



City of Jacksonville Beach

Briefing Notice

11 North Third Street
Jacksonville Beach, Florida

City Council

Monday, September 14, 2026

5:30 PM

City Hall 1st Floor Conference Room

City Manager Mike Staffopoulos will conduct a Council Briefing to update the City Council about ongoing items in the City. The Briefing will include, but not be limited to, the following topics:

- A. Amendment 3 Communication Plan
- B. Asana Project Management Update
- C. One Year Extension of Benefits Broker Services RFP
- D. Special Events Policy Revisions and Country Fest
- E. Historic Homes
- F. Stormwater Rates
- G. Committee Assignment Report
- H. Miscellaneous City Manager's Items
- I. Future Briefing Topics

Council Members in attendance may include:

Mayor:	Christine Hoffman		
Council Members:	Sandy Golding	Bill Horn	Dan Janson
	Greg Sutton	John Wagner	Bruce Wouters

Please note: Council Members in attendance may vary according to their schedules.

No public comments are taken at the City Manager's Council Briefing.

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.



CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Duston Scott, Administrator of Human Resources
DATE:	September 14, 2026
SUBJECT:	One Year Extension of Benefits Broker Services RFP

BACKGROUND

On June 15, 2020, the City Council awarded RFP No. 02-1920 to Wingate Insurance Group d/b/a Abentras for Benefits Broker Services. The agreement had an initial two-year term beginning January 1, 2021, with two optional two-year extensions. The City exercised both extensions, and the current agreement expires December 31, 2026.

Because the renewal options included in the original RFP have been exhausted, staff is requesting Council approval of a limited one-year bridge extension through December 31, 2027. All other terms, conditions, and requirements of the existing agreement would remain unchanged.

Human Resources has been engaged in a substantial enterprise resource planning implementation consisting of five major components: migration of the AS/400/Naviline system to the cloud, a COGNOS upgrade, automation of personnel action forms, integration of benefits with payroll, and implementation of an employee self-service portal. Three components have been completed, one is nearing completion, and one remains outstanding.

Given the time and resources devoted to these projects, staff could have completed a Benefits Broker Services RFP before the current agreement expires. However, the procurement would have been conducted under a compressed timeline. The proposed one-year extension would allow staff to complete the remaining ERP work and conduct a more deliberate competitive procurement through the City's new OpenGov procurement software. This item is planned for consideration on the consent agenda at the October 5, 2026, City Council meeting.

FINANCIAL IMPACT

All existing compensation provisions and other terms of the agreement would remain unchanged during the one-year extension. Associated costs will continue to be addressed through the City's approved budget.

COUNCIL DIRECTION REQUESTED

Is the City Council amenable to formal consideration of extending the Benefits Broker Services Agreement with Wingate Insurance Group d/b/a Abentras for the period of January 1, 2027, through December 31, 2027?

ATTACHMENTS

1. One-Year Extension - Abentras

**ONE-YEAR EXTENSION OF THE GROUP MEDICAL & PRESCRIPTION INSURANCE AND
BENEFITS BROKER SERVICES AGREEMENT BETWEEN WINGATE INSURANCE GROUP
D/B/A ABENTRAS AND THE CITY OF JACKSONVILLE BEACH**

THIS ONE-YEAR EXTENSION is made on January 1, 2027, by and between the City of Jacksonville Beach, Florida ("City"), a municipal corporation organized and existing under the laws of the State of Florida, and Wingate Insurance Group d/b/a Abentras ("Abentras"). to extend the Agreement for Group Medical & Prescription Insurance and Benefits Broker Services provided by Abentras to the City.

WHEREAS, on June 15, 2020, RFP No. 02-1920 was awarded by the City Council to Abentras for the provision of Group Medical & Prescription Insurance and Benefits Broker Services provided by Abentras to the City (the "Agreement"); and

WHEREAS, the Agreement had an initial two-year term beginning January 1, 2021, with an option to extend the Agreement for two additional two-year periods; and

WHEREAS, on January 1, 2023, the parties entered into the First Two-Year Extension of Group Medical & Prescription Insurance and Benefits Broker Services, extending the term from January 1, 2023, through December 31, 2024; and

WHEREAS, on January 1, 2025, the parties entered into the Second Two-Year Extension of Group Medical & Prescription Insurance and Benefits Broker Services, extending the term from January 1, 2025, through December 31, 2026; and

WHEREAS, the parties mutually agree and desire to extend the Agreement for an additional one-year term.

NOW, THEREFORE, in consideration of the mutual covenants contained in this extension, the parties agree:

1. The Agreement is hereby extended for one additional one-year term commencing January 1, 2027, and expiring December 31, 2027.
2. All other conditions, requirements, and provisions of the specifications for RFP No. 02-1920 and the Agreement remain unchanged and in full force and effect.

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[SIGNATURES ON THE FOLLOWING PAGE]**

**ONE-YEAR EXTENSION OF THE GROUP MEDICAL & PRESCRIPTION INSURANCE AND BENEFITS
BROKER SERVICES AGREEMENT BETWEEN WINGATE INSURANCE GROUP D/B/A ABENTRAS
AND THE CITY OF JACKSONVILLE BEACH**

IN WITNESS WHEREOF, the parties have set their hands and seal on the day and year last written below.

CITY OF JACKSONVILLE BEACH

Christine Hoffman, Mayor

Michael Staffopoulos, City Manager

ATTEST:

Approved as to form and legal
sufficiency:

Molly Alleger, City Clerk

David Migut, City Attorney

Date Signed

WINGATE INSURANCE GROUP D/B/A ABENTRAS

(AFFIX CORPORATE SEAL)

Print Name

Title

Date Signed

ATTEST:

Print Name

Title

Date Signed

CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Alyson Riley, Events Coordinator
DATE:	September 14, 2026
SUBJECT:	Special Events Policy Revisions and Country Fest

BACKGROUND

Part A: Special Events Policy Revision

The Special Events Policy was last revised in November 2024. Staff intend to maintain the Policy as a living document, allowing for updates as needed to reflect evolving trends, operational needs, and emerging issues.

In summary, staff are collectively proposing the following revisions to the policy:

- A more detailed definition of permissible alcoholic beverages permitted at events. As well as prohibiting marijuana, CBD, hemp, THC, Kratom, and other intoxicating products.
- Inclusion of the Beaches Museum as a location approved for events, subject to the requirements of the Special Event Policy.
- A seven-day event restriction before and after Memorial Day, Independence Day, and Labor Day, in order to ease the burden on City resources.
- Updated requirements relating to events held on the beach, particularly relating to sea turtle nesting season.

A copy of the revised policy is attached, where underlined text indicates additions and strikethrough text indicates deletions.

Part B: Country Fest

The Jax Beach Country Fest has been a successful City-produced event for the past 3 years. The festival has continued to grow in both attendance and popularity each year.

As the event continues to grow, two factors may impact its long-term success: budget constraints and the potential for extreme weather conditions. The festival is currently limited to the month of June, which is the only remaining month available on the City's Special Events Calendar for festivals. Moving the festival to a cooler time of year could reduce weather-related risks and provide a more favorable environment for attendees and event operations.

The City may consider coproducing the Country Fest with an experienced event producer and moving the event to a cooler month. This could potentially reduce the City's financial and operational burden while allowing the festival to continue growing as a successful Jacksonville Beach event.

Jax Beach Festivals, Inc., has extensive experience producing successful music festivals in Jacksonville Beach, including the Springing the Blues Festival, which has been produced for approximately 35 years and is traditionally held during the first weekend in April. Jax Beach



Festivals, Inc., also produces the Seawalk Music Festival, historically held in February.

Jax Beach Festivals, Inc., is moving the Seawalk Music Festival to April as a replacement for Springing the Blues, which will be discontinued. This creates a potential opportunity to utilize the February calendar date for the Country Fest. The City had a previous association with Jax Beach Festivals, Inc., regarding Springing the Blues Festival. Re-establishing this association and utilizing the February special event calendar date could provide an opportunity to move the Country Fest to a cooler month while leveraging the experience and resources of an established event producer.

Section 2.02 A.4 of the City's Procurement Manual provides: "Waiver of Procurement Procedures. The City Council may waive formal procurement procedures outlined in this Manual for the procurement of specific goods, materials, equipment, or services if the City Council determines such a waiver to be in the best interest of the City, except when prohibited by law." If the City Council determines that pursuing a coproduced Country Fest with Jax Beach Festivals, Inc., is in the best interest of the City, Council may consider waiving the formal procurement procedures as permitted by the Procurement Manual and applicable law.

FINANCIAL IMPACT

COUNCIL DIRECTION REQUESTED

1. Part A: Special Events Policy Revision: Does the City Council agree with the proposed revisions to the Special Events Policy?
2. Part B: Country Fest: Does City Council wish to direct staff to pursue a coproduced Country Fest with Jax Beach Festivals, Inc., including consideration of moving the festival to the February special event calendar date?

ATTACHMENTS

1. SE Policy Revised 2026 Final

CITY OF JACKSONVILLE BEACH SPECIAL EVENT POLICY

Department of Parks and Recreation

Revised XXXX 2026



2508 South Beach Parkway
Jacksonville Beach, Florida 32250

CONTENTS

PURPOSE	1
CHAPTER 1. DEFINITIONS.....	1
1.01 DEFINITIONS	1
1.02 EVENT TYPES	3
CHAPTER 2. APPLICATION FOR SPECIAL EVENT	8
2.01 APPLICATION REQUIREMENTS.....	8
2.02 SCHEDULING	8
2.03 CONDITIONS FOR PERMIT	9
CHAPTER 3. DENIAL OF SPECIAL EVENT APPLICATION.....	10
CHAPTER 4. APPEAL OF DENIAL OF SPECIAL EVENT APPLICATION OR CANCELLATION OF SPECIAL EVENT PERMIT	11
CHAPTER 5. GENERAL POLICIES	11
CHAPTER 6. INSURANCE REQUIREMENTS	13
CHAPTER 7. FEES	14
CHAPTER 8. TIMELINE.....	16
APPENDIX 1: FACILITY RENTAL AREA.....	17
FACILITY RENTAL AREA MAP	18
APPENDIX 2: CO-SPONSORSHIP POLICY	19

PURPOSE

The purpose of this policy is to outline the requirements to hold a Special Event on the public property of the City of Jacksonville Beach, hereafter called the City. These requirements are intended to safeguard event participants and the public property belonging to the citizens of Jacksonville Beach. A Special Event is reasonably expected to require, for its safe and successful execution, the coordination of City services or the organization of the Special Event to a degree above that which the City provides under ordinary, everyday circumstances. City staff will maintain clear and transparent processes and procedures consistent with this policy.

CHAPTER 1. DEFINITIONS

1.01 DEFINITIONS

A. Alcohol. For the purposes of this policy, the words Alcohol and Alcoholic Beverage shall mean beer and/or wine-type beverages only and do *not* include mixed drinks containing beer, wine, liquor or other distilled spirits. Beer and wine-type beverages include beer, wine, cider, hard seltzers, flavored malt beverages, and other fermented alcoholic beverages that are not distilled spirits and are customarily authorized for sale under Florida beer and/or wine retail licenses, including products commonly sold in grocery stores. Distilled spirits means alcohol produced by distillation, including but not limited to vodka, rum, gin, whiskey, tequila, liquors, cordials, and mixed beverages containing distilled spirits, which are strictly prohibited.

Only beer and/or wine-type beverages may be sold, distributed, and/or consumed at Festivals. The sale, distribution or promotion of Marijuana, CBD, Hemp, THC, or Kratom products, including infused beverages, foods, edibles, oils, or topical products, as well as any other intoxicating beverage or food product, is strictly prohibited at all special events.

B. Certified Crowd Manager. The Certified Crowd Manager responsibilities include but are not limited to keeping entrances/exits clear, preventing overcrowding, assisting orderly evacuation during an emergency, and/or identifying attendees who may potentially cause problems. All Special Events with expected participation of over 500 individuals will be required to have at least one Certified Crowd Manager and the City reserves the right to determine the required number of Certified Crowd Managers based on the size and scope of the Special Event. Certification can be obtained through an online course at <https://crowdmanagers.com/>.

C. Event Producer/Event Co-Producer. Event Producer shall mean the person who is financially responsible for all fees, deposits, damages, or other charges for holding a Special Event in the City and is considered the applicant for the event. The Event Producer has the authority to make decisions regarding the Special Event, including cancellation of the Special Event due to weather conditions or for other reasons. The holder of the Alcoholic Beverage Temporary License/Permit shall be considered to be the Event Co- Producer of the Special Event and will be required to sign the Special Event Permit.

The Event Producer serves as the point of contact for inquiries and issues that need to be resolved. It is a requirement that the Event Producer is present for the permit meeting as well as the site walkthroughs, both prior to and after the Special Event.

D. Facility Rental Area. The Facility Rental Areas are defined as the Sea Walk Pavilion, Latham Plaza, and the municipal parking lot as outlined in Appendix 1.

- E. Festival.** Festival shall mean an event held at the Facility Rental Area which includes alcohol sales, distribution, and/or consumption and will exceed four hours in duration. It is the intention of the City not to allow an event that includes the sale, distribution and/or consumption of alcohol if the event is less than four hours in length. However, an event that provides alcohol for consumption as an ancillary supplement, might not be classified a Festival. For example, a run/race that offers beer to runners at the completion of the run is not classified a Festival or Special Event. Special Events where alcohol is an ancillary supplement, are subject to the same requirements outlined under paragraphs 1 and 2 in Section 1.02 (D).
- F. Special Event.** Special Event shall mean any preplanned meeting, activity, parade, or gathering of a group of persons, animals, or vehicles, or a combination thereof, having a common purpose to be held at the Facility Rental Area, or on the beach proper, or in the ocean. The term Special Event includes, but is not limited to, Festivals (as defined below), fundraisers, exhibitions, musical performances, races, parades, walks/runs, athletic events, fairs, and markets, etc.

Except for the Beaches Museum, the City does not permit allow non-City produced Special Events, Festivals or publicly promoted gatherings on any other public property. Events held at the Beaches Museum are subject to all the conditions and requirements of this policy. The current Tenant of the Beaches Museum property must be an applicant or co-applicant for all special events on this property.

Unauthorized events include any events or gatherings that are publicly promoted and have not successfully completed the Special Events application process.

Unauthorized or unpermitted events held on City property shall be subject to law enforcement action as authorized by Florida Statutes, including but not limited, to §§316.1891 and 877.03, F.S.

No Special Event shall utilize the Latham Municipal Parking Lot during paid parking season. Approved exceptions are: Springing the Blues, Opening of the Beaches Parade, Oktoberfest, and the Air Show.

Special Events, other than Festivals, may be held between the hours of 6:00 AM and 10:00 PM. Sound levels at all Special Events must comply with the City's noise ordinance. The length of a Special Event, which is not a Festival, is limited to two consecutive days.

- G. Special Event Committee.** The Special Event Committee, whose members are appointed by the City Manager, is responsible for reviewing and approving each application to hold a Special Event. The Special Event Committee is comprised of the following individuals or their designees: Parks and Recreation Director as Chairperson; Special Events Coordinator; Police Chief; Fire Marshal; Director of Public Works; JFRD Special Events Coordinator; and Ocean Rescue Supervisor. The Special Event Committee meets with each Event Producer after an application has been submitted and reviews logistics and planning for the Special Event's successful production.
- H. Special Event Permit.** A Special Event Permit is a permit issued after all requirements are met by the Event Producer and all applicable advance fees are paid. The Special Event Permit will cover the Event Producer and their selected vendors. A Special Event Permit must be issued for each Special Event. Additional permits and licenses may be required for tents, alcohol, outside vendors, signs, banners, electricity, and miscellaneous construction. No

person shall engage in, participate in, aid, form, or start any Special Event unless a Special Event Permit has been obtained from the Special Event Committee. Once a Special Event Permit is issued it is non-transferable to any other persons or entities.

1.02 EVENT TYPES

Non-City produced events are not allowed on a City-recognized holiday.

The City will not approve a non-City produced Special Event or Festival seven days prior to, or seven days after the following holidays:

- Memorial Day
- 4th of July
- Labor Day

The City will not approve a non-City produced Special Event or Festival on a weekend **immediately preceding or immediately following** all other City-recognized holidays. For example, if the holiday is on a Friday, no event can be scheduled for the Saturday or Sunday after the holiday. If the holiday is on a Monday, no event can be scheduled for the Saturday or Sunday prior to the holiday. This paragraph applies to the following City-recognized holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Juneteenth
- Veteran's Day
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Eve
- Christmas Day

~~The City will not approve a non-City produced Special Event or Festival on a City-recognized holiday or on a weekend adjacent to a City-recognized holiday. City recognized holidays are:~~

- ~~1) New Year's Day~~
- ~~2) Martin Luther King Day~~
- ~~3) President's Day~~
- ~~4) Memorial Day~~
- ~~5) Juneteenth~~
- ~~6) 4th of July~~
- ~~7) Labor Day~~
- ~~8) Veteran's Day~~
- ~~9) Thanksgiving Day~~
- ~~10) Friday after Thanksgiving Day~~
- ~~11) Christmas Eve~~
- ~~12) Christmas Day~~

~~No Special Event may be scheduled seven days prior to, or seven days after the 4th of July holiday in any year.~~

It is the intent of the City to prioritize Special Events in the order in which they are listed below.

