

TOWN OF HASTINGS, FLORIDA

TOWN CODE

LAND DEVELOPMENT REGULATIONS

ARTICLE I

GENERAL PROVISIONS

1.00.00. TITLE. This Code shall be entitled the "Land Development Code" and may be referred to herein as the "Code."

1.01.00. AUTHORITY. This Land Development Code is enacted pursuant to the requirements and authority of §163.3202, Florida Statutes, (the Local Government Comprehensive Planning and Land Development Regulation Act), and the general powers in Chapter 166,125, Florida Statutes.

1.02.00. APPLICABILITY.

1.02.01. General Applicability. Except as specifically provided below, the provisions of this Code shall apply to all development in the Town of Hastings, and no development shall be undertaken without prior authorization pursuant to this Code.

1.02.02. Exceptions.

A. Previously Issued Development Permits. The provisions of this Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permit if the development activity authorized by the permit has been commenced prior to the effective date of this Code or any amendment thereto.

B. Consistency With Plan Nothing in this Section shall be construed to authorize development that is inconsistent with the Hastings Comprehensive Plan.

1.02.03. Description Of Development Review Procedures. The development review process is that process by which the design of the development is reviewed to determine whether it complies with the requirements of the Code. There are two basic steps in the development plan review process: Development Plan Review, and issuance of Construction (Development) Permits. 1.03.00. FINDINGS.

1.03.01. General Findings.

A. Statutory Requirement Chapter 163, Florida Statutes, requires each Florida local government to enact a single land development code which implements and is consistent with the local comprehensive plan, and which contains all land development regulations for Hastings.

B. General Public Need Controlling the location, design and construction of development within the town is necessary to maintain and improve the quality of life in Hastings as more fully described below.

1.04.00. INTENT.

1.04.01. General Intent. With regard to this Land Development Code in general, it's provisions shall be construed and implemented to achieve the following intentions and purposes of the Town Council:

- A. To establish the regulations, procedures and standards for review and approval of all proposed development in Hastings.
- B. To foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of Hastings in accordance with the Comprehensive Plan.
- C. To implement the Hastings Town Comprehensive Plan as required by the "Local Government Comprehensive Planning and Land Development Regulation Act".
- D. To provide specific procedures to ensure that development orders and permits are conditioned on the availability of public facilities and services that meet level of service requirements (concurrency).

1.04.02. Specific Intent Relating To The Various Subject Areas Of This Code. The provisions of this Code dealing with the following specific subject areas shall be construed and implemented to achieve the following intentions and purposes of the Town Council:

A. Administration And Enforcement

1. To assure that all development proposals be thoroughly and efficiently reviewed for compliance with the requirements of this Code, the Hastings Comprehensive Plan, and other applicable regulations.

B. Signs

1. To create a comprehensive and balanced system of sign control that accommodates both the need for a well-maintained, safe and attractive community, and the need for effective business identification, advertising and communication.

C. Landscaping and Tree Protection

- 1. To enhance the attractiveness of the community.
- 2. To conserve energy through the cooling and shading effects of trees.
- 3. To mitigate conflicts between adjoining land uses;
- 4. To preserve the environmental and ecological benefits of existing native trees and vegetation.
- 5. To promote safe and efficient use of off-street parking facilities and other vehicular use areas.

D. Parking And Loading To assure that all developments provide for adequate and safe storage and movement of vehicles in a manner consistent with community standards and good site design principles.

E. Stormwater Management

1. To protect and maintain the chemical, physical and biological integrity of ground and surface waters.

2. To protect natural drainage systems.

3. To minimize runoff pollution of ground and surface waters.

4. To prevent damage to wetlands.

5. To protect, maintain, and restore the habitat of fish and wildlife.

F. Floodplain Protection

1. To protect human life and health.

2. To minimize expenditure of public money for costly flood control projects.

3. To insure that potential purchasers of subdivided land are notified that the property is in a flood-prone area.

4. To preserve natural floodplains, stream channels, and natural protective barriers to accommodate flood waters.

5. To continue to make the city eligible for participation in the National Flood Insurance Program.

G. Protection Of Environmentally Sensitive Lands

1. To protect environmentally sensitive lands and their beneficial functions while also protecting the rights of property owners.

2. To prevent activities which adversely affect ground and surface waters, natural habitats, and native flora and fauna.

3. To maintain recharge for groundwater aquifers.

H. Protection Of Cultural Resources

1. To identify, protect, and enhance sites, buildings, structures, objects, and areas that are reminders of past eras, events, and persons important in local, state or national history, or which provide this and future generations examples of the physical surroundings in which past generations lived.

1.05.00. RELATIONSHIP TO COMPREHENSIVE PLAN. The adoption of a unified land development code implements the goals, policies and objectives of the Hastings Comprehensive Plan.

1.06.00. INCORPORATION BY REFERENCE.

1.06.01. Future Land Use Map. The Future Land Use Map of the Hastings Comprehensive Plan is hereby adopted by reference.

1.07.00. RULES OF INTERPRETATION.

1.07.01. Generally. In the interpretation and application of this Code all provisions shall be liberally construed in favor of the objectives and purposes of Hastings and deemed neither to limit nor repeal any other powers granted under state statutes.

1.07.02. Responsibility For Interpretation. In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any other provision of this Code, the Town Council shall be responsible for interpretation and refer to the Hastings Comprehensive Plan for guidance.

1.07.03. Computation Of Time. The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded.

1.07.04. Gender. Words importing the masculine gender shall be construed to include the feminine and neuter.

1.07.05. Number. Words in the singular shall include the plural and words in the plural shall include the singular.

1.07.06. Shall, May. The word "shall" is mandatory; "may" is permissive.

1.07.07. Written or In Writing. The term "written" or "in writing" shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.

1.07.08. Year. The word "year" shall mean a calendar year, unless otherwise indicated.

1.07.09. Day. The word "day" shall mean a working day, unless a calendar day is indicated.

1.07.10. Boundaries. Interpretations regarding boundaries of land use districts shall be made in accordance with the following:

A. Boundaries shown as following any street shall be construed as following the centerline of the street.

B. Boundaries shown as following any platted lot line or other property line shall be construed as following such line.

C. Boundaries shown as following natural features shall be construed as following such features.

1.08.00. ABROGATION. This Land Development Code is not intended to repeal, abrogate or interfere with any existing easements, covenants, or deed restrictions duly recorded in the public records of the St. Johns County.

1.09.00. SEVERABILITY. If any section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions of this Code shall continue in full force and effect.