



**CHAPTER 7**

**INFRASTRUCTURE AND CONCURRENCY REQUIREMENTS**

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**7.00.00 GENERALLY**

This chapter sets forth the requirements regarding the provision of public facilities and requirements to ensure that public facilities are available when needed to provide service to development.

**7.01.00 TRANSPORTATION AND PARKING FACILITIES**

**7.01.01 Access and Driveway Design Requirements**

**Table 7.01.01(A). Maximum number of access points per lot.**

Functional Classification of Frontage Street	Maximum Number of Access Points
Arterial	1 per 500 feet of frontage
Collector, City responsibility	1 per 200 feet of frontage
Local	1 per 100 feet of frontage

The following standards shall apply to all driveways or access points from a lot or parcel onto a public street:

- A. The maximum number of access points for a lot is set forth in Table 7.01.01(A).
- B. Platted lots of record on the effective date of this LDC which have fewer frontages than required in Table 7.01.01(A) shall be allowed one (1) access point.
- C. No point of access shall be allowed within 100 feet of the intersection of the centerlines of any public street, except for single-family dwellings located on local streets intersecting with a local street, where the minimum separation shall be fifty (50) feet.
- D. Access ways or driveways for corner lots shall be located on the street with the lower functional classification.
- E. Driveways shall comply with the following standards:
  - a. Residential driveways shall be a minimum of twelve (12) feet in width and a maximum of twenty (20) feet in width.
  - b. Non-residential driveways shall be twenty-five (25) feet in width; when two (2) or more uses share a driveway, the width may be increased to thirty-five (35) feet. When a landscaped median is provided, the total width shall not exceed fifty (50) feet.
  - c. The minimum inside turning radius shall be fifteen (15) feet. No part of the turning radius shall extend over the property line.
- F. Concrete shall be 3,500 PSI with fiber and six (6) inches in depth in all rights-of-way.
- G. The alley and driveway easements are to the property line of structures served and are not required inside the property line.
  - a. For residential subdivisions on any local roadway, a secondary access may be provided through an easement for emergency vehicles.
  - b. For residential subdivisions on a cul-de-sac;
  - c. The maximum number of lots shall be limited to twenty (20); and
  - d. The maximum length of the cul-de-sac shall be limited to 800 feet.
- H. No curbs shall be cut or altered, and no points of access or openings for vehicles onto a public street shall be established, without a permit issued by the City.
- I. Approval from FDOT or the County is required for any access onto a road under their jurisdiction.
- J. The location, design, and construction of driveway connections shall comply with the FDOT Roadway Traffic Design Standards.

- K. All driveways shall be designed and constructed to comply with all drainage standards of the City and shall be improved with a permanent paving material.

**7.01.02 Streets and Rights-of-Way**

- A. Table 7.01.02(A) provides the minimum right-of-way widths for streets within the City. Where the minimum right-of-way width is not available for all streets abutting a parcel proposed for development, the applicant shall dedicate sufficient land to meet the right-of-way requirement. Dedication shall be based on one-half (1/2) of the right-of-way requirement.

**Table 7.01.02(A). Minimum right-of-way widths.**

<b>Functional Classification</b>	<b>Minimum Right-of-way (ft.)</b>
Minor Arterial	100
Collector, City responsibility	60
Local Streets shown on original City plat	50
Local Streets, all other	60
Alley	30

- B. Right-of-way provisions
  - 1. Additional right-of-way may be required by the City:
    - a. In areas where drainage needs dictate swale cross sections larger than those that can be accommodated within the designated rights-of-way; or
    - b. To promote public safety and convenience and ensure adequate access, circulation, and parking in high density residential, commercial, or industrial areas. Where a development abuts or contains an existing street of inadequate right-of-way width, additional right-of-way in conformance with the standards set out in this subsection shall be required.
  - 2. If pavement within a roadway is divided to allow for preservation of a tree within the right-of-way, the applicant shall demonstrate that adequate width remains for utilities and drainage between the shoulder and the right-of-way line.
  - 3. Acceleration, deceleration, and turn lanes may be required when an entrance to a development is on an arterial or collector road.
- C. Street number signs
 

To assist police, rescue, fire, and other public service agencies, and for the convenience of the public, each residential, commercial, or industrial structure visible from the public right-of-way is required to display a street number.

  - 1. Numerals shall be attached to the front of the structure or shall be on both sides of the post supporting a mailbox at the street side of the property, shall be at least three (3) inches high, and shall be either of reflective material or in such color as to provide maximum contrast to the background.
  - 2. Structures that are set back more than sixty (60) feet from the right-of-way or structures that are blocked from visual sight from the right-of-way by high or heavy vegetation, walls, or other structures shall display street numbers at the street entrance on a double-faced sign, which shall not be more than three (3) feet high and shall not be more than one (1) square foot in area.

