

# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part A General Provisions**

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## **Part A General Provisions**

Part A Summary of Amendments	
Section	Description
Purpose and Intent	Relocated and reorganized the zoning districts into a tabular format. Relocated the 3 Special Purposed Districts: Planned Commercial and Planned Industrial and Planned Unit Development under Commercial Zoning Districts, Industrial Zoning Districts and Residential Districts.
Establishment of Official Zoning Map	Simplified and consolidated existing code language.
Amendment to the Zoning Map	Simplified code language and provided a link to the Zoning Map.
Applicability of District Boundaries	New section. Provided introduction and new graphics to illustrate how to measure.
Street and Rights-of-Way Abandonment	No substantial changes.
Measurement of Setback	Clarified how to measure setback.
Measurement of Separation	Clarified how to measure separation distance.
Measurement of Height	Clarified how building and structure height shall be measured.
Interpretation	Simplified and consolidated existing code language.
Lot with Split FLU Categories or Zoning Districts	<ol style="list-style-type: none"> <li>1. Clarified that if a lot has 2 or more Future Land Use categories, the applicant may not have to apply for a FLU amendment to the property but can develop under a mixed use project.</li> <li>2. Clarified how development standards and intensity can be assigned on split FLU lots.</li> <li>3. Explained that if a lot has 2 zoning districts, then the lot owner has to apply for a rezoning.</li> </ol>
Residential Property Access	1. Carried forward current code from Sec. 3-7.(c)(8)
Non-Residential Property Access	1. Carried forward current code from Sec. 3-7.(c)(10)
Reduction in Lot Area	1. Carried forward current code from Sec. 3-7.(c)(9)
Legal Description	1. Carried forward current code from Sec. 3-7.(d)
Moving of Buildings	1. Carried forward current code from Sec. 3-7.(e)

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## Part A General Provisions

### 1 **Sec. 3-A.1. Purpose and Intent**

2 Article 3, Part A through Part F shall constitute the Future Land Use and Zoning portion of the Land  
 3 Development Code (LDC). In order to classify and regulate the use of land, water, buildings, and structures;  
 4 to regulate the height and bulk of buildings; to regulate the area of yards and other open spaces around  
 5 buildings; and to regulate the intensity of land use, the unincorporated area of Clay County, Florida, is  
 6 divided into zoning districts, as follows in Table 3-A.1.:

#### **Agricultural Zoning Districts:**

<u>Agricultural</u>	<u>AG</u>	<u>3-D-2.1.</u>
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#### **Agricultural/Residential Zoning Districts:**

<u>Agricultural Residential</u>	<u>AR</u>	<u>3-D-3.2.</u>
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<u>Country Estates Residential</u>	<u>AR-1</u>	<u>3-D-3.3</u>
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<u>Rural Estates Residential</u>	<u>AR-2</u>	<u>3-D-3.4.</u>
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#### **Residential Zoning Districts:**

<u>Single-Family Residential</u>	<u>RA</u>	<u>3-D-4.2.</u>
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<u>Single-Family Residential</u>	<u>RB</u>	<u>3-D-4.3.</u>
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<u>Two- or Three-Unit Residential</u>	<u>RC</u>	<u>3-D-4.4.</u>
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<u>Multi-Family Residential</u>	<u>RD</u>	<u>3-D-4.5.</u>
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<u>Single-Family Residential</u>	<u>RE</u>	<u>3-D-4.6.</u>
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<u>Residential Mobile Home Park</u>	<u>RMHP</u>	<u>3-D-4.7.</u>
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<u>Planned Unit Development</u>	<u>PUD</u>	<u>3-D-4.8.</u>
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#### **Neighborhood Business Zoning Districts:**

<u>Neighborhood Business</u>	<u>BA</u>	<u>3-D-5.3.</u>
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<u>Light Neighborhood Business</u>	<u>BA-1</u>	<u>3-D-5.4.</u>
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<u>Commercial and Professional Office</u>	<u>BA-2</u>	<u>3-D-5.5.</u>
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#### **Business Zoning Districts:**

<u>Intermediate Business</u>	<u>BB</u>	<u>3-D-6.2.</u>
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<u>Light Intermediate</u>	<u>BB-1</u>	<u>3-D-6.3.</u>
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## **Part A General Provisions**

<u>Community Business</u>	<u>BB-2</u>	<u>3-D-6.4.</u>
<u>Specialty Business</u>	<u>BB-3</u>	<u>3-D-6.5.</u>
<u>Heavy Business</u>	<u>BB-4</u>	<u>3-D-6.6.</u>
<u>Commercial Recreation</u>	<u>BB-5</u>	<u>3-D-6.7.</u>
<u>Shopping Center</u>	<u>BSC</u>	<u>3-D-6.8.</u>
<u>Planned Commercial Development</u>	<u>PCD</u>	<u>3-D-6.9.</u>
<b><u>Industrial Zoning Districts:</u></b>		
<u>Industrial Select</u>	<u>IS</u>	<u>3-D-7.1.</u>
<u>Light Industrial</u>	<u>IA</u>	<u>3-D-7.2.</u>
<u>Heavy Industrial</u>	<u>IB</u>	<u>3-D-7.3.</u>
<u>Business Park</u>	<u>BP</u>	<u>3-D-7.4.</u>
<u>Planned Industrial Development</u>	<u>PID</u>	<u>3-D-7.5.</u>
<b><u>Public Ownership and Private Services Zoning Districts:</u></b>		
	<u>PO-1</u>	<u>3-D-8-2.</u>
	<u>PO-2</u>	<u>3-D-8-3.</u>
<u>Public Ownership</u>	<u>PO-3</u>	<u>3-D-8-4.</u>
	<u>PO-4</u>	<u>3-D-8-5.</u>
	<u>PS-1</u>	<u>3-D-8-6.</u>
	<u>PS-2</u>	<u>3-D-8-7.</u>
<u>Private Services</u>	<u>PS-3</u>	<u>3-D-8-8.</u>
	<u>PS-4</u>	<u>3-D-8-9.</u>
	<u>PS-5</u>	<u>3-D-8-10.</u>
<b><u>Excavation and Incinerators Zoning District:</u></b>		
<u>Excavation</u>	<u>EX</u>	<u>3-D-9-1.</u>
<u>Incinerators</u>	<u>IN</u>	<u>3-D-9-2.</u>

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## **Part A General Provisions**

