

ORDINANCE NO. 1179

AN ORDINANCE OF THE CITY OF LYNN HAVEN, FLORIDA, AMENDING THE ULDC TO ESTABLISH THE MARINA ISLAND OVERLAY DISTRICT COMPRISED OF THE AREA SHOWN UPON THE ATTACHED AND INCORPORATED AS EXHIBIT A TO THE ORDINANCE; SPECIFYING PERMITTED LAND USES, MINIMUM LOT SIZES AND SETBACKS, MAXIMUM DENSITIES, HEIGHT AND FLOOR AREA RATIOS, PARKING STANDARDS AND STREET DESIGN ELEMENTS, AND STANDARDS FOR ACCESSORY STRUCTURES; PERMITTING ALCOHOL SALES THROUGHOUT THE DISTRICT; PROVIDING FOR TRANSFER OF DENSITY WITHIN THE DISTRICT; PROVIDING STANDARDS FOR LANDSCAPING, LIGHTING AND SIGNAGE; PROVIDING THAT IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF THE MARINA ISLAND OVERLAY DISTRICT AND OTHER APPLICABLE ORDINANCES THE PROVISIONS OF THE MARINA ISLAND OVERLAY DISTRICT SHALL CONTROL; AUTHORIZING CODIFICATION; REPEALING ORDINANCES IN CONFLICT AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

Preamble

WHEREAS, the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities is an expressed policy of the State of Florida and the City of Lynn Haven (the “City”) [Section 187.201(15), Florida Statutes. Comprehensive Plan, Future Land Use Element, Purpose and Goal 1]; and

WHEREAS, the application of innovative and flexible planning and development strategies and creative land use planning techniques such as clustering and open space provisions, and mixed-use urban development are clearly encouraged and contemplated by the State of Florida and the City [Section 163.3168, Florida Statutes. Comprehensive Plan, Conservation Element, Policy 5-6 and Policy 8-2]; and

WHEREAS, Marina Island, LLC (the “Developer”) desires to develop approximately 139 acres within the City as a walkable, urban, mixed use, water centric development which may include but not be limited to project-serving commercial properties, single family and multi-family residential units, recreational areas, event spaces, hospitality units, retail, conservation areas, water related improvements and marina, including without limitation supplemental uses typical for the support of a marina (the “Project”), all to be substantially developed in accordance with the Master Plan attached hereto as Annex 1 (the “Master Plan”); and

WHEREAS, it is in the best interests of the City and the citizens of the City, that the

development of the Project be completed in a planned and orderly fashion giving consideration to fulfillment of the overall Project purpose according to standards that reflect the aesthetic and functional ethos of the community and its unique requirements; and

WHEREAS, the Developer intends to develop the Project using innovative and sustainable development practices and the City understands and agrees that the City's Code of Ordinances (inclusive of Unified Land Development Code, the "Code") may be too restrictive or inapplicable in a number of the specific areas of development in which the Developer intends to be innovative; and

WHEREAS, the City's Comprehensive Plan, Future Land Use Element, Objective 4, Policy 4-3 provides for the establishment of overlay districts within any land use district to regulate land use and design to promote the intent of the overlay district and to minimize incompatibility; and

WHEREAS, the Developer has submitted to the City this district overlay to provide for specific items of development which, although inconsistent in some respects with the Unified Land Development Code ("ULDC"), will be substantially consistent with the Comprehensive Plan; and

WHEREAS, the City has worked cooperatively with the Developer to develop and approve this overlay establishing The Marina Island Overlay District (the "MIOD") in order that the Developer may implement the innovative design elements contemplated by the Master Plan.

WHEREAS, the MIOD contains four Land Use types within its boundary, Mixed Use (MU), Commercial (COM), Industrial (IND) and Low Density Residential (LDR). This MIOD will offer changes to the ULDC for the first three of these, MU, COM and IND. LDR will not change in this MIOD.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LYNN HAVEN IN BAY COUNTY, FLORIDA:

SECTION 1. From and after the effective date of this Ordinance, [] of the City's Unified Land Development Code is created to read as follows:

Marina Island Overlay District

1. MIOD Purpose. The MIOD is established to provide an approximately 139-acre, walkable, urban, master planned, mixed use, water centric development which may include but not be limited to project-serving commercial properties, single family and multi-family residential units including vacation rentals, short-term rentals, recreational areas, event spaces, hospitality units, retail, conservation areas, water related improvements with recreational and swimming components and marina, including without limitation supplemental uses typical for the support of a marina (the "Project"), all to be substantially developed in accordance with the master plan attached hereto as Annex 1 (the "Master Plan").

2. Boundaries of the MIOD. The provisions of this ordinance shall apply to all property within the boundaries of the MIOD, which property is described in the legal description attached hereto as Exhibit “A.”

3. Land Use Districts Within The MIOD. The MIOD is an aggregate of four future land use districts: Mixed Use (MU); Commercial (C); and Industrial (IND) and Low Density Residential (SFR).

4. Compliance with the ULDC and the Comprehensive Plan. Except as otherwise modified by this MIOD, parcels within the MIOD shall be developed and comply with the standards and criteria in ULDC and the Comprehensive Plan for the applicable land use district within the MIOD. In the event of a conflict between the provisions of this Ordinance and the Comprehensive Plan, the provisions of the Comprehensive Plan shall control. In the event of a conflict between this Ordinance and the ULDC, this Ordinance shall control. For any design standard not expressly addressed in this Ordinance, the ULDC shall control.

5. Specific Design Requirements and Criteria in the MIOD.

a. MU - The purpose of this district is to create a vibrant and walkable urban center within the City of Lynn Haven. The parcels within the MIOD designated as MU shall be developed under the standards and criteria in the ULDC and the Comprehensive Plan for development within the MU land use district, subject to the following modifications:

i. Lot size and dimensions:

1. The minimum lot width shall be 14 feet.
2. The minimum lot size shall be 500 square feet.

ii. Setbacks:

1. The front setback shall range from 0 feet to 12 feet.

2. The side setback shall range from 0 feet to 5 feet.
3. The side street setback shall be a minimum of 0 feet.
4. The rear setback shall be a minimum of 3 feet.

iii. There shall be no maximum floor area ratio.

iv. The maximum height will be measured in stories, not feet, with a maximum of 5 stories allowed. Each story shall have a maximum height of 14 feet, as measured from floor to floor. Any height above 14 feet shall count as an additional story, except that a single story building may have a maximum height of 30 feet.

v. The maximum impervious coverage shall not exceed 75%.

vi. The following uses shall be additional permitted uses:

1. Swimming Pools, Lagoons, Splash Pads
2. Fraternal organizations or private clubs
3. Religious Facilities
4. Alcohol Beverage Sales and Establishments
5. Auditorium, Stadium, Sports Facilities
6. Hotels, Motels, Resorts
7. Parking Lot and Structured Parking
8. Marina
9. Boat and marine vehicle sales and rental
10. Boat and marine vehicle storage
11. Boat and Vehicle Repair

- 12. Fuel Service and Sales
- 13. Motorized Vehicle and Boat Sales
- 14. Commercial entertainment establishments, including theaters, ballrooms, bowling alleys and other games and sports
- 15. Storage (climate controlled and non-climate controlled)
- 16. Recreation, Indoor commercial,
- 17. Recreation, Outdoor Commercial
- 18. Trade Services establishments
- 19. Museum
- 20. Art Gallery, Art Studio
- 21. Spa, Wellness Center
- 22. Technology Facilities

vii. Maximum density is ten (10.0) units per acre for residential-only projects and twenty (20.0) units per acre for any projects that combine nonresidential uses with residential units.

viii. Accessory Buildings, Temporary Buildings and Special Situations

1. General.

a. Purpose. It is the purpose of this section to regulate the installation, configuration, and use of accessory structures, and the conduct of accessory uses, to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

2. Accessory uses and structures.

a. Home Occupations. It shall be unlawful to operate, conduct, or maintain any business or trade in any area whatsoever within the corporate limits of the City which has been or may hereafter be used for residential purposes, except home occupations, as provided in this section. A home occupation is a business occupation conducted entirely in a dwelling unit. All home occupations shall comply with the standards set forth in Section 5.01.01 of the ULDC, provided, however, that parking of

commercial vehicles used in the conduct of the home occupation shall not be allowed. This limitation shall include any vehicle necessary to the business conducted as a home occupation. Without limiting the foregoing, the following vehicles are prohibited from parking: a vehicle with a motorized cooling unit; and vehicles with a gross vehicle weight exceeding 10,000 pounds or more, without specific approval for each case by the HOA.

- b. IND - The purpose of this district is to provide land in appropriate locations for light industrial, trade and service activities, including industrial support services, such as administration, business and professional offices, water-dependent and water-related commercial and industrial uses, and residential uses compatible with the Master Plan. Preference will be given to water-dependent or water-related commercial and industrial uses when considering the location of such uses. The parcels in the MIOD designated as IND shall be developed under the standards and criteria in the ULDC and the Comprehensive Plan for development within the IND land use district, subject to the following modifications:

- i. Lot size and dimensions:

- 1. The minimum lot width shall be 14 feet.
 - 2. The Minimum Lot size shall be 500 square feet.

- ii. Setbacks:

- 1. The front setback shall range from 0 feet to 8 feet.
 - 2. The side setback shall range from 0 feet to 5 feet.
 - 3. The side street setback shall be a minimum of 0 feet.
 - 4. The rear setback shall be a minimum of 3 feet.

- iii. The maximum floor area ratio shall not exceed 0.5 for commercial use; there shall be no maximum floor area ratio for residential use.

iv. The maximum height will be measured in stories, not feet, with a maximum of 5 stories allowed. Each story shall have a maximum height of 14 feet, as measured from floor to floor. Any height above 14 feet shall count as an additional story, except that a single story building may have a maximum height of 30 feet.

v. The maximum impervious coverage shall not exceed 70%.

vi. The following uses are additional permitted uses:

1. Retail Commercial
2. Professional Services
3. Multi-Family Units
4. Duplex
5. Townhouse
6. Hotels, Motels, Resorts
7. Marina
8. Private School, Charter Schools
9. Alcoholic Beverage Sales and Establishments
10. Docks, boathouses, boat lifts, boat davits, piers, seawalls or boardwalk
11. Boat and Vehicle Repair
12. Fuel Service and Sales
13. Motorized Vehicle and Boat Sales
14. Recreation facilities, such as parks, tennis courts, and golf courses
15. Storage buildings, utility buildings, greenhouses, tool sheds

16. Fraternal organizations or private clubs
17. Hospitals, Medical Outpatient Clinics, Emergency Medical, Ambulance
18. Nursing and convalescent care facilities
19. Religious Facilities
20. Parking Lot and Structured Parking
21. Personalized Service Establishments
22. Museum
23. Art Gallery, Art Studio
24. Aquarium
25. Spa, Wellness Establishments
26. Mixed Use Structures
27. Technology Facilities

vii. The maximum residential density is twenty (20.0) units per acre.

c. C - The purpose of this district is to provide land in appropriate locations for various types of retail, office, trade service establishments, and professional service uses. The parcels with the MIOD designated as C shall be developed under the standards and criteria in the ULDC and the Comprehensive Plan for development within the C land use district, subject to the following modifications:

i. Lot size and dimensions:

1. The minimum lot width shall be 14 feet.
2. The minimum lots size shall be 500 square feet.

ii. Setbacks:

1. The front setback shall range from 0 feet to 8 feet.
2. The side setback shall range from 0 feet to 5 feet.
3. The side street setback shall be a minimum of 0 feet.
4. The rear setback shall be a minimum of 3 feet.

iii. The maximum floor area ratio shall not exceed 1.0 for commercial use; there shall be no maximum floor area ratio for residential use.

iv. The maximum height will be measured in stories, with a maximum of 5 stories allowed. Each story shall have a maximum height of 16 feet, as measured from floor to floor. Any height above 16 feet shall count as an additional story, except that a single story building may have a maximum height of 30 feet.

v. The maximum impervious coverage shall not exceed 85%.

vi. These uses shall be added as permitted uses:

1. Multi-Family Units including Duplex
2. Single family attached
3. Townhouse
4. Primary (elementary), Middle and High School
5. Private School
6. Public Parks
7. Alcoholic Beverage Sales and Establishments

8. Recreation facilities, such as parks, tennis courts, and golf courses
9. Marina
10. Boat and Vehicle Repair
11. Fuel Service and Sales
12. Motorized Vehicle and Boat Sales
13. Fraternal organizations or private clubs
14. Religious Facilities
15. Parking Lot and Structured Parking
16. Boat hauling and repair
17. Commercial Fishing and Charter Service
18. Outdoor Storage
19. Museum
20. Art Gallery, Art Studio
21. Aquarium
22. Spas, Wellness Establishments
23. Mixed Use Structures
24. Technology Facilities

vii. The maximum residential density is twenty (20.0) units per acre.

d. Parking Standards – The parking standards for the MIOD shall be:

- i. Residential Single-Family use shall require 2 off-street spaces per unit for any size unit, provided however, that spaces may be in tandem.

- ii. Cluster/Multifamily Development (Resident Parking) use shall require 0.5 off-street spaces (which may be a combination of motor vehicle and golf cart spaces) per bedroom plus 0.25 bicycle spaces per each off-street space, provided however, that spaces may be in tandem and that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- iii. Cluster/Multifamily Development (Public Parking) use shall have no minimum off-street space requirement and a maximum requirement of 0.5 off-street spaces per bedroom, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- iv. Commercial use for barbershops or beauty parlors shall require 0.5 off-street spaces for each barber chair or each beautician station plus 0.10 bicycle spaces per each off-street space.
- v. Commercial use for banks and savings and loans shall require 1 off-street space per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space.
- vi. Commercial use for hotels and motels shall require 1 off-street space for every 2 rooms plus 0.5 off-street spaces per staff member.
- vii. Commercial use for administrative, business and professional offices shall require 2 off-street spaces per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- viii. Commercial use for governmental offices shall require 2 off-street spaces per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- ix. Commercial use for takeout restaurants shall require 2 off-street spaces per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space.
- x. Commercial use for restaurants other than takeout restaurants shall require 4 off-street spaces per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street, provided however,

that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.

- xii. Commercial use for retail-general shall require 3 off-street spaces per each 1,000 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- xiii. Commercial use for retail-furniture and appliances shall require 1 space per 500 square feet of gross floor area plus 0.10 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- xiv. Commercial use for a Health Club shall require 2 spaces per 1,000 square feet of gross floor area plus 0.25 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- xv. Commercial use for single and multi-screen movie theaters shall require 1 off-street space per every 5 seats plus 0.5 off-street spaces per employee plus 0.10 bicycle spaces per each off-street space, provided however, that on-street parking shall count towards the minimum requirement for off-street spaces within 1000 feet of the main entry.
- xvi. Miscellaneous use for day care, preschools and nursery schools shall require 1 off-street space per staff member plus 0.25 bicycle spaces per each off-street space.
- xvii. All other commercial uses shall require 3 off-street spaces per 1,000 square feet of gross floor area plus 0.10 bicycle spaces and the abutting street.
- xviii. Parking garages may be constructed, provided that the structure blends in with surrounding structures.
- xix. Shared parking areas shall be allowed.
- xx. Bicycle and golf cart parking facilities shall be provided when possible for public, civic, commercial, office, other non-residential, and mixed use buildings.

e. Street Elements

i. ROW Ranges

1. Commercial Street – 40 feet minimum to 110 feet maximum
2. Boulevard – 50 feet minimum to 100 feet maximum
(Applies to the road North of 390 to Tennessee Ave)
3. Neighborhood Street – 42 feet minimum to 100 feet maximum
4. Alley – 14 feet minimum to 24 feet maximum
5. Square – 40 feet minimum to 60 feet maximum
6. Bridge – 40 feet minimum to 50 feet maximum

ii. Number of Travel Lanes

1. Commercial Street – 1 lane one-way or 1 travel lane in each direction
2. Boulevard – 2 to 4 travel lanes 1 or 2 directions
3. Neighborhood Street – 1 or 2 travel lanes 1 or 2 direction
4. Alley – 1 or 2 travel lanes 1 or 2 direction
5. Square – 1 or 2 travel lanes 1 or 2 direction
6. Bridge – 1 or 2 travel lanes 1 or 2 direction

iii. Width of Lanes

1. Commercial Street – 9 feet minimum to 10 feet maximum, with 11 feet permitted along transit corridors only, and allowances to accommodate the turning radius of emergency service vehicles.
2. Boulevard – 9 feet minimum to 11 feet maximum, with allowances to accommodate the turning radius of emergency service vehicles.
3. Neighborhood Street – 9 feet minimum to 10 feet maximum, with allowances to accommodate the turning radius of emergency service vehicles.
4. Alley – 8 feet minimum to 10 feet maximum.
5. Square – 9 feet minimum to 11 feet maximum, with allowances to accommodate the turning radius of emergency service vehicles.
6. Bridge – 10 feet minimum to 11 feet maximum.

iv. Number of Parking Lanes (where provided)

1. Commercial Street – None, 1 minimum or 2 maximum
2. Boulevard – None, 1 minimum or 2 maximum
3. Neighborhood Street – None, 1 minimum or 2 maximum
4. Alley – not permitted

5. Square – 1 None, 1 minimum or 2 maximum
6. Bridge – not permitted

v. Parallel Parking Lanes

1. Commercial Street – 8 feet minimum
2. Boulevard – 8 feet minimum
3. Neighborhood Street – 7 feet minimum
4. Alley – not permitted
5. Square – 8 feet minimum
6. Bridge – not permitted

vi. Diagonal Parking Lanes

1. Commercial Street – 17 minimum to 18 maximum
2. Boulevard – 17 minimum to 18 maximum
3. Neighborhood Street – not permitted
4. Alley – not permitted
5. Square – not permitted
6. Bridge – not permitted

vii. Sidewalks

1. Commercial Street – Both Sides
2. Boulevard – Both Sides
3. Neighborhood Street – Both Sides
4. Alley – None
5. Square – minimum one side
6. Bridge – minimum one side

viii. Sidewalk Widths

1. Commercial Street – 10 feet minimum
2. Boulevard – 5 feet minimum to 12 feet maximum
3. Neighborhood Street – 4 feet minimum
4. Alley – N/A
5. Promenade – 6 feet minimum
6. Square – 6 feet minimum
7. Bridge – 6 feet minimum

ix. Pedestrian Easements (optional)

1. Commercial Street – 0
2. Boulevard – 4 feet minimum to 16 feet maximum
3. Neighborhood Street – 6 feet minimum to 12 feet maximum

4. Alley – 6 feet minimum to 10 feet maximum
5. Square – Not required
6. Bridge – Not required

x. Planting Strips

1. Commercial Street – 5’ or larger Trees in grates
2. Boulevard – 4 feet minimum to 20 feet maximum
3. Neighborhood Street – 5 feet to 10 feet minimum
4. Alley – 0 feet minimum
5. Square – 0 feet minimum
6. Bridge – 0 feet minimum

xi. Maximum Curb Radius

1. Commercial Street – 10 feet
2. Boulevard – 10 feet
3. Neighborhood Street – 5 to 15 feet
4. Alley – None required
5. Square – None required
6. Bridge – None required

xii. Design Speeds

1. Commercial Street – 5 miles per hour to 25 miles per hour
2. Boulevard – 25 miles per hour to 30 miles per hour
3. Neighborhood Street – 15 miles per hour to 25 miles per hour.
4. Alley – 5 miles per hour to 10 miles per hour
5. Square – 10 miles per hour to 15 miles per hour
6. Bridge – 20 miles per hour to 25 miles per hour

f. ACCESSORY STRUCTURES IN ALL LAND USE DISTRICTS.

- i. Accessory structures may be located on a parcel, provided that the following requirements are met:
 - A. There may be a permitted principal structure or use on the parcel, located in full compliance with all standards and requirements of this MIOD.
 - B. Accessory structures shall be included in all calculations of impervious surface and stormwater runoff.
 - C. Accessory buildings may be permitted only in side yards and rear yards and may abut the front yard setback of an adjacent property.
 - D. All accessory structures shall be less than the footprint dimensions of total square footage of the primary structure.

E. Accessory structures shall meet the minimum property line setback requirements in the following table excluding setbacks required by fire code.

	LDR	IND	COM	MU
Front (feet)	0	0	0	0
Side (feet)	0	0	0	0
Rear (feet)	0	0	0	0
Side, adjacent to street (feet)	0	0	0	0
Parcel Coverage (%)	30	40	40	40
Maximum Height (stories)	3	3	3	3

Minimum Setbacks for Accessory Buildings

b. Accessory Structures in Residential Land Use District shall meet the standards set forth below:

ii. Standards for Accessory Structures in Residential Districts.

1. Design Standards Residential Land Use Districts shall be approved by a Design Review Board established by the Marina Island Developer to maintain a consistent theme throughout the Marina Island project.
2. Accessory apartments shall be permissible in compliance with the following standards:
3. An accessory dwelling inside the principal residential building shall comply with the following standards:
 - a. An accessory dwelling may be deemed to be located within a principal building when it is connected to the principal residential building only by a breezeway or roofed passageway;
 - b. No more than 2 accessory dwelling shall be permitted;
 - c. An accessory dwelling inside a principal residential building may have a separate exterior entrance;
4. One or more free-standing accessory dwelling unit may be built in the rear of the principal building or combined with a garage.

5. Permitted Structures

- a. Accessory dwelling unit
 - b. Accessory dwelling, such as caretaker quarters or park ranger housing
 - c. Children's playhouse
 - d. Detached garage
 - e. Docks, boathouses, boat lifts, boat davits, piers, seawalls or boardwalks
 - f. Dumpsters, screened
 - g. Fences, hedges, and walls
 - h. Home occupation
 - i. Recreation facilities, such as parks, tennis courts, pickleball courts, and golf courses
 - j. Storage buildings, utility buildings, greenhouses, tool sheds
 - k. Swimming pools
- g. Technology Facilities in all Land Use Districts.
- i. **Permitted Uses:** In addition to all other uses permitted under the applicable zoning and land use regulations, the Developer shall have the right to develop, construct, operate, maintain, repair, and replace data and technology hosting and management facilities and related infrastructure (collectively, "Technology Facilities") on the Property. Technology Facilities may include, but are not limited to, the development, construction, operation, maintenance, repair, and replacement of data center facilities and related infrastructure related to the following:
 - 1. Buildings and structures designed to house computer servers and related information technology (IT) equipment.
 - 2. Electrical substations, transformers, backup power generators, and other equipment necessary to ensure a reliable power supply.
 - 3. Cooling equipment, HVAC systems, and any ancillary mechanical infrastructure needed to maintain proper environmental conditions for IT equipment.

4. Telecommunications equipment, fiber optic cable connections, and other related communications infrastructure.
6. Alcoholic Beverage Sales – Subject to the state of Florida’s alcoholic beverage and tobacco licensing requirements, liquor, wine, beer and other alcoholic beverages may be sold in the MIOD where the underlying land use district is MU, IND or C.
7. Density and Transfer of Density – Recognizing the innovative design and the uniqueness of the Project, the Property and the complexities of balancing the goals of land use and preservation, the Developer may find it necessary to shift land use densities from one area of the Project to another. The Developer shall have the discretionary right to shift land use densities, and, as needed, maximum heights, throughout the Project provided that the cumulative total allowable density for each land use district within the MIOD is not exceeded, and all the then current owners of the affected parcels consent to the density transfer. Density transfers that occur during Phase 1 of the project shall not be considered substantial amendments to the Master Plan, and approval of such density transfers shall not be unreasonably withheld by the City.
8. Public Utilities.
 - a. Central water and central sewer will be provided below ground.
 - b. Every electrical, cable television, data, telephone or other telecommunications feed installed or replaced from a public right-of-way, and in, along or across any private Commercial Street, Boulevard, Neighborhood Street, Promenade, Square or Bridge, to any structure, building or accessory thereto, shall be placed underground for the entire length of such feed. Cable, Internet, Wi-Fi and Wireless shall be provided exclusively by the Developer and one or more contractors engaged by Developer.
 - c. Gas may be provided and services will be located underground.
 - d. Connections shall be located discreetly in front or in the rear of the dwelling or commercial building.
 - e. Trash receptacles shall be screened at residential and commercial buildings.
 - f. Solid waste collection facilities shall be located in conditioned indoor space.
9. Restaurant and Food Sales – Subject to the state of Florida’s restaurant and food service industry licensing requirements, any business or commercial establishment that derives a majority of its revenues from preparing and serving food or non-alcoholic beverages to the public for consumption on its premises or for takeout may be a point of sale in the MU, IND or C land use districts within the MIOD.
10. Landscaping, Lighting and Signage –
 - a. Landscaping –

- i. The Developer shall implement a high quality, environmentally suitable landscaping and hardscaping aesthetic Project-wide, in accordance with the hardscape standards (the “Hardscaping Standards”) set forth in the Design Code (“Design Code”) made a part of the Declaration of Covenants, Conditions and Restrictions promulgated by the Developer and recorded in the Official Records of Bay County, Florida, and as amended from time to time (the “Declaration”). The Developer shall install irrigation for all non-native landscape. For the avoidance of doubt, irrigation shall not be required for native plants, whether naturally occurring or installed by the Developer.
- ii. Maintenance of landscape materials.
 - a. All required plants shall be maintained in a healthy, pest-free condition. Maintenance shall include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming. In some circumstances with Natural Flora, the plants may just be left in their natural state.
 - b. All landscaped areas shall be provided with an appropriate irrigation system that conforms to the Technical Standards Manual.
 - c. Required landscape materials that become diseased or die shall be replaced not later than 3 months following the loss of the plant weather permitting.
- b. Tree protection.
 - i. Tree protection standards set forth in the ULDC are applicable to the MIOD.
 - ii. Within the MIOD, required open space and required streetscape shall be counted toward meeting the minimum requirements for landscaping and buffering.
- c. Buffers.
 - i. Buffers shall be used on the perimeter of the MIOD along roadways and other buffer areas between the MIOD area and surrounding areas.
 - ii. In the event an area is an entrance or exit area to the MIOD, landscape buffers are not required.
 - iii. Buildings shall be set back as listed above in this document under each land use categories.
 - iv. Existing vegetation, other than prohibited plants, may be retained in any required buffer area.
 - v. **Development within the Marina Island Overlay District shall be required to install a 60-foot Type D buffer (per sec. 4.06.00 ULDC) between all new development and existing industrial uses. No development shall be permitted within said buffer except for walkways and bikeways, or sound attenuation barriers. Within said buffer the Developer shall erect and maintain in a sound, clean and neat condition on both sides a six foot high, solid-face**

construction fence parallel to the property line adjacent to the industrial use.

vi. **Developers shall notify all new property owner in the MIOD in writing that the MIOD abuts existing industrial properties that may generate noise and other impacts.**

d. Signage and Wayfinding – The Developer deems on-site signage as a critical element of the MIOD. The following sign regulations shall to development in the MIOD.

i. Only the following Building Signs shall be permitted, and a single Building shall be limited to one of the following alternatives:

1. Alternative one.

a. Each separately owned or operated business establishment located within a Mixed Use Structure containing multiple business establishments shall be permitted one (1) Building Sign or Canopy Sign and one (1) hanging (but not swinging) Projecting Sign, each to advertise that business and each the same size, provided such Building has a Frontage and such Signs are located on the Frontage side of the Building.

b. In addition, the rear (but not the side) of such a Building with a Frontage, that is the side opposite the Building Frontage, may be considered a separate “rear Building Frontage” for the purpose of permitting one (1) square foot of On-Premises Building Sign Area to be placed on the rear of that Building for each linear foot of “rear Building Frontage,” provided that the aggregate Area of all such rear Building Signs shall not exceed thirty percent (30%) of the area of the rear side of that Building. The maximum number of such rear Building Signs at any given time shall be the greater of three (3) or the number of tenants or separate businesses operating within the Building at that time. The manner of determining the number and aggregate size of such rear Building Signs shall be as for ordinary Building Signs. A rear Building Sign advertising the branded name of a business currently operating anywhere within the MIOD shall be considered an On-Premises Sign for the purpose of this sub-section.

2. Alternative two. A single Building occupied by one or more business establishments shall be permitted one (1) square

foot of aggregate On-Premises Building Sign Area for each linear foot of the perimeter of the heated and cooled space of that Building by which to advertise the business or businesses operating within that Building. The maximum number of such Building Signs shall be seven (7). The aggregate Area of all such Building Signs on a single side of that Building shall not exceed thirty percent (30%) of the area of that side. The manner of determining the number and aggregate size of such Building Signs shall be as for ordinary Building Signs.

ii. No Free-Standing Signs shall be permitted, except:

1. Two entrance signs.
2. Signs shall not exceed fifty (50) feet in Sign Height and five hundred (500) square feet in Sign Area visible from any one point, and three (3) of which shall not exceed twenty-five (25) feet in Sign Height and two hundred (200) square feet in Sign Area visible from any one point. A Sign advertising the branded name of a business currently operating anywhere within the MIOD shall be considered an On-Premises Sign for the purpose of this sub-section.
3. An archway constructed over [Marina Island Boulevard] proximate to the intended Bridge, containing only the words "Marina Island" and the registered service mark of the master developer of the MIOD, with no other advertising.
4. For each intersection, one (1) or two (2) directional Signs not exceeding six (6) feet in Sign Height and sixteen (16) square feet in Sign Area visible from any one point and placed proximate to the intersection, provided that the content of such signs shall be limited to street names and the name of and direction to one or more businesses operating within the MIOD or to egresses from the Overlay District.
5. One free-standing Monument Sign not exceeding seven (7) feet in Sign Height and seventy (70) feet in Sign Area for each Premises placed adjacent to a Commercial Street, Boulevard or other publicly accessible vehicular thoroughfare.

iii. Except as provided in this sub-section, no Banners shall be permitted (including by way of example and not limitation "Grand Opening" or "Coming Soon" or "Sale" Banner, or the

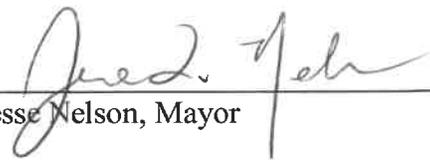
announcement of a Special Event).

1. A temporary Banner covering a Sign which has been damaged by windstorm or other casualty shall be permitted, provided such banner is displayed for no more than (i) the forty-five (45) day period following such windstorm or casualty or (ii) the one hundred eighty (180) day period following such windstorm or casualty provided that at all times after the forty-fifth (45th) day the owner or person entitled to possession of such damaged sign has entered a binding, arms length contract for the total repair or replacement of such damaged Sign, and the reason such contract has not been completed is in no way attributable to any act or omission of such owner or person entitled to possession of such damaged Sign.
 2. Permanent, decorative standards placed and maintained by the master developer of the Marina Island Overlay District, or by an association representing the majority of the business occupants of the Marina Island Overlay District, shall be permitted upon public or common light poles, provided that such standards bear a common or related design intended to aesthetically unify the Marina Island Overlay District, do not advertise any business, event or thing, and each standard is maintained in a clean, neat, whole and new appearing condition. Notwithstanding the forgoing, the standards may contain the words "Marina Island," and the registered service mark of the master developer of the Marina Island Overlay District, with no other advertising.
- e. Lighting – The Developer will implement the lighting standards (the "Lighting Standards"), set forth in the Design Code made a part of the Declaration, throughout the Project, which Lighting Standards may be inconsistent with the Code.
11. Infrastructure and Maintenance Standards – Consistent with the Infrastructure Element, Comprehensive Plan and Chapter 6 of the ULDC, the Developer will establish and maintain standards for infrastructure development, placement and maintenance ensuring high quality, consistent and efficient delivery of public services that meet or exceed existing City standards.
 12. Conflicts with Other Provisions of the Code - In the event of conflicts between the terms and provisions of this overlay with other zoning, subdivision, or landscape regulations of the Code, the terms and provisions contained in this overlay shall control.

13. Invalid Provisions – All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict. If any phrase, clause, sentence, paragraph, section, or subsection of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Ordinance.
14. Intent – It is the intention of the Commission that the provisions of this Ordinance shall become a part of the City's Code of Ordinances. The provisions of this Ordinance may be renumbered or re-lettered with cross-references corrected and the word "ordinance" may be changed to "section," "article", "division" or other appropriate word to accomplish such intention.
15. Effectiveness – This Ordinance shall take effect immediately upon passage.

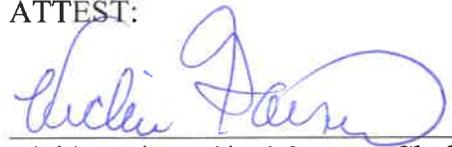
PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Lynn Haven, Florida, this 21st day of April, 2025.

CITY OF LYNN HAVEN, FLORIDA



Jesse Nelson, Mayor

ATTEST:



Vickie Gainer, City Manager-Clerk

Exhibit "A"

MIOD Boundary

[See Attached]

DESCRIPTION: TRACT 0

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°52'20" EAST, ALONG THE SOUTH LINE OF SAID SECTION 5, FOR A DISTANCE OF 744.42 FEET; THENCE NORTH 23°23'22" EAST, FOR A DISTANCE OF 130.27 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 23°23'22" WEST, FOR A DISTANCE OF 759.70 FEET TO THE NORTH RIGHT OF WAY LINE OF ARTHUR DRIVE (HAVING A 100.00 FT. RIGHT OF WAY); THENCE NORTH 69°57'35" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 705.47 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 443.52 FEET; THENCE WESTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 49.65 FEET, SAID ARC HAVING A CHORD OF 49.62 FEET BEARING NORTH 73°10'00" WEST TO THE END OF SAID CURVE; THENCE NORTH 13°37'35" EAST, FOR A DISTANCE OF 74.13 FEET TO A POINT ON THE NORTH BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3952, PAGE 1552 OF THE PUBLIC RECORDS OF RAY COUNTY, FLORIDA; THENCE NORTH 68°36'48" WEST, ALONG SAID NORTH BOUNDARY, FOR A DISTANCE OF 445.58 FEET TO A POINT ON THE EAST BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2724, PAGE 514 OF SAID PUBLIC RECORDS; THENCE NORTH 04°45'35" EAST, ALONG SAID EAST BOUNDARY, FOR A DISTANCE OF 781 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF NORTH BAY; THENCE EASTERLY, ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 1,360 FEET, MORE OR LESS, TO A POINT WHICH BEARS NORTH 01°11'12" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 01°11'12" WEST, FOR A DISTANCE OF 474 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING A PORTION OF SECTIONS 5, 6, 7, AND 8, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA. CONTAINING 30.65 ACRES, MORE OR LESS.

TRACT 1:

BEGIN AT THE NORTHWEST CORNER OF BLOCK 165, LYNN HAVEN PLAT NO. 1, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGES 9 AND 10 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE SOUTH 01°37'54" WEST, ALONG THE WEST LINE OF SAID BLOCK 165, FOR A DISTANCE OF 77.32 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF A 100 FT. RAILROAD RIGHT OF WAY ALSO KNOWN AS PARCEL "A" (C1), WHICH IS A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1,483.82 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 328.26 FEET, SAID ARC HAVING A CHORD OF 327.59 FEET BEARING SOUTH 64°37'16" EAST TO THE WEST RIGHT OF WAY LINE OF TENNESSEE AVENUE (HAVING A 60.00 FT. RIGHT OF WAY); THENCE SOUTH 01°35'40" WEST, ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 403.48 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 88°22'36" WEST, FOR A DISTANCE OF 41.99 FEET, TO THE MEAN HIGH WATER LINE OF LYNN HAVEN BAYOU; THENCE WESTERLY, ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 3,183 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY BANK OF A TIDAL CANAL; THENCE WESTERLY, ALONG SAID NORTHERLY BANK, FOR

THE FOLLOWING TEN (10) COURSES: SOUTH 76°07'59" WEST, FOR A DISTANCE OF 13.61 FEET; THENCE NORTH 79°23'07" WEST, FOR A DISTANCE OF 46.74 FEET; THENCE NORTH 83°14'32" WEST, FOR A DISTANCE OF 54.16 FEET; THENCE SOUTH 85°59'32" WEST, FOR A DISTANCE OF 89.95 FEET; THENCE SOUTH 82°40'28" WEST, FOR A DISTANCE OF 105.00 FEET; THENCE SOUTH 87°02'54" WEST, FOR A DISTANCE OF 155.50 FEET; THENCE SOUTH 89°51'44" WEST, FOR A DISTANCE OF 196.58 FEET; THENCE SOUTH 88°31'02" WEST, FOR A DISTANCE OF 103.26 FEET; THENCE NORTH 85°37'19" WEST, FOR A DISTANCE OF 103.44 FEET; THENCE NORTH 88°49'40" WEST, FOR A DISTANCE OF 210.69 FEET, TO A POINT ON THE EAST BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2776, PAGE 467 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING TWO (2) COURSES: NORTH 01°41'16" EAST, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 88°47'50" WEST, FOR A DISTANCE OF 56.86 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF ARTHUR DRIVE (HAVING A 100 FT. RIGHT OF WAY) WHICH IS A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 361.04 FEET; THENCE NORTHERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 92.37 FEET, SAID ARC HAVING A CHORD OF 92.11 FEET BEARING NORTH 17°30'10" WEST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 24°49'55" WEST, FOR A DISTANCE OF 581.32 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 277.97 FEET; THENCE NORTHWESTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 249.84 FEET, SAID ARC HAVING A CHORD OF 241.51 FEET BEARING NORTH 50°40'02" WEST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 76°22'08" WEST, FOR A DISTANCE OF 992.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1,736.30 FEET; THENCE WESTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 194.22 FEET, SAID ARC HAVING A CHORD OF 194.12 FEET BEARING NORTH 73°09'18" WEST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 69°57'35" WEST, FOR A DISTANCE OF 163.23 FEET, TO THE EAST BOUNDARY OF A PARCEL ID No. 08921-001-000 OF THE OFFICE OF THE PROPERTY APPRAISER OF BAY COUNTY, FLORIDA; THENCE NORTHERLY, ALONG SAID EAST BOUNDARY, FOR THE FOLLOWING TWO (2) COURSES: NORTH 23°23'22" EAST, FOR A DISTANCE OF 759.70 FEET; THENCE NORTH 01°11'11" EAST, FOR A DISTANCE OF 474 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF NORTH BAY; THENCE EASTERLY, ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 1,136 FEET, MORE OR LESS, TO THE WEST BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 3929, PAGES 1663-1699 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°40'35" WEST, ALONG SAID WEST BOUNDARY, FOR A DISTANCE OF 551 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE EASTERLY, ALONG THE SOUTH BOUNDARY, FOR THE FOLLOWING SEVEN (7) COURSES: SOUTH 88°44'25" EAST, FOR A DISTANCE OF 458.10 FEET; THENCE SOUTH 01°12'24" WEST, FOR A DISTANCE OF 588.80 FEET; THENCE SOUTH 68°06'34" EAST, FOR A DISTANCE OF 493.00 FEET; THENCE SOUTH

67°37'56" EAST, FOR A DISTANCE OF 601.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 493.98 FEET; THENCE EASTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 75.63 FEET, SAID ARC HAVING A CHORD OF 75.56 FEET BEARING SOUTH 72°01'07" EAST, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 76°24'17" EAST, FOR A DISTANCE OF 297.14 FEET; THENCE NORTH 15°00'31" EAST, FOR A DISTANCE OF 28.0 FEET, MORE OR LESS, TO THE MEAN HIGH WATER LINE OF LYNN HAVEN BAYOU; THENCE EASTERLY, ALONG SAID MEAN HIGH WATER LINE, FOR A DISTANCE OF 1,188 FEET, MORE OR LESS, TO A POINT ON THE WEST BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1971, PAGE 843, OF SAID PUBLIC RECORDS; THENCE SOUTH 01°35'08" WEST, FOR A DISTANCE OF 46.02 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL; THENCE EASTERLY, ALONG SAID SOUTH BOUNDARY, FOR THE FOLLOWING THREE (3) COURSES: SOUTH 88°27'59" EAST, FOR A DISTANCE OF 81.05 FEET; THENCE SOUTH 01°35'08" WEST, FOR A DISTANCE OF 2.00 FEET; THENCE SOUTH 88°27'59" EAST, FOR A DISTANCE OF 147.70 FEET, TO THE WEST RIGHT OF WAY LINE OF CAROLINA AVENUE (HAVING A 60.00 FT. RIGHT OF WAY); THENCE SOUTH 01°35'08" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 60.00 FEET, TO THE SOUTH RIGHT OF WAY LINE OF 10TH STREET (HAVING A 60.00 FT. RIGHT OF WAY); THENCE SOUTH 88°27'59" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, FOR A DISTANCE OF 420.12 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING A PORTION OF SECTIONS 5, 8 AND 9, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA. CONTAINING 90.960 ACRES, MORE OR LESS.

TRACT 2:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 31°56'02" EAST FOR 780.43 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF ARTHUR DRIVE (HAVING A 100.00 FT. RIGHT OF WAY); THENCE SOUTH 70°33'23" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 221.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH AND HAVING A RADIUS OF 1836.30 FEET; THENCE EASTERLY, ALONG SAID CURVING RIGHT OF WAY LINE, FOR AN ARC DISTANCE OF 205.38 FEET, SAID ARC HAVE A CHORD OF 205.28 FEET BEARNG SOUTH 73°45'38" EAST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 76°57'53" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 380.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 76°22'08" EAST, FOR A DISTANCE OF 310.76 FEET, TO THE WEST RIGHT OF WAY LINE OF MARYLAND AVENUE (HAVING A 60.00 FT. RIGHT OF WAY); THENCE SOUTH 01°33'43" WEST, ALONG SAID WEST RIGHT OF WAY LINE, FOR A DISTANCE OF 773.56 FEET, TO THE NORTHERLY BANK OF A TIDAL CANAL;

THENCE WESTERLY, ALONG SAID NORTHERLY BANK, FOR THE FOLLOWING THREE (3) COURSES: NORTH 88°20'56" WEST, FOR A DISTANCE OF 79.41 FEET; THENCE NORTH 89°45'19" WEST, FOR A DISTANCE OF 192.95 FEET; THENCE NORTH 88°02'04" WEST, FOR A DISTANCE OF 211.52 FEET, TO A POINT ON THE EASTERLY BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 4066, PAGE 335 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE NORTH 13°37'59" EAST, ALONG SAID EASTERLY BOUNDARY, FOR A DISTANCE OF 860.37 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING A PORTION OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA. CONTAINING 7.376 ACRES, MORE OR LESS.

TRACT 4:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA; THENCE SOUTH 88°52'20" EAST, ALONG THE NORTH LINE OF SAID SECTION 8, FOR A DISTANCE OF 744.42 FEET; THENCE SOUTH 23°23'22" WEST, FOR A DISTANCE OF 629.43 FEET, TO THE NORTHERLY RIGHT OF WAY LINE OF ARTHUR DRIVE (HAVING A 100.00 FT. RIGHT OF WAY); THENCE NORTH 69°57'35" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 705.47 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 443.52 FEET; THENCE WESTERLY, ALONG SAID CURVING RIGHT OF WAY LINE, FOR AN ARC DISTANCE OF 49.65 FEET, SAID ARC HAVING A CHORD OF 49.62 FEET BEARING NORTH 73°10'00" WEST TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE FOR THE FOLLOWING FOUR (4) COURSES: WESTERLY, ALONG SAID CURVE, FOR AN ARC DISTANCE OF 212.86 FEET, SAID ARC HAVING A CHORD OF 210.82 FEET BEARING SOUTH 89°52'38" WEST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 76°07'41" WEST, FOR A DISTANCE OF 468.75 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 70.00 FEET; THENCE NORTHWESTERLY, ALONG SAID CURVE FOR AN ARC DISTANCE OF 112.20 FEET, SAID ARC HAVING A CHORD OF 100.57 FEET BEARING NORTH 57°57'14" WEST TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 12°02'09" WEST, FOR A DISTANCE OF 330.86 FEET, TO A POINT ON THE SOUTH BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2724, PAGE 514 OF THE PUBLIC RECORDS OF BAY COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY FOR THE FOLLOWING TWO (2) COURSES: NORTH 78°25'32" EAST, FOR A DISTANCE OF 115.16 FEET; THENCE SOUTH 85°39'22" EAST, FOR A DISTANCE OF 313.20 FEET, TO THE SOUTHEAST CORNER OF SAID BOUNDARY; THENCE SOUTH 04°45'35" WEST, FOR A DISTANCE OF 29.08 FEET; THENCE SOUTH 68°36'48" EAST, FOR A DISTANCE OF 445.58 FEET; THENCE SOUTH 13°37'35" WEST, FOR A DISTANCE OF 74.13 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN AND BEING A PORTION OF SECTION 7, TOWNSHIP 3 SOUTH, RANGE 14 WEST, BAY COUNTY, FLORIDA. CONTAINING 4.712 ACRES, MORE OR LESS.

Annex “1”

Master Plan

[See Attached]

Marina Island Master Plan



Marina Island Annotated Master Plan



Marina Island Building Types



Marina Island Building Heights



Marina Island Parking Distribution



Marina Island Adjacent Properties



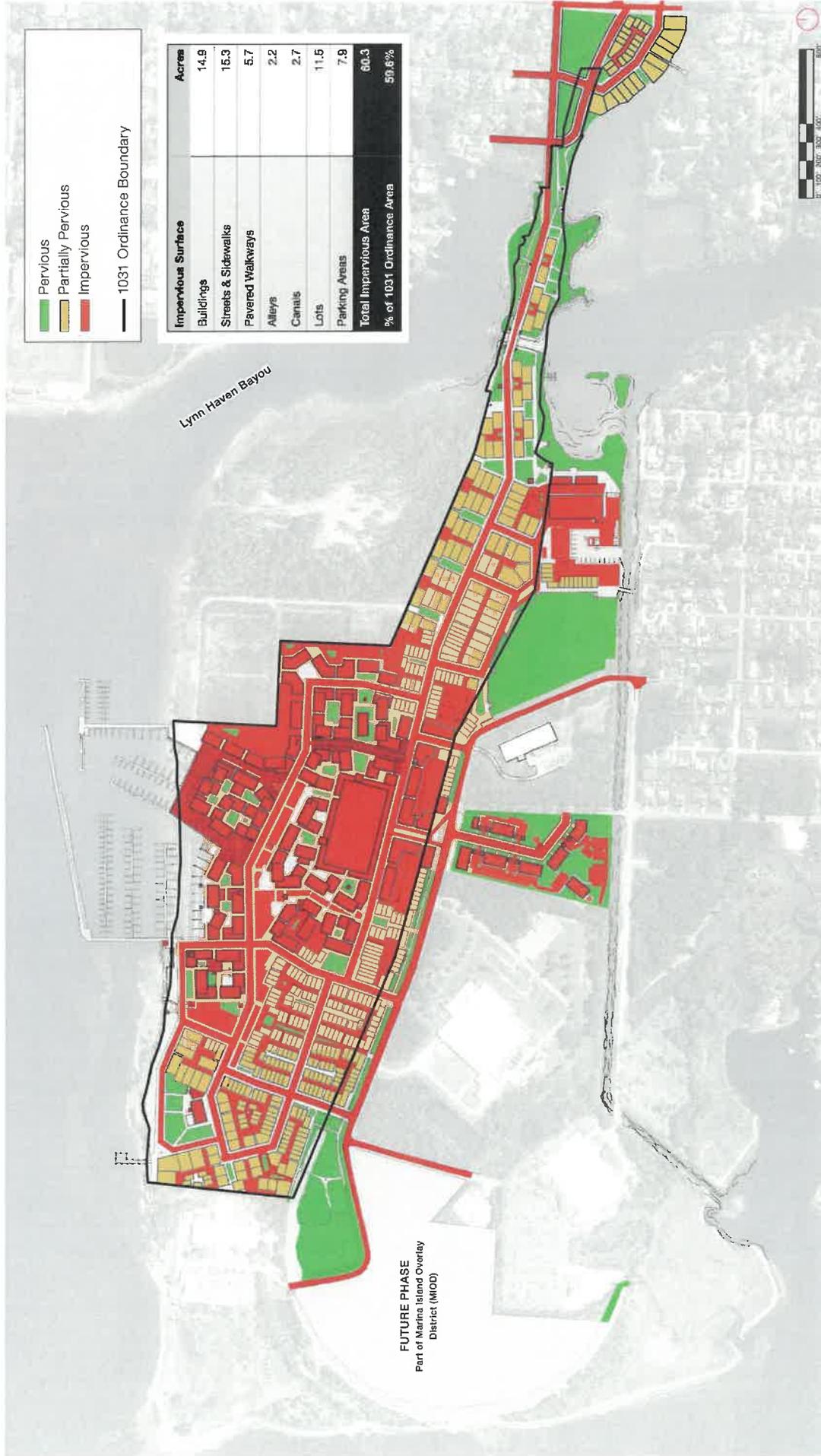
Marina Island Contour Plan



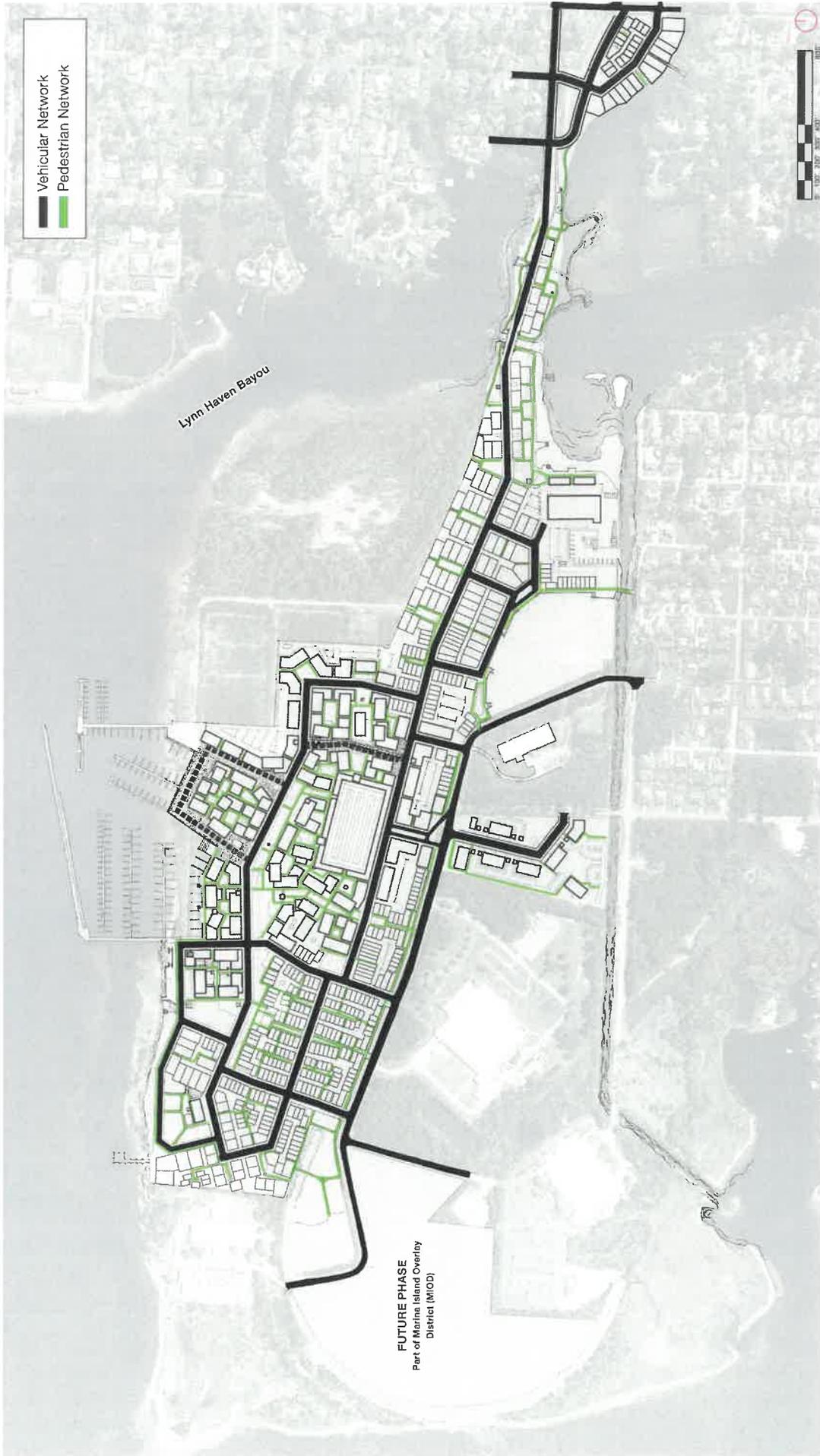
Marina Island Open Space Diagram



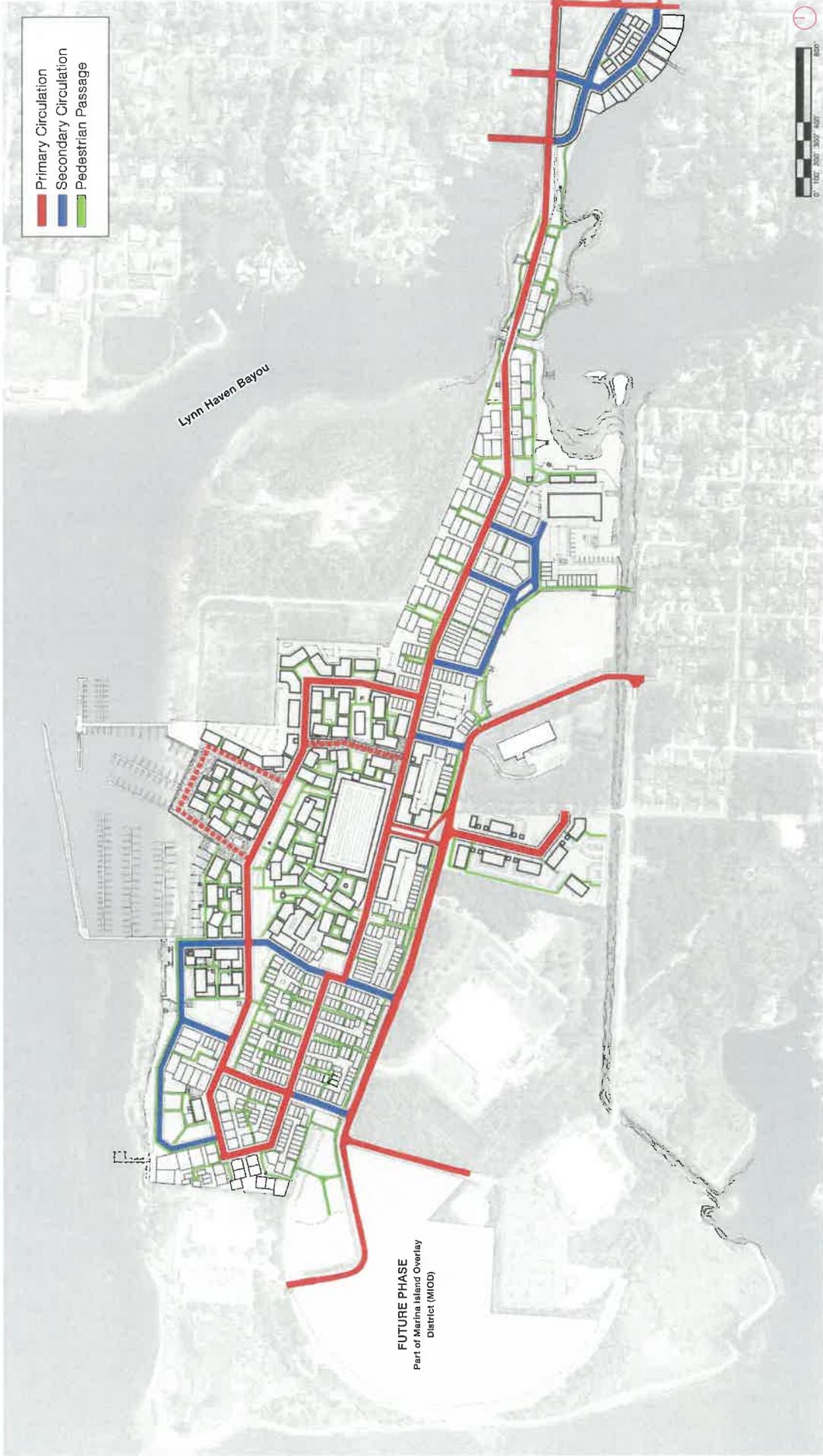
Marina Island Open Space Diagram



Marina Island Thoroughfare Networks



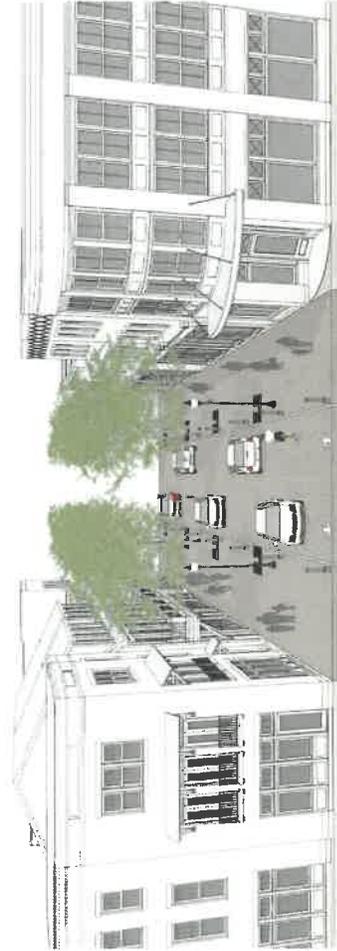
Marina Island Thoroughfare Hierarchy



Marina Island Thoroughfare Assignment

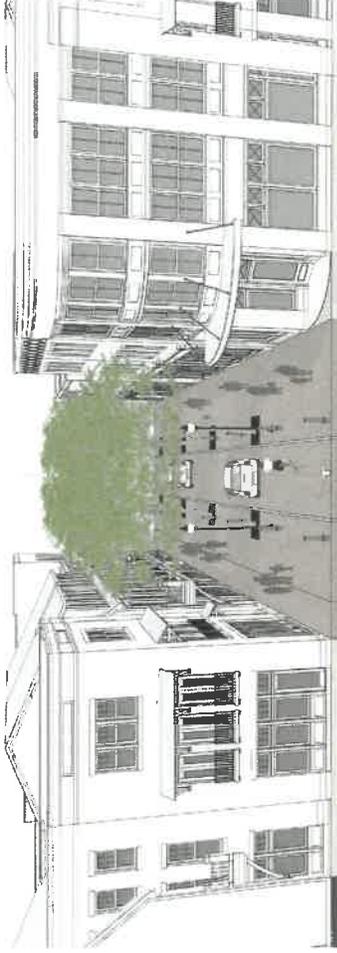


Marina Island Thoroughfare Assignment



Commercial (Shared) Street CS-50-20

Assembly Type	Commercial Street (Shared)
Right-of-way	50 ft. min.
Zone	MU, C, IND
Sidewalk	10 ft. min.
Planting & Furnishing	5 ft. min. Tree Grate in Parking
Curb	Flush, with Bollards
Design Speed	15 mph
Movement	2-way Slow
Travel Lanes	2, 10ft. max. each
Parking Lanes	N/A
Median	None
Bicycle Facilities	Shared Lane
Note	surface material should extend across from building face to building face



Commercial (Shared) Street CS-40-10

Assembly Type	Commercial Street (Shared)
Right-of-way	40 ft. min.
Zone	MU, C, IND
Sidewalk	15 ft. min.
Planting & Furnishing	5 ft. min. Tree Grate
Curb	Flush, with Bollards
Design Speed	5 mph
Movement	1-way Slow
Travel Lanes	1, 10ft. max.
Parking Lanes	None
Median	None
Bicycle Facilities	Shared Lane
Note	surface material should extend across from building face to building face



Marina Island Thoroughfare Assignment



Commercial Street CS-110-34 (Canal)

Assembly Type	Commercial Street w/ Canal	Design Speed	25 mph
Right-of-way	70ft. min. + Canal + 18ft. min.	Movement	2-way Slow
Zone	MU, C, IND	Travel Lanes	2, 10ft. max. each
Sidewalk	10 ft. min.	Parking Lanes	2, 8ft. max. each
Planting & Furnishing	5 ft. min. Tree Grate	Median	Canal on one side
Curb	Raised	Bicycle Facilities	Shared Lane
		Note:	Canal width varies



Commercial Street CS-70-34

Assembly Type	Commercial Street	Design Speed	25 mph
Right-of-way	70 ft. min.	Movement	2-way Slow
Zone	MU, C, IND, LDR	Travel Lanes	2, 10ft. max. each
Sidewalk	10 ft. min.	Parking Lanes	2, 8ft. max. each
Planting & Furnishing	5 ft. min. Tree Grate	Median	N/A
Curb	Raised	Bicycle Facilities	Shared Lane
		Note:	



Marina Island Thoroughfare Sections



Neighborhood Street NS-84-34 (Median)

Assembly Type	Neighborhood Street (Median)
Right-of-way	84 ft. min.
Zone	MU, C, IND, LDR
Sidewalk	5 ft. min.
Planting & Furnishing	6 ft. min. Long Planter
Curb	Raised

Design Speed	25 mph
Movement	2-way Slow
Travel Lanes	2, 10ft. max. each (1 each direction)
Parking Lanes	2, 8ft. max. each (1 each side)
Median	24ft. min. Center Median
Bicycle Facilities	Shared Lane

Note:



Neighborhood Street NS-60-34

Assembly Type	Commercial Street (Shared)
Right-of-way	60 ft. min.
Zone	MU, C, IND
Sidewalk	5 ft. min.
Planting & Furnishing	6 ft. min. Tree Grate
Curb	Raised

Design Speed	20 mph
Movement	2-way Slow
Travel Lanes	2, 10ft. max. each
Parking Lanes	2, 8ft. max. each
Median	None
Bicycle Facilities	Shared Lane

Note:



Marina Island Thoroughfare Sections



Neighborhood Square NS-50-28

Assembly Type	Neighborhood Square
Right-of-way	50 ft. min.
Zone	MU, C, IND
Sidewalk	6 ft. min.
Planting & Furnishing	6 ft. min. Long Planter
Curb	Raised
Design Speed	15 mph
Movement	1-way Slow
Travel Lanes	1, 10ft. max.
Parking Lanes	2, 8ft. max. each
Median	N/A
Bicycle Facilities	Shared Lane
Note:	



Neighborhood Street NS-100-34 (Canal)

Assembly Type	Neighborhood Street
Right-of-way	60ft min. + Canal + 18ft. min.
Zone	MU, C, IND
Sidewalk	5 ft. min.
Planting & Furnishing	6 ft. min. / 10ft. min. canal edge
Curb	Raised
Design Speed	20 mph
Movement	2-way Slow
Travel Lanes	2, 10ft. max. each
Parking Lanes	2, 8ft. max. each
Median	Canal on one side
Bicycle Facilities	Shared Lane
Note:	Canal width varies



Marina Island Thoroughfare Sections



Neighborhood Street NS-60-34

Assembly Type	Neighborhood Street	Design Speed	20 mph
Right-of-way	60 ft. min.	Movement	2-way Slow
Zone	MU, C, IND	Travel Lanes	2, 10ft. max. each
Sidewalk	5 ft. min.	Parking Lanes	2, 8ft. max. each
Planting & Furnishing	6 ft. min. Long Planter	Median	N/A
Curb	Raised	Bicycle Facilities	Shared Lane



Neighborhood Street NS-60-34

Assembly Type	Neighborhood Street	Design Speed	20 mph
Right-of-way	60 ft. min.	Movement	2-way Slow
Zone	MU, C, IND, LDR	Travel Lanes	2, 10ft. max. each
Sidewalk	5 ft. min.	Parking Lanes	2, 8ft. max. each
Planting & Furnishing	6 ft. min. Continuous Planter	Median	None
Curb	Raised	Bicycle Facilities	Shared Lane

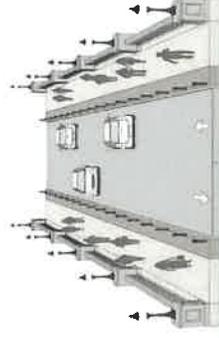


Marina Island Thoroughfare Sections



Neighborhood Street NS-42-18 (One-Way)

Assembly Type	Neighborhood Street (Square)
Right-of-way	42 ft. min.
Zone	MU, C, IND, LDR
Sidewalk	6 ft. min.
Planting & Furnishing	5 ft. min. Continuous Planter
Curb	Raised
Design Speed	15 mph
Movement	1-way Slow
Travel Lanes	1, 10ft. max. each
Parking Lanes	1, 8ft. max. each
Median	None
Bicycle Facilities	Shared Lane
Note:	

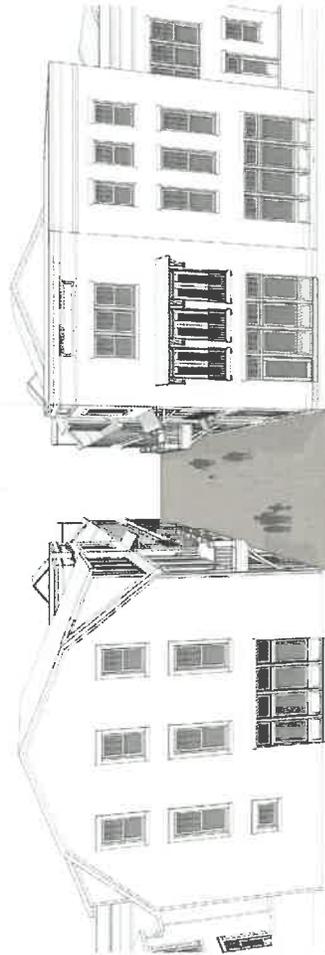


Neighborhood Street (Bridge) NS-44-20

Assembly Type	Bridge
Right-of-way	44 ft. min.
Zone	MU, C, IND, LDR
Sidewalk	6 ft. min.
Planting & Furnishing	None
Curb	Raised with bollards
Design Speed	25 mph
Movement	2-way
Travel Lanes	2, 10ft. max. each
Parking Lanes	N/A
Median	None
Bicycle Facilities	None
Note:	



Marina Island Thoroughfare Sections



Pedestrian Passage - Urban

Assembly Type	Pedestrian Passage
Right-of-way	12 ft. min.
Zone	MU, C, IND
Sidewalk	6 ft. min.
Planting & Furnishing	N/A
Curb	N/A

Design Speed	N/A
Movement	Pedestrian Only
Travel Lanes	N/A
Parking Lanes	N/A
Median	None
Bicycle Facilities	Shared
Note:	



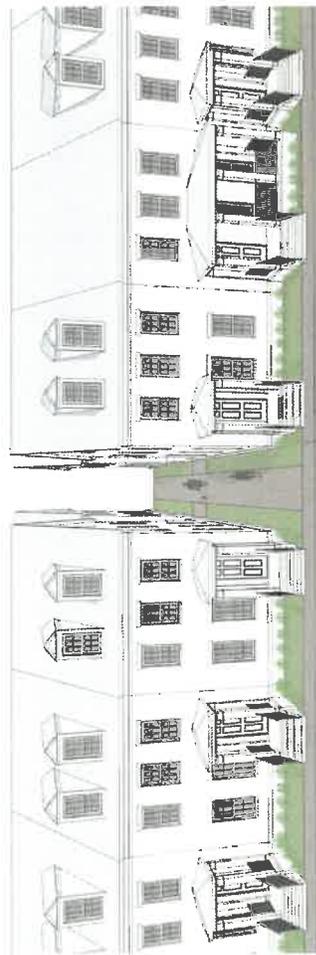
Pedestrian Passage - Single-Family

Assembly Type	Pedestrian Passage
Right-of-way	12 ft. min.
Zone	MU, C, IND, LDR
Sidewalk	6 ft. min.
Planting & Furnishing	N/A
Curb	N/A

Design Speed	N/A
Movement	Pedestrian Only
Travel Lanes	N/A
Parking Lanes	N/A
Median	None
Bicycle Facilities	Shared
Note:	

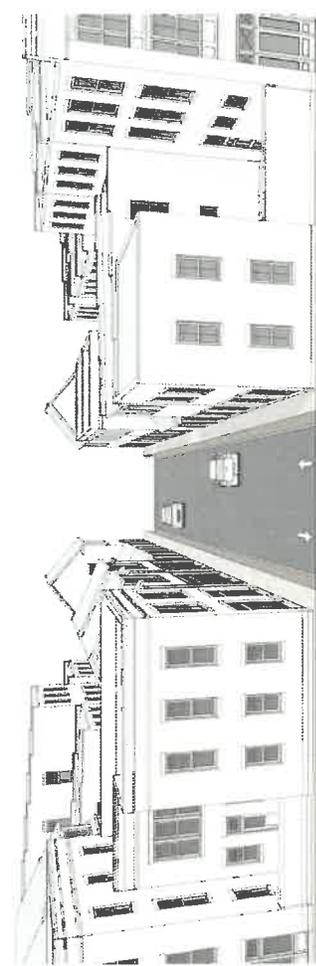


Marina Island Thoroughfare Sections



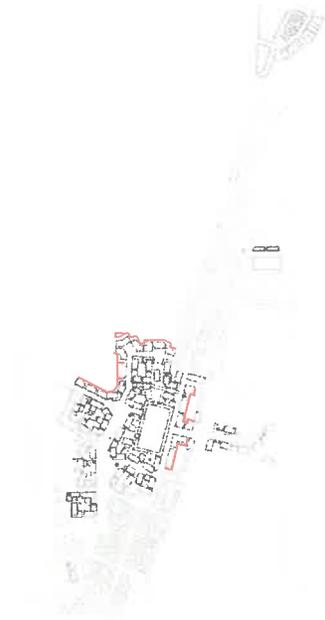
Pedestrian Passage - Side Passage

Assembly Type	Pedestrian Passage
Right-of-way	8 ft. min.
Zone	MU, C, IND, LDR
Sidewalk	6 ft. min.
Planting & Furnishing	N/A
Curb	N/A
Design Speed	N/A
Movement	Pedestrian Only
Travel Lanes	N/A
Parking Lanes	N/A
Median	None
Bicycle Facilities	Shared
Note:	



Commercial Alley CA-24-20

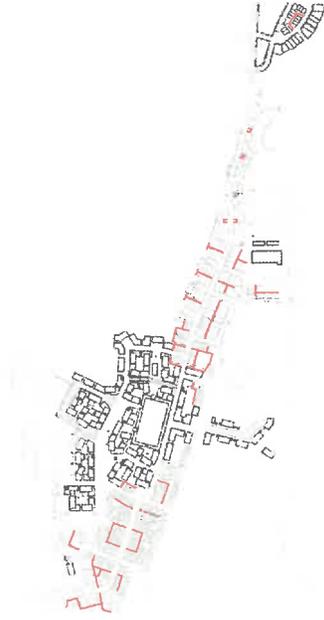
Assembly Type	Commercial Alley
Right-of-way	24 ft. min.
Zone	MU, C, IND
Sidewalk	N/A
Planting & Furnishing	N/A
Curb	N/A
Design Speed	10 mph
Movement	2-way Slow
Travel Lanes	2, 10ft. max. each
Parking Lanes	N/A
Median	None
Bicycle Facilities	N/A
Note:	





Neighborhood Alley NA-24-12

Assembly Type	Neighborhood Alley	Design Speed	5 mph
Right-of-Way	24 ft. min.	Movement	2-way Yield
Zone	MU, C, IND, LDR	Travel Lanes	1, 12ft. total
Sidewalk	N/A	Parking Lanes	N/A
Planting & Furnishing	N/A	Median	None
Curb	Flush or Natural Swale	Bicycle Facilities	N/A
		Note	