**7.01.03 Sidewalks and Bicycle Facilities**

- A. For the safety of pedestrians, all development shall provide sidewalks, except as otherwise provided in Section 7.01.03(B) as follows:

**Table 7.01.03(A). Sidewalk Requirements**

Functional Classification	Sidewalk Placement
Arterial	Both sides
Collector, City responsibility	Both sides
Local Streets	One side

- B. For development in the RE district, sidewalks are not required along local streets.
- C. When sidewalks have already been installed or approved on contiguous properties, new sidewalks will be provided consistent in location and width with the existing sidewalk pattern.
- D. The required sidewalks shall comply with current standard specifications for City sidewalks and with all ADA requirements. Sidewalks shall be constructed to meet the following requirements:
1. Sidewalks shall be sixty (60) inches wide, six (6) inches thick, 3,500 pounds per square inch concrete, with an expansion joint installed at a minimum of every twelve (12) feet and an expansion joint at the property line.
  2. If a bicycle path is adjacent to the sidewalk, the combined width of the sidewalk plus the bicycle path shall be no less than eighty-four (84) inches wide. All sidewalks and bicycle paths shall be elevated a minimum of one (1) inch, with a slope adequate for drainage.
  3. At driveway and street intersections, sidewalks and bicycle paths shall be sloped down to the grade of the street or driveway.
  4. All sidewalks and bicycle paths shall be immediately adjacent to the edge of the right-of-way unless otherwise approved by the City.
- E. Bicycle parking shall be provided at multi-family developments on two (2) or more acres, parks and recreation facilities, and commercial establishments according to the following standards:
1. The number of bicycle spaces required is as follows:

**Table 7.01.03(E). Required bicycle spaces for specified uses.**

Type of Use	Minimum Number of Bicycle Spaces
Parks and recreation facilities	1 space per 10 required vehicle parking spaces
Commercial uses	1 space per 25 required vehicle parking spaces
Multi-family development	1 space per 20 required vehicle parking spaces

2. Bicycle parking spaces may be provided as either bicycle racks or other storage facilities, provided that the following standards are met:
  - a. Facilities shall be designed to allow each bicycle to be secured against theft;
  - b. Facilities shall be installed to resist removal;
  - c. Facilities shall be installed to resist damage by rust, corrosion, or vandalism;
  - d. Facilities shall accommodate a range of bicycle shapes and sizes and allow easy locking without interfering with adjacent bicycles; and
  - e. Facilities shall be located not to interfere with pedestrian or vehicular movement.

**7.01.04 Parking Standards and Parking Lot Design**

**A. Parking space requirements**

1. Minimum off-street vehicular parking spaces shall be provided at the time of the construction of the principal building or at the time of the conversion of a building having a previously existing use to a more intensive use of the same property.
2. The minimum number of parking spaces shall conform to the standards in Table 7.01.04(A).
3. Due to the nature and character of the central business district, the provision of off-street parking will not be required, except for lodging accommodations and bed and breakfast inns. For these uses, the off-street parking requirements shall be satisfied within 1,000 feet of the property involved and as otherwise required under this chapter.
4. Calculation of required parking
  - a. Where floor area determines the amount of off-street parking required, the floor area of a building shall be the sum of the gross horizontal areas of every floor of the building, using exterior wall dimensions.
  - b. For places of public assembly, the number of seats shall be the maximum occupancy load established for the building by the Fire Marshal.
5. Requirements for off-street parking for uses not specifically mentioned in this chapter shall be the same as required for the use most similar to the one sought.
6. Any development adjacent to a public beach access shall be prohibited from interfering in any manner with the public use of the beach access, including but not limited to blocking the parking, removing parking, or interfering with the normal flow of traffic within the beach access area.
7. Off-street parking may not exceed 10% of the required parking amount on any site.
8. Up to two (2) on-site internal non-illuminated signs per business may be allowed to designate specific on-site parking areas. Signs are exempt from permitting requirements and are limited to four (4) square feet and no tall than eight (8) feet.

**Table 7.01.04(A). Parking Space Requirements**

Type of Use or Activity	Minimum Number of Spaces
Assembly places (religious facilities, funeral homes, schools, theaters, auditoriums, arenas, civic centers, and facilities with an auditorium, sanctuary, or gathering place, whether fixed seats or open area)	1 space per 4 seats
Business and commercial activities, including retail sales, and business activities not otherwise specified	1 space per 300 ft <sup>2</sup> of gross floor area
Clubs and lodges (including fraternities, sororities, and other social or civic membership organizations)	1 space per 4 seats in the largest assembly area
Day-care and child-care centers	1.5 spaces per employee on the largest shift
Drive-in establishments	1 space per 60 ft <sup>2</sup> of gross floor area

Gasoline service stations	1 space per 350 ft <sup>2</sup> of floor area, plus 3 spaces per repair bay
Hospitals, nursing homes, rest homes, convalescent homes, assisted care facilities, other similar facilities, and other medical facilities providing overnight accommodations	0.25 spaces per 1 bed plus, 1 space for each 2 employees on the largest shift
Lodging accommodations, without restaurants or lounges	1space per sleeping room
Lodging accommodations, with restaurants or lounges	1space per sleeping room, plus 50% of the parking required by this section for the restaurant or lounge
Libraries and museums	1 space for each 500 ft <sup>2</sup> of gross floor area
Manufacturing, warehousing and industrial uses	1 space for each 2 employees on the largest shift, plus 1 space for each company vehicle operating from the premises
Marinas	0.5 space for each boat berth, plus 1 space per each 2 employees on the largest shift <sup>1</sup>
Medical offices and clinics	1 space per 250 ft <sup>2</sup> of gross floor area
Mortuary and funeral homes	1 space for each 4 seats in the chapel, plus 1 space for each 3 employees
Multi-family dwellings	2 spaces per dwelling unit
Offices (general, professional, or government)	1 space per 300 ft <sup>2</sup> of gross floor area
Public parks and recreation facilities	1 space per 1,000 ft <sup>2</sup> feet of active use area
Restaurants, eating, drinking, or entertainment establishments (without drive-in facilities)	1 space per 50 ft <sup>2</sup> of the customer services area or 1 space per 250 ft <sup>2</sup> of the gross floor area for those establishments without customer service areas (such as take-out windows only)
Schools and educational uses; Elementary, middle, and junior high schools	2 spaces for each classroom, office, and kitchen
Schools and educational uses; High schools	6 spaces for each classroom, plus 1 space for each staff member
Schools and educational uses; Vocational, trade, and business schools	1 space per 300 ft <sup>2</sup> of gross floor area
Single-family dwellings	2 per unit <sup>2</sup>

