



Urban Land  
Institute

North Florida

# City of Neptune Beach

Technical Assistance Panel

June 26 - 27, 2018 | Neptune Beach, Florida





# Contents

<b>Preface</b>	<b>4</b>
<b>Sponsor and ULI Panel Members</b>	<b>5</b>
<b>TAP Scope</b>	<b>6</b>
<b>Panel Process</b>	<b>7</b>
<b>Executive Summary</b>	<b>8</b>
<b>Background</b>	<b>11</b>
<b>Analysis</b>	<b>18</b>
<b>Recommendations</b>	<b>22</b>
<b>About the Panelists</b>	<b>26</b>

# Preface

## About ULI

The Urban Land Institute (ULI) is a nonprofit education and research institute supported by its members. Its mission is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. Established in 1936, ULI has more than 40,000 members worldwide representing all aspects of land use and development disciplines. The North Florida District Council was formed in 2005 and has more than 500 members in 34 counties, including the cities of Jacksonville, St. Augustine, Gainesville, Tallahassee, Panama City and Pensacola.

## What are Technical Assistance Panels (TAPs)?

Technical Assistance Panels (TAPs) are one- to two-day panels convened by the local ULI District Council at the behest of a community, public entity or private enterprise (Sponsor) facing real estate or land-use issues. The District Council assembles a panel composed of highly qualified professionals chosen for their knowledge of the issues facing the Sponsor. The interdisciplinary team of seasoned real estate professionals may include land planners, architects, financiers, developers, appraisers, attorneys and brokers who are well qualified to provide unbiased, pragmatic advice on complex real estate issues. Panel members are not compensated for their time, but they are reimbursed for out-of-pocket expenses, such as overnight lodging and transportation to attend the TAP. To ensure objectivity, panel members cannot be involved in matters pending before the Sponsor, currently work for the Sponsor or solicit work from the Sponsor during the six months following the TAP program.

## How do TAPs work?

Charged with moving specific projects forward, TAPs provide expert, multidisciplinary advice to local governments, private companies, public agencies and nonprofits facing complex land-use and real estate issues. Drawing from our professional membership base, we leverage the collective expertise of our members to provide a unique, market-based perspective on a broad range of issues including:

- The re-use potential of existing properties
- Revitalization of corridors or specific properties
- Key economic and other issues relating to public/private land-use situations
- Specific development and land proposals or issues
- Market feasibility, financial structuring, and more

## The Program

During the two-day program, ULI North Florida assembles a panel comprised of six to 10 senior-level members representing the specific land-use disciplines needed for each assignment. Panel members may include developers and owners, investors, designers, engineers, attorneys and executives from the greater North Florida region. Panelists tour the study area, interview stakeholders, and work collaboratively to produce preliminary findings and recommendations which are presented after the TAP workshop in either a private or public forum. A complete report follows within about 6-8 weeks with detailed recommendations.

# Sponsor and ULI Participants

## Sponsor

**City of Neptune Beach**

## ULI North Florida

**Carolyn Clark**

District Council Senior Director

**Patrick W. Krechowski**, Gray-Robinson  
TAP Committee Co-Chair

**Joseph Loretta**, Genesis Group  
TAP Committee Co-Chair

**Lindsay Haga**, England-Thims & Miller  
TAP Committee Member

## Acknowledgements

On behalf of the Urban Land Institute, the TAP Committee Chairs and TAP panelists wish to thank the following members and sponsors for their contributions:

**England-Thims & Miller**, Jacksonville  
**Genesis Group**, Jacksonville

## Technical Assistance Panel

**Jim Sellen**, TAP Chair  
Planning Principle  
VHB, Orlando, Florida

**Garrett L. Avery**  
Senior Project Manager  
AECOM, New York, New York

**Doris Goldstein**  
Consultant  
[www.walkablemixeduse.com](http://www.walkablemixeduse.com), Los Angeles,  
California

**Holly Grimes, AIA**  
Associate and Senior Project Manager  
Wakefield & Beasley Associates, A NELSON  
Company, Ponte Vedra Beach, Florida

**Margaret Jenness**  
President  
Twin Branch Corp., Oakland, Tennessee

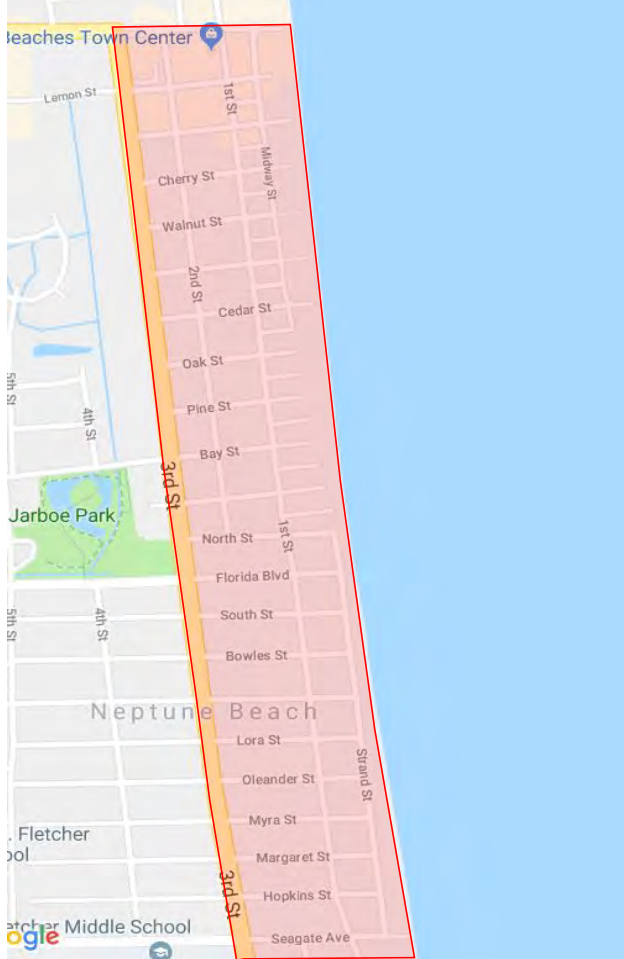
**G. Brian Wheeler, RLA, CNU**  
GGI-Tapestry, LLC, Jacksonville, Florida

## CITY OF NEPTUNE BEACH

### Propose Study Area

Northern Boundary: Atlantic Blvd.  
Southern Boundary: Seagate Ave.

Eastern Boundary: Atlantic Ocean  
Western Boundary: A1A (Third St.)