- A. City-produced Events.** City-produced Events are Special Events produced and managed by the City and authorized by City Council each year. The City Manager is authorized to reschedule a City-produced Event if the need presents itself. City-produced Events may be held on holidays or on a weekend before or after a holiday.
- B. Co-sponsored Events.** Co-sponsored Events are Special Events that are planned and conducted by an outside nonprofit organization with the assistance of City staff time, equipment, public safety services, and/or the use of facilities. The nonprofit organization must provide a notarized income statement and balance sheet which provide sufficient detail to demonstrate the sources and uses of revenue generated by the Special Event. Co-sponsored Events shall not allow the sale, distribution, or consumption of Alcohol. Co-sponsored Events may be held on holiday or holiday adjacent weekends. To qualify, nonprofit organizations must meet the requirements of the Co-Sponsorship Policy and fill out a separate application for review and approval. See Appendix 2 Co-Sponsorship Policy.

C. Beach/Ocean Events.

1. Beach/Ocean Events are Special Events which take place in whole or in part on the beach proper or in the ocean. This includes, but is not limited to, athletic events such as soccer tournaments, volleyball tournaments, surf contests, obstacle courses, walks/runs/swims, etc. Beach/Ocean Events require the same permit process and authorization as any other Special Event as defined in Section 1.01 paragraph A. Event Producers are encouraged to monitor high and low tide timetables and to schedule beach events during low tide when possible.
2. Beach/Ocean Events are also subject to the conditions and restrictions outlined by the Florida Department of Environmental Protection (FDEP) Requirements for Special Events Located Seaward of the Coastal Construction Control Line. The City's current FDEP Blanket Field Permit will cover normal FDEP Field Permit requirements and is authorized to permit Special Events that meet its requirements. Should the Special Events Committee determine that additional permitting is required, the applicant will be required to contact the FDEP or other State agency or organization at 904-256-1700 for additional approval or information regarding Beaches and Shores Field Permits for special events.
3. The Ocean Rescue Supervisor may determine if Ocean Rescue services are required depending on the scope of the Beach/Ocean Event. The Ocean Rescue Supervisor or his/her designee has the authority to cancel or suspend an event based on dangerous conditions or any other safety concerns. Athletic camps must register through the City Clerk's Office and receive a permit from the City Clerk's Office.
4. Sea Turtle Nesting Season: Sea Turtle Nesting season is May 1 through October 31 and requires additional restrictions during this time, including but not limited to, usage of lights and placement of structures on the beach proper. There are special prohibitions and restrictions during this time for most activities located seaward of the CCCL and seaward of the dune crest. The following conditions are required for special events for the protection of marine turtles during the marine turtle nesting season:
 - a. It is the responsibility of the Event Producer to ensure that the event area and access sites are surveyed daily for marine turtle nesting activity and all nests occurring in the project area are marked for protection. The Event Producer must arrange for a Marine Turtle Permit Holder who is duly authorized to conduct activities on the beach through

- valid permit issued by the Florida Fish and Wildlife Conservation Commission (FWC) to conduct all nesting surveys and nest protection work. (Call FWC at (850) 922-4330 or email marineturtle@myfwc.com for information on sea turtle nesting surveys.
- b. Nest surveys shall be conducted daily between sunrise and 9 a.m. during sea turtle nesting season. No activity shall occur in any location prior to completion of the necessary sea turtle nest survey and protection measures.
 - c. Nests deposited within the event area shall be marked and left in place unless natural factors threaten the success of the nest. Any nests left in the vent area shall be clearly marked and the actual location of the clutch determined. A circle with a radius of ten (10) feet, centered on the clutch, shall be marked by stake and survey tape or string. No activities shall enter this circle and no adjacent activities shall be allowed which might directly or indirectly disturb the area within the staked circle. No structures or materials which could impede the progress of turtle hatchlings may remain seaward of a nest overnight.
 - d. In the event an unmarked sea turtle nest is exposed, dead, injured, or sick sea turtle is discovered during the event, the Marine Turtle Permit Holder shall be notified immediately such that appropriate conservation measures can be taken.
 - e. During sea turtle nesting season, special events may be limited to less than 500 people.
 - f. No activity associated with the event shall take place on the beach prior to the early morning survey or after 9:00 p.m.
 - g. Events are authorized for a maximum of 3 days including set up and breakdown. All temporary structures, equipment, and supplies shall be removed from the beach by sunset on the final day of the event. No storage of equipment or supplies is permitted in the dunes or dune vegetation before, during, or after the event.
 - h. Set-up must not begin until the area has been cleared by Sea Turtle Patrol, and the Marine Turtle Permit Holder. Event items may only be placed on the beach between 9:00 a.m. and 7:30 p.m.
 - i. No temporary structures shall be placed within 25 feet of a marked sea turtle nest. If a new nest occurs within the buffer zone during the course of a special event, the facility shall be moved, if practicable, to maintain the required buffer. If the facility cannot be moved, additional protective barriers (e.g. fencing) shall be placed around the nest in consultation with the Marine Turtle Permit Holder.
 - j. All structures proposed to be constructed in marine turtle nesting habitat and left out overnight shall have three (3) feet of vertical clearance beneath them, at least seven (7) feet of horizontal clearance between the supports where they meet the beach, and shall be located as far landward as possible. Tent walls shall be rolled up to provide three (3) feet minimum clearance. No floors are authorized. Any structures or materials not meeting these criteria must be removed by sundown each day. All staging and storage of event equipment and materials shall be off the beach.
 - k. The total surface area covered by all temporary structures, including tents, platforms, and bleachers cannot exceed 300 square feet.
 - l. No lighting associated with the event is authorized after 9 p.m.

- m. Vehicles used for special events shall be restricted to event set-up and break-down, are restricted to existing vehicular beach access points, and shall not be operated on or across dunes or dune vegetation.
 - n. No excavation of sand landward of the mean high-water line is permitted. Any temporary minor disturbances in the sand (including ruts, depressions, holes, or mounds) shall be filled in and raked smooth with hand tools each evening.
- 5. Any Special Event that takes place in the ocean must be at least 300 feet away from the North or South side of the fishing pier.
 - 6. Coordination with the Jacksonville Beach Ocean Rescue Supervisor, or his/her designee, must take place to ensure the success of these Special Events. The Supervisor's guidance is required to ensure safety.
 - 7. Rental fees and security deposits are required for Special Events held on the beach.
 - 8. If there is an unauthorized and unpermitted Special Event on the beach, the City Manager or designee shall have the authority to cancel and suspend said Special Event.
 - 9. Surf camps, volleyball camps, fitness camps or other authorized business activities that are not defined as a special event require a business tax license issued by the City Clerk's Office. These beach activities are governed by Chapter 6 Section 6-5 of the City's Code of Ordinances.
- D. Festivals.** A Festival is a Special Event held at the Facility Rental Area that includes alcohol sales, distribution, and/or consumption as described in Section 1.01 A.

Before issuance of a Special Event Permit, the Event Producer must secure a required State Temporary License/Permit for the sale of alcoholic beverages from the Department of Business and Professional Regulation and secure liquor liability insurance in the amount of two million dollars (\$2,000,000). Event Producers must obtain the alcohol license through the City's Planning & Development Department.

A copy of all state temporary alcoholic beverage permits and alcohol insurance must be provided to the Parks & Recreation Department 20 calendar days before the Special Event. The person or entity who holds the temporary alcohol permit must submit their most recent IRS 990 form with their Special Event Application.

The number of alcohol permits per entity that may be approved by the City are limited by the Code of Ordinances, Chapter 4 sec.4-2(a). Event Producers must obtain the alcohol license through Planning & Development.

1. Alcohol Requirements and Distribution:

- a. The entire area where alcoholic beverages will be sold, distributed, and/or consumed must be defined and fenced and clearly marked with signs stating "No alcohol beyond this point". The Fire Marshal will set the required number of entrances and exits based on the size and scope of the Special Event.
- b. Jacksonville Beach Police Department presence is required for any and all Festivals. The number of officers required will be determined by the Chief of Police or his/her

designee, based on, but not limited to, the number of entrances and exits to the designated alcohol area, as well as the size and scope of the Special Event. Additional police presence may be requested with an “extra duty officer form” and must be submitted with the Special Event application.

- c. Regardless of Jacksonville Beach Police Department presence, it is the responsibility of the Event Producer to ensure all participants meet the minimum drinking age requirements.
 - d. All additional charges for extra duty police officers will be the responsibility of the Event Producer and shall be paid directly to the Jacksonville Beach Police Department.
 - e. The following sales and/or promotions are **prohibited**:
 - “All you can drink” events
 - “Unlimited alcohol” with any kind of ticket or wristband purchase.
 - “Buy one, get one free” sales
 - Using alcohol as an inducement to purchase a ticket into a VIP or paid priority seating area
 - f. Cup sizes are limited to a maximum of 16 ounces.
 - g. Last call for alcohol announcements must be made no later than 30 minutes prior to the end of the Special Event. During the last-call time period, all alcohol sales are limited to one drink per person. Alcohol sales are required to cease no later than 15 minutes prior to the end of the Special Event. All last-call activities will be monitored and enforced by the Jacksonville Beach Police Department.
2. **Liquor Liability:** If Alcoholic Beverages are being sold, distributed, or consumed at a Festival or Special Event, the Event Producer must provide the City with a Liquor Liability Endorsement or a separate insurance policy in the amount of two million dollars (\$2,000,000). A copy of the Certificate of Insurance must be provided to the Parks & Recreation Department naming the City as Additional Insured.
3. **Length and frequency of Festivals:** Only one Festival may be held per month. The total number of Festivals per calendar year is limited to 10. Festivals occurring in October through February may be two consecutive days; Festivals occurring in March through September may be one day in length. Approved exceptions are: Florida Fin Fest, which may be two days in duration; Springing the Blues and the Air Show which may be three consecutive days. In years that the City of Jacksonville Beach hosts the Air Show, no additional Festival may be held on either the weekend prior to the Air Show or on the weekend following the Air Show.

Festival hours are restricted to:

Fridays: 5:00PM until 10:00PM
Saturdays: 12:00PM until 10:00PM
Sundays: 12:00PM until 8:00PM

CHAPTER 2. APPLICATION FOR SPECIAL EVENT

2.01 APPLICATION REQUIREMENTS

- A. Any person, firm, corporation, or business, either for profit or not-for-profit, seeking to conduct a Special Event in the City for which a Special Event Permit is required shall file an application for a Special Event Permit using the application form and instructions published by the City. A completed Special Event Application must be received no later than 90 calendar days before the date of the event and no earlier than 365 calendar days before the date of the event. **Submission of an application does not constitute issuance of a permit.**
- B. No person, organization, firm or corporation shall conduct, participate in, advertise for or in any way promote, organize, control, manage, solicit or induce participation in a Special Event unless a Special Event Permit has first been obtained from the City.
- C. To secure a Special Event Permit, the Event Producer must meet all stipulations and any requirements specified at the Special Events Committee meeting, if one is held, and is responsible for obtaining all required local and state permits and licenses.
- D. The Event Producer must submit the advance fees to the Special Events Coordinator not less than 45 calendar days before the date of the Special Event.
- E. The Event Producer must submit a copy of all required permits, temporary licenses, and insurance certificates, if applicable, to the Special Events Coordinator not less than 20 calendar days before the date of the Special Event.
- F. If all stipulations, requirements, and timeline due dates are met by the Event Producer, and there are no conflicting Special Event dates on the calendar, and if all required permits, temporary licenses, insurance certificates, if applicable, security deposit and advance fees are received from the Event Producer, the Parks & Recreation Director or designee may issue the Special Event Permit not less than 10 calendar days prior to the Special Event date. The Special Event Permit may be issued earlier than 10 calendar days prior to the event date provided all conditions have been met.

2.02 SCHEDULING

- A. The Special Event calendar is managed within the Parks and Recreation Department. The City reserves the right to limit the number of Special Events during each calendar year. Factors that are considered when scheduling include but are not limited to: size and scope of the Special Event; infrastructure and City staff available to support the Special Event; potential conflicts with other Special Events or park users, degree of impact on the park and surrounding neighborhood; and Event Producer's plan to manage the Special Event.
- B. First right of refusal goes to annual Special Events that have taken place at least five consecutive years. If an applicant submits an application for a Special Event or Festival in which an annual Special Event has occurred at least five consecutive years or longer, the annual Event Producer will be notified, and has five business days to submit an application and deposit to hold that date, or rights are forfeited. First right of refusal is forfeited and restarts if an event is canceled by the Event Producer without sufficient cause, excluding safety related reasons.

- C. First right of refusal does not apply to events that do not meet the consecutive years requirement. If multiple applications are received for the same event date, the approved application will go to the first Event Producer to submit a completed application along with the required deposit fee.
- D. All applications shall be received by the Special Events Coordinator who, upon receipt, will review the details of the Special Event, address any concerns, and determine if it is appropriate to move forward with a Special Event Committee meeting.
- E. Prior to approval of the application, the Event Producer must make any requested adjustments as recommended by the Special Event Committee and remit the required deposit in order to secure the requested event dates. Failure to comply may result in denial of the application.

2.03 CONDITIONS FOR PERMIT

- A. All activities conducted as part of a Special Event are required to comply with the provisions of all City Code of Ordinances, the Special Event Policy, State and federal law, and the Americans with Disabilities Act (ADA) requirements and guidelines. Specific Code of Ordinances affecting Special Events include, but are not limited to: [Chapter 4, Alcoholic Beverages](#); [Chapter 18, Noise](#); [Chapter 19.5, Special Events and Festivals](#); [Chapter 20, Parks and Recreation](#); and [Chapter 34, Land Development Code](#). The ADA National Network also offers a [guide](#) to making Special Events accessible to people with disabilities.
 - 1. An Event Producer holding a Special Event Permit must abide by all policies, procedures, and stipulations outlined in the Special Event Permit. Non-compliance may result in the event being canceled or shut down.
 - 2. An Event Producer who does not comply with the City's Code of Ordinances, Special Event Policy, ADA requirements and guidelines, or the conditions outlined in a Special Event Permit, and who does not pay all event fees and charges on time, shall forfeit the right to produce future events for the succeeding 2 years.
- B. The public area utilized shall be cleaned immediately following any Special Event and in all respects restored to its former condition within 24 hours after the Special Event, or such other period as fixed by written agreement or the Special Event Permit. A refundable security deposit may be required, to ensure that any damage is repaired and the premises returned to its previous condition.
- C. A Special Event Permit holder shall indemnify and hold the City harmless from any and all claims, suits, actions, damages or causes of action arising as a result of the special event or of the condition of the premises on which the special event is held, including those arising during the event itself, and those arising during its preparation and removal before and after the event, for any personal injury or loss of life, or damage to or loss of property, and from and against any orders, judgments, or decrees which may be entered thereon, and from and against any costs and attorneys' fees incurred in and about the defense of any such claims, and the investigation thereof.
- D. All permits necessary to conduct the Special Event shall be obtained and copies thereof provided to the City not less than 20 days prior to the first day of the Special Event, unless a shorter time period is agreed to by the City. Copies of all permits shall be on-site during the entire Special Event, including set up and break down periods.

- E. Event Producers may be required to provide a vehicle mitigation plan or a barricade system for the protection of event attendees. In such event, the City will provide notice of what will specifically be required.**

CHAPTER 3. DENIAL OF SPECIAL EVENT APPLICATION

The Special Event Committee may reject an application for reasons including, but not limited to the following:

- A. The City reserves the discretion right to deny any application for a Special Event Permit at its own discretion.**
- B. The proposed Special Event would negatively impact the Facility Rental Area and/or landscaping and grounds.**
- C. The proposed Special Event would produce unsanitary conditions or harm the environment.**
- D. The proposed Special Event is of such size and scope to potentially surpass the City's ability to provide services or its ability to ensure the safety of the public or property, or the City is unable to provide the services required by the applicant to conduct the Special Event due to budgetary or staffing constraints.**
- E. The proposed Special Event and/or Event Producer is in violation of or has previously violated the City's Code of Ordinances, Special Event Policy, Special Event Permit requirements, or ADA requirements and guidelines; or fees and charges as outlined in the Fee Schedule Resolution were not paid within the designated timeframes.**
- F. After-action reports completed by City staff following a Special Event previously produced by the applicant indicate that the Event Producer created unsafe conditions, or failed to correct event problems identified by City representatives at any time.**
- G. The submission of false or inaccurate information in the Special Event Permit application, or failure to provide all information and documentation required by this policy, or failure to obtain all necessary permits, or failure to make payment of fees or charges, shall be cause for denial of the Special Event application.**
- H. The Special Event application was not timely submitted, or the Special Event request (including any required attachments and submissions) was not fully completed and executed.**
- I. The Event Producer is financially indebted to the City or to a partner agency.**
- J. The Event Producer has not timely tendered the security deposit, permit fee or certificate of insurance.**
- K. The Event Producer's prior Special Event created a burden on traffic, or neighborhood parking issues; or noise issues; or impacted on City services; or resulted in multiple or excessive citizen complaints.**
- L. A special event reservation request for the same time and place has been received, and a special event permit has or will be granted to the prior applicant.**
- M. The Special Event Committee may rely on other information, such as references from other**

agencies where the Special Event was held, to determine approval or denial of Special Event applications.

CHAPTER 4. APPEAL OF DENIAL OF SPECIAL EVENT APPLICATION OR CANCELLATION OF SPECIAL EVENT PERMIT

- A.** The City of Jacksonville Beach will not be responsible for any economic loss or damage resulting from denial of a Special Event request, or cancellation of a Special Event Permit.
- B.** Except as otherwise provided herein, an appeal of the decision of the Special Event Committee regarding a permit application shall be submitted to the City Manager for consideration. The City Manager has the authority to deny or cancel a Special Event Permit for violations of the Special Event Policy or Special Event Permit or for failure to meet the requirements specified in either. The City Manager's decision to deny a Special Event Permit application will be final.

