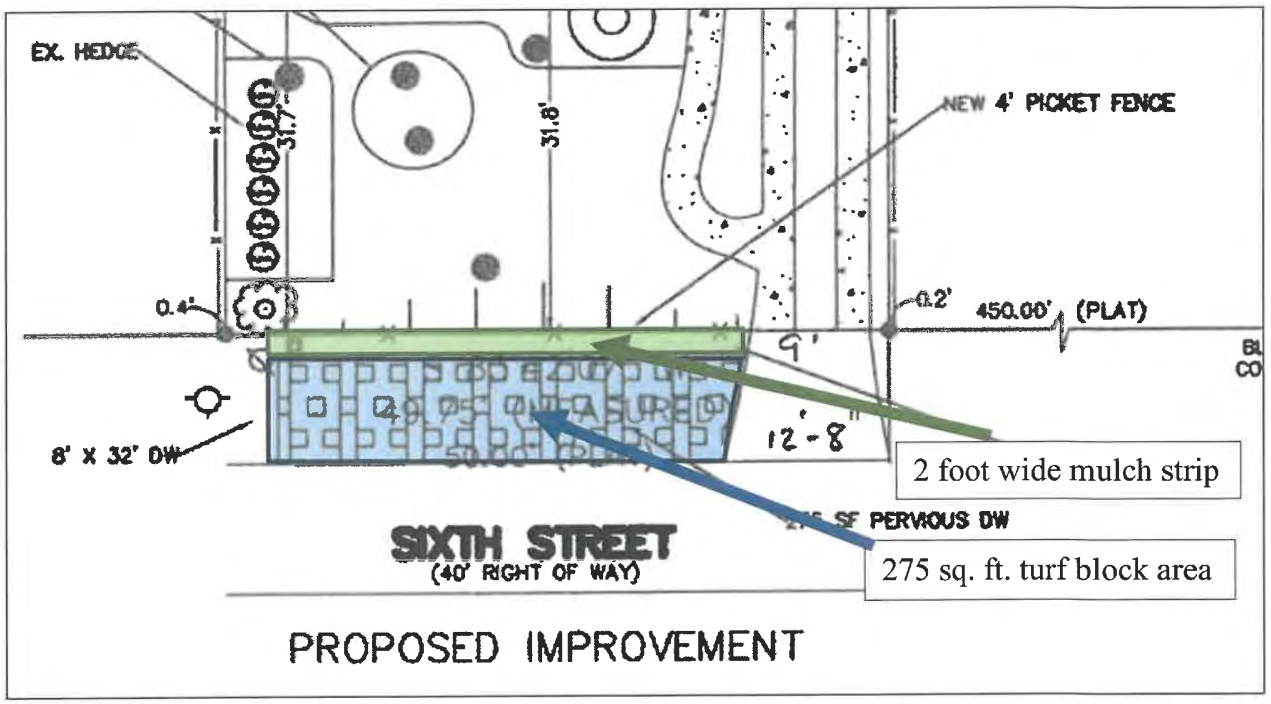
> *"(1) Installation of mailboxes other than units prescribed by U.S. Postal Service Standards and Florida Department of Transportation Parking and Traffic Design Standards.*
> *(2) Decorative walls.*
> *(3) Retaining walls.*
> *(4) Buildings or structures of any kind.*
> *(5) Barriers or obstructions of any kind.*
> *(6) Permanent recreational structures of any kind, except no recreational structures whether permanent or temporary on streets listed in section 21-17 of the Code of Ordinances.*
> *(7) Fences.*
> *(8) Swimming pools.*
> *(9) Parking spaces or lots.*
> *(10) Landscaping of any kind, except sod, which is permitted provided the adjoining landowner maintains the sod.*
> *(11) Any other improvement, object or item requiring a permanent foundation or which cannot be removed readily.*

(12) Any improvement, object or item designed and intended for personal or private use and not for public use.
(13) Security lights and street lights.
(14) Any work, construction activity or item which creates an obstruction, whether permanent or temporary, to the free and complete use of the right-of-way.
(15)Driveways, new, modified or replaced (see section 19-7)."

Section 19-2 of the City Code authorizes the City Manager, or their designee, to issue a permit or revocable license for construction within the city right-of-way. The Code stipulates that "all requests for use of or construction within a right-of-way shall be evaluated based on the benefit of said use or construction to the general public and the degree to which the benefit to and convenience gained by a private property owner conflicts with or outweighs the benefit to the general public for the use of the affected right-of-way."

As part of this request, the applicant proposes to remove approximately 420 square feet of existing rock material and replace it with 275 square feet of turf block pavers and a 2-foot-wide strip of mulch. These improvements would result in approximately 51.7% of the right-of-way being pervious surface area, thereby complying with the maximum 50% impervious surface limitation established under Section 19-7(a) of the City Code.