## TAP Scope

The TAP is tasked with examining the Neptune Beach's Land Development Code (Chapter 27) and Comprehensive Plan with a focus on the land areas north of Seagate and east of Third Street (A1A). The TAP is to provide practical recommendations for code rewrites and/or amendments that, when implemented, would address the following particular concerns and factors:

1. Existing antiquated and conflicting code language
2. Unique, built-out neighborhood/bedroom community east of Third Street
3. Promoting redevelopment of nonconforming structures which include small lot sizes, 35' height restriction, lot coverage/stormwater management issues, while preserving the unique character of the area
4. Code provisions that will address density in accordance with the city's Comprehensive Plan, hurricane evacuation routes, pedestrian traffic, beach access and parking (for residents and visitors)
5. Small but thriving nearby and adjacent (west of Third Street) commercial corridor

The TAP panel will tour the study area and interview the City Council and staff. The preliminary recommendations would be presented to the City Council and staff at an evening public meeting. The final report would provide specific implementation recommendations on rewrites and amendments to the city's Land Development Code.



# Panel Process

The ULI North Florida District Council assembled a group of accomplished ULI members who have expertise in land planning, landscape architecture, real estate development and environmental design, making for an intensive two-day workshop to address the challenges facing Neptune Beach.

Prior to convening, TAP members received information on Neptune Beach's demographics and economic data; Comprehensive Plan and Future Land Use Map; Zoning Atlas and Land Development Code; drainage and North Florida Transportation Planning Organization (TPO) studies; maps and examples of nonconforming lots.

Orientation on day one included an introductory presentation by **Amanda Askew**, Deputy City Manager, and interviews with **Mayor Elaine Brown**, **Vice Mayor Scott Wiley**, and council members **Richard Arthur** and **Rory Diamond**. Panelists were given a tour of the study area, with emphasis on nonconforming lots, including uses, density and bulk standards. Panelists discussed the issues that were presented and potential solutions.

**Councilor Fred Jones** was interviewed on day two. The panelists further discussed solutions to the issues to be addressed, formalized their observations and made recommendations based on input from the stakeholders and the information provided to them by the Sponsor. At the day's end, their recommendations were presented to the Neptune Beach City Council.



# Executive Summary

*Neptune Beach can preserve the character and quality that makes it unique. But it must do so with a land code that meets the demands of a diverse community with changing needs.*

Neptune Beach is seeking to eliminate inconsistencies in its Comprehensive Plan and Unified Land Development Code. Of particular concern is the study area east of Third Street that borders on the Atlantic Ocean. The beach community includes a quirky mix of architecture, small alleys and limited commercial development. Single family structures make up 65 percent of the houses; 35 percent are multifamily. Nearly 58 percent of the houses were built before 1970. Much of the development has been ad hoc. A number of properties are nonconforming; others are not being well maintained.

Except for the commercial business district bordering Atlantic Boulevard, the study area is currently zoned for single-family and two-family residences with densities not to exceed 10 dwelling units per acre. The zoning is part of an effort to reduce density and maintain Neptune Beach's character as a residential community. Multifamily units of three or more that were built prior to the adoption of the current zoning are grandfathered in. Nonconforming properties can only rebuild to their current nonconformity if they are substantially destroyed by a natural disaster.

The TAP evaluated the current codes and their unanticipated consequences, as well as issues related to parking, traffic and stormwater management. The panel's overarching recommendation is to create an overlay district for the study area. In addition, they recommend extending the overlay to the west side of Third Street so as to incorporate Jarboe Park, which is located at the intersection of Third Street, the main north-south thoroughfare, and Florida Boulevard, a major east-west connector. The

proposed overlay district would include three sub-districts: Residential Beach, Third Street Corridor and Town Center, each with its own form-based code.

For the Residential Beach sub-district, the panel recommends development of a form-based code for new and reconstruction purposes that provides for a variety of housing types consistent with coastal living and reinforces the area's eclectic character. Limiting construction to single- and two-family homes has two negative consequences: (1) Multifamily landlords have little incentive to repair or replace their run-down structures with only one or two units, and (2) Neptune Beach will eventually lose the diverse character and quirky charm that it currently enjoys. Therefore, TAP members recommend that multifamily buildings be allowed to rebuild to single-family, two-family, or multi-family units, provided they adhere to the form-based code and other overlay district requirements. Guidelines should ensure that structures are in scale with lot size and neighboring houses. As a result, some multifamily structures may be rebuilt, but they may not be able to rebuild to their current number of units. Other nonconforming properties damaged by hurricanes or some other disaster should be required to rebuild to current standards.

The panel discussed the need for more flexibility with respect to height. The current 28-foot maximum does not accommodate today's home styles and features, such as high ceilings. The result is a proliferation of large, flat-roof houses built to maximize space. The panel suggests maintaining the 28-foot maximum building height but using different criteria for measurement that





will allow for more flexibility in housing features. They also recommend enlarging the square footage and height for accessory units and allowing apartments to be built over garages with the height limited to that of the main house. These accessory dwelling units, or so-called granny flats, add housing flexibility over time, enabling homeowners or their parents to age in place at less cost. In either case, the main house or accessory house must be owner-occupied.

Other recommendations include decreasing the front yard setback to discourage front yard parking; requiring parking in the back for structures with no garages; limiting driveway width; and requiring trash cans to be hidden except on pick-up day.

With respect to Town Center, the panel agreed that municipal buildings are not the highest and best use for the site, which is a prime location for commercial entities that can spur economic growth and generate additional tax dollars. They recommend relocating City Hall and the Police Department to the Third Street Corridor between the library and Jarboe Park. The area is more centrally located than Town Center and could become a Civic District with other city services as well.

Parking is problematic not only in Town Center but in the residential area. Paid parking is a way to encourage high turnover in the commercial business district. TAP members recommend installing paid parking in Town Center to Orange Street, with fluctuating parking rates based on demand; restricting parking to Neptune Beach residents in the study area south of Orange; and adding 24 spaces on First Street by relocating parking from the west side to the east side of the street, which has fewer driveways due to the orientation of homes to the side streets. The city also should encourage use of neighborhood electric vehicles (NEVs)/street-legal golf carts for local resident traffic.

Neptune Beach has an opportunity to enhance its identity by developing a unified signage/lighting/wayfinding plan for Town Center, Third Street and Florida Boulevard. To draw attention to the city's great recreational assets, panel members recommend making Florida Boulevard the visual gateway to the beach and the East Coast Greenway (First Street). The boulevard can be enhanced with a median, landscape improvements like shade trees, wayfinding signage, and bike lanes. The panel also recommends adding a sidewalk on the north side of Florida Boulevard and sidewalk bioswales for stormwater storage.



Intercoastal Waterway

Neptune Beach is vulnerable to storm surge and flooding as a result of climate change. The city must be prepared for an increase in frequency and strength of storms, as well as rising sea levels. It has in place a Municipal Comprehensive Emergency Management Plan (MCEMP) last updated in 2010. The plan should be revised to conform to the Consolidated City of Jacksonville/Duval County's Comprehensive Emergency Management Plan, which was revised August 2017, to ensure proper coordination with other municipal, state and federal entities.