<b><u>Overlays and Special Standards:</u></b>		
<u>Independent Community Overlay</u>	<u>ICO</u>	<u>3-D-10.2.</u>
<u>Conservation Overlay</u>	<u>CO</u>	<u>3-D-10.3.</u>
<u>Wells Road Special Standards</u>	<u>=</u>	<u>3-D-10.4.</u>
<u>Clay Hill Overlay</u>	<u>=</u>	<u>3-G-10.5.</u>
<b><u>Branan Field Master Plan Community:</u></b>		
<u>BF Rural Suburbs</u>	<u>BF RS</u>	<u>3-D-12.5.</u>
<u>BF Master Planned Community</u>	<u>BF MPC</u>	<u>3-D-12.6.</u>
<u>BF Primary Conservation Network</u>	<u>BF PCN</u>	<u>3-D-12.7.</u>
<u>BF Rural Activity Center</u>	<u>RAC</u>	<u>3-D-12.8.</u>
<u>BF Rural Neighborhood Center</u>	<u>BR RNC</u>	<u>3-D-12.9.</u>
<u>BF Community Center</u>	<u>BF CC</u>	<u>3-D-12.10.</u>
<u>BF Activity Center</u>	<u>BF AC</u>	<u>3-D-12.11.</u>
<u>BF Mixed Use</u>	<u>BF MU</u>	<u>3-D-12.12.</u>
<u>BF Institutional</u>	<u>BF INST</u>	<u>Reserved</u>
<b><u>Lake Asbury Master Plan Area:</u></b>		
<u>LA Master Planned Community</u>	<u>LA MPC</u>	<u>3-D-11.5.</u>
<u>LA Rural Reserve</u>	<u>LA RRSV</u>	<u>3-D-11.6.</u>
<u>LA Rural Community</u>	<u>LA RC</u>	<u>3-D-11.7.</u>
<u>LA Rural Fringe</u>	<u>LA RF</u>	<u>3-D-11.8.</u>
<u>LA Activity Center</u>	<u>LA AC</u>	<u>3-D-11.9.</u>
<u>LA Village Center</u>	<u>LA VC</u>	<u>3-D-11.10.</u>
<u>LA Interchange Village Center</u>	<u>LA IVC</u>	<u>3-D-11.11.</u>
<u>LA Solite</u>	<u>LA SOL</u>	<u>3-D-11.12.</u>
<u>LA Greenway</u>	<u>LA GW</u>	<u>3-D-11.13.</u>
<u>LA Wetland Buffers</u>	<u>=</u>	<u>3-D-11.14.</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part A General Provisions**

[Relocated from Sec. 3-1. Establishment of Zoning Districts and copied districts from Sec. 3-33A. and Sec. 3-33B. ]

### **Sec. 3-A.2. Establishment of Official Zoning Map**

#### **3-A.2.a. District Boundary Identification**

The boundaries of the zoning districts listed in Table 3-A.1. Zoning Districts shall be depicted in the Official Zoning Map, which consists of a map series embracing all the unincorporated area of Clay County, Florida, and which is hereby established as a part of this Article.

#### **3-A.2.b. Amendments**

Changes to the Official Zoning Map shall be adopted by ordinance in accordance with the applicable procedures provided by law. With respect to any parcel of land or lot, the same shall be added to or changed on the Official Zoning Map in a manner depicting its boundaries and zoning district classification promptly and only upon the initial zoning or rezoning of the same pursuant to this Article and in accordance with applicable procedures provided by ordinance and general law.

#### **3-A.2.c. Applicability**

The provisions of this Article shall not apply to any parcel of land or lot until it has been initially zoned under this Article by ordinance and adopted in accordance with the applicable procedures.

#### **3-A.2.d. Authorization by Ordinance**

The depiction of any parcel of land or lot, or a change in the zoning district classification, on the Official Zoning Map shall be authorized and implemented only by ordinance. It shall be unlawful for any person to make any unauthorized change in the Official Zoning Map. [Relocated from Sec. 3-2.(a) Establishment of LDR Zoning Atlas]

#### **3-A.2.e. Rezoning Identification System**

Subsequent rezonings affecting lands depicted on the Official Zoning Map shall be noted thereon by reference to an identification system implemented by the Planning and Zoning Director or his/her designee by which the zoning history subsequent to the adoption of said lands may be readily researched and discerned. [Relocated from Sec. 3-2.(a) Establishment and of LDR Zoning Atlas]

### **Sec. 3-A.3. Amendment to the Zoning Map**

In the event an initial zoning or rezoning of a particular parcel of land or lot has been adopted by ordinance under the authority of this Article at any time prior to the adoption and certification of the particular amendment of the Official Zoning Map upon which the parcel would be depicted, the Planning and Zoning Director shall post the same to an Interim Zoning Map created hereby and maintained by the Director consisting of a permanent record of such actions and of surveys, maps, or other drawings graphically depicting each parcel affected, appropriately noted to reflect the applicable ordinance and zoning

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## **Part A General Provisions**

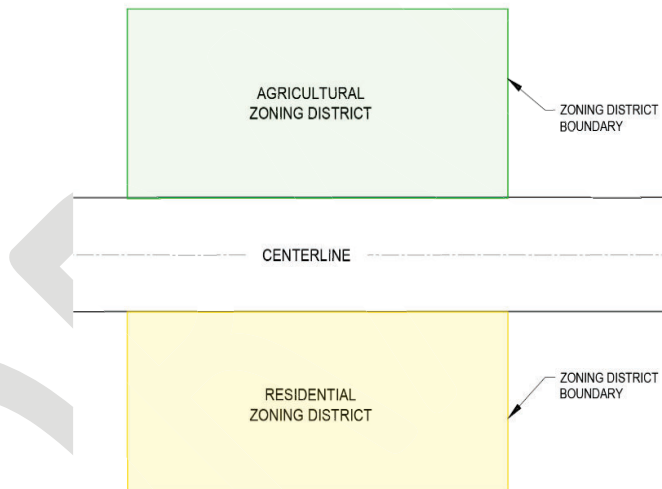
38 classification. Upon the adoption and certification of the particular page(s) of the Zoning Map upon which  
39 is depicted a parcel of property also depicted in the Interim Zoning Map, the Interim Zoning Map shall have  
40 no further applicability to said parcel, and the Zoning Map shall thenceforth govern with respect thereto.  
41 **[Relocated from Sec. 3-2.(c) Interim Zoning Atlas]**

### **Sec. 3-A.4. Applicability of District Boundaries**

#### **3-A.4.a. Bisect by a Right-of-Way**

44 When parcels of land have different zoning districts and are separated by a road or public waterway right-  
45 of-way, the boundary of the different zoning districts shall be measured from the property line of each parcel  
46 of land. Refer to graphic below.

47 **Graphic 1: Zoning Districts Bisected by a Right-of-Way**



48  
49 **3-A.4.b. Abandonment of a Right-of-Way**  
50 When the right-of-way is abandoned, the boundary of each zoning district is measured from the centerline  
51 of the abandoned right-of-way. Refer to graphic below.