At the June 17, 2025 Community Development Board meeting, a motion to recommend that the City Commission approve the request, subject the parking pad maintain 50% or less impervious area, was made and passed by a vote of 6 to 0.

WAIVERS

A waiver from the land development regulations may be approved only upon showing of good cause, and upon evidence that an alternative to a specific provision(s) of this chapter shall be provided, which conforms to the general intent and spirit of these land development regulations. In considering any request for a waiver from these land development regulations, the city commission may require conditions as appropriate to ensure that the intent of these land development regulations is enforced.

The city commission may grant a waiver from Chapter 24 of other application chapters or other application chapters in accordance with Section 24-66. A waiver may be considered only for the following:

(1) Maximum building heigh in accordance with section 24-156

(2) Article IV "subdivision and site improvement regulations".

(3) Development standards as part of a special planned area in accordance with Division 6

(4) Other land development regulations contained within this city code outside of chapter 24

The city commission shall not approve a waiver unless:

(1) Compliance with such provision(s) would be unreasonable; or

(2) Compliance with such provision(s) are in conflict with the public interest; or

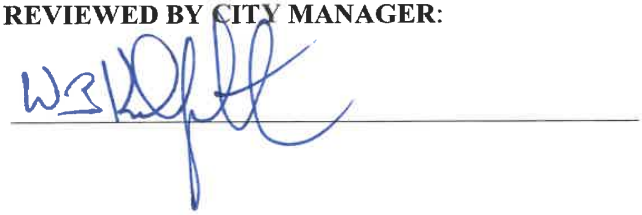
(3) Compliance with such provision(s) are a practical impossibility.

BUDGET: None

RECOMMENDATION: Commission consider waiver WAIV25-0003.

ATTACHMENT(S): Waiver Hearing Procedures
Waiver Application
Community Development Board (CDB) minutes

REVIEWED BY CITY MANAGER:



LAND DEVELOPMENT REGULATIONS WAIVER

City of Atlantic Beach
Community Development Department
800 Seminole Road Atlantic Beach, FL 32233
(P) 904-247-5800

FOR INTERNAL OFFICE USE ONLY
PERMIT# WAIV25-0003

☒ $500.00 Application Fee

**Please submit form in person or to buildng-dept@coab.us

APPLICANT INFORMATION

NAME James Lucas EMAIL jmlgator@bellsouth.net

ADDRESS 341 6th Street PHONE # 904-241-0417

CITY Atlantic Beach STATE Fl ZIP CODE 32233 CELL # 904-631-7567

SITE INFORMATION

ADDRESS 341 6th Street

SUBDIVISION Atlantic Beach BLOCK 8 LOT 20

RE# 16987 0000 LOT/PARCEL SIZE 7500 sf ZONING CODE ARS-2

COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION RES LD

REQUESTED PROVISIONS FROM WHICH WAIVER IS SOUGHT Waiver in section 19-1 concerning parking areas within rights-of-way including modification of an existing parking area by reducing size and changing from rock to turf block.

PROVIDE ALL OF THE FOLLOWING INFORMATION:

1. Proof of ownership (deed or certificate by lawyer or abstract company or title company that verifies record of owner as above.
2. Survey and legal description of property.
3. If the applicant is not the owner, provide a letter of authorization from the owner(s) for applicant to represent the owner for all purposes related to this application.
4. Please submit a written request for the waiver stating the reasons for the waiver and the facts which support the waiver.

"In lieu of signed, sworn and notarized signatures of the property owner, agent and/or contractor, and under penalties of perjury, I declare that I have read and examined the foregoing application and that the facts stated in it are true and correct."

SIGNATURE OF APPLICANT	James Lucas PRINT OR TYPE NAME OF APPLICANT	5/7/25 DATE

LAND DEVELOPMENT REGULATION WAIVER 01.29.2025

Section 24-66 permits the City Commission to authorize limited Waivers, on a case-by-case basis, from a specific provision(s) of these Land Development Regulations when it is demonstrated that compliance with such provision(s) would be unreasonable, in conflict with the public interest, or a practical impossibility. A Waiver from these Land Development Regulations may be approved only upon showing of good cause, and upon evidence that an alternative to a specific provision(s) of this Chapter shall be provided, which conforms to the general intent and spirit of these Land Development Regulations. In considering any request for a Waiver from these Land Development Regulations, the City Commission may require conditions as appropriate to ensure that the intent of these Land Development Regulations is enforced. A Waiver shall not modify any requirement or term customarily considered as a Variance or any requirement or term prohibited as a Variance, and shall be considered only in cases where alternative administrative procedures are not set forth within the City Code of Ordinances.