As part of the resiliency effort, Neptune Beach needs to upgrade its aging stormwater system. The TAP also recommends implementing green infrastructure strategies. The city can put rights of way to work with performative landscapes to help mitigate stormwater runoff and drainage issues and should create incentives for homeowners to incorporate green infrastructure in construction. To minimize lot fill associated with redevelopment and infill, the panel recommends encouraging builders to install three-foot stem walls, which should not count toward the allowable 28-foot building height. Lastly, there is a need to change the basis for the stormwater fee, which currently does not cover expenses. The panel recommends

a variable fee based on impervious surface ratio. A lot with an ISR of 50% would pay less than one with 70%. A pool would count as an impervious surface.

The Development Review Board currently has final approval for construction projects in the residential zone. TAP members recommend that this board be staffed with design professionals who will serve as an advisory panel to the City Council, which should provide final approval. These appointees need not be residents of Neptune Beach.

Neptune Beach can preserve the character and quality that makes it unique. But it must do so with a land code that meets the demands of a diverse community with changing needs.





# Background

Neptune Beach is a small seaside community of little more than 7,000 people. It is bounded by Atlantic Beach to the north and Jacksonville Beach to the south. Located in Duval County, Neptune Beach sits on a barrier island that extends for about 30 miles from the mouth of the St. Johns River in Mayport to Vilano Beach in St. Johns County. A majority of Duval County communities consolidated into the city of Jacksonville in 1968. Neptune Beach chose to remain quasi-independent. Residents can vote in Jacksonville elections and are represented on the Jacksonville City Council. But Neptune Beach maintains its own municipal government, police force, water and sewer utility, garbage and recycling. The city receives a franchise fee from Beaches Energy Services (Jacksonville Beach), which provides electricity. Duval County manages the beach. Of the taxes collected by Neptune Beach only 18.1 percent stays in the city.

Neptune Beach boasts a beautiful sandy beach that hugs the Atlantic Ocean. The Intracoastal Waterway serves as the city's western boundary, separating Neptune Beach from the city of Jacksonville. Third Street (S.R. A1A) is the main north/south roadway through the community, with

Atlantic Boulevard and Florida Boulevard serving as the main east/west connections. First Street is used mostly for local traffic. Parking is allowed only on the west side of the street during the day. The City Council has toyed with the idea of turning First Street into a one-way heading south and designating a bicycle lane to help maintain safety for the many pedestrians and bicyclists who use the roadway.



Jarboe Park



Neptune Beach

*“ I came into office with a vision....adding green space is a dream of mine.”*

— **Mayor Elaine Brown, City of Neptune Beach**

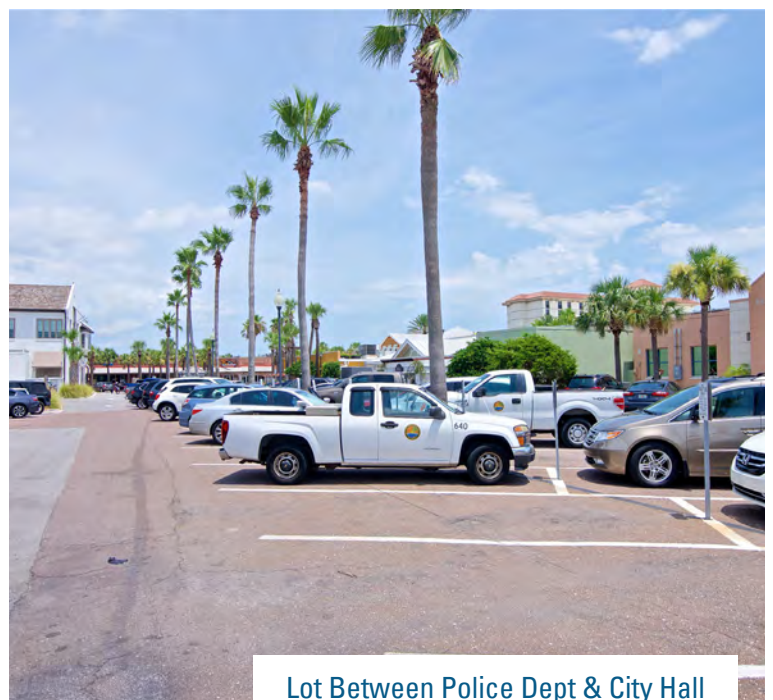
The city provides more than 20 beach accesses and owns four parks. The largest, Jarboe Park, is centrally located at Florida Boulevard and Third Street and is undergoing a major improvement project. Neptune Beach is an official part of the East Coast Greenway, which connects 15 states, 450 cities and towns, and 3,000 miles of people-powered trails from Maine to Florida. The city is creating a trailhead at Jarboe Park and a 1,050-foot long paved trail running from the park along Florida Boulevard from Fifth Street to the East Coast Greenway, which runs along First Street. There also is a proposal to create a bike path running along a ditch behind existing commercial development that faces Third Street at a cost of about \$1 million.

Neptune Beach’s location makes it vulnerable to hurricanes, storm surge and other hazards. The city has in place an all hazard Municipal Comprehensive Emergency Management Plan (MCEMP). It was last updated in 2010 and may not conform to the Consolidated City of Jacksonville/ Duval County’s Comprehensive Emergency Management Plan, which was revised August 2017, as well as current State of Florida and Federal Response Plans.

As of the 2010 census, Neptune Beach consisted of 3,192 households with a median income of \$71,919. It is a “bedroom community;” most employed residents work in Jacksonville. An eclectic mix of shops, restaurants and bars comprising the commercial business district is clustered at the city’s north end. This thriving entertainment area, also known as the Beaches Town Center, includes City Hall and Police Department headquarters. A second commercial area extends from Atlantic Boulevard south along Third Street to Orange Street and on the west side of Third Street from Orange to Florida Boulevard.

Land is limited in Neptune Beach, since two-thirds of the city’s 6.8 square miles is water; only 2.3 square miles is buildable and most of the city is built out. As a result, land is at a premium, particularly in the highly desirable area under study east of Third Street, which covers 0.26 square miles.

Mayor Elaine Brown has proposed relocating City Hall and the Police Department from First Street to a more central location. Aside from the need for more space and parking, municipal buildings are not the highest and best use for the prime real estate location, which could be generating tax dollars. The buildings have been appraised at \$3.6 million. The mayor’s vision includes turning the 90-space parking lot between Atlantic Boulevard and Lemon Street into a green space and promenade. The city owns six of the parking spaces; the rest are owned by Southcoast Capital Partnership Ltd., which also owns the parking lot at the corner of Second and Lemon streets. Mayor Brown would like that lot replaced by a parking garage with ground-floor retail.