52 **Graphic 2: Zoning Districts Bisected by Abandoned Right-of-Way**

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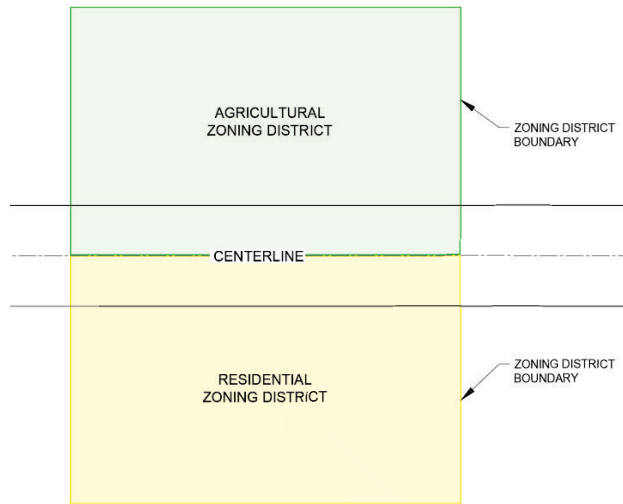
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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part A General Provisions**



53

54 **Sec. 3-A.5. Street and Rights-of-Way Abandonment**

55 *Where a public road, street, alley, or other right-of-way is officially vacated or abandoned, the standards*  
 56 *applicable to the property to which it reverted shall apply. [Relocated from Sec. 3-2.(b)(6)]*

57 **Sec. 3-A.6. Measurement of Setback**

<u>Front</u>	<u>Building Line, refer to Sec. 1-15.B.(19)</u>
<u>Side, Side Street, and Rear</u>	<u>Property Line, refer to Sec. 1-15.L.(18), Lot Line</u>
<u>Corner Lot where access points are on both front and side street</u>	<u>Building Line, refer to Sec. 1-15.B.(19)</u>

**Graphic 3: Measurement of Setback**

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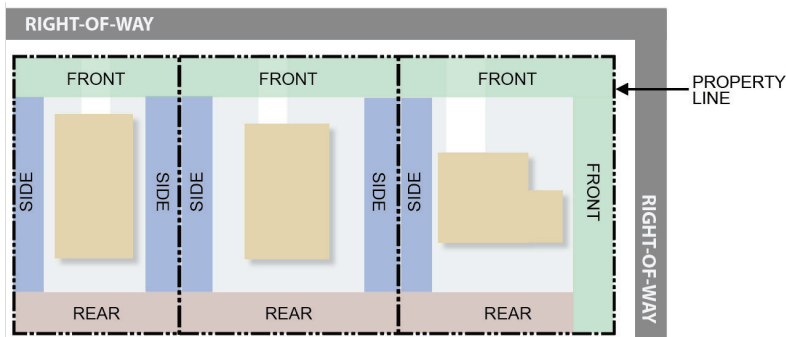
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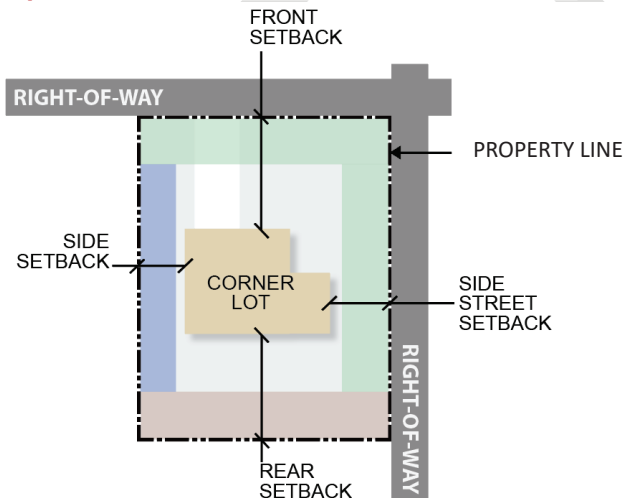
# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions



58

**Graphic 4: Measurement of Corner Lot Setback**



59

### **Sec. 3-A.7. Measurement of Separation Distance**

61 *Measurement of Separation Distances. The distance between 2 incompatible uses shall be measured in a*  
 62 *straight line, without regard to intervening structures, from the closest property line of each use. Where a*  
 63 *property is in condominium ownership, the distance shall be measured from the outermost boundary of the*  
 64 *condominium property. Where a property has multiple tenants, the distance shall be measured from the*  
 65 *outermost boundary of the bay or space occupied by the use. [Relocated from Sec. 3-48.(g) Measurement*  
 66 *of Distances for Separation Requirements]*

67 (1) Example. An establishment that sells alcohol or allows consumption of alcoholic beverages shall  
 68 be separated from a Place of Worship or a School a minimum of 1,500 linear feet. Refer to Graphic  
 69 3 below:  
 70

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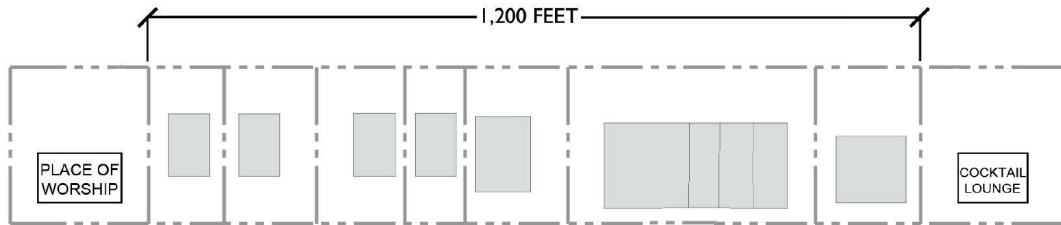
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

71

**Graphic 5: Measurement of Separation**



72  
73  
74

### **Sec. 3-A.7.a. SRX/Non-SRX Establishments and Religious Institutions**

75 *For the purpose of this Section, Qualified Restaurant means an SRX Establishment or a Non-SRX*  
76 *Establishment. Refer to Sec. 1-15.N. and 1-15.S.(X) for definitions.*

- 77 (1) Distance Restriction from a Religious Institution. *Places which sell alcoholic beverages for on-*  
78 *premises consumption other than Qualified Restaurants shall:*
- 79 (a) *locate no closer than 1500 feet measured Portal to Portal; and*
  - 80 (b) *no closer than 750 feet; measured Property Line to Property Line, from a Religious*  
81 *Institution.*
  - 82 (c) *In the case of undeveloped land owned by a Religious Institution, the Portal to Portal*  
83 *distance restriction shall not apply.*
  - 84 (d) *For the purposes of measurement under this Subsection, Portal shall mean the main public*  
85 *entrance of the primary structure.*
  - 86 (e) *For the purposes of measurement under this Subsection, Property Line to Property Line*  
87 *shall mean the property lines of each applicable property which are the closest to one*  
88 *another. [Relocated from Sec. 3-4.(d)(1)]*
- 89 (2) Exception. *The distance restrictions of this Subsection shall not apply in or during the process of*  
90 *locating a Religious Institution. [Relocated from Sec. 3-4.(d)(2)]*
- 91 (3) Maintenance of Non-SRX Establishment Status. *Upon reasonable request by the County as to time*  
92 *and place of production, each Non-SRX Establishment located closer than 1500 feet, measured*  
93 *Portal to Portal, or closer than 750 feet, measured Property Line to Property Line, from a Religious*  
94 *Institution shall make available records sufficient for the County to determine whether it is operating,*  
95 *on a continuing basis, in accordance with the conditions necessary for it to maintain its qualification*  
96 *as a Non-SRX Establishment. Failure to provide such records in a timely manner shall be a violation*  
97 *of this Article. [Relocated from Sec. 3-4.(d)(3)]*