Statement of facts and any special reason(s) for the requested Waiver, which demonstrates compliance with Section 24-66 of the Zoning and Subdivision and Land Development Regulations and ***specifically describing how the request complies with the Conditions necessary for the City Commission to approve this request***. Please attach additional pages if needed.

Section 19-1 and section 24-162 refers to work within the right-of-way. In our case, the parking area is existing. We are proposing to reduce the parking area within the right-of-way by adding grass and mulch in order to provide a 51.7% impervious area within the City right-of-way, exceeding City requirements. 19-1 states that if approved, 19-2 requires permitting which we are willing to do. The parking area currently is for everyones use and will remain so. The reason to change the parking surface is to create a safer surface for elderly visitors such as our family.

J. Lucas & Associates, Inc.
Design and Consulting Engineers

May 5, 2025

Community Development Department
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233

Subject: Right Of Way Improvement
341 6th Street

Gentlemen:

We live at 341 6th Street. Currently, there is a rock parking area in front of the house adjacent to the driveway as shown on attachment 1. The lot plan shows 420 sf of rock parking that extends into the yard starting from the edge of pavement. We would like to remove the rock totally and replace it with grass, mulch and the turf block product similar to systems located throughout the City. Attachment 2 shows the extent of the proposed improvement in the r/w. We are proposing the installation of 275 sf of the turf block product with pea gravel filled cells along with a 2' strip of mulch, 4' high picket fence along the right of way line. Attachment 3 is a blow up of the right of way area.

Section 19-1 and section 24-162 refers to work within the right of way. It is essential that there is a 50% impervious maximum at that location. Based on the existing driveway area, mulch area and turf block area, attachment 4 shows the net pervious area remaining in the right of way is 51.7%. Therefore, we meet the code requirements provided we obtain permitting as stated in 19-2.

Based on the information attached, we are applying for a variance to Section 19-1 in regard to the modification to an existing parking spot. Attached are the following:

1. Variance Application
2. General Warranty Deed
3. Detail description of the requested modification request
4. Current condition along with the existing site survey.
5. Proposed improvement with modified site survey and survey blowup of r/w area.
6. Impervious calculation of right-of-way area.
7. Check for $500.00.

Please place us on the next available meeting.

Sincerely,

Jim Lucas

1305 Cedar Street · Jacksonville, Florida 32207
Phone: (904) 396-3060 · Fax: (904) 396-3456 · Email: lucascad@bellsouth.net

Doc # 2015057057, OR BK 17094 Page 2420, Number Pages: 1, Recorded 03/12/2015 at 11:56 AM, Ronnie Fussell CLERK CIRCUIT COURT DUVAL COUNTY RECORDING $10.00

Prepared by & Return to:
Christine Micieli
America's Choice Title Company
170 A1A North
Ponte Vedra Beach, Florida 32082
File Number: 15-172
Property Appraiser's Parcel I.D. (folio) Number(s):
169897-0000
Documentary Stamps have been paid in amount of $4,515.00
Purchase Price: $645,000.00

CORRECTIVE

General Warranty Deed

Made this 2nd day of March, 2015 by **Debra S. Pugh, a single person,** Whose Post Office Address is 1159 Linkside Court W, Atlantic Beach, Florida 32233; hereinafter referred to as the "Grantor;" to **James M. Lucas and Roberta Lucas, husband and wife,** whose Post Office Address is 341 6th Street, Atlantic Beach, Florida 32233; hereinafter referred to as the "Grantees";

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantees, all that certain land situate in Duval County, Florida, viz:

Lot 20, Block 8, Subdivision "A", Atlantic Beach, according to the map or plat thereof, as recorded in Plat Book 5, Page(s) 69, of the Public Records of Duval County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantees that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2014.

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence

Witness #1: *Christine Micieli*

Debra S. Pugh

Witness #2: *Jaime Stokes*

State of Florida
County of St. Johns

The foregoing instrument was acknowledged before me this 2nd day of March, 2015, by Debra S. Pugh, who produced a Driver's License as identification.

DEED BEING RE-RECORDED TO CORRECT PLAT BOOK NUMBER FROM DEED RECORDED 3/4/15 IN OR BOOK 17085, PAGE 1336, WHEREAS DOCUMENTARY STAMPS WERE PAID

Notary Public
Print Name:

(NOTARY SEAL)

CHRISTINE MICIELI
MY COMMISSION EXPIRES
December 3, 2018
#FF 179911
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

J. Lucas & Associates, Inc.
Design and Consulting Engineers

April 15, 2025

Mr. Steve Swann, P.E.
City of Atlantic Beach
800 Seminole Road
Atlantic Beach, FL 32233

Subject: Right Of Way Improvement
341 6th Street

Dear Steve:

We live at 341 6th Street. Currently, there is a rock parking area in front of the house adjacent to the driveway as shown on attachment 1. The lot plan shows 420 sf of rock parking that extends into the yard starting from the edge of pavement. We would like to remove the rock totally and replace it with grass, mulch and the turf block product similar to systems located throughout the City. Attachment 2 shows the extent of the proposed improvement in the r/w. We are proposing the installation of 275 sf of the turf block product with pea gravel filled cells along with a 2' strip of mulch, 4' high picket fence along the right of way line. Attachment 3 is a blow up of the right of way area.

