

TOWN OF HASTINGS, FLORIDA

TOWN CODE

LAND DEVELOPMENT REGULATIONS

ARTICLE VI

LAND USE:

DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

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**6.00.00 GENERAL PROVISIONS**

**6.00.01 Purpose** The purpose of this Article is to provide development design and improvement standards applicable to all development activity within the municipal limits of Hastings.

**6.00.02 Responsibility For Improvements** All improvement required by this Article shall be designed, installed, and paid for by the Developer, owner, or successors in title.

**6.00.03 Principles Of Development Design** The provisions of this Article are intended to ensure functional and attractive development. Development design shall first take into account the protection of natural resources as prescribed in Article V of this Code. All development shall be designed to avoid unnecessary impervious surface cover; to provide adequate access to lots and sites; and to avoid adverse effects of shadow, glare, noise, odor, traffic, drainage, and utilities on surrounding properties.

**6.01.00 LOT AREA, LOT COVERAGE, AND SETBACKS**

**6.01.01 Minimum Lot Area Requirements**

A. Requirements For All Developments All developments and improvements shall have a total land area sufficient to meet all development design standards in this Code.

**6.01.02 Impervious Surface Coverage**

A. Generally Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph E of this Section.

B. Ratio Calculation The impervious surface ratio is calculated by dividing the total impervious surface by the gross site area.

C. Table of Impervious Surface Ratios

Land Use District	Maximum Impervious Surface Ratio
Low Density Residential	0.40
Medium Residential	0.50
High Density Residential	0.70
Commercial	0.70

Institutional	0.70
Industrial	0.70
Recreational	0.40
Public Buildings	0.70
Agricultural/Forested	0.10

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*1 The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to Article III.*

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### **6.01.03 Building Setback Requirements**

A. Subject to subsection B and the other provisions of this section, no portion of any building may be located on any lot closer to any lot line or to the street rowline than authorized in the table set forth in this section.

Land Use	Front Yard	Side Yard	Rear Yard
Single Family	25'	10'	25'
Duplex	20'	8'	25'
Multi-Family (3 to 8 units)	25'	10'	20'
Multi-Family (8 units or more)	35'	15'	25'
Commercial	25'	10'	20'
Other Uses (Same as Commercial)	25'	10'	20'

B. Minimum Setbacks on Side and Rear Yards There are no minimum setbacks required for side and rear yards, provided that one of the following requirements shall be met:

1. If the distance from the exterior wall to the property line is less than five (5) feet, the applicant must provide certification in writing that the maintenance easement has been granted by adjacent property owners.
2. The structure may be built on the property line provided the owner shall grant an attachment easement to the adjacent property owner(s).

C. Minimum Setbacks Between Buildings

1. The minimum distance between adjacent buildings shall be ten (10) feet, except that no setback between buildings is required where an attachment easement has been created.
2. Distance shall be measured at the narrowest space between structures, whether a main living unit, principal structure, an allowable attachment, or an accessory use, and shall not include roof overhang (eave).

D. Accessory Building Setbacks Accessory Building Setbacks must comply with the front and side yard setbacks set forth in subsection A except as follows:

1. The setback for a pool shall be at least 7.5 feet to the water line.
2. The high point of the accessory building roof or any appurtenance of an accessory building shall not exceed 12 feet in height.
3. Unless specified otherwise by a conditional use permit, the height of a permanent fence or wall shall not exceed six feet except along a boundary of the yard to the street or road right of way where it shall not exceed four feet. Also no fence shall be located closer than 2 feet to a row line.
4. Fences or walls specifically required as a part of a special exception or conditional use are exempt from (3) above.
- E. Building heights shall be a maximum of 35 feet for all uses.

## **6.02.00 TRANSPORTATION SYSTEMS**

### **6.02.01 General Provisions**

A. Purpose This section establishes minimum requirements applicable to the development transportation system, including public and private streets, bikeways, pedestrian ways, parking and loading areas, and access control to and from public streets. The standards in this SECTION are intended to minimize the traffic impacts of development, to assure that all developments adequately and safely provide for the storage and movement of vehicles consistent with good engineering and development design practices.

B. Compliance with Standards for Streets in St. Johns County All required elements of the transportation system shall be provided in compliance with the engineering design and construction standards established by St. Johns County.

C. Future Traffic Circulation Map The Future Traffic Circulation Map and any amendments thereto, adopted by the Hastings as a part of the Comprehensive Plan, is hereby made a part of this Code. The map shall be the basis for all decisions regarding required road improvements, reservation or dedication of rights-of-way for required road improvements, or access of proposed uses to existing or proposed roadways.