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- 98 (4) Vesting Status. *In the event a Religious Institution purchases undeveloped property for the purpose*  
99 *of developing it in order to provide religious services, then upon written application to avail itself of*  
100 *the minimum Property Line to Property Line distance restriction, and the furnishing of the deed*  
101 *vesting title in the name of the Religious Institution to the Clay County Planning and Zoning*  
102 *Department, the Property Line to Property Line distance restriction imposed in Subsection (1) shall*  
103 *be in effect and no establishment subject to the provisions of Subsection (1) shall be able to locate*  
104 *closer than said Property Line to Property Line distance restriction for a period up to 4 years from*  
105 *the date of the written application.*  
106 (a) *In order to continue the distance restrictions of Subsection (1), the Religious Institution*  
107 *shall obtain a validly issued building permit for the uses prior to the expiration of the 4-year*  
108 *period. [Relocated from Sec. 3-4(d)(4)]*  
109 (5) Leased Premises. *The distance restrictions of Subsection (1) shall not apply in the situation where*  
110 *a Religious Institution is a tenant under a lease in premises which can accommodate two or more*  
111 *separate tenancies and which premises are under common ownership, regardless of whether the*  
112 *Religious Institution locates first in the leased premises. [Relocated from Sec. 3-4(d)(5)]*  
113 (6) Non-Conformity. *The provisions of this Subsection shall operate prospectively only. As of the*  
114 *effective date of the ordinance first establishing this Subsection, all currently existing*  
115 *establishments subject to the provisions of Subsection (1) which, due to their locations would be*  
116 *prohibited or restricted from so locating under the terms of any former ordinance or this Subsection,*  
117 *shall be allowed to continue operating lawfully but shall be considered Non-Conforming uses of*  
118 *land subject to the provisions of Part B Non-Conformities, with the exception that the provisions of*  
119 *Sec. 3-B.7.e. Destruction of Principal Structure or Structures shall not apply. Any damage or*  
120 *destruction to a major structure, structures or premises which operates as a Non-Conforming use*  
121 *under this Subsection and which is caused by natural occurrence, disaster or accident will not*  
122 *eliminate the lawful nonconforming status of the land or use thereon. [Relocated from Sec. 3-*  
123 *4.(d)(6)]*  
124 (7) *Places which sell alcoholic beverages for on-premises consumption under a 4COP quota license*  
125 *issued by the Florida Division of Alcoholic Beverages and Tobacco shall be in compliance with the*  
126 *provisions of Sec. 3-D-10.4. Wells Road Special Standards. [Relocated from Sec. 3-4.(d)(7)]*  
127

### **Sec. 3-4.(c) Permitted Uses, Specifically**

- 129 ~~(c) For purposes of subsections (d) and (e), the following definitions shall apply:~~  
130 ~~(1) *Qualified Restaurant means an SRX Establishment or a Non-SRX Establishment.*~~  
131 ~~[Relocated to Sec. 3-A.7.a. SRX and Non-SRX Establishments]~~  
132 ~~(2) *SRX Establishment means an establishment operating under an SRX specialty license for*~~  
133 ~~*the sale of alcoholic beverages. [Relocated to Sec.1-15.S.(24)]*~~  
134 ~~(3) *Non-SRX Establishment means an establishment operating under a license for the sale of alcoholic*~~  
135 ~~*beverages other than an SRX specialty license whose principal business is the sale of food or non-*~~  
136 ~~*alcoholic beverages to the customer in a ready to consume state on the premises, which receives*~~  
137 ~~*in each calendar month of operation at least fifty-one percent of its gross income from the sale of*~~  
138 ~~*food and non-alcoholic beverages prepared, sold and consumed on the premises, and which sells*~~  
139 ~~*alcoholic beverages by the drink. [Relocated to Sec. 1-15.N.(9)]*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

- 140 ~~(4) Religious Institution means a building where persons regularly assemble for religious worship,~~  
141 ~~including a church, sanctuary, synagogue, temple or mosque, together with educational and~~  
142 ~~recreational facilities owned, maintained and operated by any such church, sanctuary, synagogue,~~  
143 ~~temple or mosque accessory thereto, together with rectories, convents and parsonages and social~~  
144 ~~and community uses and activities typically and traditionally accessory thereto, but not including~~  
145 ~~day care centers, community recreation facilities and private educational facilities if said uses are~~  
146 ~~the sole use of the subject property.~~  
147 **[Deleted and consolidated under Sec. 1-15.R.(8) since there is another definition for**  
148 **Religious Institutions under Adult Entertainment]**
- 149 ~~(d)(1) Places which sell alcoholic beverages for on-premises consumption other than Qualified~~  
150 ~~Restaurants shall locate no closer than 1500 feet, measured Portal to Portal, and no closer~~  
151 ~~than 750 feet, measured Property Line to Property Line, from a Religious Institution. In the~~  
152 ~~case of undeveloped land owned by a Religious Institution under circumstances described~~  
153 ~~in paragraph (4), the Portal to Portal distance restriction shall not apply. For the purposes~~  
154 ~~of measurement under this subsection, Portal shall mean the main public entrance of the~~  
155 ~~primary structure. For the purposes of measurement under this subsection, Property Line~~  
156 ~~to Property Line shall mean the property lines of each applicable property which are the~~  
157 ~~closest to one another. **[Relocated to Sec. 3-A-7.a.(1) Distance Restriction]**~~
- 158 ~~(2) The distance restrictions of this subsection shall not apply in or during the process of~~  
159 ~~locating a Religious Institution. **[Relocated to Sec. 3-A-7.a.(2) Exception]**~~
- 160 ~~(3) Upon reasonable request by the County as to time and place of production, each~~  
161 ~~Non-SRX Establishment located closer than 1500 feet, measured Portal to Portal,~~  
162 ~~or closer than 750 feet, measured Property Line to Property Line, from a Religious~~  
163 ~~Institution shall make available records sufficient for the County to determine~~  
164 ~~whether it is operating, on a continuing basis, in accordance with the conditions~~  
165 ~~necessary for it to maintain its qualification as a Non-SRX Establishment **under the**~~  
166 ~~**definition thereof set forth in subsection (c).** Failure to provide such records in a~~  
167 ~~timely manner shall be a violation of this article. **[Relocated to Sec. 3-A-7.a.(3)**~~  
168 **Maintenance of Non-SRX Establishment Status]**
- 169 ~~(4) In the event a Religious Institution purchases undeveloped property for the purpose of~~  
170 ~~developing it in order to provide religious services in accord with the definition of Religious~~  
171 ~~Institution **contained in subsection (c)**, then upon written application to avail itself of the~~  
172 ~~minimum Property Line to Property Line distance restriction **contained in paragraph (1)** and~~  
173 ~~the furnishing of the deed vesting title in the name of the Religious Institution to the Clay~~  
174 ~~County Zoning Department, the Property Line to Property Line distance restriction **imposed**~~  
175 ~~**in paragraph (1)** shall be in effect and no establishment subject to the provisions of~~  
176 ~~**subsection (1)** shall be able to locate closer than said Property Line to Property Line~~  
177 ~~distance restriction for a period up to four years from the date of the written application. In~~  
178 ~~order to continue the distance restrictions of **paragraph (1)**, the Religious Institution must~~  
179 ~~obtain a validly issued building permit for the uses described in the definition thereof set~~  
180 ~~forth in subsection (c) prior to the expiration of the said four-year period.~~  
181 **[Relocated to Sec. 3-A-7.a.(4) Vesting Status]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