<sup>1</sup>If a marina features a boat-launching ramp; at least fifty percent (50%) of the required parking spaces shall be designed to accommodate both a vehicle and boat trailer.

<sup>2</sup> Single-family dwellings within the CRA must provide two (2) spaces per dwelling unit on-site but are permitted the following exceptions: all units 1000 sq. ft or under are only required to provide one (1) space per dwelling unit on-site and all units 1,001- 1,250 sq. ft. are only required to provide one and one-half (1.5) spaces per dwelling unit on-site. Non-residential uses shall provide for parking per LDC section 4.03.03.

B. Parking Flexibility – This section recognizes that minimum parking requirements, in certain circumstances, may result in excess provision of parking. Excess parking supply results in the inefficient use of land at the expense of additional landscaped areas, civic space, enhanced site design or building area and the reduction in subsequent tax revenue and employment opportunities. Therefore, off-street parking requirements may be met through additional and alternative measures provided in this subsection. These measures shall be requested during site plan review.

1. Shared Parking Provisions

a. Shared parking may be applied when land uses have different parking demand patterns and can use the same parking spaces/areas throughout the day or night. Shared parking may also be applied when an existing development can demonstrate excess parking. Factors evaluated to establish shared parking arrangements shall include operating hours, seasonal/weekly/daily peaks in parking demand, the site's orientation, location of access driveways, accessibility to other nearby parking areas, pedestrian connections, distance to parking area, and availability of parking spaces.

b. Shared parking is subject to an agreement that addresses the following:

1. The agreement is valid only as long as the conditions described in the application for the shared parking exist, the City must be a party identified in the agreement requiring a signature from the City Manager, and the agreement must be in a form acceptable to the City Attorney recorded with the Nassau County Clerk of Courts.

2. A copy of the recorded agreement shall be submitted to the City Attorney and City Manager within ten (10) days of its recording.

2. Off-Site Parking – Up to 50% of the overall required parking may be met in off-site parking areas through a shared parking agreement. The off-site parking area must be located within 600 feet walking distance of the structures' nearest public entrance. A pedestrian connection providing a safe, well lighted walking environment shall be required. No more than two (2) off-site non-illuminated signs per business shall be allowed in order to designate or direct use of off-site parking spaces. Signs are exempt from permitting requirements and are limited to four (4) square feet and no taller than eight (8) feet.

3. Existing Sites – If the parking deficit on an existing site is within 20% of the required additional parking generated by proposed alterations or expansions in use then, those spaces may be provided in unimproved parking areas.

4. Valet Parking – On-site or off-site valet parking is permitted. All off-site locations shall require a recorded parking agreement, meeting the requirements for shared parking arrangements. Motor vehicles may be stacked for valet operations.

5. The City may require, or an applicant may request, the elimination of up to 20% of the required parking spaces in order to preserve specimen trees. The site plan shall show the location of all required parking and the spaces eliminated to preserve the trees.

6. On-Street Parking – The City Manager may grant a parking waiver for use of on-street parking spaces immediately adjacent to the site of a commercial use, not to exceed 10% of the required parking spaces when the following conditions exist:

a. On-street parking is permitted on both sides of the right-of-way;

b. Sufficient improved right-of-way width is evidenced and maintained;

c. A linear length of at least 25 feet along the right-of-way for each alternative space;

- d. On-street spaces shall not be located closer than 30 feet from an intersection or 15 feet from a driveway;
- e. The maximum utilization of other off-street parking alternatives for the commercial site shall be implemented prior to the granting of a parking waiver.