### **6.02.03 Rights-of-Way**

A. Right-of-Way Widths Right-of-way requirements for road construction shall be as specified by St. Johns County.

B. Protection and Use of Rights-of-Way

1. No encroachment shall be permitted into existing rights-of-way, except for temporary use authorized by the Hastings.
2. Use of the right-of-way for public or private utilities, including, but not limited to, sanitary sewer, potable water, telephone wires, cable television wires, gas lines, or electricity transmission, shall be allowed subject to the placement specifications of St. Johns County regulations relating to street designs.
3. Sidewalks and bikeways shall be placed within the right-of-way.

C. Vacation of Rights-of-Ways Applications to vacate a right-of-way shall be approved upon a finding that all of the following requirements are met:

1. The requested vacation is consistent with the Transportation Circulation Element of the Hastings Comprehensive Plan.
2. The right-of-way does not provide the sole access to any property. Remaining access shall not be by easement.
3. The vacation would not jeopardize the current or future location of any utility.
4. The proposed vacation is not detrimental to the public interest, and provides a positive benefit to the Town of Hastings.

#### **6.02.04 Street Design Standards**

##### A. General Design Standards

1. All streets in a new development shall be designed and constructed pursuant to the standards established by St. Johns County. Streets shall be dedicated to the Town of Hastings or St. Johns County upon completion, inspection, and acceptance by the receiver.

##### B. Curbing requirement

1. Curbing shall be required for the purposes of drainage, safety, and delineation and protection of pavement edge along streets in the following cases:

- a. Along designated parking lanes.
  - b. Where the surface drainage plan requires curbing to channel stormwater.
2. All curbing shall conform to the construction standards established by St. Johns County.

C. Shoulders Shoulders, where required, shall conform to the construction standards established by St. Johns County.

##### D. Acceleration, Deceleration, and Turning Lanes.

1. Deceleration or turning lanes will be required by the Town of Hastings along existing and proposed streets based on traffic design standard in the FDOT Manual.
2. Acceleration lanes shall be required when indicated as needed by traffic. The design shall be as per the recommendation of the Town of Hastings, St. Johns County, and FDOT.

##### E. Street Trees

1. Street trees shall be provided in accordance with the standards established by this Code.
2. No development shall be approved without reserving an easement authorizing the Hastings to plant shade trees within five (5) feet of the required right-of-way boundary. No street shall be accepted for dedication until the easement required by this subsection has been provided.

#### **6.02.06 Sidewalks and Bikeways**

##### A. When Required

1. Projects abutting collector or arterial facilities shall provide sidewalks adjacent to the collector or arterial roadway. Location of sidewalks shall be consistent with planned roadway improvements.

2. Sidewalks shall be provided by the developer on at least one side of all new residential streets.

B. Design And Construction Standards Design and construction of sidewalks, bikeways, or other footpaths shall conform to the construction standards established by St. Johns County, including provisions for access by physically handicapped persons.

**6.02.07 Access** All proposed development shall meet the following standards for vehicular access and circulation:

A. Number Of Access Points

1. All projects shall have access to a public right-of-way.

B. Separation Of Access Points

1. The separation between access points onto arterial roadway shall be 250 feet and onto collector roadways shall be 150 feet.

2. The distance between access points shall be measured from the centerline of the proposed driveway or roadway to the centerline of the nearest adjacent roadway or driveway.

D. Alternative Designs Where natural features or spacing of existing driveways and roadways cause the foregoing access requirements to be physically infeasible, alternate designs may be approved as a part of issuing the development order.

E. Access To Residential Lots

1. Access to non-residential uses shall not be through an area designed, approved, or developed for residential use.

2. All lots in a proposed residential subdivision shall have frontage on and access from an existing street meeting the requirements of this Code.

## **6.03.00 OFF-STREET PARKING AND LOADING**

### **6.03.01 Generally**

A. Applicability Off-street parking facilities shall be provided for all development within the Town of Hastings pursuant to the requirements of this Code.

B. Computation

1. When determination of the number of off-street spaces required by this Code results in a fractional space, the fraction of one-half ( $\frac{1}{2}$ ) or less may be disregarded, and a fraction in excess of one-half ( $\frac{1}{2}$ ) shall be counted as one (1) parking space.

2. In churches and other places of assembly in which those in attendance occupy benches, pews or other similar seating facilities, and/or which contains an open assembly area, the occupancy shall be based on the maximum occupancy rating given the building by the Fire Department.

3. Gross floor area shall be the sum of the gross horizontal area of all floors of a building measured from the exterior faces of the exterior walls.