Lot Between Police Dept & City Hall





Vacant K-Mart and Lot

A mixed-use complex with high-end luxury apartments proposed for the site of a former Kmart store on Atlantic Boulevard to the west of Third Street has come under fire from local residents. The property has been vacant for two years. The developer, TriBridge Residential, originally sought to construct 319 apartment units, along with retail, restaurants and commercial space. In the face of opposition, the company scaled back the development to five three-story buildings with commercial space on the ground floor and 175 one- and two-bedroom apartments above. They also added a 74-room boutique hotel and a three-story parking garage for residents and hotel guests. TriBridge's plan includes \$2 million in community improvements, such as funding a half-mile trail from Lemon Street to Jarboe Park, a new traffic light and pedestrian crosswalks, replacing one mile of aging sewer infrastructure

along Forest Avenue and adding a stormwater pond.

Residents who have been vehemently opposed to the project have cited increased traffic and the belief that it does not fit with Neptune Beach's residential character and small-town feel. The Community Development Board at its July 18, 2018, meeting voted 6 to 0 against the planned unit development. The Neptune Beach City Council followed suit at its meeting on August 13. The developer has indicated that it will move forward with options that do not require approval of either the Community Development Board or the City Council. At least 300,000 square feet of retail can be built at the site per code, according to city documents.



Police Department



City Hall

The study area's quirky mix of architecture, small alleys, beach lifestyle and limited commercial development does exude a quaint charm. Nearly 58 percent of the houses were built before 1970. The area is zoned R-4, except for the commercial business district bordering Atlantic Boulevard. R-4 provides for single-family and two-family residences with densities not to exceed 10 dwelling units per acre. Multifamily units of three or more that were built prior to the adoption of the current zoning are grandfathered in. Single family structures make up 65 percent of the houses; 35 percent are multifamily. Of occupied housing units east of Third Street, 42 percent are estimated to be rentals. Most are not owner-occupied. Short-term rentals (less than 28 days) are prohibited as are trailers.

A main objective of the Future Land Use element of Neptune Beach's 2012-2022 Comprehensive Plan is to retain the residential character of the city and reduce density. Under the Unified Land Development Regulations, the design goals for new construction or improvements include encouraging "originality, flexibility, and innovation in site planning and development" and discouraging "monotonous, drab, unsightly, dreary and inharmonious developments." It also cites as an objective the need for buildings not to present "excess visual mass or bulk to public view or adjoining properties."

In 2017, a city ordinance eliminated the Architectural Review Board due to failure to get volunteers to serve on the board. The Community Development Board hears applications for development, redevelopment and variances and is the final decision maker for all variances and administrative appeals in the residential zones. The board reviews and recommends to the City Council approval or denial of applications for preliminary development plans, special exceptions, and variances for property located in the C-1, C-2, C-3, conservation and CBD zoning districts. The Mayor appoints the Board members.

The regulations for land use include the following:

- The minimum lot width is 40 feet; 50 feet for a duplex.
- Side yard setbacks are 7 feet.
- Front and back setbacks together must total 35 feet, but neither can be less than 15 feet.
- The maximum building height is 28 feet measured from one foot from the road to the highest point of the structure; e.g., roof peak or roof deck railing.
- Accessory structures cannot exceed 12 feet in height or 14 feet for a two-car garage.
- The minimum floor area per dwelling is 800 square feet, and the maximum floor area ratio (FAR) is 65 percent of the total lot area.
- Attached porches and balconies are allowed in addition to the maximum floor area ratio but limited to a total of 4 percent of lot coverage, a minimum of six feet deep, and a maximum of 250 square feet in size.
- The impervious lot coverage cannot exceed 50 percent of the lot area. Pool areas, hot tubs, and driveways are included in the impervious calculations.
- Semi-pervious surfaces, pavers, and engineered water detention systems are encouraged and given credit toward a percentage of the covered area.

A complaint about the land use code is that it does not have enough flexibility. For example, new housing styles featuring high ceilings cannot be accommodated in a two-story structure with a peaked roof. But many residents, particularly older homeowners who have lived there a long time, prefer the 28-foot limit because higher homes would limit beach views for smaller structures. Another complaint comes from some homeowners who want to enclose an area like a breezeway. They are hindered because their property is already at the 50 percent impervious ratio.





Varied Architectural Styles



*“ East of Third Street would have been underwater if Hurricane Matthew had not moved west. Of all things, that’s what keeps me up at night.”*

— **Scott Wiley**, Vice Mayor,  
City of Neptune Beach

Nonconforming lots, structures and uses that were previously allowed are only permitted to remain until they are “removed, discontinued or enlarged.” Thus, an owner of a multifamily unit seeking to rebuild an old, run-down or unsafe structure must replace it with a single- or two-family dwelling and meet all current requirements. A nonconforming property can add to the structure, however, provided the new portion meets the current code. Some properties are vacant. Under the code, future use of any property that has been vacant for 24 months also must conform to current standards.

An exception to the requirement to bring nonconforming properties into compliance is made in the case of a hurricane or other disaster that substantially destroys the structure. The owner can rebuild the dwelling to the same nonconformity, including the same number of

units for multifamily properties, provided the reconstruction does not result in an increase in nonconformity of the lot area, yards or setbacks.

Drainage and stormwater management are of great concern. The stormwater system was installed in the 1950s and doesn’t address current density or the size of houses. An estimated \$4 million is needed to upgrade the system. Currently, Neptune Beach charges a \$5 fee per resident per month for stormwater management. Stormwater expenditures exceed the revenue generated by the fees. A proposal to increase the fee has not been enacted by the City Council.

Drainage issues are exacerbated by nonconforming structures, some of which cover as much as 85 percent of their lots. Further, current Florida Department of Environmental Protection (DEP) regulations require certain elevations for



House Under Construction on Beach



Trash Can Left Out



Trash Can Left Out



Nonconforming House



Nonconforming House

homes in the Coastal Construction Control Line. Homeowners installing new construction are adding fill to their lots to comply, leaving adjacent properties lower and more vulnerable to flooding.

A major complaint among residents is parking. Some cars park in the right of way, while some homeowners place boulders in the right of way to protect their parking areas. In addition, pea gravel that covers some homeowner parking areas washes into the roadway.

Commercial business parking is another problem. Homeowners complain that it encroaches into the residential section. The City Council has

discussed the possibility of putting in paid parking in the business district and parts of the study area using license plate recognition, kiosks and/or meters. Currently in the Beaches Town Center valet parking is free with validation of a purchase.

Among other issues plaguing the study area are the unsightly trash cans that are left out after collection (as many as 12 for a six-family unit) in violation of code. With only one code enforcement officer, the city appears to have difficulty stopping such violations.