CHAPTER 5. GENERAL POLICIES

- A.** If any item under CHAPTER 5: GENERAL POLICES is violated, it may result in permit revocation or cancellation. These items are subject to police enforcement and may render the Special Event Permit null and void, thus cancelling the Special Event and possibly causing forfeiture of the opportunity to produce future Special Events. The Special Event may be shut down at the City Manager's discretion.
- B.** Site Walkthroughs: Site walkthroughs are mandatory for Event Producers to attend. Site Walkthroughs are intended to determine if there are any issues with the hardscapes prior to the event, to inspect the facilities, and to return the keys to the facility post-Special Event.
- C.** Banners and Promotional Materials: Advertising with banners and promotional materials are strictly prohibited until the date(s) and time(s) of said Special Event are approved in writing. Street banners may be requested through the Parks & Recreation Department and will have an associated cost of \$50.00 per banner.
- D.** Portable Restrooms: The required number of portable restrooms will be determined by the Special Event Committee based on the number of expected participants. 5%, and no less than one of all portable toilets in each grouping of toilets must be ADA compliant per Special Event. Portable restrooms must be removed within 24 hours of the conclusion of the Special Event. All fees for portable restrooms are the responsibility of the Event Producer.
- E.** Trash Removal: The Event Producer shall pay for dumpsters and receptacles as required and is responsible for removal of all waste from the Facility Rental Area. The number of dumpsters will be determined by the Special Event Committee based on the size and scope of the Special Event. The Event Producer will be responsible for any additional special maintenance services required.
- F.** Food and Beverage Vendors: All precautions must be made to prevent food, debris, and grease from entering into the City's stormwater system. The Event Producer is responsible for ensuring that food vendors containerize all cooking materials, especially grease, and that any and all by-products are disposed of properly and removed from the City's premises. Food and/or beverage vendors may not use glass or glass containers and must serve all beverages in a plastic or paper cup. All tents and vendors are subject to inspection by the Fire Marshal per the Florida Fire Prevention Code.

- G. Emergency Medical Service Requirements: Per City of Jacksonville and Jacksonville Fire and Rescue Department requirements, EMS services and associated fees are required to carry out Special Events with an expected crowd size larger than 500 participants and may be required for smaller Special Events based on the scope of the Special Event. The requirement increases incrementally per every additional 500 participants. All fees will be charged by and paid to the City of Jacksonville separate from the City of Jacksonville Beach.
- H. Ticket Sales: No Special Event will be considered that requires paid admission. Paid priority seating is allowed only in the SeaWalk Pavilion as long as at least one half (50%) of the SeaWalk Pavilion Lawn is open and free to the general public. Latham Plaza must remain free and open to the public.
- I. Noise Ordinance: Sound levels at all Special Events must conform to the City's noise ordinance and are the responsibility of the Event Producer. The City Manager or his/her designee may, at his/her sole discretion, establish a lower maximum noise level based on the location or other relevant circumstances relating to the specific Special Event or noisemaking device.
- J. Animals Prohibited: Except for service animals, animals are prohibited from Special Events unless specifically authorized by permission of the City Manager. An Event Producer may need to modify their policies regarding service animals. A service animal is a dog (or, in some cases, a miniature horse) that assists a person with a disability in performing one or more tasks related to their disability. Although Special Events have a "no pets" policy, a service animal is not a pet and must be allowed into any part of the Special Event that its handler is allowed to attend. By law, Special Event staff may only ask two questions of a service animal handler: 1) is this a service animal that is needed for the person's disability?; and 2) what task(s) is the animal trained to perform? Service animals must be housebroken and under the control of their handler at all times.

Emotional support animals, comfort animals, and therapy dogs are *not* service animals under Titles II and III of the ADA because they have not been trained to perform a specific task like a service animal.

Event Producers must ensure that accessible routes to all activities and amenities, registration, customer services counters, booths, signage, and portable restrooms comply with the ADA requirements and guidelines.

- K. Personal Property: All personal property must be removed from the premises by the final Site Walkthrough. Any property remaining will be deemed abandoned and will be removed by the City. The Event Producer will be billed if there are any fees associated with removal.
- L. Road Closure: The standard road closure area is 1st Street North between 1st Avenue North and the North entrance to the municipal parking lot, which will be required for all Special Events that occupy both the SeaWalk Pavilion and Latham Plaza. All additional road closures for Special Events will be determined by the Police Department and Fire Marshal. The Police Department will not permit road closures adjacent to commercial businesses unless necessary for public safety.
- M. Letter of Understanding (LOU): Organized activities such as beach clean-ups, or motion picture filming that will take place on a public street or area within the boundaries of the City, but not in the Facility Rental Area, shall require a Letter of Understanding from the City. All requests

must be made in writing to the Parks & Recreation Department at least 30 days prior to the Event activity.

- N. City employees, sitting members on the City Council or any City boards or agencies, or any immediate family members shall not have financial involvement in any Festival or Special Event and all public officials are expected to comply with the State of Florida's Code of Ethics.
- O. A Special Event Permit may be revoked by the City Manager or designee if conditions during the Special Event set-up or during the Special Event result in safety hazards or citations, or if the Event Producer or vendors fail to correct conditions identified by the City.
- P. If there are dangerous weather conditions, including lightning within five miles of the Facility Rental Area, the Special Event will be suspended. The Special Event may resume after a waiting period of 30 minutes with no additional lightning. Dangerous weather conditions will be determined by the City as a matter of public safety and will be communicated to the Event Producer.
- Q. Any unauthorized vehicles on the beach or on the boardwalk shall constitute noncompliance with the Special Event Policy and may render the Special Event Permit null and void, thus cancelling the Special Event and possibly causing forfeiture of the opportunity to produce future Special Events.
- R. Obscene, indecent, and profane content is prohibited from being used in all music, performances, and announcements made during a Special Event. Failure to comply with this requirement may result in cancellation of the Special Event and may cause forfeiture of the opportunity to produce future Special Events.

Obscene content does not have protection by the First Amendment. For content to be ruled obscene, it must meet a three-pronged test established by the Supreme Court: 1) It must appeal to an average person's prurient interest; 2) depict or describe sexual conduct in a "patently offensive" way; and 3) taken as a whole, lack serious literary, artistic, political or scientific value.

Indecent content portrays sexual or excretory organs or activities in a way that is patently offensive but does not meet the three-prong test for obscenity.

Profane content includes "grossly offensive" language that is considered a public nuisance.

- S. After-Action Reports shall be kept for all Special Events. The Special Event Committee will rely on the After-Action Reports to determine approval or denial of Special Event applications in succeeding years.
- T. Smoking: Smoking is prohibited at Special Events.

CHAPTER 6. INSURANCE REQUIREMENTS

- A. The City requires the Event Producer to provide the City with proof of Commercial General Liability Insurance coverage in the minimum amount of two million dollars (\$2,000,000).
 - 1. The policy must provide coverage for general aggregate liability losses, personal and advertising injury, fire damage, medical expenses, and additional coverage for volunteer coverage, spectator liability, etc.

2. The coverage shall be written on a “per occurrence” basis and shall be inclusive of “setup and tear down” dates.
 3. The City of Jacksonville Beach must be named as Additional Insured.
 4. Proof of insurance shall be in the form of a standard Accord Certificate of Insurance written by a licensed insurer acceptable to the City.
- B. Automobile Liability - Driving on the Beach.** For all Event Producers and their representatives who wish to drive on the beach to set up or tear down for Special Events, the following automobile liability insurance is required:
1. The Event Producer must provide automobile liability insurance in the amount of two million dollars (\$2,000,000) combined single limit or two million dollars (\$2,000,000) per person bodily injury liability insurance in addition to general liability insurance.
 2. The City of Jacksonville Beach must be named as Additional Insured. Certificates of Insurance must be submitted to the City within 20 calendar days of the Special Event;
 - a. If the vehicle is not personally owned, then “Hired Autos” and “Non-owned autos” insurance is required. This type of insurance is reflected in the automobile liability section of the insurance certificate;
 - b. If the vehicle is titled and registered in the name of the organization, then “All Owned Autos” insurance is required. This type of insurance is reflected in the automobile liability section of the insurance certificate.
 3. In the “Description” section of the certificate, indicate the make, model, year, and VIN of each vehicle and trailer which will be accessing the beach. Only those vehicles listed on the policy may be driven on the beach and approved in the permit.
 4. Event Producers must obtain a beach driving permit that requires successful completion of beach driving classes provided by our Ocean Rescue Division.

CHAPTER 7. FEES

- A.** Fees and charges for Special Events are established and periodically adjusted by a resolution approved by the Jacksonville Beach City Council. All Special Event fees are intended primarily to offset the cost to the City resulting from such Special Events; therefore, except for City-produced, Co-sponsored, or contracted Special Events, the City does not waive Special Event fees for facility rentals, permits, licenses, or any other charges for City services. Any Event Producer requesting to hold a Special Event on City property or facilities must pay all required fees within the time frame designated.
- B.** The Event Producer is responsible for any and all costs for City services as determined by the City.
- C.** An Event Producer requesting to hold a Special Event on City property or facilities must pay the security deposit and all required Special Event fees prior to the issuance of the Special Event Permit. The security deposit may be utilized to pay for City staff, cleanup, maintenance, or repair if the site is not in a condition satisfactory to the City’s representative within 48 hours

after the post-event inspection, unless extenuating circumstances exist and are agreed upon by City staff at the post-event Site Walkthrough.

- D.** All fees, such as facility rental fees, security deposits, administrative fees, and banner fees must be paid for and presented to the City not less than 45 calendar days in advance of the Special Event.
- E.** All required permits and temporary licenses, if applicable, must be paid and provided to the City not less than 20 calendar days in advance of the Special Event.
- F.** All other fees (e.g., personnel costs, damage compensation, etc.) due to the City must be paid within 15 calendar days after the Special Event.
- G.** The security deposit may also be used to pay for any other Special Event-related fees that remain outstanding 15 calendar days after the Special Event.
- H.** The entire deposit will be refunded within 30 days after the Special Event, providing the deposit had been paid on time and the application had complied with all conditions contained in the Special Event Permit.

CHAPTER 8. TIMELINE

Calendar Days	Action Item	Reference
90 days prior to Event date	Event Producer must complete application and supporting documentation. Submit to the Parks & Recreation Department.	Section 2.01 A
60 days prior to the Event date	Special Event Committee meeting with the Event Producer. Deposit payment required.	
45 days prior to the Event date	Final payment due (Event Producer)	Section 2.01 D
20 days prior to Event date	All additional permits and insurance documents due (Event Producer)	Section 2.01 E
15 days prior to Event date	Event Producer must notify local businesses affected by road closures; complete beach driver training course, if applicable	
10 days prior to Event date	The City will issue the final, signed Special Event Permit	Section 2.01 F
Event date		
15 days post Event date	All other applicable fees due (damage or cost incurred by the City for cleaning). The City will then issue the deposit refund.	

APPENDIX 1: FACILITY RENTAL AREA

FACILITY RENTAL AREA AND AREAS WHERE ALCOHOL MAY BE SOLD, DISTRIBUTED, AND/OR CONSUMED

The following map defines: 1) Facility Rental and Road Closure Area; and 2) areas approved for the sale, distribution, and/or consumption of alcoholic beverages.

A. Facility Rental Area A

1. The SeaWalk lawn area extends from the east side of 1st Street to the west side of the SeaWalk [boardwalk], and from the outer edge of the stage to the south side of the lawn.
2. No more than 50 percent of the SeaWalk lawn area shall be designated for paid, priority seating. If fenced, the fencing will be erected along the north side of the most northern of the two 10-foot paved walkways in the middle of the SeaWalk lawn. Nothing shall be erected around the paid, priority seating area that would obstruct the view of any spectators at the festival. If anything is found to obstruct the view of spectators outside the paid, priority seating area, the producer will be required to remove it.
3. At least one-half of Area A must remain open and free to the general public.
4. Alcohol may be sold, distributed, and/or consumed in this area when the required fencing is in place.

B. Facility Rental Area B

1. The Latham Plaza area extends from the west side of 1st Street to the east side of 2nd Street, and from the north side of the sidewalk on 1st Avenue North to the south side of the paver walkway located next to the north side of the Latham Plaza Parking Lot.
2. Alcohol may be sold, distributed and/or consumed in this area when the required fencing is in place.

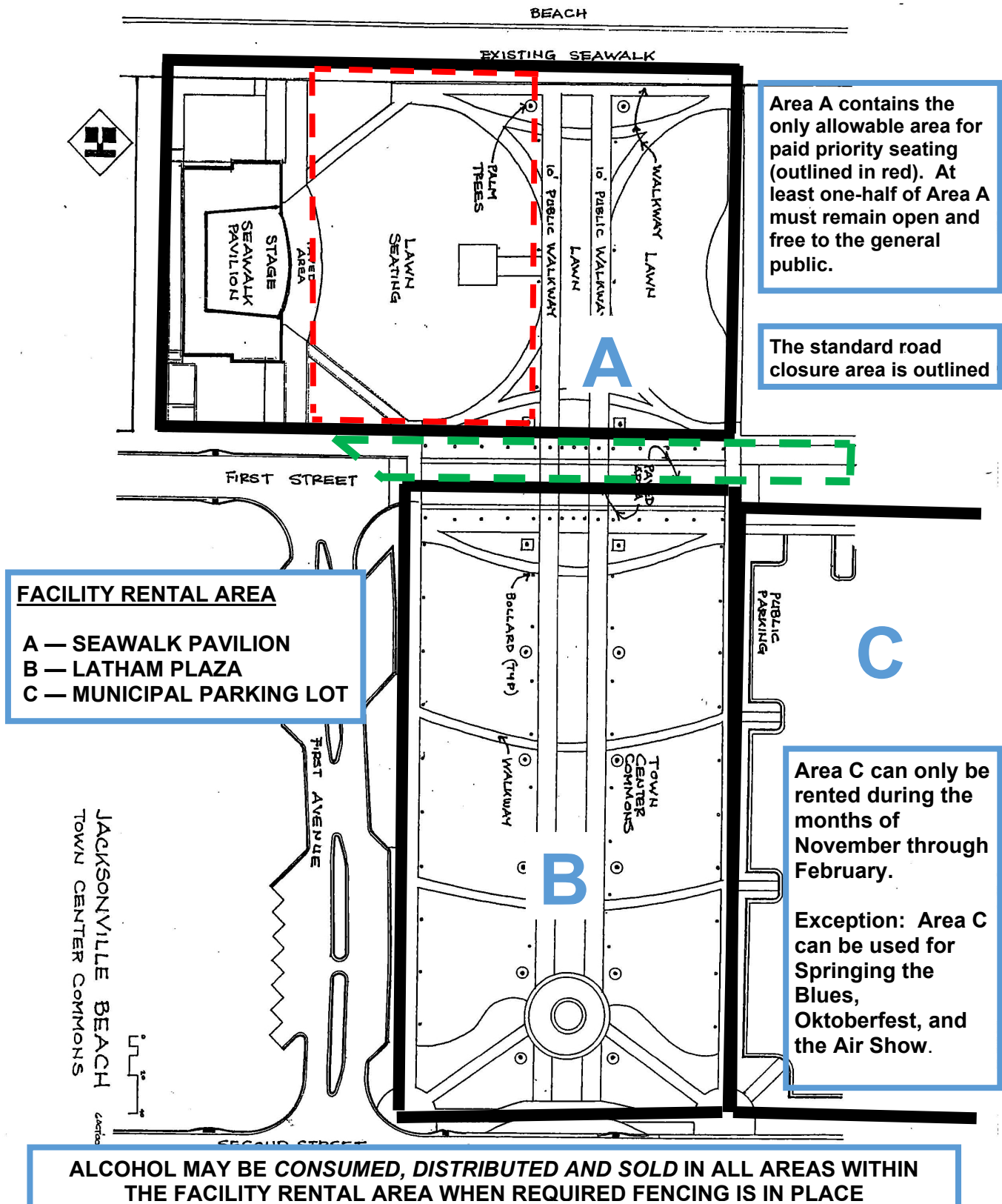
C. Facility Rental Area C

1. Area C can only be rented during the months of October through February.
2. Exception: Area C can be used for Springing the Blues, Oktoberfest and the Air Show.

D. Road Closure Area

1. The standard road closure area is between the SeaWalk Pavilion and Latham Plaza - 1st Street North at 1st Avenue North, and 1st Street North northeast corner of Latham Parking lot and north of the Hotel's north parking lot entrance/exit.
2. Additional road closures will be determined by the Police Department.

FACILITY RENTAL AREA MAP



APPENDIX 2: CO-SPONSORSHIP POLICY

The City of Jacksonville Beach offers limited use of certain resources to organizations that apply for and meet the guidelines for co-sponsorship. The City has established a process and criteria to determine co-sponsorship eligibility and defines requirements, terms, and levels of support.

A co-sponsored event is defined as an event that is planned and conducted by an outside non-profit organization with the assistance of City staff time, equipment, public safety services and/or the use of facilities.

The City does not provide monetary funds for these co-sponsored events, but in-kind services.

The purpose of the policy and application is to invite community groups providing compatible services, activities, or programs to submit a request for co-sponsorship status. Groups requesting City support must relate their services to the co-sponsorship policy and meet criteria listed below.