Section 19-1 and section 24-162 refers to work within the right of way. It is essential that there is a 50% impervious maximum at that location. Based on the existing driveway area, mulch area and turf block area, attachment 4 shows the net pervious area remaining in the right of way is 51.7%. Therefore, we meet the code requirements provided we obtain permitting as stated in 19-2.

Based on the information attached, we would like to present our project to the City for consideration. Please place us on the next Monday meeting.

Sincerely,

Jim Lucas

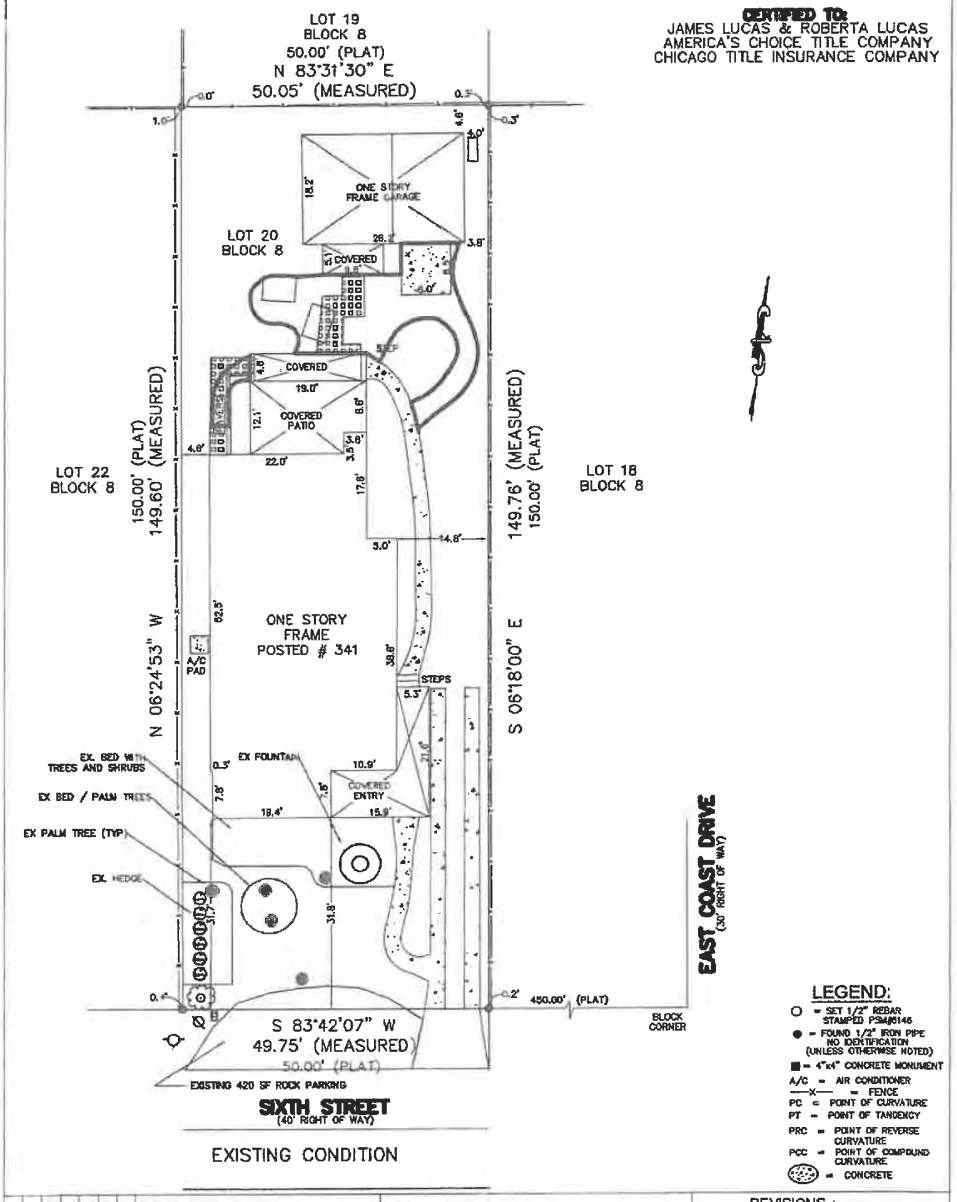
1305 Cedar Street · Jacksonville, Florida 32207
Phone: (904) 396-3060 · Fax: (904) 396-3456 · Email: lucascad@bellsouth.net