C. Parking lot design requirements

1. All parking areas shall be arranged for convenient access and safety of pedestrians, bicyclists, and vehicles. All new non-residential development parking lots shall be located in the side or rear of buildings. All non-residential redevelopment shall incorporate strategies for masking parking areas and creating a more pedestrian-oriented environment whereby the majority of required parking is screened through landscaping or other design strategies.
2. Parking Material: All new and redeveloping properties shall incorporate the use of pervious parking materials for a minimum of 75% of the required parking. Pervious parking materials that require regular maintenance through activities such as, vacuum sweeping, must demonstrate their ability to perform regular maintenance of the site. Pavement systems must be maintained in a smooth, well-graded, and drained condition. Parking materials may consist of standard paving, pavers and alternate paving systems. Use of grass or alternate lawn surface as parking material may be considered for up to one-third (1/3) of the required off-street parking facilities. All accessible spaces must comply with all requirements set by ADA.
3. All parking areas shall be adequately drained and maintained in a dust-proof condition. All non-residential developments parking lots shall incorporate the use of Low Impact Development (LID) facilities such as use of pervious paving materials or pervious pavers, open section drainage, vegetative swales, and bio retention basins that exhibit unique design characteristics. The design of the parking lot shall be incorporated into the development's stormwater management plan.
4. Parking areas shall be designed with consideration given to future shared parking arrangements. All non-residential site development shall be designed to allow for vehicular cross accesses to adjacent non-residential properties. Where there are existing stub-outs on adjoining properties, the site under review shall complete the connection. The cross access must be designed to the same standards as internal circulation within the parking and circulation area.
5. If the parking area is artificially lighted:
  - a. All lighting shall be designed, arranged, and constructed such that no source of such lighting is visible from any adjoining or nearby property used or zoned for residential purposes.
  - b. All lighting shall be designed, arranged, and constructed to shield public roadways and all other adjacent properties from direct illumination.
  - a. For all areas adjacent to beach areas, the lighting shall be designed, arranged, and constructed consistent with Section 3.05.02 of the LDC regarding outdoor lighting in beach areas.
6. Individual spaces and internal aisles shall be designed according to the standards below;
  - a. Parking space dimensions shall be a minimum of nine (9) feet by eighteen (18) feet.
  - b. The number, design, and location of accessible parking spaces shall comply with the ADA standards for accessible design.
  - c. The minimum width for a one-way internal aisle shall be twelve (12) feet, and the minimum width for a two-way internal aisle shall be twenty-two (22) feet.
7. When drop-off areas are provided, the drop-off area shall be fully separated from driveways and parking areas. The separate drop-off area shall allow a person to enter or exit a vehicle directly to a sidewalk abutting the entrance to an establishment.



8. The atmosphere of parking lots for all non-residential developments is intended to be park like and shall comply with all landscaping provisions for parking areas contained in LDC Section 4.05.06. All parking areas shall be designed with landscaping and buffering which serve to reduce heat-island effect.
- D. Pedestrian circulation
1. Large retail development projects shall provide parking areas that enhance pedestrian safety, efficiency, and connectivity with a clear definition between vehicular areas and pedestrian walkways.
  2. Pedestrian and vehicular circulation systems are required to be adequately separated for pedestrian safety. Pedestrian connectivity between building entrances and parking areas shall be clearly indicated through the use of landscaped areas; walkways made of materials such as scored concrete, pavers, or bricks; or paint striping.
  3. Internal pedestrian walkways, located between two (2) rows of parking spaces and not in the vehicular aisles, shall be provided at focal points of pedestrian activity, such as store entrances. Additionally, such walkways shall be at least five (5) feet wide and shall include landscaping adjacent to the walkways.
  4. New and redeveloping non-residential properties shall, where feasible, be required to provide or enhance pedestrian connectivity to adjacent residential neighborhoods.
  5. New and redeveloping non-residential properties shall, where feasible, be required to establish pedestrian connections to the transportation network including but, not limited to, sidewalks, bike lanes or trails, or transit systems.

**7.01.05 Specific Parking Restrictions for Commercial Vehicles, Recreational Vehicles, Boats, and Trailers**

A. Prohibitions

Any commercial motor vehicle which has a gross vehicle weight of 8,000 pounds or more shall not be parked in any residential, commercial, wetland protection, or recreational district or area, except as otherwise provided in Section 7.01.05(B).

B. Exceptions

The prohibition in Section 7.01.05(A) shall not apply to parking of such vehicles in the specified districts or areas:

1. For the time required for normal loading and unloading of such vehicles; or
2. For the time required to perform the legally permitted service provided by such vehicles.

C. Mobile homes, travel trailers, travel campers, recreational vehicles, and similar vehicles regularly or periodically utilized for dwelling purposes shall not be parked overnight in any zoning district except in an area specifically designated by this LDC for that purpose. Mobile homes, travel trailers, travel campers, recreational vehicles, and similar vehicles, when unoccupied, may be parked or stored in a completely enclosed building, a carport attached to a principal building, or in a side or rear yard.

D. Boats, boat trailers, utility trailers, and similar vehicles shall not be parked overnight in any zoning district except in an area specifically designated by this LDC for that purpose. Such vehicles, when unoccupied, may be parked or stored in a completely enclosed building, a carport attached to a principal building, or in a side or rear yard.

**7.01.06 Loading Space Standards and Design**

- A. Off-street loading spaces shall be provided as follows:
  - 1. Commercial centers, commercial uses, hotels, hospitals, and institutional uses with less than 10,000 square feet of gross floor area shall provide one (1) off-street loading space.
  - 2. Commercial centers, commercial uses, hotels, hospitals, and institutional uses with 10,000 square feet or more of gross floor area shall provide one (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 20,000 square feet, or fraction thereof.
  - 3. Industrial uses shall provide one (1) space for each 10,000 square feet of gross floor area.
  - 4. Offices shall provide one (1) space for each 20,000 square feet of gross floor area.
- B. Off-street loading spaces shall meet the following design requirements:
  - 1. Loading spaces shall not block streets, alleys, or sidewalks. Loading spaces shall not impair the movement of vehicles or pedestrians on streets, alleys, or sidewalks.
  - 2. Every loading space shall meet the following minimum dimensions:
    - Length                 30 feet
    - Width                   12 feet
    - Height                  14 feet

**7.01.07 Drive-Through Facilities and Stacking Lanes**

- A. All uses and facilities providing drive-up or drive-through service shall provide stacking lanes in compliance with the standards of this section.
- B. Restaurants with drive-up or drive-through facilities shall provide a minimum stacking space to accommodate eight (8) vehicles. A by-pass lane shall be required.
- C. Banks and financial institutions shall provide stacking spaces according to Table 7.01.07(C). A by-pass lane shall be provided.