182 (5) ~~The distance restrictions of paragraph (1) shall not apply in the situation where a Religious~~  
183 ~~Institution is a tenant under a lease in premises which can accommodate two or more~~  
184 ~~separate tenancies and which premises are under common ownership, regardless of~~  
185 ~~whether the Religious Institution locates first in the leased premises.~~

**[Relocated from Sec. 3-4(d)(5) Leased Premises]**

187 (6) ~~The provisions of this subsection shall operate prospectively only. As of the effective date~~  
188 ~~of the ordinance first establishing this subsection, all currently existing establishments~~  
189 ~~subject to the provisions of subsection (1) which, due to their locations would be prohibited~~  
190 ~~or restricted from so locating under the terms of any former ordinance or this subsection,~~  
191 ~~shall be allowed to continue operating lawfully but shall be considered nonconforming uses~~  
192 ~~of land subject to the provisions of Section 20-3-11, with the exception that the provisions~~  
193 ~~of paragraph 20-3-11(e)(7) shall not apply. Any damage or destruction to a major structure,~~  
194 ~~structures or premises which operates as a nonconforming use under this subsection and~~  
195 ~~which is caused by natural occurrence, disaster or accident will not eliminate the lawful~~  
196 ~~nonconforming status of the land or use thereon.~~

**[Relocated from Sec. 3-4(d)(6) Non-Conformity]**

198 (7) ~~Places which sell alcoholic beverages for on-premises consumption under a 4COP quota~~  
199 ~~license issued by the Florida Division of Alcoholic Beverages and Tobacco must be in~~  
200 ~~compliance with the provisions of Section 3-47. [Relocated to Sec. 3-A-7.a.(7) Wells~~  
201 ~~Road Special Standards]~~

### Sec. 3-A-7.b. SRX/Non-SRX Establishments and Schools

204 (1) Distance Restriction from a School. ~~Places which sell alcoholic beverages for on-premises~~  
205 ~~consumption other than Qualified Restaurants shall:~~

206 (a) ~~locate no closer than 500 feet measured Property Line to Property Line, from a Public or~~  
207 ~~Private school.~~

208 (b) ~~The distance restrictions of this subsection shall not apply in or during the process of~~  
209 ~~locating a public or private school.~~

210 (c) ~~For the purposes of measurement under this subsection, Property Line to Property Line~~  
211 ~~shall mean the property lines of each applicable property which are the closest to one~~  
212 ~~another. [Relocated from Sec. 3-4.(e)(1) and (3)]~~

213 (2) Maintenance of Non-SRX Establishment Status. ~~Upon reasonable request by the County as to time~~  
214 ~~and place of production, each Non-SRX Establishment located closer than 500 feet, measured~~  
215 ~~Property Line to Property Line, from a Public or Private School shall make available records~~  
216 ~~sufficient for the County to determine whether it is operating, on a continuing basis, in accordance~~  
217 ~~with the conditions necessary for it to maintain its qualification as a Non-SRX Establishment.~~  
218 ~~Failure to provide such records in a timely manner shall be a violation of this Article. [Relocated~~  
219 ~~from Sec. 3-4.(e)(4)]~~

220 (3) Vesting Status. ~~For purposes of determining whether a Public School or an establishment subject~~  
221 ~~to the provisions of Subsection (1) is established first in a particular location, then, prior to the~~  
222 ~~commencement of physical development of the Public School site, a Public School shall be deemed~~  
223 ~~to be first established for purposes of enforcing the Property Line to Property Line distance~~  
224 ~~restriction imposed in Subsection (1) , at the time that the Board of County Commissioners issues~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

225 its written confirmation of consistency with the Clay County Comprehensive Plan, as amended, and  
226 with the General Siting Review Criteria pursuant to that certain Interlocal Agreement for Public  
227 Educational Facility Siting and Review In Clay County, entered into as of June 22, 2002, between  
228 the Clay County Board of County Commissioners and the Clay County School Board, being Clay  
229 County Agreement, 01/02-104, as the same may be amended from time to time, and for so long as  
230 the Interlocal Agreement remains in effect. **[Relocated from Sec. 3-4.(e)(5)]**

231 (4) Leased Premises. The distance restrictions of Subsection (1) shall not apply in the situation where  
232 a Public or Private school. is a tenant under a lease in premises which can accommodate two or  
233 more separate tenancies and which premises are under common ownership, regardless of whether  
234 the public or private school locates first in the leased premises. **[Relocated from Sec. 3-4.(e)(6)]**

235 (5) Non-Conformity. The provisions of this Subsection shall operate prospectively only. As of the  
236 effective date of the ordinance first establishing this Subsection, all currently existing  
237 establishments subject to the provisions of Subsection (1) which, due to their locations would be  
238 prohibited or restricted from so locating under the terms of any former ordinance or this Subsection,  
239 shall be allowed to continue operating lawfully but shall be considered Non-Conforming uses of  
240 land subject to the provisions of Part B Non-Conformities, with the exception that the provisions of  
241 Sec. 3-B.7.e. Destruction of Principal Structure or Structures shall not apply. Any damage or  
242 destruction to a major structure, structures or premises which operates as a Non-Conforming use  
243 under this Subsection and which is caused by natural occurrence, disaster or accident will not  
244 eliminate the lawful Non-Conforming status of the land or use thereon. **[Relocated from Sec. 3-  
245 4.(e)(7)]**

246 (6) Places which sell alcoholic beverages for on-premises consumption under a 4COP quota license  
247 issued by the Florida Division of Alcoholic Beverages and Tobacco **must** be in compliance with the  
248 provisions of Sec. 3-D-10.4. Wells Road Special Standards. **[Relocated from Sec. 3-4.(e)(8)]**

### **Sec. 3-4.(e)**

250 (e)(1) ~~Places which sell alcoholic beverages for on-premises consumption other than Qualified~~  
251 ~~Restaurants shall locate no closer than 500 feet, measured Property Line to Property Line,~~  
252 ~~from a public or private school. For the purposes of measurement under this subsection,~~  
253 ~~Property Line to Property Line shall mean the property lines of each applicable property~~  
254 ~~which are the closest to one another.~~

255 (2) ~~For purposes of this subsection, a school shall not include a collegiate, university, or other~~  
256 ~~post secondary educational or vocational training institution or facility. **[Deleted and**~~  
257 ~~**relocated to Sec. 1-15.S.(X)]**~~

258 (3) ~~The distance restrictions of this subsection shall not apply in or during the process of~~  
259 ~~locating a public or private school. **[Relocated to Sec. 3-A.7.b.(1) Distance Restriction]**~~