# Analysis

*“What is wrong with Neptune Beach can be fixed by what is right about it.”*

— **Jim Sellen**, Planning Principle, VHB Orlando, TAP Chairman

Neptune Beach exudes a quaint, funky charm, enhanced by the variety of its housing, location and demographics. In interviews with community leaders, the Technical Assistance Panel heard a recurring theme — the desire to maintain the unique character of the study area. Character was described as residential, eclectic, and an old fashioned small town vibe with a relaxed beach culture.

Like many small towns in America, Neptune Beach is struggling with density, NIMBYism and housing affordability. In addition, the study area faces drainage and parking issues, aging housing, nonconforming lots and deferred maintenance of many older structures. An inherent bias against multifamily housing and renters in general is evident. Resistance extends to accessory dwellings that can be used as an in-law suite or workshop, since there is concern that it could be turned into a rental.

The prevailing thought appears to be that reducing density east of Third Street will remedy some of the problems the area faces, like drainage, parking and trash, and that other areas of Neptune Beach can accommodate larger lots or multi-units for those residents who want them. That notion, however, fails to recognize certain demographic groups, such as millennials and affluent baby boomers looking to downsize, for example, many of whom prefer to rent in a highly desirable, walkable community.

Land development over the years has been hodgepodge at best without a clear vision. It

can be described as having jigsaw puzzle pieces without the box top cover to show what the puzzle should look like when it's done.

Inconsistencies exist between the Comprehensive Plan, which is very basic and lacks definition, and the Unified Land Development Regulations. TAP members also found as uncommon and counterintuitive the ability for a substantially damaged nonconforming structure to be rebuilt to the same nonconformity, since the city seeks to eliminate nonconformities. In addition, rebuilding nonconforming uses does not support resiliency.

Moreover, provisions in the land-use code seem to be incongruous with the stated goal of maintaining the area's unique character and encouraging “originality, flexibility, and innovation in site planning and development.” A characteristic feature of Neptune Beach is its diversity of housing, but the current code limits the type of housing that can be built now. By replacing multifamily units with single-family homes, Neptune Beach will eventually lose the diverse character it currently enjoys. In addition, the restriction on height encourages the construction of homes with a flat roof or block design, creating a “squash” look, as homeowners try to maximize interior space on small lots.

The land-use code also does little to address the problem of aging housing and deferred maintenance, particularly of multifamily rental units of three or more. Currently, there is no incentive for landlords to refurbish or rebuild.

Owners of these properties will lose rental revenue if they replace their structures with single- or two-family homes. While some buyers purchase and tear down old multi-unit structures to build a large single-family home, it is an expensive prospect. Redevelopment is lagging as a result. The panel believes multifamily landlords would be more likely to convert a dilapidated structure if they were able to rebuild a multifamily structure. New requirements for setbacks and parking would likely reduce the number of units that can be accommodated on a lot. The new building may have multiple units but fewer than the building it replaces. This still encourages the replacement of old, dilapidated buildings and allows some multi-family uses to be included in the neighborhood while keeping the scale appropriate.

Another concern voiced by the panel is the unanticipated consequences of driving out the “missing middle” — multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living. They provide housing choice for households of different ages, sizes and incomes, which the study area currently enjoys.

The panel agreed that what is needed is a form-based code with a regulatory plan that gets down to the lot and block level and identifies the building typologies for the look and feel of the community. A form-based code is a land development regulation that uses physical form as the organizing principle. By regulating the bulk and mass of buildings as well as such elements as allowable roof shapes, doors, windows and placement of parking, the form-based code would help small multifamily buildings fit into the residential scale of the neighborhood.

While rewriting the current land development code to eliminate inconsistencies would be advantageous, the panel felt it would be time-consuming and costly. Instead, the consensus was that an overlay district for the study area would be easier to implement. An overlay district creates a special zone placed over an existing zone and attaches special regulations or incentives to protect specific resources or guide development and design elements within the area. An overlay would add flexibility and new design standards into the traditional zoning code. Thus, homeowners can work within the overlay requirements or follow current standards.





TAP members also agreed that the overlay should extend to the west side of Third Street from Atlantic Boulevard to Florida Boulevard and include Jarboe Park, since these are important areas that connect to the east side. The suggested overlay would have three tiers — Town Center, Third Street Corridor and the Residential Beach District — which enables the city to implement unique criteria in each.

The current location of City Hall and the Police Department in Town Center is not the highest and best use for the site. The mayor's proposal to relocate the municipal buildings was viewed positively. A Civic District that includes other city services could be created in the Third Street Corridor between the library and Jarboe Park, an area that is more centrally located.

In Town Center, the scale of the buildings in the central business district and adjacent zones do not support the need for a parking structure. The city should maximize on-street and time-managed parking and adjacent zones before considering a parking garage. For example, the extent of dropped curb along old commercial lots currently reduces the amount of on-street parking that could be placed in the area. The panel suggested expanding paid parking to Orange Street to encourage locals to use alternate means of

transportation, including walking, biking, beach buggies, neighborhood electric vehicles (NEVs) and Uber. TAP members believe there would be advantages to implementing permit parking for Neptune Beach residents to increase parking capacity for residents. The panel recommended turning the parking lot between Atlantic and Lemon into a multi-use plaza for events and valet parking during peak demand versus conversion to a green space, which would create a parking deficiency. A design charrette could help to create a vision for the space and provide community input.

Florida Boulevard, a major east-west roadway, connects Penman Road and Jarboe Park to the beach. The panel saw an opportunity to make Florida Boulevard the gateway to the beach and to the East Coast Greenway along First Street. Adding bike lanes, landscaping, and wayfinding can create an identity that celebrates the recreational assets of Neptune Beach, while drawing beach traffic away from more congested areas like Cherry Street.

First Street is a prime area for creating streetscape enhancements that can serve to help capture stormwater runoff. The panel was not in favor of turning First Street into a one-way, as that would negatively affect traffic on Second Street.



NEV



Facing East on Florida Boulevard



In addition, there is a need to minimize lot fill associated with redevelopment and infill. Mass lot fill displaces flood zone or storm surge storage capacity and places other older nearby homes at greater risk since they remain at lower elevations. One solution is to require stem wall foundations and limit fill to the area within the building footprint. This also reduces the need for lot edge retaining walls and produces a more harmonized grade between adjacent lots and

The TAP agreed that the city needs to take steps now to incentivize individual stormwater management, invest in its stormwater system and adopt green infrastructure as part of its resiliency efforts. Stakeholders seemed unaware of the city's all hazard Municipal Comprehensive Emergency Management Plan (MCEMP). It was last updated in 2010 and should be revised to conform to the Consolidated City of Jacksonville/ Duval County's Comprehensive Emergency Management Plan, which was revised August 2017, as well as current State of Florida and Federal Response Plans.