**Table 7.01.07(C). Stacking Lane Requirements for Banks and Financial Institutions.**

<b>Number of Drive-Through Lanes</b>	<b>Total Number of Vehicles to be Accommodated</b>
1	8
2	12
3	18
Each additional lane	2 additional vehicles accommodated

- D. A solid wall or fence shall be provided along a property line abutting lots or parcels zoned for residential purposes in order to block lights from vehicles in the stacking lanes or drive-through facility.
- E. Stacking lanes shall not be located within a designated delivery area or area designated for loading spaces.

**7.01.08 Visibility at Intersections**

- A. In order to provide a clear view of intersecting rights-of-way and/or private driveways, there shall be a triangular area of clear visibility formed by the two (2) intersecting rights-of-way, driveways, or combination thereof.

- B. The horizontal dimensions of sight areas are defined as triangular areas formed by the intersecting right-of-way lines and a straight line joining the right-of-way lines at points which are as follows:
  - 1. In C-1, C-2, C-3, I-1, I-A, I-W, PI-1 RE, R-1, R-2, R-3, OT-1, OT-2, and MU-1 zoning districts, fifteen (15) feet from the point of intersection of the right-of-way lines.
- C. The vertical dimensions of sight areas are defined as that vertical space between the heights of eighteen (18) inches and ten (10) feet in elevation above the nearest edge of the street pavement of a paved street or above the nearest edge of the riding surface of an unpaved street.
- D. Within the clear visibility triangle area, no fence, wall, sign, structure, slope or embankment, parked vehicle, hedge, foliage or other planting, and other object or structure shall be placed, erected, or maintained which will obstruct visibility.
- E. All landscaping shall comply with the most current edition of the FDOT Roadway and Traffic Design Standard, regarding visibility triangles. Tree trunks, palms, and supporting columns or posts shall be permitted within the clear area, provided that their location does not itself create a traffic hazard and the area is free of limbs and foliage. Landscaping, except grass or ground cover, shall not be located closer than three (3) feet from the edge of any driveway pavement.
- F. The requirements of this section shall not be deemed to prohibit any necessary retaining wall.
- G. Streetlights and street name signposts shall also be permitted, provided that illuminating fixtures or nameplates are not within the prescribed clear space.

## **7.02.00 REQUIREMENTS REGARDING POTABLE WATER, SANITARY SEWER, AND OTHER UTILITIES**

### **7.02.01 Requirements for All Utilities**

- A. All utilities required by this LDC shall meet or exceed the minimum standards contained in the City of Fernandina Beach Utility Department "Engineering and Construction Requirements" Standards Volume 2 or the most recent edition.
- B. Each development shall contain improvements designed and constructed according to the requirements and specifications of this chapter and applicable policies, rules, regulations, and ordinances of the City and the laws of the State. The following services and facilities are required improvements:
  - 1. Streets designed and constructed for public use according to the standards and requirements of this chapter;
  - 2. Sidewalks designed and constructed for public use according to the standards and requirements of this chapter;
  - 3. Approved street signs, markers, traffic signs, and signals to control and circulate traffic within the street pattern within the subdivision in accordance with the Uniform Manual of Traffic Control Devices, published by USDOT;
  - 4. Drainage and stormwater management facilities designed and constructed according to the standards and requirements of this chapter;
  - 5. A sanitary sewerage system based on the standards and requirements contained in the City of Fernandina Beach City of Fernandina Beach Utility Department "Engineering and Construction Requirements" Standards Volume 2 or the most recent edition, except as provided in Section 7.02.02(B) or (C);

6. A potable water system based on the standards and requirements contained in the City of Fernandina Beach Utility Department "Engineering and Construction Requirements" Standards Volume 2 or the most recent edition.
  7. Parks and recreation dedication, as specified in Section 4.04.04(L);
  8. Electricity, telephone, cable, gas, and other utilities;
  9. A fire hydrant system in accordance with Section 7.02.02(D); and
  10. Such other improvements as are deemed necessary to comply with the requirements of this chapter and to protect the public health, safety, and welfare because of topography or other conditions of the tract.
- C. When water, sewer, electrical power, telephone, or cable television facilities are installed and intended to be owned, operated, or maintained by a public utility or any entity other than the property owner or developer, the ownership of such utility or facility shall be transferred to the service provider.
- D. All lines for electricity, telephone, cable television, streetlights, and gas distribution (exclusive of transformers or enclosures containing electrical equipment, including, but not limited to, switches, meters, or capacitors) shall be placed underground within easements or dedicated public rights-of-way.