260 (4) ~~Upon reasonable request by the County as to time and place of production, each Non-SRX~~  
261 ~~Establishment located closer than 500 feet, measured Property Line to Property Line, from~~  
262 ~~a public or private school shall make available records sufficient for the County to~~  
263 ~~determine whether it is operating, on a continuing basis, in accordance with the conditions~~  
264 ~~necessary for it to maintain its qualification as a Non-SRX Establishment **under the**~~  
265 ~~definition thereof set forth in subsection (c). Failure to provide such records in a timely~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

- 266 manner shall be a violation of this article. [Relocated to Sec. 3-A-7.b.(2) Maintenance of  
267 Non-SRX Establishment Status]
- 268 (5) ~~For purposes of determining whether a public school or an establishment subject to the~~  
269 ~~provisions of subsection (1) is established first in a particular location, then, prior to the~~  
270 ~~commencement of physical development of the public school site, a public school shall be~~  
271 ~~deemed to be first established for purposes of enforcing the Property Line to Property Line~~  
272 ~~distance restriction imposed in paragraph (1), at the time that the Board of County~~  
273 ~~Commissioners issues its written confirmation of consistency with the Clay County~~  
274 ~~Comprehensive Plan, as amended, and with the General Siting Review Criteria pursuant~~  
275 ~~to that certain Interlocal Agreement for Public Educational Facility Siting and Review In~~  
276 ~~Clay County, entered into as of June 22, 2002, between the Clay County Board of County~~  
277 ~~Commissioners and the Clay County School Board, being Clay County Agreement, 01/02-~~  
278 ~~104, as the same may be amended from time to time, and for so long as the Interlocal~~  
279 ~~Agreement remains in effect. [Relocated to Sec. 3-A-7.b.(3) Vesting Status]~~
- 280 (6) ~~The distance restrictions of paragraph (1) shall not apply in the situation where a public or~~  
281 ~~private school is a tenant under a lease in premises which can accommodate two or more~~  
282 ~~separate tenancies and which premises are under common ownership, regardless of~~  
283 ~~whether the public or private school locates first in the leased premises. [Relocated to~~  
284 ~~Sec. 3-A-7.b.(4) Leased Premises]~~
- 285 (7) ~~The provisions of this subsection shall operate prospectively only. As of the effective date~~  
286 ~~of the ordinance first establishing this subsection, all currently existing establishments~~  
287 ~~subject to the provisions of subsection (1) which, due to their locations would be prohibited~~  
288 ~~or restricted from so locating under the terms of any former ordinance or this subsection,~~  
289 ~~shall be allowed to continue operating lawfully but shall be considered nonconforming uses~~  
290 ~~of land subject to the provisions of Section 20.3-11, with the exception that the provisions~~  
291 ~~of paragraph 20.3-11(e)(7) shall not apply. Any damage or destruction to a major structure,~~  
292 ~~structures or premises which operates as a non-conforming use under this subsection and~~  
293 ~~which is caused by natural occurrence, disaster or accident will not eliminate the lawful~~  
294 ~~nonconforming status of the land or use thereon. [Relocated to Sec. 3-A-7.b.(5) Non-~~  
295 ~~Conformity]~~
- 296 (8) ~~Places which sell alcoholic beverages for on-premises consumption under a 4COP quota~~  
297 ~~license issued by the Florida Division of Alcoholic Beverages and Tobacco must be in~~  
298 ~~compliance with the provisions of Section 3-47. [Relocated to Sec. 3-A-7.b.(6) Wells~~  
299 ~~Road Special Standards]~~

### 300 **Sec. 3-A.8. Measurement of Height**

#### 301 **3-A.8.a. Height**

302 All building or structure height shall be measured from the finished grade along the perimeter of the building  
303 or structure to the mean height of the roof of the building or structure..

#### 304 **3-A.8.b. Maximum Height and Setbacks**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

305 If there is a height limitation in a specific zoning district, the proposed building or structure may exceed the  
306 required height limitation if additional setback is provided, as follows:  
307

<u>Maximum Height</u>	<u>Setback from Residential FLU Property line</u>
<u>35 feet</u>	<u>Within 150 feet</u>
<u>55 feet</u>	<u>&gt;150 feet ≤ 300 feet</u>
<u>No structure shall protrude through a transitional height plan beginning 35 feet above the buildable area boundary nearest to a boundary of a Residential FLU, and extending inward over the Non-Residential district at an angle of 45 degrees.</u>	<u>&gt;300 feet</u>

### 308 3-A.8.c. Exemptions

309 The following structures shall be exempt from the height requirements in this Article, unless stated  
310 otherwise in a specific section.

- 311 (1) Religious ornaments attached to a Place of Worship;
- 312 (2) Public utilities such as cooling, water or fire towers; or
- 313 (3) Structures related to Federal Aviation Association (FAA).

### 314 Sec. 3-A.9. Interpretation

#### 315 3-A.9.a. Mapping, Draft, or Clerical Errors

316 *When the boundaries of the various zoning districts are not clearly shown; and/or there is an error in the*  
317 *Official Zoning Map or the reference to the zoning identification number (Ordinance number adopting the*  
318 *zoning changes) of a parcel of land, they shall be determined by the Planning and Zoning Director or his/her*  
319 *designee. The Director may use the scale shown on the maps or actual dimensions if noted to make a*  
320 *determination. Refer to Sec. 3-A.4. Applicability of District Boundaries. [Relocated from Sec. 3-2.(b)]*

#### 321 3-A.9.b. Board of Adjustment Review

322 Any applicant aggrieved by the Planning and Zoning Director's decision on the interpretation may appeal  
323 to the Board of Adjustment pursuant to the procedures in Sec.12-12. Appeals from Administrative  
324 Decisions.

### 325 Sec. 3-A.10. Lot with Split FLU Categories or Zoning Districts

#### 326 3-A.10.a. Lots Split by 2 or more FLU Categories

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part A General Provisions**

327 A lot that has 2 or more FLU categories shall be subject to the following without a Future Land Use Map  
328 (FLUM) amendment process:

329 (1) A lot that has a Residential FLU category and a Non-Residential category may utilize density based  
330 on the acreage of the Residential portion of the lot, and intensity based on the acreage of the Non-  
331 Residential portion of the lot.

332 (2) If the request is to utilize the lot's 2 or more FLU categories, a Site Plan shall be submitted as part  
333 of the application depicting the locations and acreage of each FLU.

334 (a) The types of uses, development standards, density and/or intensity shall be based on each  
335 FLU category designated on that portion of the lot. For the allowable density and intensity,  
336 refer to Part B, Future Land Use and Zoning Districts.

### **3-A.10.b. Lots Split by 2 or more Zoning Districts**

338 A lot that has 2 or more zoning districts shall be rezoned to a zoning district that is consistent with the lot's  
339 FLU category. Refer to Article 12, Administration, Amendment and Enforcement for the application process  
340 and procedures.

### **Sec. 3-A.11. Residential Property Access**

342 *Residential easements which are not paved shall be limited to access by a maximum of 10 lots.*

343 (1) For the purpose of counting lots, intersecting easements shall be considered a single easement.