# Recommendations

## 1. Overlay District

- Create an overlay district in lieu of rewriting the land code. The overlay district should consist of three sub-districts each with its own form-based criteria; namely, Residential Beach, Third Street Corridor and Town Center District.
- Develop a unified signage/lighting/wayfinding plan for Town Center, Third Street and Florida Boulevard.
- Staff the Development Review Board with design professionals who serve as an advisory panel to the City Council, which has final approval of residential and commercial development projects. Appointees do not need to be residents.

### *Residential Beach District*

- Develop a form-based code for new and reconstruction purposes that provides for a variety of housing types consistent with coastal living and that reinforces the area's eclectic character. Include styles for single-family, two-family, duplex and multifamily housing, along with specific site and building requirements. Build in variety by including a number of roof styles and colors as well as possible features like porches, balconies, patios, roof-top decks, dormers, shutters, etc.
- Guidelines should ensure that structures are in scale with lot size and neighboring houses. In addition to your minimum lot size, add a maximum lot size.
- Maintain the 28-foot maximum building height but use different criteria for measurement that will allow for more flexibility in housing features; e.g., measure to the mean roof height (the average of the roof eave height and the height to the highest point on the roof surface) with total not to go over 35 feet; don't include elements like railings in measurements; raise the finished elevation with a three-foot stem wall, increasing height to 31 feet. A stem wall can prevent the problem of runoff from a higher grade property onto a lower grade one.
- Decrease the front yard setback to discourage parking there and require parking in the back for structures with no garages; limit driveway width.
- Enable current multifamily units to rebuild as single-, two- or multifamily homes provided they conform to the form-based code and new requirements of the overlay district; e.g. parking in the back.
- To accommodate granny flats/in-law suites, enlarge the square footage and height for accessory units and allow apartments to be built over garages limiting the height of the latter to that of the main house. Stipulate that either the main house or accessory house must be owner-occupied.
- Require nonconforming properties damaged by hurricanes or some other disaster to rebuild to the current code.
- Require trash cans to be hidden behind a building, within an enclosed garage, or at the side of a building behind a wing wall, landscaping, and/or fencing except on pick-up day.

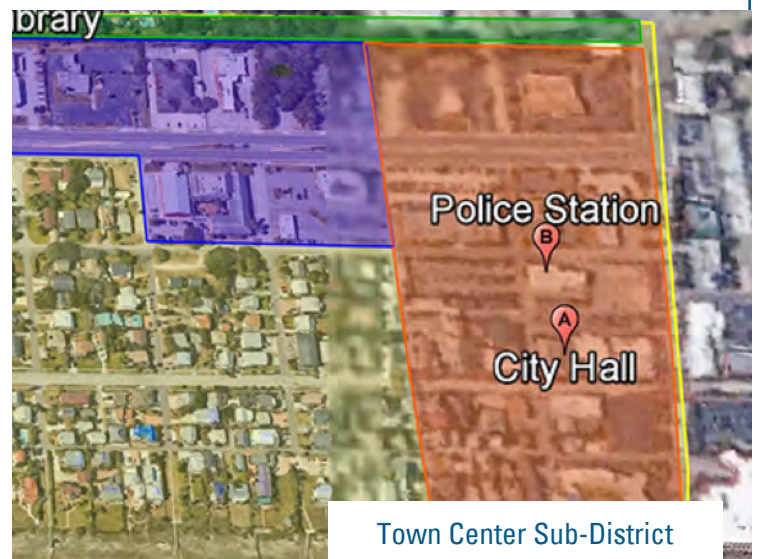
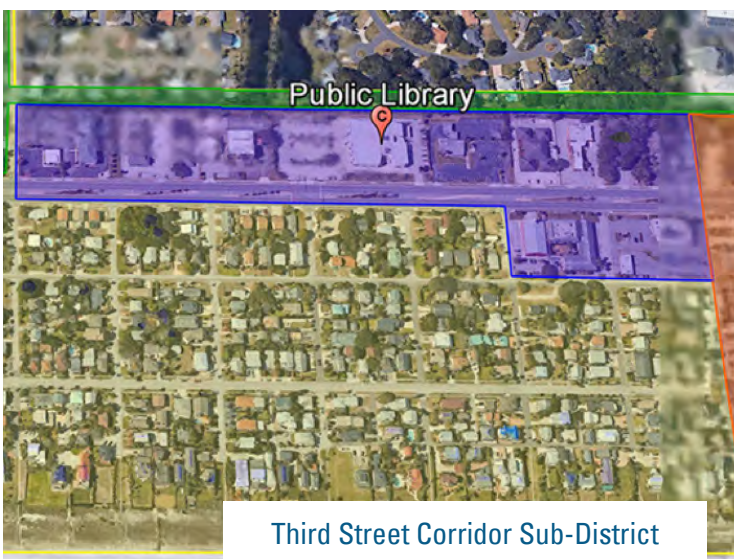


### *Third Street Corridor*

- Create a form-based Civic District that includes City Hall, the Police Department and other city services in the Third Street Corridor between the library and Jarboe Park, an area that is more centrally located than Town Center.

### *Town Center*

- Develop a form-based code for the Central Business District.
- Replace the relocated municipal buildings with commercial entities that can spur economic growth and generate additional tax dollars.
- Hold a design charrette as part of the redevelopment of the parking area between Atlantic Boulevard and Lemon Street into a multi-use event space. Work with a buyer for the City Hall/Police property or hire an experienced urban design firm to create a unique place-making solution.