A. Eligibility. Organizations applying for co-sponsorship status must meet the following criteria:

1. Must be a valid non-profit or community service organization based within Duval County (proof of non-profit status is required if applicable);
2. The organization's goals must be aligned with and further the vision of the City of Jacksonville Beach. Specifically, to provide events that are safe, without alcohol, appealing to families and attractive to people of all ages.
3. All the following event criteria shall be demonstrated by the applicant:
 - a. Free and open to the public, unless otherwise authorized by the City Council;
 - b. Demonstrate community pride and involvement; and
 - c. Not have a religious or political purpose.
4. Before recommending approval, the City Manager, or his/her designee, will also consider factors including but not limited to:
 - a. Benefit to the community;
 - b. Proposed event location and time of day; and
 - c. Impact on the surrounding neighborhood, City staff and resources.
5. Activities specifically prohibited from City co-sponsorship include:
 - a. Fund raisers;
 - b. Events that enhance private business;
 - c. Events held on behalf of, in support of, or in opposition to any political candidate or ballot measure or advocate a political position;
 - d. Events that advocate or promote adult – oriented businesses; or
 - e. Events that solicit criminal activity.

B. Requirements and Terms. All co-sponsored programs or events must not discriminate against any constitutionally protected class of persons or groups, or any religious views.

Co-sponsored organizations must also meet the following requirements and adhere to the following terms:

1. The organization must provide applicable information documenting adherence to requirements when applying for co-sponsorship status.
2. All co-sponsored programs or events must be open to the public and provide services on a non-discriminatory basis.
3. The co-sponsored organization, except for neighborhood associations, must provide all insurance coverage required by the City.
4. Programs and activities of co-sponsored organizations are superseded by those of the City or by previously contracted use of space.
5. The co-sponsored organization must pay for required staffing, equipment, permit fees, and any other charges from City departments.
6. The co-sponsored organization must request facility usage through the City's Special Events Coordinator, regardless of meeting/event location, at least ninety (90) days ahead of meeting/event date(s).
7. Co-sponsorship status does not apply to all events. Groups must request event co-sponsorship individually per event/meeting (or per series of events/meetings) through the City's Special Events Coordinator.
8. The City of Jacksonville Beach must be listed on all related publicity with the phrase, "In cooperation with the City of Jacksonville Beach."

C. Review and Approval Process. To assure that all applications for Co-Sponsorship status receive proper consideration and to ensure that the City is provided with the information needed to make informed decisions, all applications will be subject to the following evaluation process:

1. Each application will be reviewed by the Special Events Committee in light of the above outlined criteria and requirements.
2. Applicants will be notified of their approval status within one month of submitting a completed application. Organizations approved for co-sponsorship status will receive information regarding the benefits to be made available and be introduced to their City staff liaison.
3. Appeal process: If the Co-Sponsorship is not approved a written appeal may be directed to the City Manager or his/her designee outlining the reasons why co-sponsorship status should be approved.
4. Co-sponsorship status approval is for up to one year and organizations may apply for renewal annually.
5. New applications for co-sponsorship are accepted throughout the year. Applications are on the City of Jacksonville Beach website.

6. Organizations must reapply annually for co-sponsorship. Renewal of an existing co-sponsorship for two additional years may be requested and will be reviewed and approved at the discretion of the Department Director responsible for the oversight of the City resource being used.
7. The following conditions apply once fee waiver and or co-sponsorship is approved:
 - a. Appropriate recognition of the City as co-sponsor of or contributor to the event or program will be provided on all promotional materials and at all events and programs. The City Manager or his/her designee must approve promotional materials, the event/program schedule and activities. If the City is not recognized for its contributions to the event/program, the organization could potentially lose future co-sponsorship opportunities with the City.
 - b. No fliers, posters, banners or signage can be placed, posted or distributed on City parks, City facilities, on street pole or on sandwich boards throughout the city without the approval of the City Manager or his/her designee. Street Banner and encroachment permits fees are waived but must be obtained through the City. For further clarification see the City of Jacksonville Beach Municipal Code (Chapter 34 – Land Development Code Division 4A - Temporary Banner and Special Event Signs).
 - c. All applicants must complete a Facility Use Permit with the Special Events Division of the Parks and Recreation Department. Conditions may be placed on the use to minimize impacts to facilities or costs to the City, or to restore facilities to pre-event conditions.
 - d. Proof of General Liability Insurance and Endorsements with the City additionally insured as well as a hold harmless agreement will be required for each event. The insurance coverage will be determined on a case by case basis between the City, non-profit organization and Insurance Advisor and will depend largely on the requirement of street closures and duration.
 - e. A refundable security deposit is required. Deposit amounts are set to ensure proper clean up and cover the City's costs for remediation of any damage or loss. If the full deposit is not accompanied with the Facility Use Permit by the specified date, the facility request shall be cancelled and approval withdrawn. Security Deposits will be refunded within four (4) to six (6) weeks of the event or activity, if standards have been met. Security Deposits will not be waived.
 - f. Applicants are responsible for payment of the full cost of materials, labor, replacement, repairs, or damages related to the event, project or program, regardless of the amount. If damage occurs and the complete remediation costs the City less than the amount of the deposit, the difference shall be refunded.
 - g. The City Special Events Coordinator will: be the direct contact to the co-sponsored organization; field all facility use requests; determine if co-sponsorship is appropriate on a per event basis; advise organizations of facility usage application requirements

and provide a facility contact for organizations to submit facility use applications; approve all publicity materials; track usage hours.

D. Benefits of Co-Sponsorship:

1. Co-sponsorship may include any of the following:
 - a. Reduced or waived facility rental fee;
 - b. Reduced or waived Street Banner fees;
 - c. Reduced or waived Administration costs;
 - d. Waived encroachment permit;
 - e. Advertising on the City website, social media and programmable message board.
2. Co-sponsorship does not include the following:
 - a. Staff costs;
 - b. Refundable security deposit;
 - c. Outdoor use of any city equipment such as tables, chairs, fencing, canopies; and
 - d. Insurance.

All resources to be provided by the City in co-sponsorship of an event or program shall be within current funding allocations, and expenditures shall not result in a reduction of other City services.

The City reserves the right to assess all activities at any time to ensure all rules, regulations, conditions of use, City and health and safety laws are not violated. Co-sponsorships and fee waivers can be revoked at any time effective immediately, if the recipient agency or organization fails to comply with this policy or any other local, state or federal regulations.

CITY COUNCIL BRIEFING TOPIC

TO:	Mike Staffopoulos, City Manager
FROM:	Christian Popoli, Senior Planner
DATE:	September 14, 2026
SUBJECT:	Historic Preservation Concept Overview.

BACKGROUND

During the drafting of the 2050 Comprehensive Plan, Planning and Development staff added a new element called "Historic Preservation", which was subsequently adopted as part of the final Comprehensive Plan by City Council. For the City to consider preservation regulations, having the comprehensive plan element demonstrates that any future legislation would be a goal of the City. There has been some preliminary discussion by Council showing interest in further discussions on preservation in general, so staff will present an overview of preservation and discuss the options for regulations and the various ways this goal can be achieved within the confines of Florida statutes.

In recent years, there has been a Beaches-wide push for preservation, beginning with nonprofit or advocacy groups, such as Neptune Beach Preservation, Inc., which has resulted in the adoption of various legislative solutions. In Atlantic Beach and Neptune Beach, there are specific regulations aimed at preserving structures, historic characters, neighborhoods, and the feel of the beach. Neptune Beach has enacted a full historic preservation program with an oversight board, districts, and architectural review. Atlantic Beach has chosen a more conservative advisory approach, encouraging the use of traditional design for infill development in historic neighborhoods, but does not regulate it with any formal permits or review, but simply by supplying guidelines which are advisory in nature.

Staff will present concepts to Council at a range of various levels of review, and will discuss the recent changes to state statutes. Attached are the regulations and ordinances of Neptune Beach and Atlantic Beach for review and discussion.

FINANCIAL IMPACT

Unknown.

COUNCIL DIRECTION REQUESTED

Provide feedback to Planning and Development Staff on the general direction the Council wishes to proceed, if at all, and reach consensus for future discussions, and allow staff to present research and ideas at a future briefing.

ATTACHMENTS

1. Neptune Beach Code
2. Atlantic Beach Advisory Guidelines

The standards in this section apply to land in the residential conservation (RC) overlay to acknowledge its historic development pattern and to ensure that renovated and new residential buildings in this overlay will support safe pedestrian, transit, bicycle, and vehicular circulation and allow for infill development that is sensitive to the character and history of the surrounding neighborhood.

- (1) *Residential frontage standards.* New single-family and duplex homes shall comply with the required frontage types and associated standards detailed in [section 27-236](#).



Figure 27-243-1: Residential building material and details

- (2) *Residential building design standards.*

- a. *Building materials and details.* Building wall materials shall be combined on each facade only horizontally, unless the building is broken vertically by a change of plane, or a vertical architectural element. Heavier materials, such as masonry and stucco, shall be located below lighter materials, such as cement fiber or wood siding (Figure 27-243-1).
 1. Changes in material or color along the vertical direction should occur at hard-edge "bump-out" transitions, which gives materials a surface to terminate into (Figure 27-243-1).
 2. Façades with an overabundance of different materials or colors are discouraged.
- b. *Architectural elements.*
 1. *Front porches and entry areas.*
 - i. New front porches added to an existing structure should be appropriate for the architectural style or neighborhood context.
 - ii. Porches may be screened but cannot be permanently enclosed if they are to benefit from any permitted yard encroachments per section 27-235 (Figure 27-243-2). If a porch is to be permanently enclosed it will be considered a part of the building façade and will be subject to all front, side, and rear yard setback requirements.

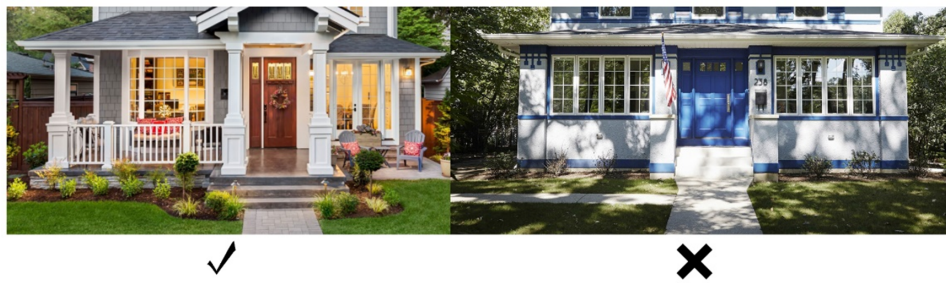


Figure 27-243-2: Front porch standard

2. *Balconies and railings.*

- i. Brackets typically extend the full depth of the balcony. The thickness and number of brackets should reflect the scale and design of the balcony being supported.
- ii. Balconies shall project at least two (2) feet to create a standing or "Juliet" balcony, and no more than four (4) feet from the building wall.
- iii. Balconies shall be deeper than six (6) feet only if it is partially or wholly inset within the main body of the building.
- iv. Balconies shall be visually supported from below, if projecting more than two (2) feet, by brackets or another structurally implicit mechanism, which must extend a minimum of eighty-five (85) percent of the depth of the balcony, or else be supported by adjacent side walls (Figure 27-243-3). Exceptions may apply for the mid-century modern and masonry modern architectural styles.

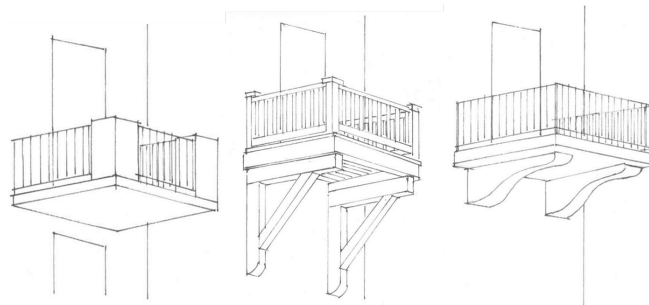


Figure 27-243-3: Visible support for balconies

- v. Balconies shall have a minimum underside clearance of eight (8) feet.
- vi. Decorative railings should be used on building facades when they serve a function such as on an occupiable balcony, enclosing planting areas, or as a safety measure for large windows in upper stories. Like typical balcony railings, they must be designed to support ladders for emergency egress. Grills should be applied to facades without serving a true function (left) (Figure 27-243-4).



Figure 27-243-4: Decorative Railings

3. *Columns, pillars, and posts.*

- i. Shall be spaced at regular intervals not exceeding twenty-four (24) feet from centerline to centerline, creating openings with a height to width or width to height ratio of 1:1, 2:1, or 2:3.
- ii. Always support a structural spanning element, such as a beam, arch, or entablature and shall always be positioned so that the outside edge of the beam, arch, or entablature spanning element above aligns with the neck of the column.

4. *Bay windows.*

- i. Shall provide habitable interior space and include at least three (3) windows.
- ii. Shall not project more than three (3) feet from the building façade, nor exceed ten (10) feet in width.
- iii. Shall fit in with the overall character and architectural style of the building.
- iv. Are limited to front and rear yards, side yards are excluded

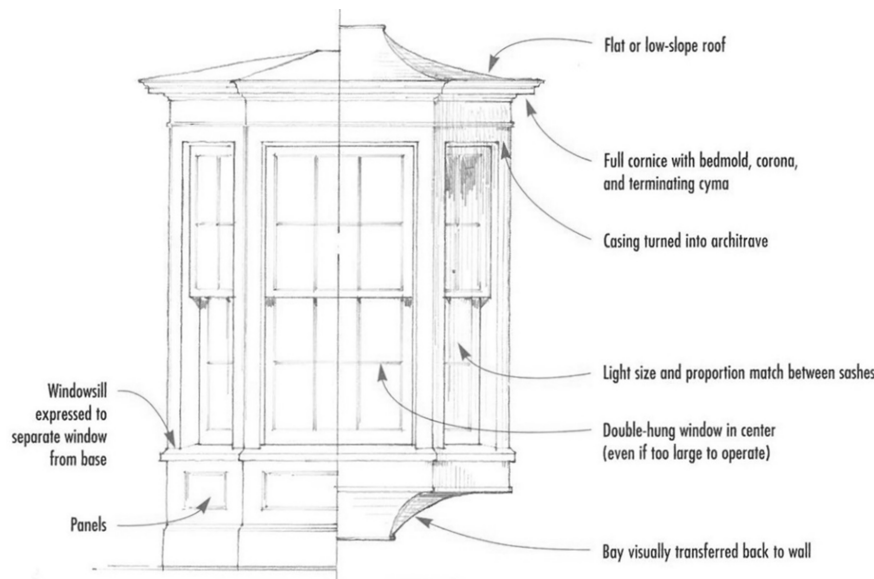


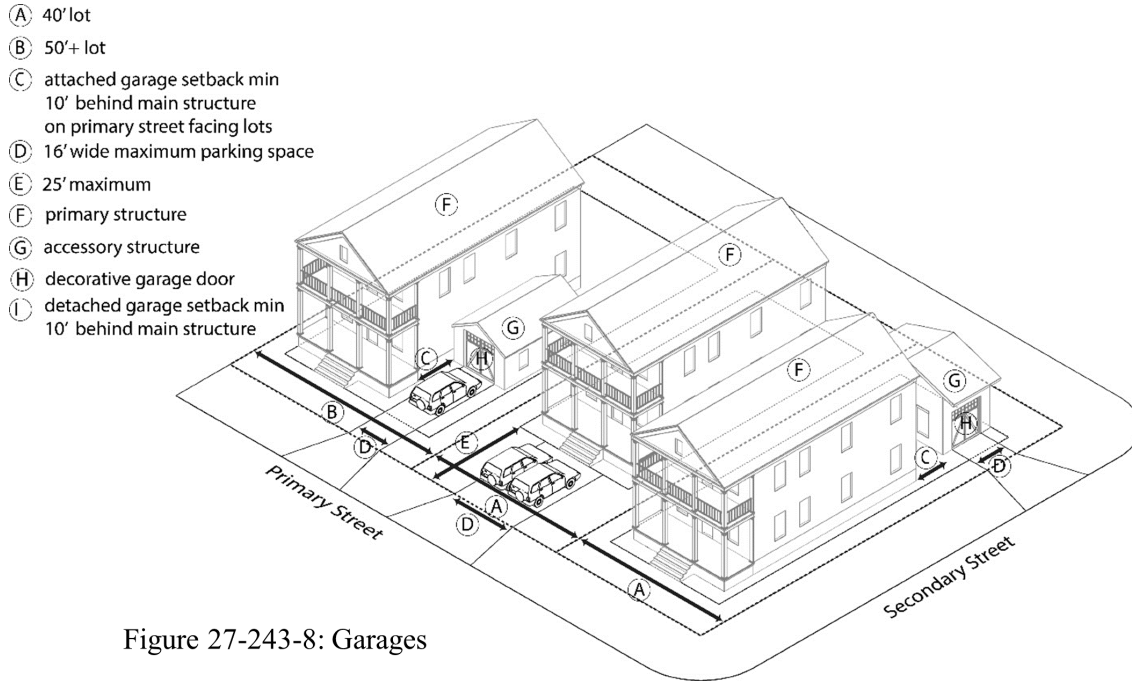
Figure 27-243-7: Bay Windows. Source: Marianne Cusato, Get Your House

5. *Garages and parking.*

- i.

To ensure that they do not dominate the street-facing building façades or overshadow pedestrian entryways, attached and detached garages shall be subordinate in height, footprint, and proportion to the primary structure on the site, and shall be compatible with the principal structure in terms of roof form, materials, and color (Figure 27-243-8).