344 (2) All easements shall be limited in use to access and utilities and shall be a minimum of 30 feet in  
345 width.

346 (3) Lots transferred under the Heirs Exemption, Homestead Exemption or created prior to September  
347 1, 1993 and fronting on an easement at least 30 feet in width may be developed without regard to  
348 the limits identified herein. [Relocated from Sec. 3-7.(c)(8) Property Access]

### **Sec. 3-A.12. Non-Residential Property Access**

350 Properties with a Non-Residential zoning district that have frontage on an Arterial or a Major Collector road  
351 right-of-way shall provide the main access from that roadway.

352 (1) If the property has more than one access point from another road of a lower Non-Residential  
353 classification. A secondary access may be allowed through that roadway. Refer to Sec. 8-4.  
354 Roadway Classification System. [Relocated from Sec. 3-7.(c)(10)]

### **Sec. 3-A.13. Reduction in Lot Area**

356 No lot, even though it may consist of 1 or more adjacent lots of record, shall be reduced in area so that the  
357 lot size, lot dimensions and lot coverage, or any other applicable standards will not conflict or not in  
358 compliance with this Article. This Section shall not apply where a portion of a lot is acquired for a public  
359 use. [Relocated from Sec. 3-7.(c)(9) Reduction in Lot Area]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

### 360 **Sec. 3-A.14. Legal Description**

361 Only 1 principal building and its customary accessory buildings may be erected on any lot. Each lot shall  
362 be described by a written legal description on a recorded deed that satisfies minimum lot standards of the  
363 zoning district in which principal building is located. Any dwelling shall be deemed to be the principal building  
364 on the lot on which the same is located in a Residential or Agricultural-zoned district. Multi-Family buildings  
365 located in multi-Family zoned districts shall be exempt from having separate legal descriptions for each  
366 principal building. [Relocated from Sec. 3-7.(d) Principal Building on a Lot]

### 367 **Sec. 3-A.15. Moving of Buildings**

368 No building or structure shall be moved from one lot or premises to another unless such building or structure  
369 shall thereupon be made to conform with all the standards of this Article as such standards relate to  
370 buildings or structures erected upon the lot or premises to which such building or structure shall have been  
371 moved. [Relocated from Sec. 3-7.(e) Moving of Buildings]

### 372 **Sec. 3-1. ESTABLISHMENT OF ZONING DISTRICTS**

373 ~~In order to classify and regulate the use of land, water, buildings, and structures; to regulate the height and~~  
374 ~~bulk of buildings; to regulate the area of yards and other open spaces about buildings; to regulate the~~  
375 ~~intensity of land use, the unincorporated area of Clay County, Florida, is divided into districts as follows:~~

#### 376 (a) ~~Agricultural/Residential Districts~~

- 377 (1) ~~AG: Agricultural (Section 20.3-12)~~
- 378 (2) ~~AR: Agricultural/Residential (Section 20.3-13)~~
- 379 (3) ~~AR 1: Country Estates Residential (Section 20.3-14)~~
- 380 (4) ~~AR 2: Rural Estates Residential (Section 20.3-15)~~

#### 381 (b) ~~Residential Districts~~

- 382 (1) ~~RA: Single Family Residential (Section 20.3-16)~~
- 383 (2) ~~RB: Single Family Residential (Section 20.3-17)~~
- 384 (3) ~~RC: Two or Three Unit Residential (Section 20.3-18)~~
- 385 (4) ~~RD: Multifamily Residential (Section 20.3-19)~~
- 386 (5) ~~RE: Single Family Residential (Section 20.3-20)~~
- 387 (6) ~~RMHP: Residential Mobile Home Park (Section 20.3-21)~~

#### 388 (c) ~~Commercial Districts~~

- 389 (1) ~~BA-2: Commercial and Professional Office (Section 20.3-22)~~
- 390 (2) ~~BA-1: Light Neighborhood Business (Section 20.3-23)~~
- 391 (3) ~~BA: Neighborhood Business (Section 20.3-24)~~
- 392 (4) ~~BB-1: Light Intermediate Business (Section 20.3-25)~~
- 393 (5) ~~BB-2: Community Business District (20.3-26.1)~~
- 394 (6) ~~BB-3: Specialty Business District (20.3-26.2)~~
- 395 (7) ~~BB-4: Heavy Business District (20.3-26.3)~~
- 396 (8) ~~BB-5: Commercial Recreation District (20.3-26.4.)~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

- 397           (9) ~~BB: Intermediate Business (Section 20.3-26)~~  
398           (10) ~~BSC: Shopping Center (Section 20.3-27)~~  
399   (d) ~~Industrial Districts~~  
400           (1) ~~IS: Industrial Select (Section 20.3-28)~~  
401           (2) ~~IA: Light Industrial (Section 20.3-29)~~  
402           (3) ~~IB: Heavy Industrial (Section 20.3-30)~~  
403           (4) ~~BP: Business Park (Section 20.3-30.1) (amended 8/02 — Ord. 02-45)~~  
404   (e) ~~Special Purpose Districts~~  
405           (1) ~~PCD: Planned Commercial Development (Section 20.3-31)~~  
406           (2) ~~PID: Planned Industrial Development (Section 20.3-32)~~  
407           (3) ~~PUD: Planned Unit Development (Section 20.3-33)~~  
408           (4) ~~PO-1, PO-2, PO-3, PO-4: Public Ownership (Sections 20.3-34,35,36,37)~~  
409           (5) ~~PS-1, PS-2, PS-3, PS-4: Private Service (Sections 20.3-38,39,40,41)~~  
410           (6) ~~EX: Excavation (Section 20.3-42)~~  
411           (7) ~~ICO: Independent Community Overlay (Section 20.3-43)~~  
412           (8) ~~IN: Incinerator (Section 20.3-44)~~  
413           (9) ~~CO: Conservation Overlay (Section 20.3-45)~~  
414           [Relocated to Sec. 3-A.1. Purpose and Intent, Table 3-A.1.]