CURRENT CONDITION



MAP SHOWING BOUNDARY SURVEY OF

LOT 20, BLOCK 8, SUBDIVISION "A" ATLANTIC BEACH, AS RECORDED IN PLAT BOOK 5, PAGE 69, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



EXISTING CONDITION

LEGEND:
- O = SET 1/2" REBAR STAMPED PSM#6146
- ● = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- ■ = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- —X— = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- = CONCRETE

Ray Thompson
SURVEYING, Inc.
Going the DISTANCE for You
1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

.\LOGOS\Americas Choice Title logo.jpg

REVISIONS	
DATE	DESCRIPTION

JOB # 26141 | DATE OF FIELD SURVEY: 2-24-2015 | SCALE: 1" = 20'

NOTES:
1: BEARINGS ARE BASED ON THE ASSUMED BEARING OF S 06°16'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2: BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: JUNE 3, 2013, COMMUNITY NUMBER: 120077 PANEL 0409 H.
3: THIS SURVEY REFLECTS ALL EASEMENTS & RIGHT OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4: THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA
LICENSE BUSINESS No. 7469

LAND SURVEYS O CONSTRUCTION SURVEYS O SUBDIVISIONS

1

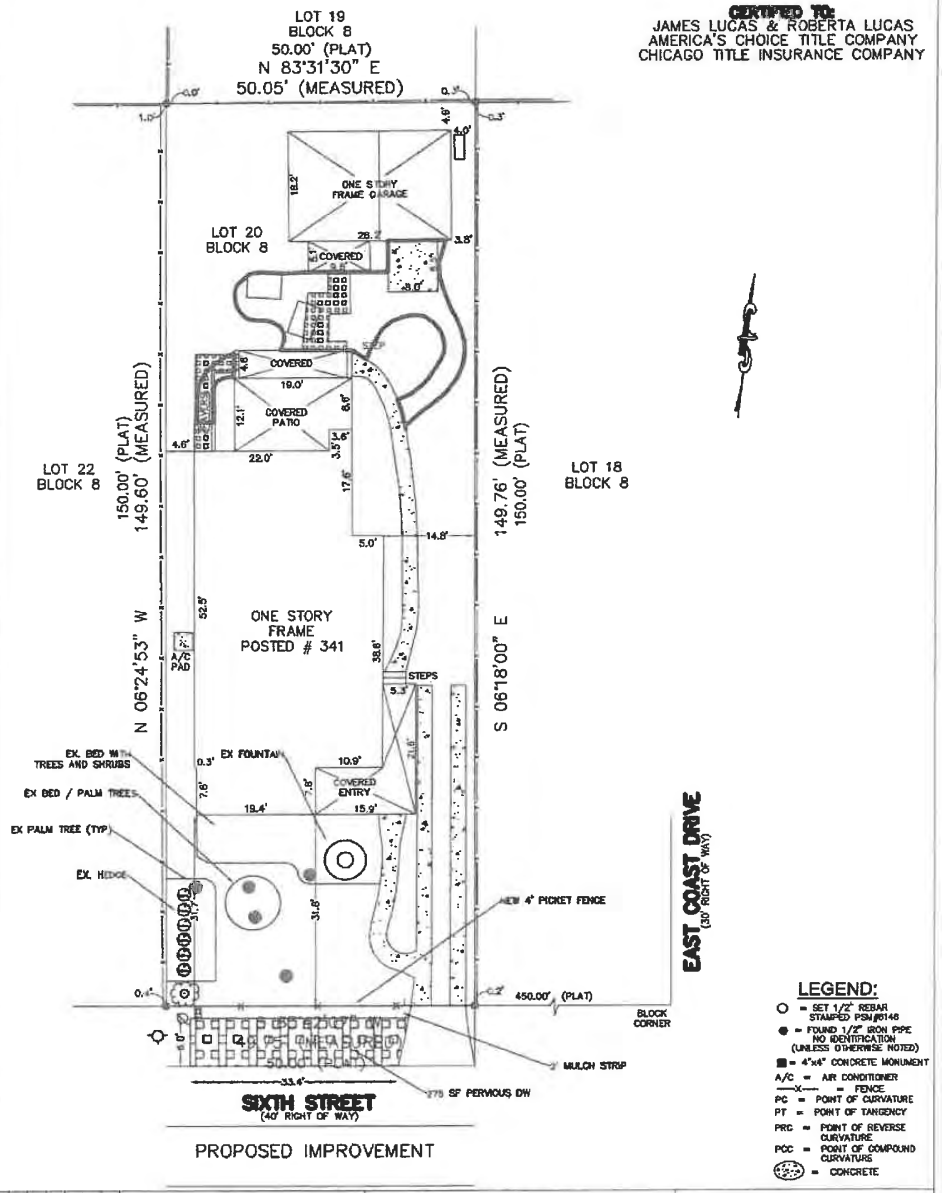
PROPOSED IMPROVEMENT



MAP SHOWING BOUNDARY SURVEY OF

LOT 20, BLOCK 8, SUBDIVISION "A" ATLANTIC BEACH, AS RECORDED IN PLAT BOOK 5, PAGE 69, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
JAMES LUCAS & ROBERTA LUCAS
AMERICA'S CHOICE TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY



LEGEND:

- ○ = SET 1/2" REBAR STAMPED PSM#6146