### **6.03.02 Number Of Parking Spaces Required**

A. The developer shall meet the off-street parking requirements established by St. Johns County.

**B. Special Parking Spaces**

1. Any parking area to be used by the general public shall provide suitable, marked parking spaces for handicapped persons and shall be consistent with the requirements of Sections 316.19-55, .1956, Florida Statutes.

C. Reduction For Mixed Or Joint Use Of Parking Spaces The Town Council may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing off-street parking.

**6.03.03 Off-Street Loading**

A. Generally Spaces to accommodate off-street loading or business vehicles shall be provided as required by St. Johns County.

**6.03.04 Design Standards For Off-Street Parking And Loading Areas**

A. Off-street parking and loading areas shall be designed to the standards established by St. Johns County.

1. The Town Council may approve off-site parking facilities as part of the parking required if the location of the off-site parking spaces will adequately serve the use for which it is intended.

2. The Town Council may modify these requirements where necessary to promote a substantial public interest relating to environmental protection, heritage conservation, aesthetics, tree protection, or drainage.

**B. Layout**

1. Pedestrian circulation facilities, roadways, driveways, and off-street parking and loading areas shall be designed to be safe and convenient.

**6.03.05 Prohibited Parking**

A. The parking of commercial vehicles, which includes a truck, truck-tractor, semi-trailer and commercial trailer is prohibited on public streets or within privately owned driveways or property within a residential land use district.

**6.04.00 UTILITIES**

**6.04.01 Requirements for All Developments**

A. Generally The following basic utilities are required for all developments subject to the criteria listed herein.

B. Electricity Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision.

C. Telephone Every principal use and every lot within a subdivision shall have available a telephone service cable adequate to accommodate the reasonable needs of such use and every lot within such subdivision.

D. Water and Sewer Every principal use and every lot within a subdivision shall have central potable water and wastewater hookup as required by the Hastings Comprehensive Plan and existing town ordinances.

E. Illumination All new streets, driveways, sidewalks, bikeways, parking lots and other common areas and facilities in developments shall provide illumination meeting the standards established by St. Johns County.

F. Fire Hydrants All developments served by a central water system shall include a system of fire hydrants consistent with the standards established by St. Johns County.

#### **6.04.02 Design Standards**

A. Compliance With St. Johns County Design and Construction Standards All utilities required by this Code shall meet or exceed the minimum standards established by St. Johns County.

B. Placement of Utilities Underground

1. All electric, telephone, cable television, and other communication lines (exclusive of transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), and gas distribution lines shall be placed underground within easements or dedicated public rights-of-way.

2. Lots abutting existing easements or public rights-of-way where overhead electric, telephone, or cable television distribution supply lines and service connections have previously been installed may be supplied with such services from the utilities' overhead facilities provided the service connection to the site or lot are placed underground.

3. Screening of any utility apparatus placed above ground shall be required.

**6.04.03 Utility Easements** When a developer installs or causes the installation of water, sewer, electrical power, telephone, or cable television facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.

#### **6.05.00 STORMWATER MANAGEMENT**

**6.05.01 Relationship To Other Stormwater Management Requirements** The design and performance of all stormwater management systems shall comply with applicable state regulations (Chapter 17-25, Florida Administrative Code), or rules of the St. Johns River Water Management District or regulations established by St. Johns County. In all cases the strictest of the applicable standards shall apply.

**6.05.02 Exemptions** The following development activities are exempt from these stormwater management requirements, except that steps to control erosion and sedimentation must be taken for all development.

- A. The construction of a single family or duplex residential dwelling unit and accessory structures on a single parcel of land.
- B. Any development within a subdivision if the stormwater management provisions for the subdivision were previously approved and remain valid as part of a final plat or development plan and the development is conducted in accordance with the stormwater management provisions submitted with the final plat or development plan.
- C. Maintenance activity that does not change or affect the quality, rate, volume or location of stormwater flows on the site or of stormwater runoff.
- D. Action taken under emergency conditions to prevent imminent harm or danger to persons, or to protect property from imminent fire, violent storms, hurricanes or other hazards.

### **6.05.03 Dedication Or Maintenance Of Stormwater Management Systems**

- A. Dedication If a stormwater management system approved under this Code will function as an integral part of the Hastings-maintained system, as determined by the town, the facilities should be dedicated to the Town of Hastings.
- B. Maintenance By An Acceptable Entity
  - 1. All stormwater management systems that are not dedicated to the Town of Hastings shall be operated and maintained by one of the following entities:
    - a. St. Johns County
    - b. An active water control district created pursuant to Chapter 298 Florida Statutes or drainage district created by special act, or Community Development District created pursuant to Chapter 190 Florida Statutes, or Special Assessment District created pursuant to Chapter 170 Florida Statutes.
    - c. A state or federal agency.
    - d. An officially franchised, licensed or approved communication, water, sewer, electrical or other public utility.
  - 2. If a project is to be constructed in phases, and subsequent phases will use the same stormwater management facilities as the initial phase or phases, the operation/maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the stormwater management systems of future phases of the project.
  - 3. The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the stormwater management system from the time construction begins until the stormwater management system is dedicated to and accepted by another acceptable entity.