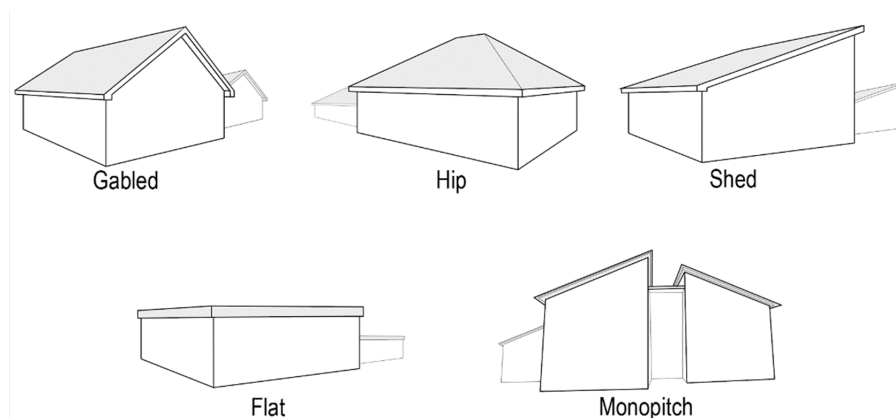
- ii. Detached garages should be located behind the primary building in the rear yard (Figure 27-243-8, label G).
- iii. Garages shall be architecturally like the residence (Figure 27-243-8). The openings of the garage shall be designed in a manner that obscures parked vehicles.



- iv. The combined width of all driveways in the front yard setback may not exceed thirty (30) percent of the width of the lot or eighteen (18) feet, whichever is larger. For corner lots, the combined width of all driveways in the street-facing side yard setback may not exceed twenty-five (25) percent of the depth of the lot or twenty (20) feet, whichever is greater.

6. *Roof type and pitch.*

- i. Permitted roof forms for primary and accessory structures include gabled, hipped, shed, flat, and mono pitch, though the selected roof form must be consistent with the architectural style of the building. Applied and partial (less than three (3) sides) (Figure 27-243-9).



These regulations will ensure that new commercial buildings will support and define safe pedestrian, transit, bicycle, and vehicular circulation and allow for infill development that is sensitive to the character and history of the surrounding neighborhood.

- (1) *Commercial building frontage standards.* New commercial development shall comply with the required frontage types and associated standards detailed in Table 27-239, section 27-236, and Table 27-236.
- (2) *Commercial building design standards along Florida Boulevard.* All new commercial development in this overlay district that fronts along Florida Boulevard shall comply with the building design standards detailed for the CBD in section 27-246.

(Ord. No. 2022-03, § 1(Exh. A), 8-1-22)

Sec. 2-492. - Established.

A historical review board for the City of Neptune Beach, Florida, is hereby established. The historical review board may be dissolved by a majority vote of city council at any time, for any reason and members of the board serve at the will of the city council and may be removed with or without cause by a majority vote.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-493. - Generally.

- (a) A certificate of appropriateness shall be submitted for review and approval for any development permit request for exterior modifications or site work performed on a historically significant property.
- (b) A certificate of appropriateness and a determination of historical significance is nontransferable. Both are unique to the applicant and shall be automatically void upon the sale or change of ownership of the subject property. The determination of historical significance shall not inure to the benefit of the subsequent property owners unless said future property owners apply for such designation as prescribed herein. The city may revoke a certificate of appropriateness or a determination of historical significance upon the change in characteristics of the subject property. For example, and not to be meant as an all-inclusive list of examples: changing the exterior historical character or aesthetics of the property, changing the footprint of the structures on the property, changing the use of the property, or violating any provision of the Code of Ordinances or of the elements that lead to the historical review board's final determination.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-494. - Definitions.

Certificate of appropriateness is a designation required to apply for a development permit for any new construction, alteration, relocation, or demolition on a property with a determination of historic significance.

Crime of moral turpitude is any offense that violates the community standards of honesty and good morals including, but not limited to, fraud, theft, misrepresentation, and violence.

Determination of historic significance is a finding that a structure is at least fifty (50) years old and retains the physical characteristics for the time the structure was built and otherwise meets the requirements found in section 2-499.

Development permit has the same meaning as the definition found in chapter 27, section 27-15 of the Unified Land Development Code of the City of Neptune Beach.

Quasi-judicial hearing involves a process where the board acts in a capacity similar to that of a court. This type of hearing is characterized by the following elements: basic due process requirements such as notice and hearing and right to present testimony, evidence and cross examine witnesses; application of existing policies to specific facts, rather than creating new policies. This means the decision impacts a limited number of persons or property owners and

is based on distinct alternatives presented at the hearing; public participation and reviewability of final decisions by petition for writ of certiorari to the circuit court. The circuit court's review of quasi-judicial decisions is confined to: (1) whether procedural due process is accorded, (2) whether the essential requirements of law have been observed, and (3) whether the administrative findings and judgment are supported by competent substantial evidence.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-495. - Composition, qualifications and terms of office.

- (a) The historical review board shall consist of five (5) members, all of whom shall be residents of the City of Neptune Beach. A quorum shall consist of three (3) members. All motions shall be approved by majority vote. Any interested and eligible citizen as provided for above, may be appointed to the board, but those with experience or interest in the field of historic preservation shall receive special consideration. Whenever possible, the board shall include individuals with following experience:
 - (1) An architect or engineer licensed under F.S. Chs. 471 or 481, with verifiable experience in rehabilitating historic residential or commercial structures;
 - (2) A teacher or professor with verifiable experience in the fields of history, architectural history, historic landscapes or art history;
 - (3) A planner or urban designer with a bachelor's degree in planning or closely related field, with course work or verifiable experience in historic preservation;
 - (4) A real estate sales professional licensed under F.S. Ch. 475, with verifiable experience in transactions involving historic properties;
 - (5) A licensed attorney in the State of Florida;
 - (6) A licensed contractor under F.S. Ch. 489, with verifiable experience rehabilitating historic residential or commercial structures; or
 - (7) Consideration will be given to any of the above professionals who holds an equivalent license in another state, or that has retired.
 - (8) Any licensed or retired professional selected for membership on the historical review board shall not have a history of discipline from the licensing agency.
- (b) Any current or prior violation of the code of ethics for public officers and employees found in F.S. Ch. 112, prior felony criminal conviction or prior conviction, or plea of nolo contendere, regardless of adjudication, of any crime involving moral turpitude shall disqualify any person from being appointed or serving as a member of the historical review board.
- (c) All members of the historical review board shall be appointed by the mayor and confirmed by the city council.
- (d) Members of the historical review board shall elect a chair and a vice-chair for a one-year term each. The chair shall preside at all meetings and shall have the right to vote. The vice-chair shall preside in the absence of the chair.
- (e)

Initial members of the historical review board shall serve staggered terms. Three (3) of the initial board members shall be appointed for terms of three (3) years. Two (2) of the initial board members shall be appointed for terms of two (2) years. Members may be reappointed for one (1) additional consecutive two-year term. If reappointed, members may be eligible to reapply for the board after one (1) year and may serve an additional term of three (3) years. Subsequent members shall be appointed for terms of three (3) years. In the event the city is unable to appoint five (5) members, the board may conduct business with three (3) duly appointed members until such time as a full board is appointed.

- (f) Members previously appointed shall continue to serve until such time as they are replaced or reappointed.
- (g) All members of the historical review board shall serve without compensation.
- (h) Whenever vacancies shall occur, a person qualified shall be appointed by the mayor and approved by the city council to fill such vacancies for the unexpired term.
- (i) An employee of the city may not serve as a member of the historical review board.
- (j) Members of the historical review board are expected to attend each committee meeting in person. More than three (3) unexcused absences in a rolling twelve-month period shall be grounds for removal for cause.
- (k) All members of the historical review board shall have been a resident of the City of Neptune Beach for a period of at least one (1) year at the time of appointment.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-496. - Meetings and board procedures.

- (a) The historical review board shall adopt rules of procedure to carry out its purposes. All rules must conform to this Code, other city ordinances, and state law and shall be filed in the office of the city clerk.
- (b) All meetings shall be conducted in a public building and shall be open to the public.
- (c) The historical review board shall meet each calendar month, unless cancelled by the board or its chair; and more often at the call of the chair, the board, or the city council.
- (d) Notice of meetings of the historical review board shall be given as provided for in this Code and by state statute.
- (e) The historical review board shall keep minutes of its proceedings, indicating the attendance of each member, and the decision of each member on every question. The minutes shall be signed by the chair, or in his absence the vice-chair and approved by the board at a future meeting.
- (f) Statement of the facts for determination of historical significance and issuance of certificate of appropriateness by the historical review board shall be included in the minutes of each case heard or considered by it.
- (g) The historical review board shall set a reasonable time for the hearing of administrative appeals and shall give notice thereof to the person making the appeal and to the officer from whom the appeal is taken.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-497. - Application requirements for determination of historical significance.

- (a) The owner or developer of a property shall submit a completed application, as described below, to the office of the city manager or designee.
- (b) All applications for determination of historical significance shall be filed with the city using the forms approved and provided by the city staff.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the historical review board for consideration.
- (d) The application shall be accompanied by payment of the official filing fee as set by resolution of the city council.
- (e) The application shall include the following:
 - (1) Name and address of the owner and agent, along with notarized signatures of the same;
 - (2) Address and legal description of the property, a copy of the deed and an accurate survey;
 - (3) A description of the proposed historical significance of the property as more fully described in subsection 2-495(b);
 - (4) An eight and one-half (8½) inch by eleven (11) inch overhead site plan drawn to an appropriate scale showing the location of all existing and proposed improvements to the property and including all setback measurements from property lines. The plot plan, as submitted or modified by the applicable board, shall be binding upon the applicant if the determination of historical significance is granted;
 - (5) An eight and one-half (8½) inch by eleven (11) inch copy of the relevant area of the Duval County Property Ownership Map, to be provided by the building official's office as part of the application packet. Said copy shall show the exact location of the land proposed for the determination of historical significance, along with all of the properties requiring notice as described in subsection 27-500(c)(2);
 - (6) A list of the addresses of all properties, as described in section 2-500(c)(2);
 - (7) Photographs of property as it exists.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-498. - Application requirements for issuance of certificate of appropriateness.

- (a) Upon the determination of historical significance, the owner of such property may apply for a certificate of appropriateness from the historical review board subject to the requirements contained in this section.
- (b) The owner or developer of a property shall submit a completed application for certificate of appropriateness as described below, to the office of the city manager or designee.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the historical review board for consideration.
- (d)

All applications for a certificate of appropriateness shall be filed with the city using the forms approved and provided by the city staff.

- (e) The application shall be accompanied by payment of the official filing fee as set by resolution of the city council.
- (f) The application shall include the following:
 - (1) Name and address of the owner and agent, along with notarized signatures of the same.
 - (2) Address and legal description of the property.
 - (3) A description of the proposed work to be performed on the historically significant property.
 - (4) An estimate of the timeline of the proposed work.
- (g) The applicant shall complete an application form provided by the city. The city shall determine when an application is complete and may request additional information when such application is determined to be incomplete.
- (h) In considering an application for a certificate of appropriateness for alterations, new construction, demolition, or relocation, the historic preservation board shall be guided by the following general criteria:
 - (1) The effect of the proposed work on the historically significant property upon which such work is to be done.
 - (2) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected.
 - (3) Whether the plans may be carried out by the applicant within a reasonable period of time.
- (i) Applications for certificates of appropriateness for alterations shall be considered by the historic review board in accordance with the following additional criteria, which are based on the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:
 - (1) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.
 - (2) The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.
 - (3) Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no historical basis and which seeks to create an earlier appearance shall be discouraged.
 - (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.
 - (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. However, technologically advanced materials shall be considered and used as replacement alternatives. Repair or replacement of missing

architectural features shall be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.
- (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.
- (j) All work performed pursuant to the issuance of a certificate of appropriateness shall conform to the requirements of such certificate. It shall be the duty of the city to inspect from time to time any work being performed pursuant to such certificate to assure such compliance.
- (k) Any certificate of appropriateness which has been approved pursuant to the provisions of this section shall expire twelve (12) months from the date of issuance if the work authorized is not commenced within this period. Further, such certificate shall expire if the work authorized is not completed within five (5) years of the date of issuance, unless otherwise extended by the historical review board.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-499. - Hearing procedures; powers and duties; determination of historical significance and issuance of certificate of appropriateness.

- (a) The historical review board shall consider applications for residential or commercial properties. Upon application and determination of historical significance, the historical review board may consider applications for the issuance of a certificate of appropriateness.
- (b) The historical review board may make a determination of historical significance for properties that are at least fifty (50) years old and retain the physical characteristics for the time the structure was built. The fifty-year old requirement may be waived if the property is determined to be a Florida Heritage Site as determined by the Florida Department of State's Historical Division of Historical Resources. In addition, the historical review board shall find at least one (1) of the following criteria for the historical designation:
 - (1) Have the Florida Heritage Landmark status as determined by the Florida Department of State's Historical Division of Historical Resources by being on the Division's Florida Register of Heritage Landmarks;
 - (2) Be listed on the National Register of Historic Places by the United States Department of the Interior's Nation Parks Service, Office of Cultural Resources;
 - (3) Have an association with a significant historical event that made a significant contribution to the broad patterns of our history;
 - (4) Have regional significance in areas like architecture, having retained those physical characteristics that were present during the period which the structure was built and that are unique to the City of Neptune Beach. Examples include, but are not limited to, the two-story homes located along First Street with sleeping porches or the mid-century modern homes west of Third Street that were constructed in a manner to capture ocean breezes;

- (5) Have an association with the lives of people significant in our past. A non-exhaustive list of examples of significant people in our past includes those that contributed to an important historical event, or who were noted artists, actors, authors, performers, musicians, soldiers, professional athletes, politicians, scholars, religious figures, social activists or newsworthy persons;
 - (6) Embody distinctive characteristics of a type, period, or method of construction or design and represent the work of a master or notable or renowned architect or builder, or possessing high artistic values; or
 - (7) Have the potential to yield information important in prehistory or history.
- (c) Upon a determination of historical significance, the historical review board may consider an application for the issue a certificate of appropriateness which the applicant may use to obtain a development permit which may allow exceptions to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations.
- (d) No use shall be made of the property which is inconsistent with the historic qualities of the property. Any restoration or repair of the property deemed historically significant to the architectural features of the exterior shall be retained consistent with the historic qualities of the property. The property deemed historically significant shall not be permitted to deteriorate and shall be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.
- (e) The determination of historic significance shall only be for the purpose of applying for a certificate of appropriateness and shall convey no other rights, interests or title to the owner of the subject property from the city.
- (f) Issuance of a certificate of appropriateness shall only be used to apply for exception to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations and shall be used for no other purpose nor shall it be binding upon the city for any other purpose or convey any rights or remedies not expressly enumerated herein.
- (g) The historic review board shall not recommend approval of, any certificate of appropriateness unless it makes a positive finding, based on substantial competent evidence presented at the public hearing, on each of the following criteria:
- (1) The property has unique and peculiar historic significance, which create exceptional and unique building characteristics.
 - (2) The proposed certificate of appropriateness would not adversely affect adjacent and nearby properties or the public in general.
 - (3) The proposed certificate of appropriateness will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
 - (4) The effect of the proposed certificate of appropriateness is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area(s) of the ULDC.
- (h)

City staff shall prepare a written report outlining the historic review board's determination of historical significance, which shall address each of the criteria above and any other relevant evidence. The staff report shall become part of the record and shall be considered by the historic review board prior to the issuance of a certificate of appropriateness.

- (i) Neither determination of historical significance nor an issuance of a certificate of appropriateness shall guarantee that an exception to any requirement found in chapter 27, article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations will be granted. Hearings for request for determination of historical significance and an issuance of a certificate of appropriateness shall be quasi-judicial in nature and the historical review board may make determinations based on other considerations such as compatibility with the City of Neptune Beach's Charter, Code of Ordinances, Unified Land Development Code and Comprehensive Plan. Any determination of historical significance and issuance of certificate of appropriateness must be to protect the unique historical qualities of the City of Neptune Beach.
- (j) Any final decision of the historical review board of historical significance and issuance of certificate of appropriateness may be appealed by an applicant, owner or substantially impacted person residing within three hundred-foot of the subject property to city council within thirty (30) days of its rendering or it shall be deemed final. Any decision of the city council may be appealed to by an applicant, owner or substantially impacted person residing within three hundred-foot of the subject property to a court with competent jurisdiction within thirty (30) days of its rendering or it shall be deemed final. After receiving notice of hearing, a substantially impacted person residing within three hundred (300) feet of the subject property lacks standing to appeal if such person was not present at the hearing.
- (k) The city may enforce any provision related to determinations of historical significance or issuance of a certificate of appropriateness through any means allowed by law including, but not limited to, those remedies found in F.S. Ch. 162, and any other available civil or injunctive relief.
- (l) *City council as reviewing authority.* The city council may act as a reviewing authority for any final decision of the historical review board of historical significance and issuance of certificate of appropriateness. City council may recommend an appeal, review the findings of the historical review board, and either affirm, reverse, or modify the decision. The appeal shall be made within thirty (30) days from the date the decision of the historical review board is rendered. When the council acts to appeal a final decision of the board, that action shall be deemed to be the final action of the city and shall be subjected to no further review by the city council.