- ● = FOUND 1/2" IRON PIPE NO IDENTIFICATION (UNLESS OTHERWISE NOTED)
- ■ = 4"x4" CONCRETE MONUMENT
- A/C = AIR CONDITIONER
- —X— = FENCE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- = CONCRETE

Ray Thompson
SURVEYING, Inc.
Going the DISTANCE for You
1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

.\LOGOS\Americas Choice Title logo.jpg

REVISIONS	
DATE	DESCRIPTION

JOB # 26141 | DATE OF FIELD SURVEY: 2-24-2015 | SCALE: 1" = 20'

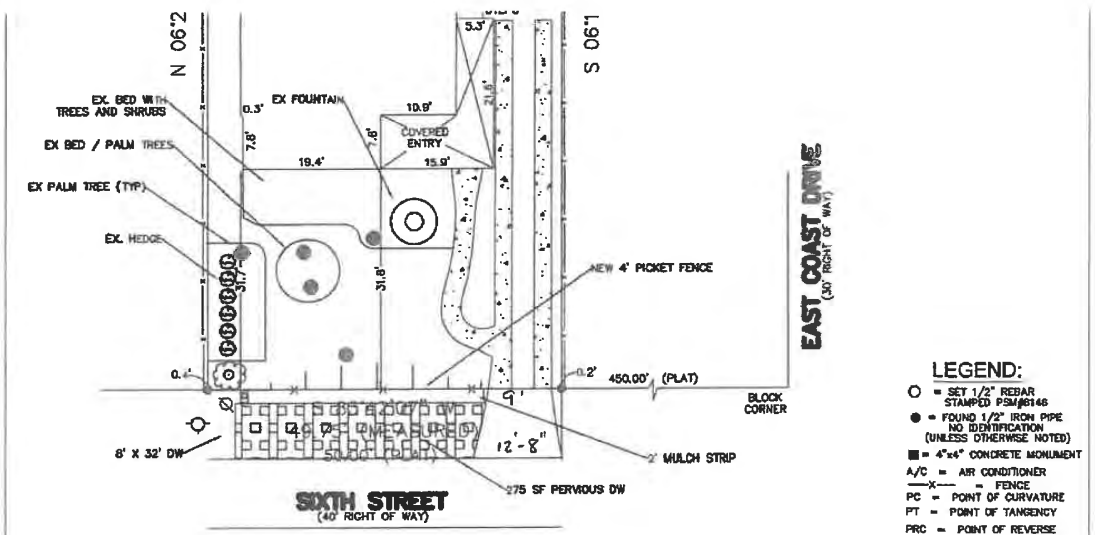
NOTES:
1: BEARINGS ARE BASED ON THE ASSUMED BEARING OF S 06°18'00" E ALONG THE EASTERLY BOUNDARY LINE OF SUBJECT PARCEL.
2: BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE "X" AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP, DATED: JUNE 3, 2013, COMMUNITY NUMBER: 120077 PANEL 0409 H.
3: THIS SURVEY REFLECTS ALL EASEMENTS & RIGHT OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT IF SUPPLIED. UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
4: THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL.

CERTIFICATE
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER # 6146 STATE OF FLORIDA
LICENSE BUSINESS No. 7469

LAND SURVEYS ○ CONSTRUCTION SURVEYS ○ SUBDIVISIONS

2



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REVISIONS	
DATE	DESCRIPTION

3

IMPERVIOUS CALCULATION FOR
R/W IMPROVEMENT FOR
314 6TH STREET

TOTAL AREA OF R/W	10	50		500 SF	
AREA OF DW (in r/w) (9+12.67)/2*10				104 SF	impervious
			net	396	
proposed turfblock area		275 sf			
50 percent impervious		137.5		137.5	impervious
			net	258.5	pervious
		% pervious		51.7%	