#### **7.02.02 Standards for Installation of Potable Water and Sanitary Sewer Facilities**

- A. All development within the City shall be required to connect to a public water system.
- B. All infill development shall be required to connect to a public sewer system when the City's sanitary sewer system is within a 1,000 feet radius of the property line of the development.
- C. Where the City sanitary sewer system is not within a 1,000 feet radius of the property, private systems may be accepted provided they meet all City, County, and State requirements, including Section 7.02.03.
- D. Fire hydrant systems shall be installed and made usable prior to any combustibles being brought onto the construction site, and shall meet the minimum requirements established by the fire chief for residential development:
  1. Whenever possible, all water systems shall be looped. Water mains shall not be less than six (6) inches in diameter when used in a looped system. Water mains, when used in a dead-end system, shall not be less than eight (8) inches in diameter. A hydraulic flow analysis by a Florida registered professional engineer, which shall include pressure drop at maximum flow of all hydrants connected to the radial (not less than twenty (20) PSI), shall be furnished. Fire hydrants shall be placed no more than 500 feet apart.
  2. Each hydrant shall have one (1) 4.5-inch outlet and two (2) 2.5-inch outlets, and all outlets shall have National Standard Threads (NST). All hydrants shall be installed with 4.5-inch outlets facing the street and shall be placed such that the center of the 4.5-inch outlet is no less than eighteen (18) inches above the finished grade and no more than thirty-six (36) inches above the finished grade. Specifications for hydrants shall meet or exceed the minimum standards contained in the Florida Fire Prevention Code.

#### **7.02.03 Standards Regarding Septic Tanks**

- A. On-site wastewater treatment systems shall be limited to lots currently using septic tanks, except as provided in Section 7.02.02(C).
  1. No septic tank other than those approved and permitted by the State Department of Health § 381.0065, F.S., shall be used in the City.
  2. Septic tanks in use at the time of adoption of the LDC may remain in service until

local sanitary sewer service is made available to the residents, consistent with County Health Department requirements.

- B. All new development shall be required to connect to the central sewer system, except as provided in Section 7.02.02(C).

#### **7.02.04 Standards Regarding Reclaimed Water Facilities (RESERVED)**

### **7.03.00 REQUIREMENTS REGARDING DRAINAGE AND STORMWATER MANAGEMENT**

#### **7.03.01 Generally**

- A. The purpose of the stormwater management requirements set forth in this section is to minimize the detrimental effects of stormwater runoff and to provide for mitigation of stormwater impacts from new development and redevelopment.
- B. The regulations in this section are intended to:
  - 1. Provide maximum water quality and habitat benefits;
  - 2. Provide retention/detention of stormwater runoff to maintain surface water quality, ensure percolation, and reduce contamination to drainage canals, surface water, and groundwater;
  - 3. Prevent any development activity that would endanger lives and harm property, water quality, or environmental systems;
  - 4. Preserve natural lakes, creeks, other water courses, and natural drainage features;
  - 5. Encourage the use of stormwater management systems for urban landscape irrigation; and
  - 6. Prevent creation of flood hazards due to new development.
- C. The requirements of this LDC do not supersede those of other State, federal, or regional agencies. All applications for development shall include proof of a permit or exemption from SJRWMD.

#### **7.03.02 Applicability and Exemptions**

- A. All proposed development, except as specifically described in this section, shall comply with the standards and criteria set forth in Section 7.03.00.
- B. No drainage system, whether natural or manmade, shall be altered, designed, constructed, abandoned, restricted, or removed without prior written approval of the City and all appropriate State and federal agencies.
- C. The following activities may alter or disrupt existing stormwater runoff patterns, and unless specifically exempted under Section 7.03.02(D) below, shall be authorized only through issuance of a stormwater management permit prior to initiation of development:
  - 1. Clearing and/or drainage of land prior to construction of a project;
  - 2. Altering the shoreline or bank or any surface water body; or
  - 3. Altering any ditches, dikes, terraces, berms, swales, or other water management facilities.
- D. The following development activities are exempt from the requirements of this section:
  - 1. Single-family dwellings and associated accessory structures, provided they are within a subdivision having a valid stormwater management permit and properly operating stormwater management systems designed and sealed by an engineer;
  - 2. Maintenance, alteration, or improvement of an existing structure where it has been determined by the City that such maintenance, alteration, or improvement will not

- change the peak discharge rate, volume, or pollution load of stormwater runoff from the site on which that structure is located;
3. Activities that are not considered development; and
  4. Emergencies requiring immediate action to prevent material harm or danger to persons, when obtaining a permit is impractical and would cause undue hardship in protection of property from fire, violent storms, hurricanes, or other hazards. A report of the emergency shall be made to the City Manager as soon as practicable.