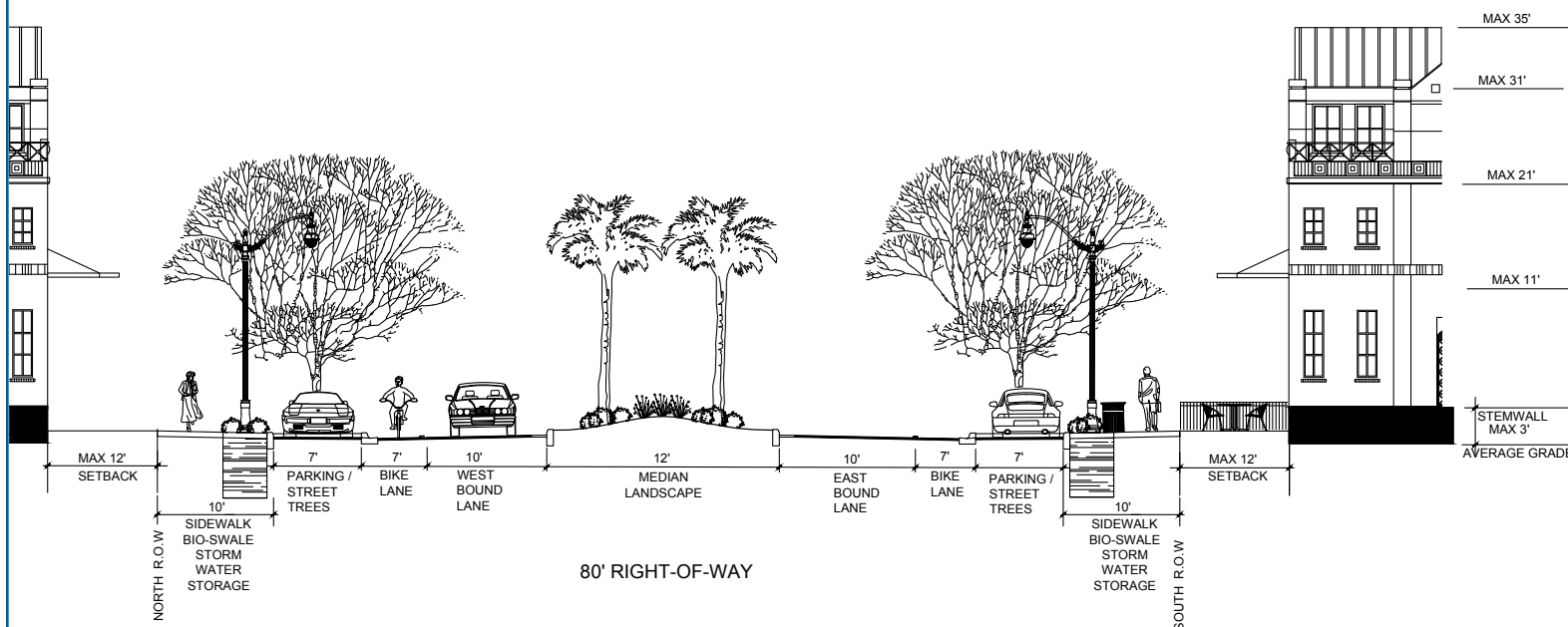


## 2. Parking

- Institute paid parking in Town Center to Orange Street. Set parking rates based on traffic and demand. New technology in the form of smart meters enables demand-responsive pricing that fluctuates, so that drivers paying more during peak hours and days.
- Provide all Neptune Beach residents with a sticker for each car they register and restrict parking in the study area south of Orange to residents only.
- Relocate parking on First Street from the west side to the east side of the street, which has fewer driveways due to the orientation of homes to the side streets. This no-cost solution adds 24 parking spaces from 131 to 155.
- Encourage use of neighborhood electric vehicles (NEVs)/street-legal golf carts for local resident traffic.
- Do not allow drive-thru facilities to be constructed or remain once closed.

## 3. Florida Boulevard

- Draw attention to Neptune Beach's great recreational assets by making Florida Boulevard the visual gateway to the beach and the East Coast Greenway. Florida Boulevard is an important connector between Penman Road, Jarboe Park, the largest beach access in Neptune Beach, as well as the proposed greenway to Atlantic Boulevard.
- Enhance Florida Boulevard with a median, landscape improvements like shade trees, signage, and bike lanes.
- Add a sidewalk on the north side of Florida Boulevard and sidewalk bioswales for stormwater storage.



Florida Boulevard Conceptual Streetscape

Design Section - 1st. Street to 3rd. Street

6.28.2018

Conceptual Streetscape for Florida Blvd



## 4. Stormwater Management/Drainage/Resiliency

- Revise the Municipal Comprehensive Emergency Management Plan to conform to the Consolidated City of Jacksonville/Duval County's Comprehensive Emergency Management Plan, which was revised August 2017, as well as current State of Florida and Federal Response Plans.
- Address needed upgrades in the stormwater management system. Invest in pipe sizing for future rainfall. Due to climate change, formerly five-year storms are expected to be two-year storms.
- Put rights of way to work with performative landscapes that can manage stormwater, such as streetscape bioswales that hold water in the landscape, reduce peak flow runoff and filter runoff pollution.
- Store stormwater where it falls. Encourage pavers, rain barrels, cisterns, green roofs on private and public buildings.
- Allow and encourage three-foot maximum stem walls that do not count toward the allowable building height. The stem wall height would be measured from one foot above the adjacent street crown elevation or average lot grade at the corners, if higher.
- Create incentives for incorporating green infrastructure; e.g., installation of a stormwater detention vault enables builder to increase impervious surface.
- Develop standards for homeowners who want to beautify the right-of-way streetscape and streamline the process.
- Change the basis for the stormwater fee to a variable one based on impervious surface ratio; the higher the ISR, the higher the fee. Count a pool as an impervious surface.



Store/Filter in Public Lands

# About the Panelists



## **Jim Sellen, Planning Principle, VHB Orlando, TAP Chair**

Jim Sellen has worked in both the public and private sector throughout his 35+ year career as a community planner. In the public sector, Sellen began his career as a community planner for Brevard County and later served as the Assistant Planning Director and then Planning Director for Orange County, Fla., where he spearheaded changes to the land development code to implement Orange County comprehensive plan policies.

As the Planning Principle for VHB, Sellen's focus is on community development and redevelopment using Healthy Community Design Principles. His work in the community development area has focused on the development and implementation of resource-based, long-term vision and master plans for large property holdings throughout the State of Florida. He has been the Principal-in-Charge for the preparation of sector plans in four Florida counties: Orange, Bay, Escambia and Nassau. Sellen also has been the Principal-in-Charge on 12 Developments of Regional Impact (DRIs) and has served as the Consulting Planner to the Volusia Growth Management Commission since 1988. All of his projects have involved developing a consensus between government and business to support decision making relative to the pattern and scale growth should take in a region or sub-region.

Sellen's work in community redevelopment has focused on the preparation of corridor redevelopment plans to transform traditional highway corridors and infill locations from their current underused, auto-centric condition to a new, more sustainable, market-based, transit-supportive mix of uses.

Sellen received his undergraduate degree from the University of Miami, Florida, and his master of science in planning from the University of Tennessee. He is a member of APA, FPZA, and ULI. Sellen has twice served as ULI Central Florida Board Chair. He currently serves on the Governance Committee for the Central Florida District Council and chairs the Technical Advisory Panel (TAP) Committee.



## **Garrett Avery, Senior Project Manager, AECOM, New York**

Garrett Avery is a Professional Landscape Architect and Project Director with more than a decade of experience leading the trans-disciplinary teams creating sustainable and resilient landscapes, water-sensitive urban environments, coastal saltmarsh and riverine restorations, and nature-based science education facilities. As a whole-systems advocate and leader in AECOM's New York City Metro Resiliency Practice, he is currently focused on integrating the natural and urban systems driving social, ecological, and economic

resiliency in the region.