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MINUTES
Community Development Board (CDB) Meeting
Tuesday, June 17, 2025 - 6:00 PM
City Hall, Commission Chamber
800 Seminole Road, Atlantic Beach, FL 32233

Present:
Kirk Hansen, Chair
Ellen Golombek, Vice Chair
Angela Farford, Member
Harold Gear, Member
Richard Arthur, Member
Gregory (Greg) Beliles, Alternate Member

Absent:
Jennifer Lagner, Member
Jeff Haynie, Member

Also Present:
Amanda Askew, Neighborhoods Department Director (NDD)
Abrielle Genest, Principal Planner (PP)
Valerie Jones, Recording Clerk
Rob Graham, City Attorney (CA)

1. CALL TO ORDER AND ROLL CALL
The meeting was called to order at 6:00 p.m.

2. APPROVAL OF MINUTES

A. Approve minutes of the May 20, 2025 regular meeting of the Community Development Board.

The minutes were approved.

3. OLD BUSINESS
There was no old business.

4. NEW BUSINESS

A. 341 6th Street WAIV25-0003 James Lucas
Request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way and Section 19-7(a) to exceed the maximum impervious area within the right-of-way at 341 6th Street.

STAFF REPORT: Director Askew presented the waiver request for 341 6th Street. She explained that it was a request for a waiver from Section 19-1 to allow for the modification and continued use of an unpermitted parking pad in city right-of-way and Section 19-7(a) to exceed the maximum impervious area within the right-of-way.

Director Askew provided details about the property, noting it was located on the north side of 6th Street, mid-block, and zoned residential single-family (RS2). She mentioned

that the current parking pad was constructed without a permit in 2012 and consists of gravel. Director Askew also noted that there were multiple unpermitted parking pads along the street.

She explained the relevant code sections, including 19-1(c) which prohibits obstructions in the right-of-way, 19-2 which authorizes staff to issue permits based on public benefit, and 19-7 which limits impervious area between the front property line and street pavement to 50%.

Director Askew clarified that the applicant was requesting to rework the parking pad with turf block pavers, which would exceed the 50% impervious area limit, resulting in 51.7% impervious area in the right-of-way.

She mentioned that the STOP committee had made recommendations regarding planting and landscaping in the right-of-way, noting that obstructions are not permitted and can be removed by the city if necessary.

Director Askew outlined the evaluation criteria for waivers, stating that compliance must be unreasonable, conflict with public interest, and be practically impossible for approval.

Board members asked questions about the city manager's ability to grant exceptions, the status of STOP committee recommendations, and whether the homeowner's request was triggered by any specific event.

APPLICANT REPORT: James Lucas, the applicant, addressed the board. He explained that he and his wife had lived in Atlantic Beach for 37 years and started the improvement concept in April. Mr. Lucas detailed his communications with the city engineer and staff, emphasizing his willingness to comply with city requirements. He expressed surprise at learning the parking area was unpermitted when they bought the house in 2015, noting they had obtained five permits for other work without being informed of any issues with the parking area.

Mr. Lucas stressed that their goal was to make the parking area smaller, change the material to something acceptable to the city, and maintain the 50% impervious rule while improving their property.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment.

Brinkley Harrell spoke in support of the applicant, noting that several properties on 6th Street had similar gravel parking areas. He suggested the board consider deferring the decision to look at all properties in that block simultaneously.

BOARD DISCUSSION: Board members discussed the prevalence of similar parking pads throughout Atlantic Beach and the challenges of enforcing regulations consistently. They debated the merits of approving the waiver given the applicant's efforts to improve the situation.

MOTION: To recommend **APPROVAL** of **WAIV25-0003** to the City Commission subject to the parking pad maintaining 50% or less impervious ratio requirement coverage as defined by the City.

Motion: ***Gregory (Greg) Beliles***
Second: ***Harold Gear***

Kirk Hansen	***For***
Ellen Golombek	***For***
Angela Farford	***For***
Harold Gear (Seconded By)	***For***
Richard Arthur	***For***
Gregory (Greg) Beliles (Moved By)	***For***

Motion passed 6 to 0.

B. 210 Mayport Road UBEX25-0002 (Alex Ertel)

Request for a use-by-exception from Section 24-112(c)(6) to allow contractor business within the Commercial General (CG) zoning district at 210 Mayport Road.

STAFF REPORT: Planner Genest, Principal Planner, presented the use-by-exception request for 210 Mayport Road. She explained that it was a request to allow a contractor business within the Commercial General (CG) zoning district.

Planner Genest provided details about the property, noting that it was located on the northwest corner of Mayport Road and Second Street West. She mentioned that the business, Florida Turf Company, had relocated from another address on Mayport Road.