(Ord. No. 2025-05, § 1, 7-21-25)

Sec. 2-499.1. - Notice requirements for hearings on applications to determine historical significance and issuance of certificates of appropriateness.

- (a) Notice indicating the time and place of the quasi-judicial public hearing shall be posted in two (2) places in the city, one (1) of which shall be in the front yard of the subject property, facing the street on which the property is addressed, and one (1) of which shall be at City Hall on the public notice board, for at least ten

(10) days immediately prior to the quasi-judicial public hearing. Such notice shall contain the address or location of the property and the nature of the application.

- (b) The city shall ensure advertised notice is printed in a newspaper of general circulation within the City of Neptune Beach at least ten (10) days prior to the quasi-judicial public hearing before the historical review board. The advertised notice shall state the date, time, place of the quasi-judicial public hearing, case number, and shall contain the address of the property and the nature of the application.
- (c) At least ten (10) days prior to the quasi-judicial public hearing, the city shall give notice of the quasi-judicial public hearing before the historical review board by U.S. mail to the following:
 - (1) The property owner and the applicant if different from the owner; and
 - (2) The owner(s), as listed in the current Duval County Tax Assessor's records, of each property within a three hundred-foot radius of the boundary of the subject property.
- (d) If any person described in this section does not contest the issue of proper notice within thirty (30) days from the date the historical review board renders final action on a determination of historical significance or issuance of certificate of appropriateness, then notice shall be deemed to be in compliance with this section.

(Ord. No. 2025-05, § 1, 7-21-25)

Editor's note— Ord. No. 2025-05, set out the above provisions intended for use as § 2-500. Inasmuch as there were already provisions so designated, said section has been codified herein as § 2-499.1 at the discretion of the editor.

Sec. 2-499.2. - Sunset provision.

The provisions of this part shall be automatically repealed on the last day of the eighteenth month after the final adoption date unless after review, the city council determines to extend its term. The repeal shall not affect any previous approvals or determinations described herein. Any applications that are pending at the time of repeal shall be allowed to proceed to final action.

(Ord. No. 2025-05, § 1, 7-21-25)

Editor's note— Ord. No. 2025-05, set out the above provisions intended for use as § 2-501. Inasmuch as there were already provisions so designated, said section has been codified herein as § 2-499.2 at the discretion of the editor.

SPONSORED BY:

MAYOR CORRINE BYLUND



ORDINANCE NO. 2025-05

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE VII. BOARDS AND COMMISSIONS BY CREATING DIVISION 5. HISTORICAL REVIEW BOARD; PROVIDING CODIFICATION, CONFLICTS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2, Article VII of the City of Neptune Beach's Code of Ordinances establishes Boards and Commissions; and

WHEREAS, it is the Intent of this Ordinance to create a Historical Review Board to make Determinations of Historical Significance and to issue Certificates of Appropriateness; and

WHEREAS, it is the intent of this Ordinance that applicants for Development Permits may submit a Certificate of Appropriateness based on a Determination of Historical Significance to request an exception to certain requirements found in Chapter 27, Article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations; and

WHEREAS, it is the intent of this Ordinance to provide procedural due process to all applicants and interested parties for Determination of Historical Significance and issuance of Certificates of Appropriateness.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA that:

SECTION 1. Chapter 2., Article VII of the Code of Ordinances, City of Neptune Beach, Florida is hereby added to read as follows:

DIVISION 5. HISTORICAL REVIEW BOARD

Sec. 2-492. – Established.

A Historical Review Board for the City of Neptune Beach, Florida, is hereby established. The Historical Review Board may be dissolved by a majority vote of City Council at any time, for any reason and members of the Board serve at the will of the City Council and may be removed with or without cause by a majority vote.

Sec. 2-493. Generally

- (a) A Certificate of Appropriateness shall be submitted for review and approval for any Development Permit request for exterior modifications or site work performed on a Historically Significant Property.
- (b) A Certificate of Appropriateness and a Determination of Historical Significance is nontransferable. Both are unique to the applicant and shall be automatically void upon the sale or change of ownership of the subject property. The Determination of Historical Significance shall not inure to the benefit of the subsequent property owners unless said future property owners apply for such designation as prescribed herein. The City may revoke a Certificate of Appropriateness or a Determination of Historical Significance upon the change in characteristics of the subject property. For example, and not to be meant as an all-inclusive list of examples: changing the exterior historical character or aesthetics of the property, changing the footprint of the structures on the property, changing the use of the property, or violating any provision of the Code of Ordinances or of the elements that lead to the Historical Review Board's final determination.

Sec. 2-494. Definitions

Certificate of Appropriateness is a designation required to apply for a Development Permit for any new construction, alteration, relocation, or demolition on a property with a Determination of Historic Significance

Crime of Moral Turpitude is any offense that violates the community standards of honesty and good morals including but not limited to fraud, theft, misrepresentation, and violence.

Determination of Historic Significance is a finding that a structure is at least fifty (50) years old and retains the physical characteristics for the time the structure was built and otherwise meets the requirements found in Section 2-499.

Development Permit has the same meaning as the definition found in Chapter 27, Section 27-15 of the Unified Land Development Code of the City of Neptune Beach.

Quasi-Judicial hearing involves a process where the Board acts in a capacity similar to that of a court. This type of hearing is characterized by the following elements: basic due process requirements such as notice and hearing and right to present testimony, evidence and cross examine witnesses; application of existing policies to specific facts, rather than creating new policies. This means the decision impacts a limited number of persons or property owners and is based on distinct alternatives presented at the hearing; public participation and reviewability of final decisions by petition for writ of certiorari to the circuit court. The circuit court's review of quasi-judicial decisions is confined to: (1) whether procedural due process is accorded, (2) whether the essential requirements of law have been observed, and (3) whether the administrative findings and judgment are supported by competent substantial evidence.

Sec. 2-495. Composition, qualifications and terms of office.

- (a) The Historical Review Board shall consist of five (5) members, all of whom shall be residents of the City of Neptune Beach. A Quorum shall consist of three members. All motions shall be approved by majority vote. Any interested and eligible citizen as provided for above, may be appointed to the board, but those with experience or interest in the field of historic preservation shall receive special consideration. Whenever possible, the board shall include individuals with following experience:
- 1) An Architect or Engineer licensed under Chapters 471 or 481, Florida Statutes with verifiable experience in rehabilitating historic residential or commercial structures;
 - 2) A teacher or professor with verifiable experience in the fields of history, architectural history, historic landscapes or art history;
 - 3) A planner or urban designer with a bachelor's degree in planning or closely related field, with course work or verifiable experience in historic preservation;
 - 4) A real estate sales professional licensed under Chapter 475, Florida Statutes with verifiable experience in transactions involving historic properties;
 - 5) A licensed attorney in the State of Florida;
 - 6) A licensed contractor under Chapter 489, Florida Statutes, with verifiable experience rehabilitating historic residential or commercial structures; or
 - 7) Consideration will be given to any of the above professionals who holds an equivalent license in another state, or that has retired.
 - 8) Any licensed or retired professional selected for membership on the Historical Review Board shall not have a history of discipline from the licensing agency.
- (b) Any current or prior violation of the Code of Ethics for Public Officers and Employees found in Chapter 112, Florida Statutes, prior felony criminal conviction or prior conviction, or plea of no lo contendere, regardless of adjudication, of any crime involving Moral Turpitude shall disqualify any person from being appointed or serving as a member of the Historical Review Board.
- (c) All members of the Historical Review Board shall be appointed by the Mayor and confirmed by the City Council.
- (d) Members of the Historical Review Board shall elect a chair and a vice-chair for a one-year term each. The chair shall preside at all meetings and shall have the right to vote. The vice-chair shall preside in the absence of the chair.

- (e) Initial Members of the Historical Review Board shall serve staggered terms. Three of the initial Board Members shall be appointed for terms of three (3) years. Two of the initial Board members shall be appointed for terms of two (2) years. Members may be reappointed for one additional consecutive two-year term. If reappointed, Members may be eligible to reapply for the Board after one year and may serve an additional term of three (3) years. Subsequent Members shall be appointed for terms of three (3) years. In the event the City is unable to appoint five (5) members, the Board may conduct business with three (3) duly appointed members until such time as a full Board is appointed.
- (f) Members previously appointed shall continue to serve until such time as they are replaced or reappointed
- (d) All members of the Historical Review Board shall serve without compensation.
- (e) Whenever vacancies shall occur, a person qualified shall be appointed by the Mayor and approved by the City Council to fill such vacancies for the unexpired term.
- (f) An employee of the City may not serve as a member of the Historical Review Board.
- (g) Members of the Historical Review Board are expected to attend each committee meeting in person. More than three unexcused absences in a rolling twelve-month period shall be grounds for removal for cause.
- (h) All members of the Historical Review Board shall have been a resident of the City of Neptune Beach for a period of at least one year at the time of appointment.

Sec. 2-496. Meetings and Board procedures.

- (a) The Historical Review Board shall adopt rules of procedure to carry out its purposes. All rules must conform to this Code, other city ordinances, and state law and shall be filed in the office of the city clerk.
- (b) All meetings shall be conducted in a public building and shall be open to the public.
- (c) The Historical review Board shall meet each calendar month, unless cancelled by the board or its chair; and more often at the call of the chair, the board, or the city council.
- (d) Notice of meetings of the Historical Review Board shall be given as provided for in this Code and by state statute.
- (e) The Historical Review Board shall keep minutes of its proceedings, indicating the attendance of each member, and the decision of each member on every question. The minutes shall be signed by the chair, or in his absence the vice-chair and approved by the board at a future meeting.
- (f) Statement of the facts for Determination of Historical Significance and issuance of Certificate of Appropriateness by the Historical review Board shall be included in the minutes of each case heard or considered by it.

- (g) The Historical Review Board shall set a reasonable time for the hearing of administrative appeals and shall give notice thereof to the person making the appeal and to the officer from whom the appeal is taken.

Sec. 2-497. Application Requirements for Determination of Historical Significance

- (a) The owner or developer of a property shall submit a completed application, as
- (b) All applications for Determination of Historical Significance shall be filed with the City using the forms approved and provided by the city staff, described below, to the office of the city manager or designee.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the Historical Review Board for consideration.
- (d) The application shall be accompanied by payment of the official filing fee as set by resolution of the City Council.
- (e) The application shall include the following:
- (1) Name and address of the owner and agent, along with notarized signatures of the same;
 - (2) Address and legal description of the property, a copy of the deed and an accurate survey;
 - (3) A description of the proposed historical significance of the property as more fully described in 2-495 (b);
 - (4) An eight and one-half (8½) inches by eleven (11) inches overhead site plan drawn to an appropriate scale showing the location of all existing and proposed improvements to the property and including all setback measurements from property lines. The plot plan, as submitted or modified by the applicable board, shall be binding upon the applicant if the determination of historical significance is granted;
 - (5) An eight and one-half (8½) inches by eleven (11) inch copy of the relevant area of the Duval County Property Ownership Map, to be provided by the building official's office as part of the application packet. Said copy shall show the exact location of the land proposed for the Determination of Historical Significance, along with all of the properties requiring notice as described in subsection 27-500(c)(2);
 - (6) A list of the addresses of all properties, as described in section 2-500(c)(2);
 - (7) Photographs of property as it exists

Sec. 2-498. Application Requirements for Issuance of Certificate of Appropriateness

- (a) Upon the Determination of Historical Significance, the owner of such property may apply for a Certificate of Appropriateness from the Historical Review Board subject to the requirements contained in this Section.
- (b) The owner or developer of a property shall submit a completed application for Certificate of Appropriateness as described below, to the office of the city manager or designee.
- (c) The city manager or designee shall review the application within five (5) working days of its submission to determine if it is complete. When the application is determined to be complete within the requirements set forth herein, the city manager or designee shall forward the application to the Historical Review Board for consideration.
- (d) All applications for a Certificate of Appropriateness shall be filed with the City using the forms approved and provided by the city staff.
- (e) The application shall be accompanied by payment of the official filing fee as set by resolution of the City Council.
- (f) The application shall include the following:
 - (1) Name and address of the owner and agent, along with notarized signatures of the same;
 - (2) Address and legal description of the property.
 - (3) A description of the proposed work to be performed on the historically significant property.
 - (4) An estimate of the timeline of the proposed work.
- (g) The applicant shall complete an application form provided by the City. The City shall determine when an application is complete and may request additional information when such application is determined to be incomplete.
- (h) In considering an application for a Certificate of Appropriateness for alterations, new construction, demolition, or relocation, the Historic Preservation Board shall be guided by the following general criteria:
 - (1) The effect of the proposed work on the historically significant property upon which such work is to be done;
 - (2) The extent to which the historic, architectural, or archaeological significance, architectural style, design, arrangement, texture and materials of the landmark or the property will be affected.

(3) Whether the plans may be carried out by the applicant within a reasonable period of time.

(i) Applications for Certificates of Appropriateness for alterations shall be considered by the Historic Review Board in accordance with the following additional criteria, which are based on the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings:

(1) Every reasonable effort shall be made to use a property for its originally intended purpose, or to provide a compatible use for a property that requires minimal alteration of the building structure, or site.

(2) The distinguishing original qualities or character of a building, structure, or site shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.

(3) Each building, structure, and site shall be recognized as a product of its own time. An alteration which has no historical basis and which seeks to create an earlier appearance shall be discouraged.

(4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.

(5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, shall be treated with sensitivity.

(6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material shall match the material being replaced in composition, design, color, texture, and other visual qualities. However, technologically advanced materials shall be considered and used as replacement alternatives. Repair or replacement of missing architectural features shall be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

(7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall be not undertaken.

(8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, any acquisition, protection, stabilization, preservation, rehabilitation, restoration, or reconstruction project.

- j. All work performed pursuant to the issuance of a Certificate of Appropriateness shall conform to the requirements of such certificate. It shall be the duty of the City to inspect from time to time any work being performed pursuant to such certificate to assure such compliance.
- k. Any Certificate of Appropriateness which has been approved pursuant to the provisions of this Section shall expire 12 months from the date of issuance if the work authorized is not commenced within this period. Further, such certificate shall expire if the work authorized is not completed within five years of the date of issuance, unless otherwise extended by the Historical Review Board.

Sec. 2-499. Hearing Procedures; Powers and Duties; Determination of Historical Significance and Issuance of Certificate of Appropriateness

- (a) The Historical Review Board shall consider applications for residential or commercial properties. Upon application and Determination of Historical Significance, the Historical Review Board may consider applications for the issuance of a Certificate of Appropriateness.
- (b) The Historical Review Board may make a Determination of Historical Significance for properties that are at least fifty (50) years old and retain the physical characteristics for the time the structure was built. The fifty (50) year old requirement may be waived if the property is determined to be a Florida Heritage Site as determined by the Florida Department of State's Historical Division of Historical Resources. In addition, the Historical Review Board shall find at least one of the following criteria for the historical designation:
 - 1. Have the Florida Heritage Landmark status as determined by the Florida Department of State's Historical Division of Historical Resources by being on the Division's Florida Register of Heritage Landmarks;
 - 2. Be listed on the National Register of Historic Places by the United States Department of the Interior's Nation Parks Service, Office of Cultural Resources;
 - 3. Have an association with a significant historical event that made a significant contribution to the broad patterns of our history;
 - 4. Have regional significance in areas like architecture, having retained those physical characteristics that were present during the period which the structure was built and that are unique to the City of Neptune Beach. Examples include but are not limited to the two-story homes located along First Street with sleeping porches or the mid-century modern homes west of Third Street that were constructed in a manner to capture ocean breezes;
 - 5. Have an association with the lives of people significant in our past. A non-exhaustive list of examples of significant people in our past includes those that contributed to an important historical event, or who were noted artists, actors, authors, performers, musicians, soldiers, professional athletes, politicians, scholars, religious figures, social activists or newsworthy persons;
 - 6. Embody distinctive characteristics of a type, period, or method of

- construction or design and represent the work of a master or notable or renowned architect or builder, or possessing high artistic values; or
7. Have the potential to yield information important in prehistory or history.
- (c) Upon a Determination of Historical Significance, the Historical Review Board may consider an application for the issue a Certificate of Appropriateness which the applicant may use to obtain a Development Permit which may allow exceptions to any requirement found in Chapter 27, Article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations.
- (d) No use shall be made of the property which is inconsistent with the historic qualities of the property. Any restoration or repair of the property deemed historically significant to the architectural features of the exterior shall be retained consistent with the historic qualities of the property. The property deemed historically significant shall not be permitted to deteriorate and shall be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.
- (e) The Determination of Historic Significance shall only be for the purpose of applying for a Certificate of Appropriateness and shall convey no other rights, interests or title to the owner of the subject property from the City.
- (f) Issuance of a Certificate of Appropriateness shall only be used to apply for exception to any requirement found in Chapter 27, Article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations and shall be used for no other purpose nor shall it be binding upon the City for any other purpose or convey any rights or remedies not expressly enumerated herein.
- (g) The Historic Review Board shall not recommend approval of, any Certificate of Appropriateness unless it makes a positive finding, based on substantial competent evidence presented at the public hearing, on each of the following criteria:
- (1) The property has unique and peculiar Historic Significance, which create exceptional and unique building characteristics.
 - (2) The proposed Certificate of Appropriateness would not adversely affect adjacent and nearby properties or the public in general.
 - (3) The proposed Certificate of Appropriateness will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
 - (4) The effect of the proposed Certificate of Appropriateness is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area(s) of the ULDC.