Prior to AECOM, Avery served as a project manager for EDAW in San Diego, Calif., and as a landscape designer with Dargan Landscape Architects, Inc. of Atlanta, Ga.

Avery received a professional degree in Landscape Architecture with emphasis in Sustainable Design and Development from Clemson University, School of Architecture, Arts, and Humanities. He is currently an Executive Committee member of the Ocean Discovery Institute and a member of the American Society of Landscape Architects, Urban Land Institute, and the U.S. Green Building Council.





**Doris S. Goldstein, Consultant, [walkablemixeduse.com](http://walkablemixeduse.com), Los Angeles**

Doris S. Goldstein is an attorney and planning consultant whose practice focuses exclusively on mixed-use, pedestrian-friendly development (often known as New Urban or Smart Growth development). She is known particularly for her association with the award-winning community of Seaside, Fla., working closely with the developer and architects to realize the potential of the master plan, including its residential neighborhoods, civic and recreational land and mixed-use downtown. Most recently, she participated in the complete revision and restatement of the original Seaside Urban Code, widely recognized

as the first modern form-based code.

In addition to her work in the private sector, Goldstein consults with local governments interested in implementing mixed-use and walkable urbanism. In 2014 and 2015, she was an active member of the Jacksonville Downtown Investment Authority. Since moving to Los Angeles at the end of 2015, she has been active on the board of the California Chapter of the Congress for the New Urbanism and participated in its 2017 design charrette, in collaboration with the city of Woodland, for suburban retrofit of the County Fair Mall.

Goldstein is a lecturer and author. She co-authored with Dan Slone, “A Legal Guide to Urban and Sustainable Development for Planners, Developers and Architects,” and is the author of the mixed-use development chapter in the Florida Bar’s book, “Florida Real Property Complex Transactions (Fifth Edition).”

She graduated with high honors from the University of Florida, College of Journalism and Communication, in 1975 and cum laude from Harvard Law School in 1982. She is licensed to practice law in Florida, where she has been a member of the Florida Bar since 1982, is AV rated by Martindale-Hubbell® (highest rating) and is named one of the Best Lawyers in America®, 2009-2018.



**Holly Grimes, Architect & Associate, Wakefield Beasley & Associates, A NELSON Company, Jacksonville**

Holly Grimes, AIA, LEED AP, is an architect and named associate with Wakefield Beasley & Associates, A NELSON Company. She is a leader of the Jacksonville, Fla., office of WBA and has more than 15 years’ experience in real estate planning and design. Grimes has managed projects small and large, across many industries, and across the southeast. Project experience includes mixed-use, retail, hospitality, office, multifamily, education, assisted living, single family and more. She oversees projects from initial due diligence and conceptual master planning through design and detailing and, ultimately,

throughout construction. Grimes is experienced in reviewing and interpreting zoning codes, building codes, and other regulatory requirements that relate to her projects. She conducts conferences with regulatory officials, preparing strategies to address interpretative issues related to building regulations, and is accustomed to presenting to key stakeholders, review boards and community members.

Grimes is a member of the American Institute of Architects (AIA), holds an NCARB (National Council of Architectural Registration Boards) certification, and is LEED certified. Grimes serves on the board of directors for CREW Jacksonville, on the local ICSC Idea Exchange Planning Committee and as a repeat roundtable host at ICSC Centerbuild, where she was named one of the top 22 retail leaders under 40 in 2017. Grimes is a former Jacksonville Chamber of Commerce Trustee member and served on the 2017 board of governors. She is an advocate for HabiJax as a former member of their board of directors, previously held numerous roles within the local AIA chapter, and volunteered with the ACE Mentor program. Actively involved in ULI, Grimes serves on the Membership Committee, is a frequent UrbanPlan volunteer, and is a graduate of the ULI North Florida Women’s Leadership Development Institute.



**Margaret Jenness, President, Twin Branch Corp., Oakland, Tennessee**

Margaret Jenness has more than 25 years of real estate operations and finance experience. Her focus has been creating large-scale, master-planned communities, home building and finance. From raw land to community build-out, Jenness has successfully managed over 30 large-scale communities with more than 20,000 residential units. In her current role she serves clients in several states, including previous employers, in providing a broad range of real estate development and management services.

Jenness started her real estate career at Arvida, quickly rising to Regional Vice President, Finance. She then turned her focus to homebuilding and development in various roles culminating as Senior Project Manager at Weston, a successful 10,000-acre master-planned mixed-use community located in South Florida. Jenness's experience also includes serving as Regional President for Sunstar Homes in Raleigh, N.C., North Florida President at St. Joe Company, Senior Vice President with the LandMar Group, Senior Vice President of Crescent Communities, and Chief Operating Officer and Interim Chief Financial Officer of GreenPointe.

She is active as a volunteer leader with the Urban Land Institute ("ULI"), serving as Chair of the North Florida District Council (2012-2014) as well as on ULI's National Community Development Council and North Florida Women's Leadership Initiative. Jenness is a certified public accountant and Florida real estate broker. She earned a bachelor's degree in accounting from Florida State University and a master's degree in education from University of North Florida.



**G. Brian Wheeler, RLA, GGI-Tapestry, Jacksonville**

Brian Wheeler has more than 37 years' experience in environmental design and land planning for real estate based assets, community and urban master planning, as well as detailed design/implementation for planned unit developments, office parks and downtown redevelopment. His responsibilities have included managing multi-discipline team efforts that include environmental remediation, concept development, schematic design, construction documents and construction administration.

Previously, Wheeler was Partner and Executive Vice President of Genesis Group. Prior to that, he served as Assistant Vice President of Planning and Development for Reynolds, Smith & Hills (RS&H).

A speaker at numerous professional conferences around the country, he has made presentations covering various topics such as housing affordability, density and design, and sustainability. In addition, Wheeler has been a faculty member for Lorman Education Services' seminar on "Land Use Law in Florida," and for Florida Coastal School of Law's course on "Land Use within Urban Building Typologies." He co-authored "Affordable Housing" published by the Association of Florida Community Developers.

Wheeler holds a bachelor of arts degree in Landscape Architecture from Louisiana State University, and is the recipient of numerous awards and honors, including the Governor's Award for a Sustainable Florida – Amelia Island Plantation; APA Award – Baldwin County, Ala., Comprehensive Plan; CNU Charter Award; Hillsborough County Planning Commission – Northwest Hillsborough Community Plan; Project Team Award, Council for Sustainable Florida – Northwest Hillsborough Community Plan.

He is a member of the Urban Land Institute, Congress for New Urbanism, American Planning Association, American Society of Landscape Architects, Florida Planning & Zoning Association, and the Association of Eminent Domain Professionals.





The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide.