

## APPENDIX A

### CONSTRUCTION PROTECTION AND REPAIR GUIDELINES

Construction and maintenance of roadways and rights of way are major expenses to the community. Guidelines designed to minimize expensive road resurfacing and natural or landscaped rights of way repairs are prudent. The guidelines set forth below are designed to encourage the protection of community roads and roadsides. However, building construction is inherently tough on the roads, especially pavement edges and shoulders, and natural or landscaped rights of way, such as plants on it or overhanging branches from tree limbs above. These guidelines also provide standards for asphalt shoulder repair and landscape repairs. However, protection and repair guidelines are only part of the answer. The other part of the answer is regular maintenance including repairs and repaving as needed. To help off-set some of these expenses, the Amelia Island Plantation Community Association (AIPCA) and some sub-associations have established Damage Deposits for repair funds and Impact Fees to supplement repaving and landscaping funds.

#### 1. CONSTRUCTION IMPACT FEES FOR ROADS AND RIGHTS OF WAY

- A. The AIPCA requires an Impact Fee for new construction and substantial modifications to existing buildings to provide funds for the repair and maintenance of community roads and landscaping of rights of way. The Impact Fee was placed on new construction because the trucks and equipment used in construction contribute more than normal wear on roads and natural or landscaped rights of way throughout the community. The fee schedule is as follows:

##### CONSTRUCTION IMPACT FEES

1.) <u>Class A - Single Family</u>	<u>Fee per Dwelling Unit (DU)</u>
New Dwelling	\$0.50/Sq. Ft. (Total Sq. Ft.)
Addition over 500 square feet	\$0.50/Sq. Ft. (Total Sq. Ft.)
2.) <u>Class B - Multi-Family Development</u>	
Townhouse, Multi Family and Condos	\$0.50/Sq. Ft. (Total Sq. Ft.)
3.) <u>Class C - Commercial Building</u>	
Shops, Offices and other Structures	\$0.50/Sq. Ft. (Total Sq. Ft.)
4.) <u>Hotel Building</u>	
Fee per New Bedrooms for rental occupancy	\$100.00/New Bedroom

- B. The Ocean Club Drive Community Association, Inc. has established an Impact Fee & Performance Deposit as follows:

- 1.) Non-refundable Impact Fee: In order to protect the integrity of OCD Common Areas and streets within OCD, the OCD Board hereby implements a non-

refundable impact fee for all construction on Lots on Ocean Club Drive. The fee shall be equal to one percent (1%) of the construction cost amount with a maximum fee of \$5,000.

- 2.) Construction Performance Deposit: In order to enforce the Rules & Regulations during construction on Lots on Ocean Club Drive, the OCD Board hereby implements a Performance Deposit for all construction on Lots on Ocean Club Drive the cost of which equals or exceeds \$100,000. The Performance Deposit shall be one percent (1%) of the Nassau County, Florida Building Permit estimated cost of construction or estimated improvement expense if a Building Permit is not required and shall be paid by the Commercial Person. The return of the deposit is contingent upon the Lot Owner's and Commercial Persons' adherence to these Rules and Regulations.

The OCD fees/deposits are in addition to the AIPCA Damage Deposit and Impact Fees.

Refer to the Ocean Club Drive Community Association, Inc Rules & Regulations for a complete listing of their entire policy.

## **2. ADMINISTRATIVE FEE FOR EXTENSION OF DATE TO COMPLETE CONSTRUCTION**

- A. Applicable covenants require that the exterior of all houses and other structures must be completed within one (1) year after the construction of same shall have commenced, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergency or natural calamities. At least 30-days prior to the expiration of the initial 12-month period, an inspection shall be made by ARB to determine if the construction shall be completed on a timely basis.
- B. Commencement will be established as the date of issuance of a building permit by Nassau County Building Department.
- C. If the exterior construction or renovation of any home is not completed within the required 12-month time frame an exterior construction impact fee shall be paid to AIPCA. The impact fee shall be determined by the additional time required to complete the project as follows:
  - i. **Extension to complete any time after the expiration of the initial 12-month period and not exceed any later than the end of 15 months from the date of initial permitting: \$1,000 one-time fee;**

- ii. **Extension to complete any time after the expiration 15 months and not exceed any later than the end of 18 months from the date of initial permitting: \$4,000 one-time fee;**
- iii. **Extension to complete any time after the expiration of 18 months from the initial date of permitting: \$5,000 per month;**

### **3. DAMAGE DEPOSITS**

To ensure that road and rights of way damage resulting from construction vehicles or equipment is repaired, AIPCA has established three (3) distinct Damage Deposit Categories.

- A. *LARGE PROJECTS*: The AIPCA requires the payment of a Five Thousand Dollar (\$5,000.00) Damage Deposit for all projects identified as a Large Project prior to the commencement of construction activity. A Large Project is defined as any new construction or additions/alterations to existing homes not identified in paragraphs B and C as determined by AIPCA.
- B. *SMALL PROJECTS*: The AIPCA requires the payment of a Two Thousand, Five Hundred Dollar (\$2,500.00) Damage Deposit prior to the commencement of construction activity for Small Projects. A Small Project includes but is not limited to minor renovations such as the repair or replacement of: decking, patios, walkways, driveways, gazebos, arbors, roofing, retaining walls, service yards, bulkheads, or irrigation modifications. This also includes any project requiring the use of a roll-off container or as determined by AIPCA. Any projects not listed here are considered Major Projects.
- C. *PROJECTS WITH NO DEPOSIT REQUIREMENT*: There are many projects that do not warrant a damage deposit. Some of these projects include but are not limited to painting, fencing, replacement of windows/doors, enclosing an existing porch with screening/windows, landscaping installation or modification, landscape lighting installation or modification, hurricane shutters installation, and gutter repair or installation.

The AIPCA shall determine whether a project falls into Category A, B, or C.

The Community Member is also responsible to comply with all construction guidelines per the Rules & Regulations, Section XVII (Rules and Regulations for Commercial/Contractor Companies). If the AIPCA inspects the property at any time during the construction period and the contractor guidelines are not properly followed, then any fines or penalties as a result of violation of the contractor guidelines shall be

deducted from the Damage Deposit.

If there is no road damage or the road damage is repaired by the contractor to the satisfaction of AIPCA, the Damage Deposit is refunded in full. This includes the repair or replacement of asphalt, roadway base, swale, shoulder grasses, plants and mulch, and other landscape. If the AIPCA determines in its sole discretion that repairs are necessary as a result of the construction process, then the Contractor can make the repairs or have the cost deducted from the Deposit.

The AIPCA also requires condominium projects, commercial buildings or hotel projects pay a Damage Deposit as appropriate per phase. Patio or cluster homes individually permitted will require individual Damage Deposits. The Damage Deposit will be refunded only to the person whom originally paid.

Prior to refund of the Damage Deposit the following must occur:

- 1) ARB must submit a completed compliance inspection letter to the AIPCA.
- 2) AIPCA must then inspect the property to ensure all criteria mentioned above are met.

#### **4. THE COLLECTION PROCESS FOR IMPACT FEES AND DAMAGE DEPOSITS**

A. The appropriate community management company as Agent for AIPCA or the agent for a homeowners' association or condominium within Amelia Island Plantation will determine the appropriate Impact Fees and Damage Deposits in accordance with the established policy or policies of the respective Associations as follows:

- 1) For AIPCA, the community management company calculates the appropriate Impact Fee. To set an appointment to determine or pay Impact Fees and Damage Deposits of AIPCA, please contact AIPCA at 904-491-9850.
- 2) For homeowner associations and condominiums managed by a community management company or Community Association Manager (CAM), the community management company's financial director or the CAM determines the appropriate Impact Fees and Damage Deposits of the homeowner association or condominium.
- 3) For self-managed homeowner associations and condominiums, the Board President determines the appropriate Impact Fees and Damage Deposits of the self-managed association or condominium.

Payment for Damage Deposits and Impact Fees may be made at the Management Office.

- B. Prior to start of construction, the owner or contractor will pay the required Impact Fees and Damage Deposits.
- C. The appropriate person indicated as Agent above, whether the AIPCA community management company, CAM, Community Association Management Company representative or the self-managed association/condominium President will sign the Check-off and Contract Form for ARB Compliance Agreement for each Impact Fee and Damage Deposit that his/her association/condominium require. The contractor or owner presents these forms to the Architectural Review Board as proof of payment of required Impact Fees and Damage Deposits.
- D. For AIPCA roads and rights of way, AIPCA will photograph the road at the construction site to document the condition of the road and shoulder prior to the start of construction activities.
- E. When construction is completed, the owner or contractor will request a Final Compliance Inspection from the Architectural Review Board. If the project is found to be compliant with the approved plans and specifications, the ARB will notify AIPCA that the project is complete and road and shoulder can be inspected.
- F. The community management company will then inspect the road and shoulder and refund the Damage Deposit or deduct any amounts necessary to repair any road and/or road rights of way damage.

## **5. CONSTRUCTION ACCESS DRIVEWAYS**

Prior to commencement of any construction activity, including clearing or tree removal on any lot or tract, or removal of limbs or plants from the AIPCA rights of way, the designated driveway shall be stabilized with lime rock. The purpose of the stabilized driveway is to protect the road shoulders, road wearing surface and nearby landscape or natural rights of way from unnecessary wear due to the heavy construction equipment entering and leaving the site during construction.

Upon approval of the final stakeout, the contractor is authorized to install or have installed a temporary construction access. Specific dimensions may vary as may be required to satisfy the individual lot/right-of-way conditions. In no case shall the width or length of the reinforced apron be less than required to accommodate construction equipment and protect the edges of the paved roadway. However, the reinforced apron may not be used as a justification to remove additional trees or under story plants not

required for normal construction activity or future residential use. Removed trees and plants will be replaced on a ratio of two to one per ARB standards. The construction access driveway shall be in place and inspected by the Architectural Review Board prior to the issuance of the Amelia Island Plantation building permit.

## **6. LANDSCAPE IRRIGATION INSTALLATION IN RIGHT-OF-WAY**

Irrigation of road rights-of-way by individual homeowners encourages an attractive grass, ground cover or planted road shoulder. However, the installation and maintenance of the irrigation system must respect the purpose of the road and the other elements of the infrastructure normally found within the rights-of-way. To minimize conflict among these elements, it is preferred that irrigation heads and piping be installed no closer than six (6) feet to the edge of the pavement. See illustration A1 (see page 7). Where the irrigation design requires that the irrigation heads "throw" water from the edge of pavement and away from the street, the contractor shall:

- 1) Install the trench for the main supply line no closer than six (6) feet to the edge of pavement.
- 2) Service the irrigation heads with a lateral line from the main supply line. Individual irrigation heads shall be a minimum of twelve (12) inches from the edge of pavement. We recommend keeping all irrigation heads at least 6' from the edge of the road and out of the rights-of-way to avoid damage.
- 3) Compact ditches thoroughly, especially the ditches for laterals.

## **7. ASPHALT REPLACEMENT**

Damage to the roadway surface is most likely to occur along the pavement edges when vehicles leave the pavement. Repetitious movement across the edge of pavement in the vicinity of a construction site may cause cracks. These cracks, if not corrected, will eventually widen and pieces of asphalt will break off. To protect the existing roadway surface and extend its economic life, the cracks resulting from construction activity shall be repaired in accordance with the general guidelines shown by Illustration A2 (see page 8) ("Replacement of Asphalt Pavement") for pavement repairs adjacent to new driveways and where damaged by construction operations. Concrete driveways for new homes require a reasonable smooth and even pavement edge. Where the pavement edge is uneven as a result of construction activity or previous use, the asphalt pavement edge shall be replaced as specified by Illustration A2 to ensure even pavement and transition to concrete.

## **8. NATURAL, LANDSCAPED OR GRASSED RIGHTS OF WAY REPAIRS**

All natural, landscaped or grassed rights of way areas disturbed by construction activity shall be restored to their pre-construction condition. Grassed areas, regardless of pre-construction density, shall be completely covered with grass sod and fertilized. Natural areas beyond the tree line disturbed by construction activity shall be replanted with native plants and mulched with pine bark or pine straw. Landscaped areas will be restored. Limbs of trees overhanging the rights of way that are damaged will be removed. Trees and understory plants that are removed will be replaced at a ratio of 2 to 1 per ARB standards. The areas requiring repairs usually extend beyond the boundaries of the individual construction site.

## **9. ROADWAY WEIGHT LIMITS**

Axle weight shall not exceed county road weight limits. For example, the maximum dump truck load is seventeen (17) cubic yards of dry dirt.

**ILLUSTRATION LIST**

**ILLUSTRATION A1- INSTALLATION OF IRRIGATION LINES IN THE RIGHT-OF-WAY**

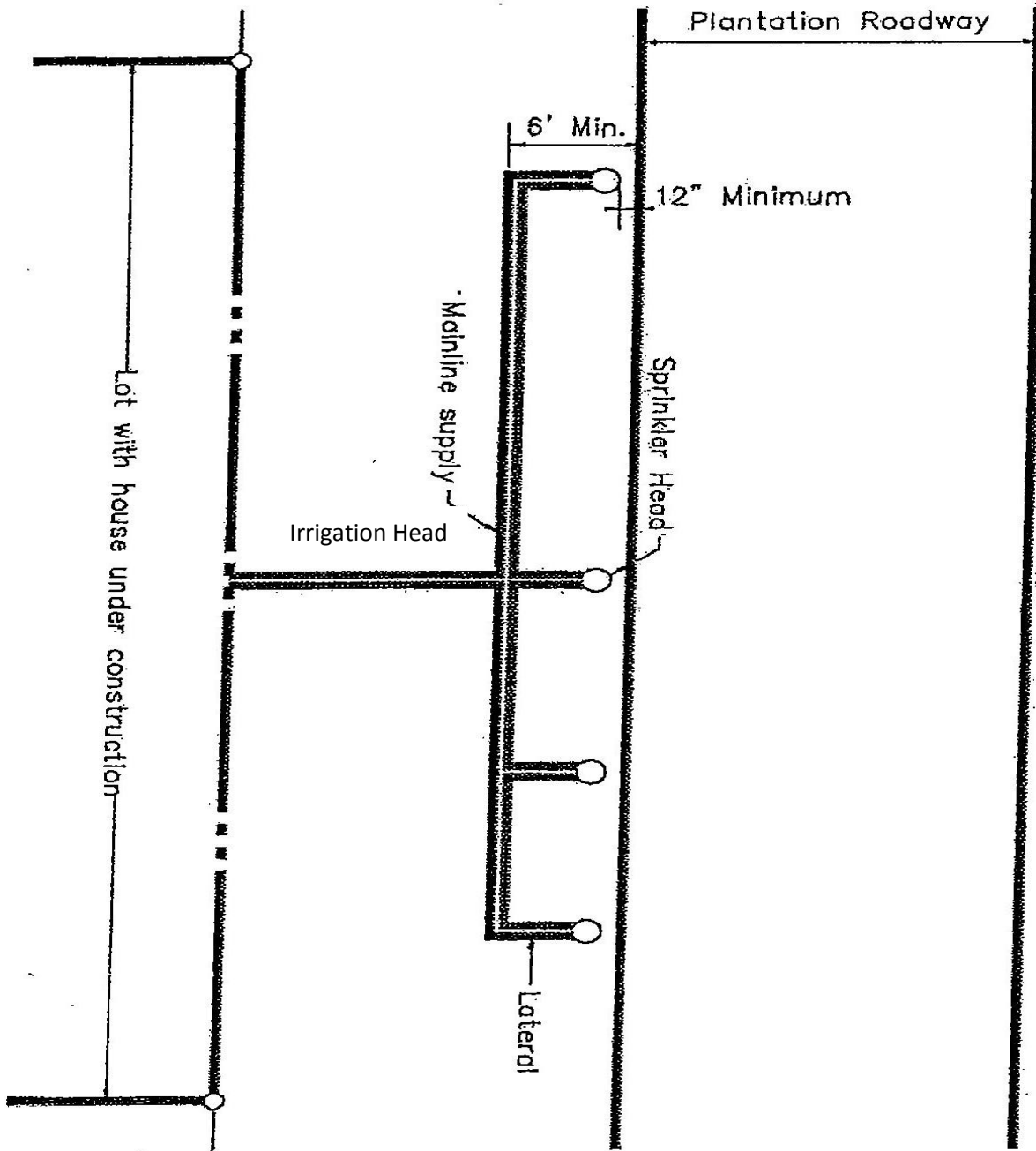




ILLUSTRATION A2- REPLACEMENT OF ASPHALT PAVEMENT