### 7.03.03 Standards for Stormwater Management

- A. All development shall comply with the specifications, standards of design, and detailed technical requirements provided in the manuals adopted by reference in Chapter 1.
- B. No subdivision shall be platted, nor shall construction commence for any single-family, multi-family, commercial, industrial, or institutional project, until the drainage design for such project has been approved by the City, and proof of permit from the SJRWMD, the USACOE, if applicable, and the Amelia Island Mosquito Control District, has been provided to the City.
- C. The drainage design plans for the project shall be prepared, signed, and sealed by a Florida registered professional engineer.
- D. All drainage facilities and easements shall be documented to ensure the City that capacity and right-of-way are adequate from the source, through the development, to the receiving body of water, without adversely affecting upstream or downstream properties. Any improvements or increase in capacity of those facilities required to keep the project in compliance with all applicable regulations shall be made at the expense of the applicant.
- E. Design basis
  1. All subdivisions and multi-family, commercial, industrial, and institutional projects shall provide for retention of stormwater within the boundaries of the project.
    - a. For projects within areas designated for zero discharge, storage shall accommodate a ten (10) year, twenty-four (24) hour storm event.
    - b. For all other areas, retention shall accommodate the greater of the first one-half ( $\frac{1}{2}$ ) inch of stormwater within the boundaries of the project, or the first one (1) inch of storm flow from all roofs, sidewalks, paved surfaces, and parking areas (at 100 percent runoff), whether paved or not.
    - c. The project shall also provide detention for all stormwater flows.
    - d. Detention shall prevent peak flows after development from exceeding the peak flow prior to development.
    - e. Retention or detention areas for multi-family, commercial, industrial, and institutional projects shall not be located in public road rights-of-way or within single-family zoning districts.
  2. All floor slab elevations shall be constructed at least one (1) foot higher than the 100-year flood level.
    - a. Unless the drainage master plan dictates higher levels, in areas where the floodplain has been established under the requirements of the FEMA or the National Flood Insurance Program, the level shall comply with such requirements.
    - b. In all other areas, floor slab levels shall be constructed to the elevations specified in the engineer of record's approved drainage plan.

- c. If no drainage plan exists, or if the plan predates this chapter, the floor level shall be at least eighteen (18) inches above the roadway unless otherwise approved by the City.
  3. Where a development includes a retention basin in the drainage system, the basin shall be located in such a manner as to minimize damage when the design storm is exceeded.
    - a. A minimum of twenty (20) feet of drainage right-of-way shall be set aside to allow for ingress and egress, and a continuous maintenance berm shall be provided around the perimeter of the retention basin.
- F. Rainfall and runoff criteria
  1. The system or project shall be designed for design floods resulting from rainstorms of the following expected frequencies or greater:
    - a. Ten (10) year, twenty-four (24) hour intervals for all drainage except floodways, street inlets, and cross drains.
    - b. Floodway and receiving body of water flood conditions as shown for 100 years' duration storm in the FEMA flood insurance study, latest edition.
    - c. Five (5) year, twenty (20) minute intervals for street inlets and cross drains.
  2. Ultimate land usage shall be assumed for selection of proper runoff coefficients within the basins involved. Weighted runoff coefficients shall be applied where different coefficients apply within the areas comprising the basin.
- G. Drainage map
  1. The project engineer shall include in the construction plans a master drainage map showing all existing and proposed features. The map shall be prepared on a scale not to exceed one (1) inch equals 200 feet. As a minimum, it shall include:
    - a. The limits of the drainage basin or sub-basin;
    - b. Topography of the project;
    - c. Topography between the project and the receiving body of water, or the receiving City-, County- or State-owned drainage facility;
    - b. Topography of adjacent property;
    - c. Existing points of entry of water from adjacent property;
    - d. Points of discharge of water from the project;
    - e. Limits of fill required to construct facilities and to prevent minimum flooding of future dwelling units, except that no filling for construction will be permitted in the 100-year floodplain;
    - f. Finished floor slab elevations and minimum elevation of the bottom of floor framing for each structure to accommodate the 100-year flood elevation;
    - g. Location of National Flood Insurance Program rate map flood zones; and
    - h. Soil profiles, using the USDA soil classification method, to be performed on sufficient areas throughout the project to provide adequate information on the overall suitability of the proposed drainage plan.
  2. With respect to Sections 7.03.03(G)(1)(a),(c), and (d), if a project fronts on an approved public or private road and the applicant can demonstrate to the satisfaction of the City that no drainage will be discharged from the project onto any adjacent property, these items may be waived. No waiver of any kind will relieve the applicant of responsibility or liability from damage caused by increased runoff from his project.
- H. Drainage during construction
  1. All off-site drainage entering the property prior to the commencement of construction shall be maintained through the construction period.

2. Approved silt barriers shall be placed to prevent silt, erosion, or other pollutants from leaving the site. If off-site siltation occurs, it shall be halted immediately, or all work shall cease until the silting is stopped.
- I. Maintenance of drainage facilities after construction  
All private drainage facilities shall be continuously and properly maintained by a required homeowners' association, the developer, or another entity approved by the City in an enforceable development order and designated in the construction permit application.
- J. Use of stormwater for irrigation  
Where feasible, stormwater management systems shall be designed to provide landscape irrigation for the development.

#### **7.04.00 REQUIREMENTS REGARDING CONCURRENCY**

##### **7.04.01 Generally**

The provisions of this section ensure that public facilities and services needed to support proposed developments are available concurrent with the impacts and consistent with the adopted level of service standards. A concurrency certificate shall be required prior to the issuance of any local development order or development permit.

##### **7.04.02 Applicability**

- A. Unless specifically exempted below, the terms and provisions of this section apply to all lands and to all development within the City.
- B. The following proposed development is exempt from a determination of concurrency, except that the developer shall submit a concurrency certificate application as provided for in this section:
  1. Developments that possess a valid, unexpired building permit at the time of adoption of this LDC.
  2. An amendment to a local development order that does not result in increased impacts as stated in the concurrency certificate.
  3. Local development orders and permits that may be needed for:
    - a. Accessory structures as defined in Chapter 5.
    - b. Additions or changes to approved existing residential structures that will not result in an increase in dwelling units.
    - c. Changes in use that do not result in greater impervious surface on the lot or trip generation rates for the new use as compared to the existing use.

##### **7.04.03 Facilities Subject to Concurrency**

- A. The following facilities and services are subject to concurrency requirements: potable water, sanitary sewer, drainage, parks and recreation, solid waste, and roadways.
- B. The level of service standards for facilities subject to concurrency are set forth in the Comprehensive Plan.

##### **7.04.04 Requirements for Determinations of Concurrency**

- A. A concurrency determination shall be made as follows;
  1. As part of the application and review process for a site plan for development subject to supplemental standards, a preliminary subdivision plat, or a PUD site plan;
  2. At the time of application for a building permit when the proposed building has not been the subject of a concurrency determination; or



3. At the time of the issuance of a local development order.
- B. A concurrency determination shall be valid for one (1) year, unless otherwise specified, and renewable for one (1) year.
- C. A determination that concurrency standards are satisfied is a requirement for the issuance of a local development order or building permit. (See Chapter 11 for requirements and procedures regarding local development orders.) If an application meets concurrency requirements, a specific finding shall be included in the approval.
- D. The burden of proof to demonstrate compliance rests with the applicant. The concurrency determination shall compare the impacts of the proposed development on each public facility or service identified in Section 7.04.03(A) with the available capacity for each facility or service at the adopted level of service standard.
  1. Capacity availability shall be based upon the total capacity of the facility at the adopted level of service standard, minus the capacity required to meet the needs of existing development, and minus the capacity reserved for developments with valid, unexpired building permits or local development orders.
  2. Capacity availability shall be verified with documentation from service providers which indicates that capacity is available and that capacity shall be reserved for the proposed development when a local development order or building permit is issued.
  3. A concurrency determination that is based upon facilities that are under construction or guaranteed in an enforceable development agreement shall be accompanied by documentation from the service provider that the facility or service will be available as described in the conditions of the local development order or building permit.
  4. Where a proposed development cannot meet the concurrency requirements, the project may be approved in stages or phases. A local development order or building permit shall be issued only for the stage or phase that meets the concurrency requirements as set forth herein.

#### **7.04.05 Requirements for Transportation Concurrency**

- A. For all proposed developments that will generate more than 400 average daily trips, the applicant shall apply for a traffic concurrency determination from the Northeast Florida Regional Council.
- B. For concurrency determinations regarding transportation facilities, the local development order or building permit shall only be issued if the necessary facilities and services are in place and available or under construction at the time the development order is issued; or
- C. The development order or building permit may be issued subject to a condition that the necessary facilities will be in place prior to issuance of a certificate of occupancy and that the certificate of occupancy will not be issued unless the necessary facilities are in place; or
- D. The development order or building permit may be issued when the necessary facilities are specifically identified and guaranteed in an enforceable development agreement, which includes the following conditions:
  1. Commencement of actual construction of the facilities within three (3) years following issuance of the certificate of occupancy; or
  2. Provision of facilities and services within three (3) years following issuance of the certificate of occupancy.

- E. In order for an application to be eligible for conditional approval subject to the requirements of Section 7.04.05(B) above, the facilities shall be included in the adopted Five (5) Year Capital Improvements Element of the Comprehensive Plan.
- F. For the purpose of issuing a local development order or building permit, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements, only if all of the following conditions are met:
  - 1. The transportation impact of the proposed development alone does not exceed one-tenth (0.1) percent of the maximum service volume at the adopted level of service standard for the peak hour of the affected transportation facility; and
  - 2. The cumulative total transportation impact from all de minimis exemptions does not exceed three (3) percent of the maximum service volume at the adopted level of service standard of the affected transportation facility if the facility does not meet the minimum level of service standard.

**7.04.06 Requirements for Concurrency for Sanitary Sewer, Solid Waste, Drainage, and Potable Water**

- A. For concurrency determinations regarding sanitary sewer, solid waste, drainage, and potable water facilities, the development order or building permit shall only be issued subject to the condition that at the time of issuance of a certificate of occupancy the facilities and services necessary to meet and maintain the adopted level of services are in place and available for the proposed development; or
- B. The necessary sanitary sewer, solid waste, drainage, and potable water facilities are guaranteed in an enforceable development agreement pursuant to 163.3220, F.S. or Chapter 380, F.S., such that the facilities and services will be in place and available at the time of issuance of a certificate of occupancy.

**7.04.07 Requirements for Concurrency for Parks and Recreation**

- A. For concurrency determinations regarding parks and recreation, the local development order or building permit shall only be issued if the facilities and services necessary to meet and maintain the adopted level of service are in place and or under construction at the time a local development order is issued; or
- B. The necessary facilities are scheduled to be under construction within one (1) year following issuance of the certificate of occupancy is issued; or
- C. The local development order or building permit may be issued when the necessary facilities are specifically identified and guaranteed in an enforceable development agreement, which includes the following conditions:
  - 1. Commencement of actual construction of the facilities within one (1) year following issuance of the local development order or building permit; or
  - 2. Provision of facilities and services within one (1) year following issuance of the local development order or building permit.