She explained that the business falls under section 24-112(c)(6) of the code, which allows contractors not requiring outdoor storage, with limitations on manufacturing, construction, and equipment use. Planner Genest noted that this use is considered a use-by-exception within the CG zoning district.

Planner Genest mentioned that under the previous zoning code, this business would have been permitted as a lawn care service, but that use was removed in recent updates. She also noted that a business tax receipt had been issued in error earlier in the year, which was discovered when the business applied for a sign permit.

She presented images of the property showing cars parked on the eastern side and materials stored on the west side. Planner Genest explained that outdoor storage is not permitted in this zoning district but could be remedied with fencing and screening.

Planner Genest outlined the considerations for use-by-exception requests, including ingress/egress, parking, potential impacts on adjoining properties, utilities, screening, signs, and compatibility with adjacent properties.

Board members discussed the nature of the business, its compatibility with the area, and potential impacts on neighboring properties. They also considered the fact that the business was already operating due to the erroneously issued permit.

APPLICANT REPORT: The applicant was not present.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment. There were no public comments.

BOARD DISCUSSION: There was no further discussion.

MOTION: To **APPROVE UBEX25-0002.**

Motion: ***Richard Arthur***
Second: ***Harold Gear***

Kirk Hansen	***For***
Ellen Golombek	***For***
Angela Farford	***For***
Harold Gear (Seconded By)	***For***
Richard Arthur (Moved By)	***For***
Gregory (Greg) Beliles	***For***

Motion passed 6 to 0.

C. Ordinance 90-25-256 Text Amendment

An ordinance of the City of Atlantic Beach, County of Duval, State of Florida, hereby amending the Land Development Regulations as adopted by Ordinance No. 90-24-253; This ordinance specifically amending Section 24-113(c), light industrial and warehousing districts to add gyms and health clubs as a use-by-exception, providing recordation and providing an effective date.

STAFF REPORT: Director Askew presented the text amendment to Section 24-113(c), which would add gyms and health clubs as a use-by-exception in light industrial and warehousing districts. She explained that this amendment was requested by Commission in May 2025, prompted by an inquiry about an indoor batting cage.

Director Askew provided background on the light industrial warehouse zoning district, noting its intended use for light manufacturing and storage. She mentioned that some municipalities allow gyms and health clubs in industrial areas, citing examples of CrossFit gyms in commercial industrial areas.

PUBLIC COMMENT: Chair Hansen opened the floor to public comment.

Richard Krilich of 501 Levy Road expressed concerns about sewage and water drainage issues in the area. He noted that many properties on the north side of Levy Road use

septic tanks due to the lack of a city sewer line. Mr. Krilich also raised concerns about potential water usage from gyms and health clubs, as well as increased parking lot runoff.

BOARD DISCUSSION: Board members discussed the compatibility of gyms with the light industrial area and potential impacts on surrounding residential areas. They debated whether the amendment aligned with the comprehensive plan and zoning policies.

MOTION: To recommend **APPROVAL** of **Ordinance 90-25-256** to the City Commission.

Motion: Richard Arthur
Second: Harold Gear

Kirk Hansen	***Against***
Ellen Golombek	***Against***
Angela Farford	***Against***
Harold Gear (Seconded By)	***For***
Richard Arthur (Moved By)	***For***
Gregory (Greg) Beliles	***For***

Motion failed 3 to 3.

5. REPORTS

Chair Hansen reported on two recommendations made by the board in the previous meeting:

- The recommendation to remove mandatory on-site storage requirements for 400 square foot additions has been favorably received by the city commission, who have requested an ordinance to be drafted.
- The recommendation to treat on-site parking the same as off-site parking for requirement purposes is being considered by the commission, who have requested an ordinance to be drafted.

Chair Hansen noted that these items will be coming up for two readings before the city commission for approval.

6. PUBLIC COMMENT

Brinkley Harrell addressed the Board, commending them for their support in changing the trigger in Chapter 24 for on-site water storage requirements. He also raised concerns about the definition of impervious surface in Chapter 24-17, particularly regarding the 50% credit for swimming pools. Mr. Harrell argued that modern swimming pools can hold as much water as natural grass before runoff occurs and suggested changing the credit to 100% for the water surface area of pools.

Mr. Harrell also brought attention to zoning issues in Chapter 24-101, specifically regarding lot sizes in RS2 zoning areas. He expressed concern about the inability to split conjoined lots in Old Atlantic Beach, leading to the construction of oversized homes. He suggested potential solutions, including consolidating zoning districts or modifying footnotes to allow lot splitting in RS-2 zones.

7. ADJOURNMENT

There being no further discussion, Chair Hansen declared the meeting adjourned at 7:03 p.m.

Attest:

Amanda Askew	Kirk Hansen, Chair