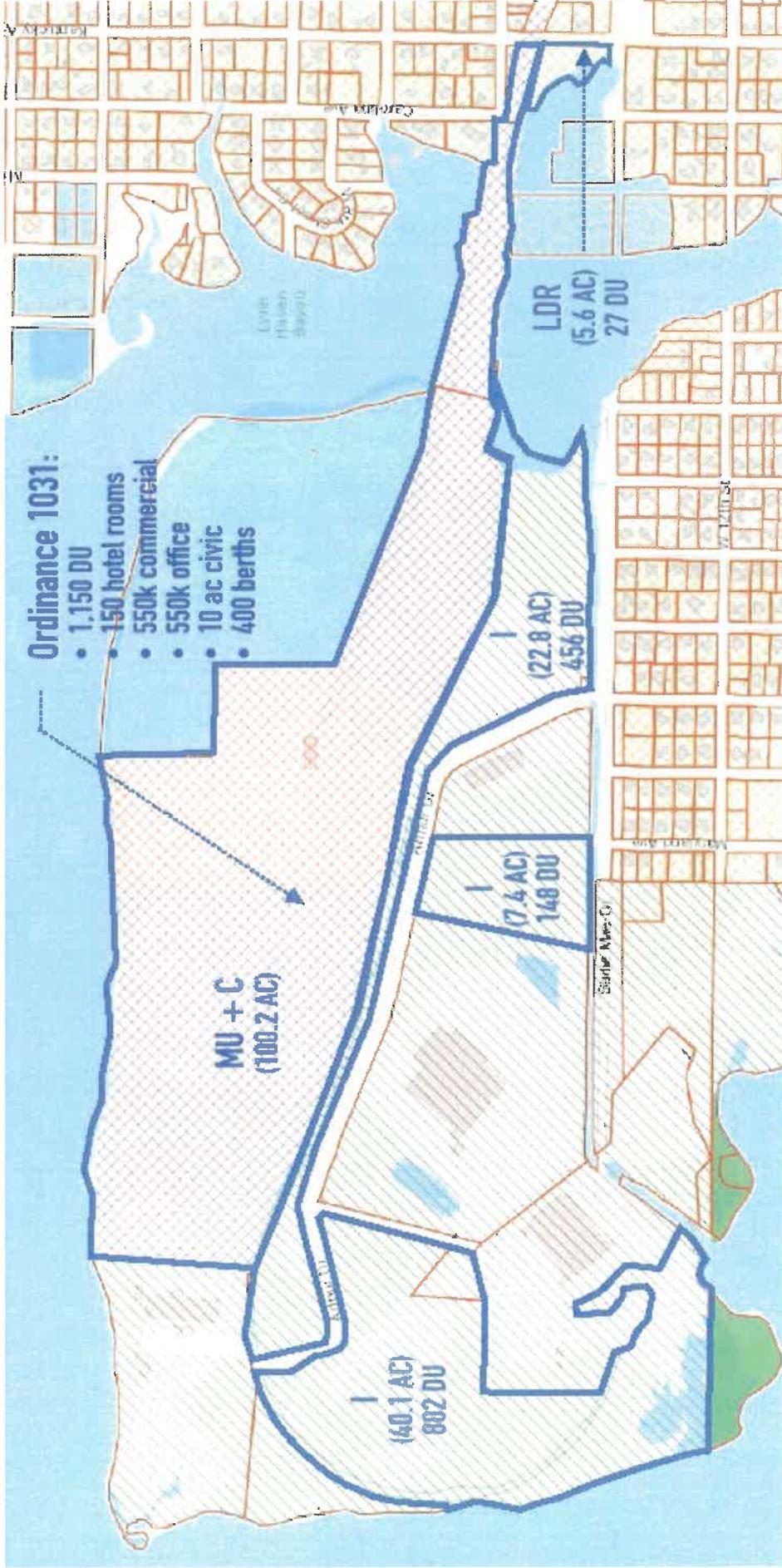


Marina Island Phasing

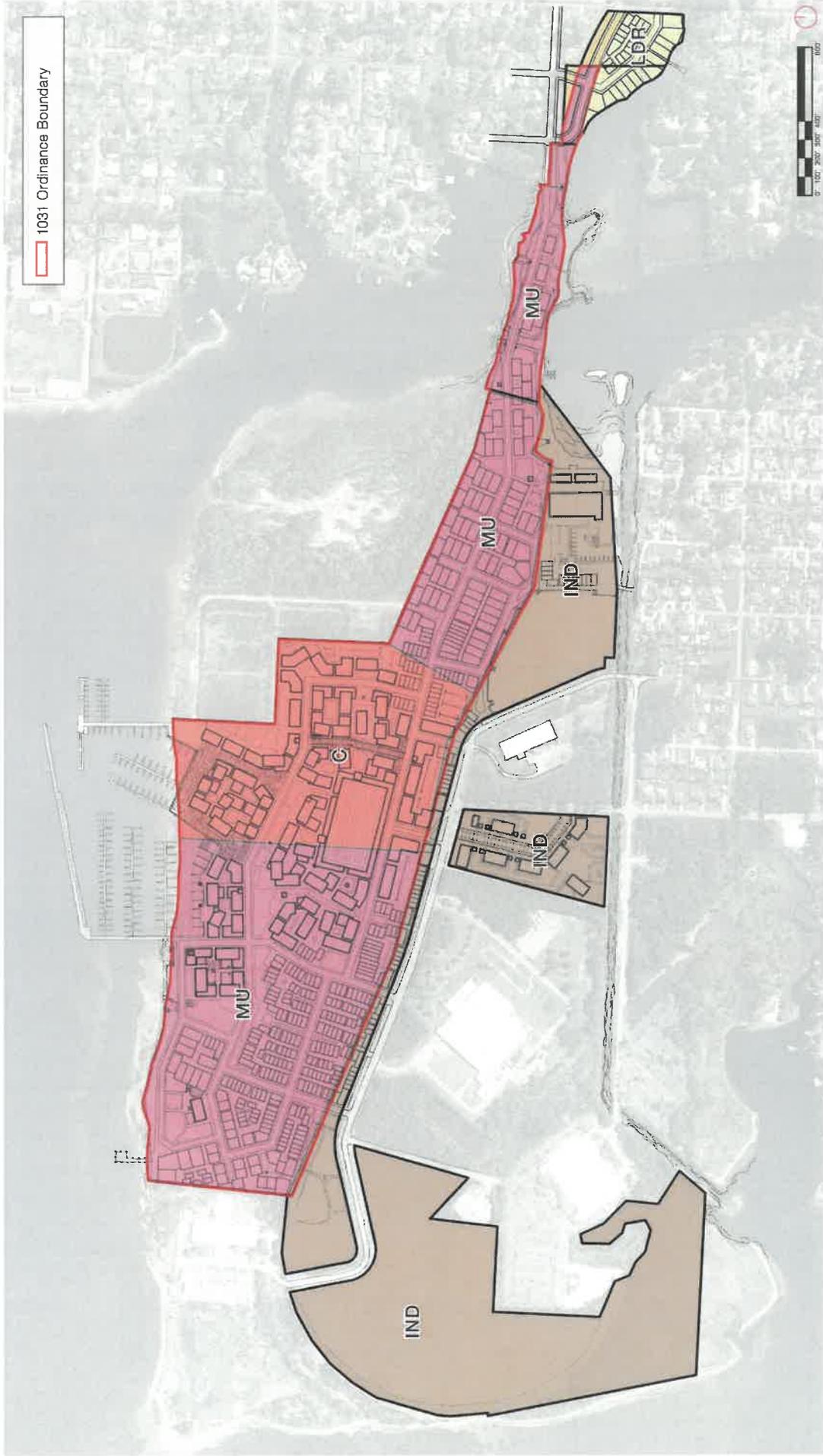
	Phase 1	Phase 2	Phase 3
Units	0 units	451 units	9 units
Multi-Family Apartments over Retail	99 units	219 units	30 units
Multi-Family Apartments	5 units	16 units	3 units
Large Townhouse	110 units	54 units	37 units
Medium Townhouse	36 units	0 units	17 units
Small Townhouse	300 units	740 units	96 units
Multi-Family Total	300 units	740 units	96 units
Units	Units	Units	Units
Large Single Family	4 units	2 units	0 units
Medium Single Family	21 units	71 units	0 units
Small Single Family	10 units	2 units	0 units
Single Family Total	35 units	75 units	0 units
Dwelling Units Total	335 units	815 units	148 units
Commercial	0 sq.ft.	348,621 sq.ft.	0 sq.ft.
Hotel	0 sq.ft.	162,683 sq.ft.	0 sq.ft.
Land Use	MU	C, MU	IND
Area (acres)	26.8 Acres	72.3 Acres	22.8 Acres
			7.4 Acres
			1031 Ordinance Area



Marina Island Land Use & Development Capacity



Marina Island Future Land Use



Marina Island Future Land Use

SUMMARY OF SPECIFIC DESIGN REQUIREMENTS AND CRITERIA IN THE MIOB											
Land Use	Lot Width (min.)	Setbacks (min.)				Water	Lot Coverage (max.)	FAR (max.)	Height (max.)	Density (max.)	Uses
		Front	Side	Side Street	Rear						
Industrial	14ft.	0ft. min. / 8ft. max.	0ft. min. / 5ft. max.	0ft.	3ft.	30ft.	70%	0.5	5 stories	20 du/ac	<p>Remove:</p> <ul style="list-style-type: none"> • Auto Repair • Car Wash • Automotive Repair (S) • Dog Kennel • Drive-thru • Funeral Parlors • Gas Station (S) • Mini Storage • Car Sale • Trade Service • Junk Yard (S) • Commercial Fishing Facility • High Tech Industry (Water dependent) • Industrial Plants & Assembly • Industrial (Water related) • Lumber Yards • Outdoor Storage (S) <p>Add:</p> <ul style="list-style-type: none"> • Library • Single-family detached • Single-family attached • Daycare/Pre-school etc. (S) • High School (S) • Middle School (S) • Public Parks • Primary School (S)

Marina Island Future Land Use

Land Use	SUMMARY OF SPECIFIC DESIGN REQUIREMENTS AND CRITERIA IN THE MIOB										Uses
	Lot Width (min.)	Setbacks (min.)			Lot Coverage (max.)	FAR (max.)	Height (max.)	Density (max.)	Water		
		Front	Side	Side Street					Rear	Water	
Mixed-Use	14ft.	0ft. min. / 12ft. max.	0 or 5ft. min.	0ft.	3ft.	30ft.	75%	None	5 stories	20 du/ac	Add: <ul style="list-style-type: none"> • Retail • Library • Medical Office • Professional Service • Duplex (S) • Single-family detached • Single-family attached • Townhouse • Daycare/Pre-school etc. (S) • High School (S) • Middle School (S) • Public Parks • Primary School (S) • Private School (S)

Marina Island Future Land Use

Land Use	SUMMARY OF SPECIFIC DESIGN REQUIREMENTS AND CRITERIA IN THE MIOD										Uses
	Lot Width (min.)	Setbacks (min.)			Water	Lot Coverage (max.)	FAR (max.)	Height (max.)	Density (max.)		
		Front	Side	Side Street							
Commercial	14ft.	0ft. min. / 8ft. max.	0 or 5ft. min.	0ft.	3ft.	30ft.	85%	1.0	5 stories	20 du/ac	Remove: <ul style="list-style-type: none"> • Auto Repair • Car Wash • Automotive Repair (S) • Dog Kennel • Drive-thru • Funeral Parlors • Gas Station (S) • Mini Storage • Car Sale • Trade Service • Junk Yard (S) • Commercial Fishing Facility • High Tech Industry (Water dependent) • Industrial Plants & Assembly • Industrial (Water related) • Lumber Yards • Outdoor Storage (S) Add: <ul style="list-style-type: none"> • Retail • Library • Medical Office • Professional Service • Single-family detached • Daycare/Pre-school etc. (S)
Low Density Residential	30ft.	12ft.	5ft.	10ft.	3ft.	30ft.	55%	N/A	3 stories	4.99 du/ac	

Marina Island Future Land Use

Use	PARKING STANDARDS		Notes
	Minimum Off-street Parking Requirement	Minimum Required Bicycle Spaces	
Miscellaneous			
Day care, preschools, nursery schools	1 space / staff member	0.25 per required parking space	
Other			
All Other Commercial Uses	3 spaces / 1,000 sq.ft.	0.10 per required parking space	On-street parking shall count towards the required off-street spaces within 1000 feet of the main entry

Marina Island Future Land Use

STREET ELEMENTS	STREET ELEMENTS														
	COMMERCIAL (FT)		BOULEVARDS (FT)		NEIGHBORHOOD STREET (FT)		NEIGHBORHOOD LANE (FT)		ALLEY (FT)		PEDESTRIAN PASSAGE (FT)				
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max			
R-O-W Ranges¹	40	80 ³	70	100	40	70 ⁴	40	55	14	24	8	12			
Number of Travel Lanes	1 each direction		2 to 4		1 each direction		1	2	1 ¹	2 ¹	N/A				
Width of Lane	9	10 ²	9	10 ²	9	10	9	10	8 ¹	10 ¹	N/A				
Number of Parking Lanes (where provided)	1	2	1	2	1	2	1	2	N/A		N/A				
Parallel Parking Lane	8	8	8	8	7	8	7	8	N/A		N/A				
Diagonal Parking Lane	17	18	17	18	N/A		N/A		N/A		N/A				
Sidewalks	Both sides		Both sides		Both sides		One Side		None Required		Required				
Sidewalk Width	10		5	12	5		6		None Required		6				
Pedestrian Easement (Optional)	N/A		5	12	6	12	6	12	N/A		5	12			
Planting Strip	Tree Grates		6	20	6		5		0		0	3			
Maximum Curb Radius	10		10	15	10		10		No Curb Required		No Curb Required				
Design Speed	25			25		20		15	10			N/A			

¹ Residential alleys are multi-directional within a shared lane, up to 12 feet paved commercial alleys may be 2 separate lanes up to 10 feet each.

² 11ft. Permitted along transit corridors only.

³ Commercial streets may exceed a ROW of 80 feet when there is an open space or canal attached to either side of the roadway

⁴ Residential streets may exceed a ROW of 60 feet when there is an open space or canal attached to either side of the roadway.

⁵ Street ROW's may exceed the maximum dimensions for the incorporation and protection of natural features or constraints.