- (h) City staff shall prepare a written report outlining the Historic Review Board's determination of Historical Significance, which shall address each of the criteria above and any other relevant evidence. The staff report shall become part of the record and shall be considered by the Historic Review Board prior to the issuance of a Certificate of Appropriateness.
- (i) Neither Determination of Historical Significance nor an issuance of a Certificate of Appropriateness shall guarantee that an exception to any requirement found in Chapter 27, Article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations will be granted. Hearings for request for Determination of Historical Significance and an issuance of a Certificate of Appropriateness shall be quasi-judicial in nature and the Historical Review Board may make determinations based on other considerations such as compatibility with the City of Neptune Beach's Charter, Code of Ordinances, Unified Land Development Code and Comprehensive Plan. Any Determination of Historical Significance and issuance of Certificate of Appropriateness must be to protect the unique historical qualities of the City of Neptune Beach.
- (j) Any final decision of the Historical Review Board of historical significance and issuance of Certificate of Appropriateness may be appealed by an applicant, owner or substantially impacted person residing within 300-foot of the subject property to City Council within 30-days of its rendering or it shall be deemed final. Any decision of the City Council may be appealed to by an applicant, owner or substantially impacted person residing within 300-foot of the subject property to a court with competent jurisdiction within 30-days of its rendering or it shall be deemed final. After receiving notice of hearing, a substantially impacted person residing within 300-feet of the subject property lacks standing to appeal if such person was not present at the hearing.
- (k) The City may enforce any provision related to Determinations of Historical Significance or issuance of a Certificate of Appropriateness through any means allowed by law including but not limited to those remedies found in Chapter 162, Florida Statutes and any other available civil or injunctive relief.
- (l) City Council as Reviewing Authority: The City council may act as a reviewing authority for any final decision of the Historical Review Board of historical significance and issuance of Certificate of Appropriateness. City council may recommend an appeal, review the findings of the Historical Review Board, and either affirm, reverse, or modify the decision. The appeal shall be made within thirty (30) days from the date the decision of the Historical Review Board is rendered. When the council acts to appeal a final decision of the board, that action shall be deemed to be the final action of the city and shall be subjected to no further review by the city council.

Sec. 2-500. - Notice requirements for Hearings on Applications to Determine Historical Significance and Issuance of Certificates Of Appropriateness.

- (a) Notice indicating the time and place of the quasi-judicial public hearing shall be posted in two (2) places in the city, one of which shall be in the front yard of the subject property, facing the street on which the property is addressed, and one (1) of which shall be at city hall on the public notice board, for at least ten (10) days immediately prior to the quasi-judicial public hearing. Such notice shall contain the address or location of the property and the nature of the application.
- (b) The City shall ensure advertised notice is printed in a newspaper of general circulation within the City of Neptune Beach at least ten (10) days prior to the quasi-judicial public hearing before the Historical Review Board. The advertised notice shall state the date, time, place of the quasi-judicial public hearing, case number, and shall contain the address of the property and the nature of the application.
- (c) At least ten (10) days prior to the quasi-judicial public hearing, the City shall give notice of the quasi-judicial public hearing before the Historical Review Board by U.S. Mail to the following:
 - (1) The property owner and the applicant if different from the owner; and
 - (2) The owner(s), as listed in the current Duval County Tax Assessor's records, of each property within a three-hundred-foot radius of the boundary of the subject property.
- (d) If any person described in this Section does not contest the issue of proper notice within thirty (30) days from the date the Historical Review Board renders final action on a Determination of Historical Significance or issuance of Certificate of Appropriateness, then notice shall be deemed to be in compliance with this section.

Sec. 2-501. Sunset Provision

The provisions of this part shall be automatically repealed on the last day of the 18th month after final the final adoption date unless after review, the City Council determines to extend its term. The repeal shall not affect any previous approvals or determinations described herein. Any applications that are pending at the time of repeal shall be allowed to proceed to final action.

SECTION 2: Codification. The provisions of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of Neptune Beach, Florida* and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections Three, Four, Five, and Six shall not be codified.

SECTION 3. 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 4. Severability. If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 5. Effective Date. This ordinance shall immediately take effect upon second reading and approval.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

VOTE RESULTS OF FIRST READING:

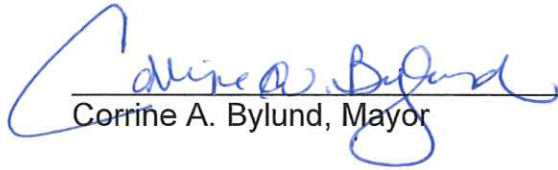
Mayor Corrine Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	ABSENT
Councilor Brent Rogers	YES
Councilor Tim Horvath	YES

Passed on First Reading this 7th day of July, 2025.

VOTE RESULTS OF SECOND READING:

Mayor Corrine Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	YES
Councilor Brent Rogers	YES
Councilor Tim Horvath	ABSENT

Passed at Second and Final Reading this 21st day of July, 2025.


Corrine A. Bylund, Mayor

ATTEST:


Catherine Ponson, City Clerk

Approved as to form and content:



Paul Waters, City Attorney



SPONSORED BY:

MAYOR CORRINE A. BYLUND



ORDINANCE NO. 2026-02

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE VII. BOARDS AND COMMISSIONS BY AMENDING DIVISION 5. HISTORICAL REVIEW BOARD; SECTION 2.499.2; PROVIDING CODIFICATION, CONFLICTS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 2, Article VII of the City of Neptune Beach's Code of Ordinances establishes Boards and Commissions; and

WHEREAS, the Historical Review Board was created to make Determinations of Historical Significance and to issue Certificates of Appropriateness; and

WHEREAS, the Historical Review Board enables a process whereby applicants for Development Permits may submit a Certificate of Appropriateness based on a Determination of Historical Significance to request an exception to certain requirements found in Chapter 27, Article IV, related to setbacks, lot coverage, floor area ratio and standards particular to the RC Overlay of the Unified Land Development Regulations; and

WHEREAS, it is the intent of this Ordinance to extend the "sunset provision" contained in Section 2.499.2.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA that:

SECTION 1. Chapter 2., Article VII of the Code of Ordinances, City of Neptune Beach, Florida is hereby amended to read as follows: (~~striketrough~~ text shall mean deletions and underlined / highlighted text shall mean additions):

Sec. 2-499.2. Sunset provision.

The provisions of this part shall be automatically repealed on the last day of the eighteenth month after the first publicly noticed meeting of the Board, unless the city council determines to extend its term. The repeal shall not affect any previous approvals or determinations described herein. Any applications that are pending at the time of repeal shall be allowed to proceed to final action

SECTION 2: Codification. The provisions of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of Neptune Beach, Florida* and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the

word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections Three, Four, Five, and Six shall not be codified.

SECTION 3. 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 4. Severability. If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 5. Effective Date. This ordinance shall immediately take effect upon second reading and approval.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

VOTE RESULTS OF FIRST READING:

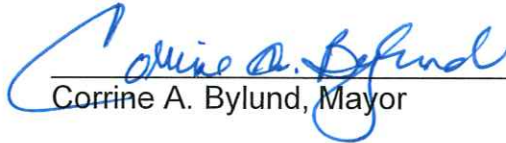
Mayor Corrine A. Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	YES
Councilor Brent Rogers	YES
Councilor Tim Horvath	YES

Passed at First Reading this 20th day of January, 2026.

VOTE RESULTS OF SECOND READING:

Mayor Corrine A. Bylund	YES
Vice Mayor Nia Livingston	YES
Councilor Josh Messinger	ABSENT
Councilor Brent Rogers	YES
Councilor Tim Horvath	YES

Passed at Second and Final Reading this 2nd day of February, 2026.


Corrine A. Bylund, Mayor

ATTEST:


Catherine Ponson, City Clerk

Approved as to form and content:



Paul Waters, City Attorney

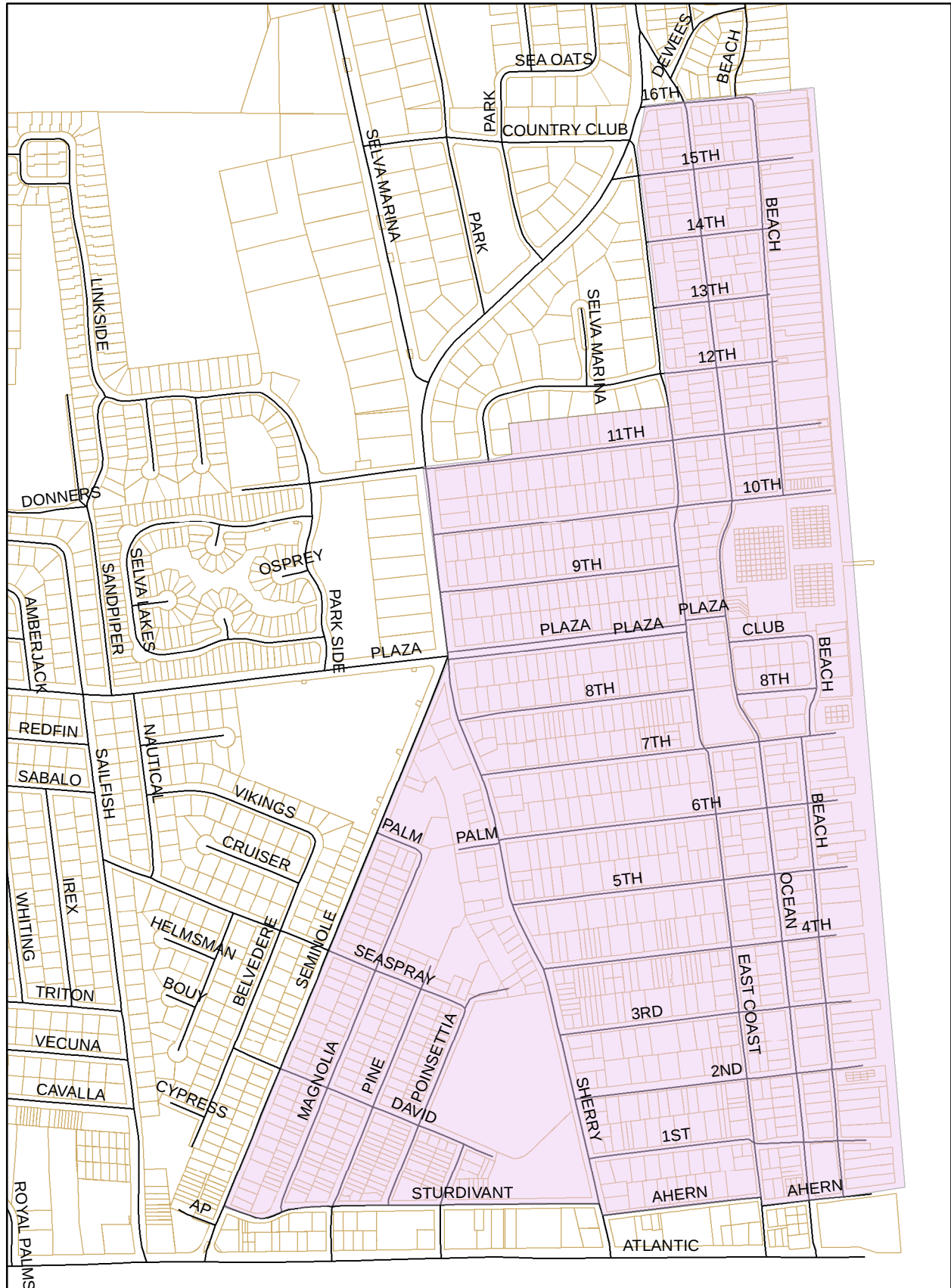




Ordinance 90-06-195 ATTACHMENT A

City of Atlantic Beach

Area subject to section 24-172. Residential Development Standards



0 500 1,000 2,000 Feet



Atlantic Beach, Florida Design Guidelines for Traditional Residential Neighborhoods

Table of Contents

INTRODUCTION	page 1
A. GUIDELINES: ENTRYWAYS AND PORCHES	page 3
B. GUIDELINES: GARAGES AND PARKING	page 5
C. GUIDELINES: LANDSCAPE FEATURES	page 7
D. GUIDELINES: FENCES AND WALLS	page 10
E. GUIDELINES: MAINTAINING TRADITIONAL CHARACTER	page 11
F. GUIDELINES: MASS AND SCALE	page 14
APPENDIX I: RESIDENTIAL DEVELOPMENT STANDARDS	page 15
APPENDIX II: LOT DRAINAGE REQUIREMENTS.....	page 18

This document has been prepared by:

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City of Atlantic Beach

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1265 Yellow Pine Road
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April 2007

Introduction

Atlantic Beach is noted for a pattern and scale of development within its older traditional residential neighborhoods that is reflective of its beachside location where features of both the natural and built environment largely define the “feel” of the City. Most would agree that key components of the City’s personality are a beautiful beach, lush vegetation and a dense tree canopy, and streets and sidewalks that invite pedestrian activity and neighbor-to-neighbor interaction. Most residents of the City place deep value in these qualities and recognize that what is built and re-built in the City is an integral part of retaining what is so special about Atlantic Beach.

This workbook provides guidelines for design in residential neighborhoods, with a focus on Old Atlantic Beach. It is advisory, not a set of rules and regulations. It attempts to provide a description of the qualities and basic design characteristics the community seeks to achieve and maintain. (Where a particular requirement exists related to a land development item addressed in this workbook, the regulation is included and identified as such. For convenience, the Residential Development Standards, which are Section 24-172 of the City Code, are included in Appendix I.) Atlantic Beach has a collection of neighborhoods that are highly desirable places to live. Each neighborhood has distinct features, but along most blocks within Old Atlantic Beach, houses have traditionally been similar in scale and size, and are similarly located on their lots. A certain eclectic quality and a diversity of textures and architectural styles also contribute significantly to the unique character of Old Atlantic Beach, and while there is a broad range of housing types, Old Atlantic Beach conveys a sense of individual properties belonging together as part of a welcoming and warm neighborhood.

The trend over recent years of teardown-rebuilds should not be viewed as a negative influence on the City. Reinvestment in older neighborhoods is essential to the long-term sustainability of any community as a desirable place to live, regardless of how unique the location may be or how affluent it may be. New residents and young families are not drawn to tired worn-out communities. The balance here is to guide this pattern of redevelopment rather than just to observe the evolution of the City as the proverbial victim of its own success. While there have been some glaring misfits, these remain exceptions, and hopefully over time, these too will blend into the fabric of the City. Should these become the rule rather than the exception, however, Atlantic Beach would risk losing a part of its special identity.

This workbook provides photos and graphic illustrations intended to serve as a guide for property owners, architects, designers and builders when planning the design of new residential construction. The guidelines are arranged thematically related to various components of a residence and a lot. While the focus of this ongoing effort has been Old Atlantic Beach, the guidelines are certainly appropriate for all residential areas of the City.



The predominantly residential character of the City of Atlantic Beach is reflected in a view that is rare to most of coastal Florida.

A. Guidelines: Entryways and Porches

Objective: Clearly identify the front entry to the residence and create a “people” scale at the front of the lot.



A typical entry has a front door that is sheltered by a porch, which is preferred.

Objective A.1. Aligning the entrance to be parallel with the front property line is generally preferred. Where street layouts are curvilinear and parcels are irregularly shaped, however, this orientation may not be as important.



These homes have primary entries that are clearly visible from the street. This helps to establish a sense of scale and also helps to convey a sense of welcome and connection with the neighborhood.

Related Regulation:

To encourage front porches, the zoning regulations permit an open porch to extend a maximum of 4-feet into the 20-foot front yard setback. Such porches must remain open and cannot later be enclosed.

A key traditional design feature of Atlantic Beach is the use of a one-story, open air porches. These help to define the front door, establish a low scale and provide visual interest. This tradition should continue.



A. Guidelines: Entryways and Porches

Objective A.2. Where an entry will not face the street directly, it should be clearly defined with a walkway and other design elements that help to identify its location. For example, in traditional residential neighborhoods, where a door is positioned perpendicular to the street, it should still be visible and is typically defined by a porch or roof feature that “announces” the entrance to the home.



One-story elements on the front of the house reduce the perception of overall mass of a structure.



Street trees cool front porches and walking areas, and entryways and porches that face the street or sidewalk encourage interaction between neighbors.

B. Guidelines: Garages and Parking

Objective: To discourage garages that dominate the front of a house and overtake the streetscape. The following options help to make the garage a less dominate feature of the house.

Guideline B.1. Use garage doors of a design, color or finish material that blends in with the facade and siding materials used for the house.



Siding materials that are rich in texture appear to be more a part of the house.

Where possible, consideration should be given to providing extra parking routinely needed for guests, particularly for properties located near the beach.

Traditionally, on-site parking was visually subordinate to buildings and landscapes. Garages sometimes were located at the rear of the lot. In other cases they were designed to blend with the building. In each case the scale of the garage was relatively small. This perception should be continued.

Regulations: Two parking spaces are required for each residential dwelling unit on a lot.

Parking spaces must be located entirely on the property, either in a garage or driveway.

Parking must be paved or constructed of a stabilized surface.

Parking cannot “hang” into right-of-ways beyond property lines, and parking over sidewalks is prohibited.



Placed perpendicular to the street, even larger garages are not as imposing.



Example of a garage situated perpendicular to the street and house.

B. Guidelines: Garages and Parking

Guideline B.3. Position a garage a minimum of 10-feet behind the front wall plane of the principal building.



Recommended where possible for front-loaded garages: set the garage back 10-feet back from front wall plane of the house.



Positioning the garage behind the front wall plane lessens its visual impact.