### **6.06.00 LANDSCAPING**

**6.06.01 Exemption** Lots or parcels of land on which a single family home is used as a residence shall be exempt from all provisions of these landscaping regulations. This shall not be construed to exempt any residential developments that require the approval of a development plan.



**6.06.02 Required Landscaping** Landscaping within the Town of Hastings must meet the requirements established by St. Johns County.

**6.06.03 Buffers and Parking Area Landscaping** The requirements of this subsection apply to all new commercial, multi-family residential, governmental and recreational land uses and also those altered.

A. A landscaped area or buffer shall be provided between all parking areas and any sidewalk, street or right of way. This buffer shall comply with the buffering requirements established by St. Johns County.

B. Interior landscaped areas shall be provided within interior vehicular use areas.

C. Maintenance of Planted areas - Irrigation shall be provided for all new planting. This maintenance shall be the responsibility of the developer and/or land owner. Failure to maintain such areas shall be considered a violation of this ordinance.

D. Buffer Zones

1. A buffer zone is a landscaped strip along parcel boundaries that serves as a buffer between incompatible uses and land use districts, as an attractive boundary of the parcel or use, or as both a buffer and attractive boundary. This shall not be interpreted to mean that parcels within a planned mixed use development must meet these requirements.

2. Wherever the principal structure on a site abuts a vehicle use area on the same site, a buffer zone between the vehicle use area and the principle structure shall be provided.

3. The use of existing native vegetation in buffer zones is preferred.

E. Street Trees

1. The developer shall plant, within five (5) feet of the right of way of each street within a residential development, one shade tree for every fifty (50) linear feet of right of way. Except where property on one side of the right of way is not owned by the developer, the trees shall be planted alternately on either side of the street. Existing trees and native tree species that need less water and maintenance are preferred.

F. Use of Required Areas No accessory structures, garbage or trash collection points or receptacles, parking, or any other functional use contrary to the intent and purpose of this Code shall be permitted in a required landscape area. This does not prohibit the combining of compatible functions such as landscaping and drainage facilities.

### **6.06.03 Landscape Design And Materials**

A. Design Principles All landscaped areas required by this Code should conform to the general design principles established by St. Johns County.

1. Landscaping should integrate the proposed development into existing site features through consideration of existing topography, hydrology, soils and vegetation.

2. The functional elements of the development plan, particularly the drainage systems and internal circulation systems for vehicles and pedestrians, should be integrated into the landscaping plan.

3. Landscaping should be used to minimize potential erosion through the use of ground covers or any other type of landscape material that aids in soil stabilization.

4. Existing native vegetation should be preserved and used to meet landscaping requirements.

5. Landscaping should enhance the visual environment through the use of materials that achieve variety with respect to seasonal changes, species of living material selected, textures, colors and size at maturity.
6. Landscaping design should consider the aesthetic and functional aspects of vegetation, both when initially installed and when the vegetation has reached maturity. Newly installed plants should be placed at intervals appropriate to the size of the plant at maturity, and the design should use short- and long-term elements to satisfy the general design principles of this section over time.
7. Landscaping should enhance public safety and minimize nuisances.
8. Landscaping should maximize the shading of streets and vehicle use areas.
9. The selection and placement of landscaping materials should consider the effect on existing or future solar access, of enhancing the use of solar radiation, and of conserving the maximum amount of energy.

#### B. Installation of Plants

1. All plants shall be healthy and free of diseases and pests, and shall be selected from the list of approved species below.
2. Landscaping shall be protected from vehicular and pedestrian encroachment by means of raised planting surfaces, depressed walks, curbs, edges, and the like.
4. The landscaping shall not interfere, at or before maturity, with power, cable television, or telephone lines, sewer or water pipes, or any other existing or proposed overhead or underground utility service.
5. The developer shall provide sufficient soil and water to sustain healthy growth of all plants.

C. Irrigation All landscaped areas shall be provided with an appropriate irrigation system.

D. Non-Living Materials Mulches shall be a minimum depth of two (2) inches.

#### E. Maintenance And Replacement Of Plants

1. All required plants shall be maintained in a healthy, pest-free condition.
2. When a plant is dead or severely damaged or diseased, the plant shall be replaced by the developer in accordance with the standards specified