A garage door no wider than 30 percent of the width of the front wall plane will maintain an acceptable scale along the street front.



Avoid designs where the house appears to be dominated by the garage, or that make garages appear to “own” the street.

D. Guidelines: Fences and Walls

Objective: Avoid the appearance of lots that have become “walled compounds.”

Traditionally, most lots had lawns that were open to the street visually. In some cases, fences were installed, but these were typically low in scale and relatively transparent. This helped maintain a visual connection to the street.

Guideline D.1. Where fences are desired for security or privacy, open fences are preferred within front yards and along street sides.



These fence designs convey a sense of openness while also defining the public and private areas of the properties.

Guideline D.2. Avoid solid brick or masonry walls that prohibit breezes, cast shade on lawns and give residential lots the feeling of being an unwelcoming fortress.



Example of an inappropriate solid brick wall.



Although this fence is buffered by a layer of vegetation, it still creates a “walled compound” and should be avoided.

Regulation: Fences and walls are limited to four feet in height within the required 20-foot front yard of a lot and within 10-feet of any other street side property line. Within rear and side yards, fences are limited to 6-feet in height.

In no case, can any fence be located such that it would interfere with or obstruct clear sight distance for vehicles. (Section 24-157.)

E. Guidelines: Maintaining Traditional Character

Objective: Preserve the attitude and personality of the City.

Most residents would probably define Atlantic Beach as being as much a lifestyle as it is a place. People stay here and move here to embrace and be part of that lifestyle. The natural environment and the built environment are both integral components of this quality and character of Atlantic Beach.



Diversity in architectural design is a part of the heritage of the established neighborhoods in Atlantic Beach. It is important to note that the majority of buildings, although diverse in design, are compatible with their neighbors. They share fundamental relationships of building mass and scale, orientation and setback.

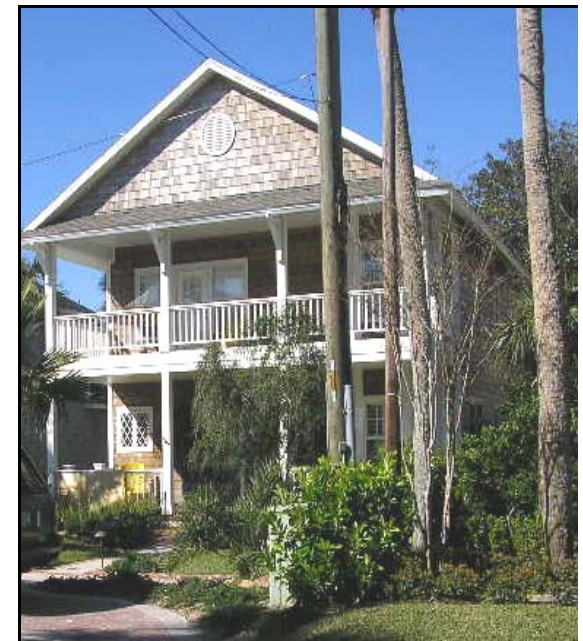
In the traditional residential neighborhoods a variety in forms, materials and details reflect diversity. Many buildings are more recent. These reflect changing approaches to style, building form and site planning, which is welcomed.

It is the intent to promote new designs and additions that are compatible with the traditional character of these neighborhoods, while also accommodating diversity in design. New, creative designs therefore are encouraged, when they also respect the basic development patterns of these neighborhoods.

E. Guidelines: Maintaining Traditional Character

Objective: Maintain a sense of the traditional Atlantic Beach neighborhood by encouraging architectural diversity that reflects the eclectic but compatible styles that have evolved over decades.

A variety of building types and styles are seen throughout Atlantic Beach. These include Shingle styles, Bungalow and Prairie styles, Dutch Colonial, Post-War Ranch and variations of all of these including many fine custom homes that defy neat architectural descriptions. Historically, these varied styles have co-existed peacefully among one another to provide a rich and interesting fabric that creates the distinctiveness within the City's older neighborhoods. The unifying feature within these neighborhoods has traditionally been a general consistency in the height and scale of homes, a sense of green space, an unbroken tree canopy and the orientation of houses along a street, which all combine to say *"come out and play."*



A variety of building types and styles are seen in Atlantic Beach. These combine to create a rich and diverse architectural fabric that helps to define the history and character of Atlantic Beach. One of the objectives is to maintain this traditional sense of place.

While there may be only a few historically significant buildings in the City as such are typically defined, there is wide variety of building types and styles throughout Atlantic Beach. This diversity has evolved over many years and includes features reminiscent of Shingle Styles, Bungalow Styles, Prairie Styles, Dutch Colonial, and Post-War Ranch. These traditional buildings help create an atmosphere and character closely associated with Atlantic Beach. Newer buildings and remodeled buildings, which incorporate elements from these styles, help the community to maintain this traditional feel.



While not a residential building, the rebuilt Adele Grage Community Center, which once served as City Hall is a focal point of the City and well represents the traditional feel of the City.

F. Guidelines: Mass and Scale

Objective: Maintain similar mass and scale patterns and open areas of lots as have traditionally existed while recognizing that space needs of families and individual preferences may necessitate a need for larger homes.

Objective F.1. Construct new buildings or additions that appear similar in mass and scale to traditional residences seen throughout the neighborhood.



By subdividing building mass into "modules" this large residence appears to be smaller in scale. This approach can work in any setting.



The mass and scale of this new construction is in keeping with the traditional neighborhood form and scale.

Objective F.2. Maintain the lot coverage as traditionally seen throughout neighborhoods, and avoid overcrowding of lots with too much building in relation to the size of the lot.

Maintain the traditional front, rear and side yard setbacks. Where the height of exterior side walls is greater than those of the adjacent houses, consider increasing the side yard setbacks to avoid a sense of overcrowded densely developed lots.



C. Guidelines: Landscape Features

Objective: Maintain and perpetuate the hardwood tree canopy that provides shade, privacy and beauty to the City.

Guideline C.1. When planting new hardwood trees, preference should be given to the City's recommended native tree list, which contains numerous varieties of oaks and hollies.



By maintaining the oak tree canopy, particularly along the street edge, the traditional character of this neighborhood is preserved.



This street corner displays a rich mixture of trees and vegetation.

Lush, mature landscapes are a part of the design traditions of Atlantic Beach, and this should be continued. Deciduous shade trees, native palms, flowering shrubs and lawns are key elements of the environments, and keeping a high percentage of a lot planted is encouraged. Priority should be given to all types of plant species that are drought resistant, including Xeriscape landscaping that minimizes the need for watering and high-nitrogen fertilizers and pesticides.

C. Guidelines: Landscape Features

Guideline C.2. Avoid three-story designs that extend above the existing tree canopy and prohibit light from reaching existing hardwood trees.



Large three-story houses often require removal of trees and also break the rhythm of the tree canopy.



An abundance of leafy trees like the Live Oak along with tougher municipal regulations on tree removal and greater attention to the urban forest, appear to help reduce electric consumption.

University of Florida Extension Dept.



Palms planted in groups create more cooling shade and visual interest.

Regulation: A Tree Removal Permit is required where construction is planned within a six-month time. (Chapter 23 of the City Code.)

For areas subject to the Residential Development Standards, one 4-inch caliper shade tree is required in the front yard and a second elsewhere on the lot in any location desired provided it is not placed over utilities. (Section 24-172.c.5.)

Native oaks and hollies, as identified within the City's Recommended Tree List, are preferred. Credit is given for existing healthy trees, and additional shade trees are not required.

C. Guidelines: Landscape Features

Guideline C.3. In order to promote the continued street canopy, trees should be planted close to the front property line provided there is no conflict with utilities or clear sight distance at intersections.



Mature trees create a canopy over many of the narrow residential streets of the community. Atlantic Beach is strongly identified by this beautiful dense tree canopy consisting of oaks, palms, pines and other native vegetation. This should be continued, and new tree plantings should include canopy-forming trees.

These tall shade trees are part of the design tradition that is a signature of Atlantic Beach and should be continued. Maintaining the canopy effect at the street edge is especially important.



Appendix II. Lot Drainage Requirements – Citywide

Topography and Grading – Changes to the topography of any site must be approved by the Department of Public Works. All lots must be developed and graded such that stormwater drains to the adjacent street, an existing natural feature that conveys stormwater or a City drainage structure after on-site storage requirements are met. Pre-construction and post-construction topographical surveys (not boundary surveys) are required unless this requirement is waived by the Director of Public Works.

On-Site Storage – Impervious Surface Area is limited to 50% of a lot. If an increase in the impervious surface coverage (building footprint, driveways, sidewalks, pool decks, etc.) on a lot is planned, on-site storage of stormwater run-off is required, such that there is no increase in the rate or volume of stormwater runoff from every developed or redeveloped Parcel. Documentation and calculations to demonstrate compliance must be provided. Development projects with in-compliance retention or detention systems permitted by the St. Johns River Water Management District (SJRWMD) that collect and control stormwater run-off are exempt from this requirement. On-site storage must be at least one foot above the wet season water table and below the off-site overflow point.

Where on-site storage is not required, stormwater treatment must be provided for a volume equivalent to either retention or detention with filtration, of the first one-half (1/2) inch of run-off (V (CF) = Lot area (SF) x 1/2 (in) x 1 (Ft)/12 (in)).

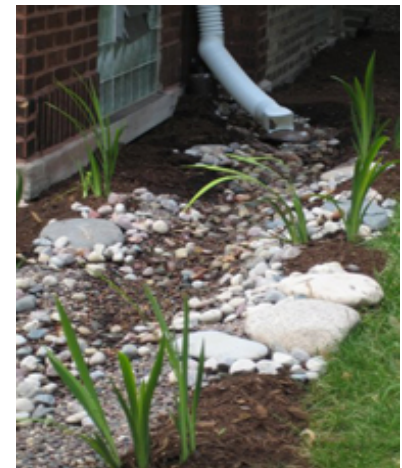
Flood Plain Storage – There must be no net loss of storage for areas located within the 100-year floodplain. Site grading must create on-site storage to mitigate for filling of the on-site volume. This storage is in addition to the storage required for the increase in Impervious Surface Area. The floodplain designation of areas may be determined by viewing the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) available at the Building Department in City Hall. This information may also be found on the City of Jacksonville's GIS website at: <http://maps.coj.net/jaxgis>

Consider adding a rain garden.

Rain gardens are part of a growing movement intended to help sustain the underground water supply and reduce the amount of runoff that can pollute lakes, rivers, creeks and beaches. Rain gardens are man-made depressions in the ground that collect water and minimize the volume of water entering conventional storm drains and nearby waterways. This process also improves water quality by permitting stormwater to be filtered and slowly absorbed by the soil. These depressions are filled with sand or soil and plants, which then provide a place for stormwater to collect during and after rainfalls for the purpose of increasing filtration and percolation to help replenish the Florida Aquifer. A rain garden should be placed so that impervious surfaces of a lot will drain into the depression area.

Residents are encouraged to construct swales planted with vegetation along the front of their property to catch runoff along with any silt, fertilizers or pesticides that are carried by this surface runoff before it enters the City's stormwater collection system. These swales use natural landscaping to soak up runoff along a street and naturally remove pollutants and high levels of nitrogen as the runoff water percolates through the soil. While rain gardens work best along streets that have no curbs or gutters, they are also effective when used on guttered streets.

Rain gardens help in other ways as well, especially when shrubs or trees are included in the landscape plant material. The roots of these plants, which can be up to 15 feet deep, create channels that let stormwater from streets, sidewalks and rooftops flow into the ground and eventually into the aquifer that supplies water to City residents for drinking and other uses. Water collected from the roofs of homes may also be piped into the rain gardens.

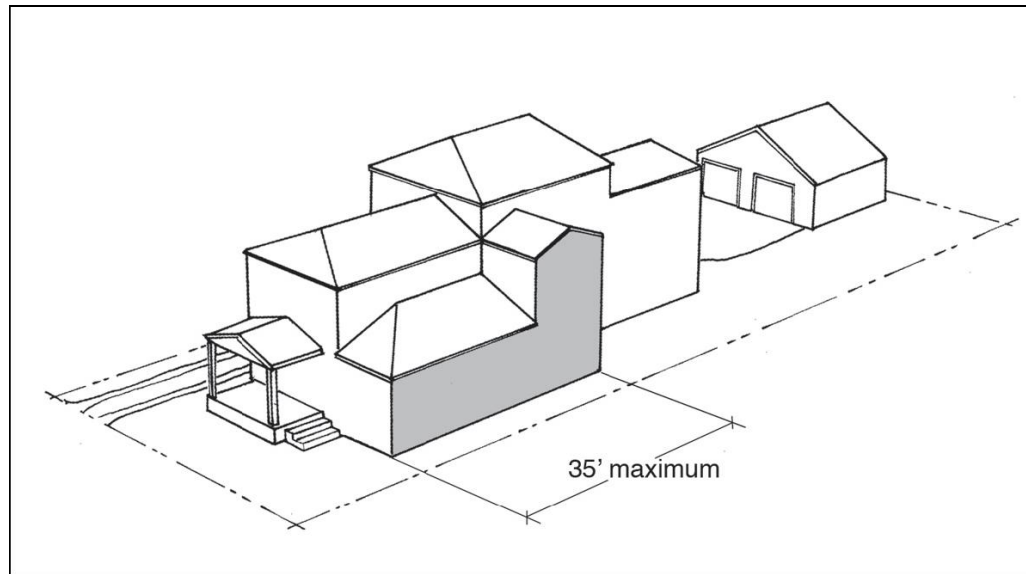


Runoff directed into rain gardens may be used to meet on-site storage requirements for excess runoff. Credit will be given for the open volume of the swale (above ground) and a percentage of credit will be allowed for in-ground storage in the volume between the ground surface and one foot above the wet season high water level, which is generally 30% for sand and soil mixtures. Contact the City's Department of Public Works at (904) 247-5834 for more information. The following website is also an excellent source of information about rain gardens. <http://www.raingardennetwork.com>

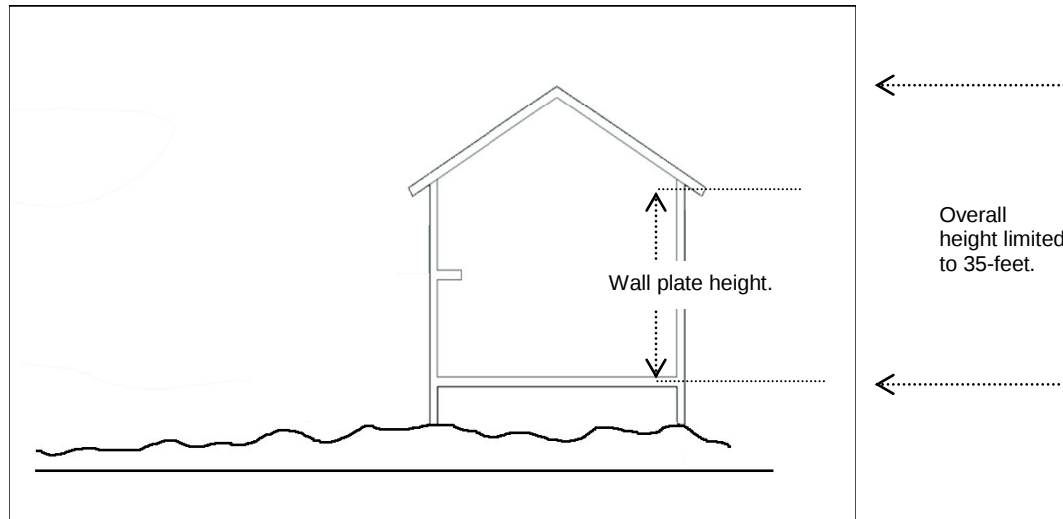
Appendix I. Summary of Section 24-172: Residential Development Standards for Old Atlantic Beach

The Residential Development Standards contain four requirements that apply to certain new residential development in the area of the City commonly known as Old Atlantic Beach, which is depicted on the following map. These requirements apply to new single-family and two-family homes and additions that add 25% or more in size to existing homes and are summarized as follows:

1. Side Walls – A common complaint about large new residences on 50-foot wide lots has been long, 3-story exterior side walls built right up to the minimum side setback, which tower over neighboring residences blocking sunlight, breezes and resulting in a loss of privacy and damage to trees, lawns and gardens that need sunlight. The provisions require that on two or three-story new homes, where a side wall is longer than 35-feet, elements must be added so that next door homes are not faced on the side by long, tall or stark two or three-story walls. These may include offsets, bay windows or other such features.



2. Wall Plate Height – Wall plate height, in non-technical terms, is where the side wall of a house stops and the roof structure begins as measured from the first floor. Wall plate height is limited to 22-feet. A 35-foot overall building height is still permitted.



3. Third Floors – For three-story homes only, the interior footprint of the third floor can be no more than 50% of the size of the second floor. How this is accomplished in terms of design is not restricted.

4. Shade Trees – For new houses or structural additions to existing homes, one 4-inch caliper shade tree is required in the front yard and a second in a location of the owner's choosing. Recommended trees include varieties of oaks and hollies. Credit is given for existing trees, and no additional trees are required in this case.



Other important provisions – Any legally built single or two-family home in this area could be rebuilt in the same size and design if destroyed by a hurricane, flood, fire, etc. subject to meeting Florida Building Codes, other regulations and coastal construction codes that might apply. Homes existing prior to the adoption of these regulations are permitted to be expanded in size by 25% before the new regulations would apply, although other current regulations such as setbacks, height, Impervious Surface limits, drainage and parking requirements might limit the size of an addition to less than 25%.