### 415 **Sec. 3-2. OFFICIAL ZONING ATLAS (amended 10/12/93 Ord 93-36)**

- 416   (a) ~~Establishment and Amendment of LDR Zoning Atlas. The boundaries of the zoning districts~~  
417       ~~established in Section 20.3-1 shall be depicted in the LDR Zoning Atlas, which consists of a map~~  
418       ~~series embracing all of the unincorporated area of Clay County, Florida, and which is hereby~~  
419       ~~established as a part of this Article [Relocated to Sec. 3-A.2.a. District Boundary Identification];~~  
420       ~~incorporated by reference as if fully set forth herein. Particular pages of the LDR Zoning Atlas shall~~  
421       ~~be adopted by ordinance in accordance with the applicable procedures provided by law. With~~  
422       ~~respect to any particular parcel of real property, the same shall be added to or changed on the LDR~~  
423       ~~Zoning Atlas in a manner depicting its boundaries and zoning district classification promptly and~~  
424       ~~only upon the initial zoning or rezoning of the same pursuant to this Article and in accordance with~~  
425       ~~applicable procedures provided by ordinance and general law [Relocated to Sec. 3-A.2.b.~~  
426       ~~Amendments], provided that the same has become effective as provided by law. The provisions~~  
427       ~~of this Article shall not apply to any parcel of real property until the same shall have been initially~~  
428       ~~zoned under this Article by ordinance adopted in accordance with the applicable procedures~~  
429       ~~provided by law and depicted in the LDR Zoning Atlas or the Interim Zoning Atlas as provided~~  
430       ~~herein. [Relocated to Sec. 3-A.2.c. Applicability] The depiction of a parcel of real property, or a~~  
431       ~~change in the zoning district classification thereto, on the LDR Zoning Atlas shall be authorized and~~  
432       ~~implemented only by ordinance adopted in accordance with the applicable procedures provided by~~  
433       ~~law. It shall be unlawful for any person to make any unauthorized change in the LDR Zoning Atlas~~  
434       ~~or the Interim Zoning Atlas. [Relocated to Sec. 3-A.2.d. Authorization by Ordinance] As a page~~  
435       ~~of the LDR Zoning Atlas is adopted hereunder, the same shall be certified by the signature of the~~  
436       ~~Chairman of the Board of County Commissioners and attested by the County Clerk, and shall bear~~  
437       ~~the seal of the County of Clay under the following words: "This is to certify that this is Sheet of the~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

- 438 LDR Zoning Atlas referred to and adopted by reference by Ordinance 93-16, as amended, adopted  
439 May 25, 1993." ~~Subsequent rezonings affecting lands depicted on a particular page of the LDR~~  
440 ~~Zoning Atlas shall be noted thereon by reference to an identification system implemented by the~~  
441 ~~Director by which the zoning history subsequent to the adoption of said page of said lands may be~~  
442 ~~readily researched and discerned.~~ **[Relocated to Sec. 3-A.2.e. Rezoning]**
- 443 ~~(b) Interpretation of District Boundaries. When the boundaries of the various districts are not clearly~~  
444 ~~shown in the LDR Zoning Atlas or by reference to the zoning identification number(s) applicable to~~  
445 ~~a particular parcel of real property, they shall be determined by use of the scale shown on said~~  
446 ~~maps or actual dimensions if noted. Scale and field measurements and map dimensions shall be~~  
447 ~~figured from the center line of streets, highway, alleys and railroad right-of-way or public waters,~~  
448 ~~as the case may be. Where uncertainty exists as to the exact location of said boundaries, the~~  
449 ~~following rules shall apply:~~ **[Relocated to Sec. 3-A.9.a. Mapping, Draft, or Clerical Errors]**
- 450 (1) ~~Center Line as Boundaries. Where district boundaries lie on or within streets, highways,~~  
451 ~~road rights-of-way or public water, the district boundaries shall be the center line of the~~  
452 ~~same.~~ **[Replaced with new language in Sec. 3-A.4. Applicability of District**  
453 **Boundaries]**
- 454 (2) ~~District Boundaries Which Bisect Blocks. Where district boundary lines approximately~~  
455 ~~bisect blocks, the boundaries are the median lines of such blocks between the center line~~  
456 ~~of boundary streets.~~ **[Deleted as this is replaced with new language under Sec. 3-A.4**  
457 **Applicability of District Boundaries]**
- 458 (3) ~~District Boundaries Parallel to Rights-of-Way or Bodies of Water. Where district boundaries~~  
459 ~~are approximately parallel to a street, highway, road, alley, railroad right-of-way or public~~  
460 ~~water, the distance of such boundaries from the center line thereof shall be, unless~~  
461 ~~otherwise shown by dimension, the median block line.~~ **[Deleted as this is not being**  
462 **applied]**
- 463 (4) ~~District Boundaries Dividing Parcels of Land. In subdivided property or where a district~~  
464 ~~boundary divides a subdivided lot, the location of such boundary, unless indicated by~~  
465 ~~dimensions, shall be determined by the use of scale appearing on a district map. Where a~~  
466 ~~district boundary divides a platted lot, the zone classification of the greater portion shall~~  
467 ~~prevail throughout the lot.~~ **[Deleted as this is not being applied ]**
- 468 (5) ~~Action in Case of Uncertainty. In case any further uncertainty exists, the Board of~~  
469 ~~Adjustment shall interpret the intent of the district map as to location of such boundaries.~~  
470 **[Replaced by new language in Sec. 3-A.9.b. Board of Adjustment Review]**
- 471 (6) ~~Street and Rights-of-way Abandonments. Where a public road, street, alley or other right-~~  
472 ~~of-way is officially vacated or abandoned, the regulations applicable to the property to~~  
473 ~~which it reverted shall apply.~~ **[Relocated to Sec. 3-A.5. Street and Rights-of-Way**  
474 **Abandonment]**
- 475 (c) ~~Interim Zoning Atlas. In the event an initial zoning or rezoning of a particular parcel of property has~~  
476 ~~been adopted by ordinance under the authority of this Article at any time prior to the adoption and~~  
477 ~~certification of the particular page(s) of the LDR Zoning Atlas upon which the parcel would be~~  
478 ~~depicted, the Director shall post the same to an Interim Zoning Atlas created hereby and maintained~~  
479 ~~by the Director consisting of a permanent record of such actions and of surveys, maps, or other~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part A General Provisions

480 *drawings graphically depicting each parcel affected, appropriately noted to reflect the applicable*  
481 *ordinance and zoning classification. Upon the adoption and certification of the particular page(s) of*  
482 *the LDR Zoning Atlas upon which is depicted a parcel of property also depicted in the Interim*  
483 *Zoning Atlas, the Interim Zoning Atlas shall have no further applicability to said parcel, and the LDR*  
484 *Zoning Atlas shall thenceforth govern with respect thereto. [Relocated to Sec. 3-A.3. Amendment*  
485 *to the Zoning Map]*

### **Sec. 3.7.(c), (8) to (10), (d) (e). Establishment of Size and Dimension Criteria**

486 ~~(8) Property Access. Residential easements which are not paved shall be limited to access by~~  
487 ~~a maximum of 10 lots. For the purpose of counting lots, intersecting easements shall be~~  
488 ~~considered a single easement. All easements shall be limited in use to access and utilities~~  
489 ~~and shall be a minimum of 30 feet in width. Lots transferred under the Heirs Exemption,~~  
490 ~~Homestead Exemption or created prior to September 1, 1993 and fronting on an easement~~  
491 ~~at least 30 feet may be developed without regard to the limits identified herein. [Relocated~~  
492 ~~to Sec. 3-A.11. Property Access]~~

493 ~~(9) Reduction in Lot Area. No lot, even though it may consist of one or more adjacent lots of~~  
494 ~~record, shall be reduced in area so that yards, lot area per family, lot width, building area,~~  
495 ~~or other requirements of this Article are not maintained. This Section shall not apply where~~  
496 ~~a portion of a lot is acquired for a public use. [Relocated to Sec. 3-A.13. Reduction in~~  
497 ~~Lot Area]~~

498 ~~(10) Any commercial zoning, except in PUD, PCD, or PID, having frontage on a principal arterial~~  
499 ~~right-of-way may not have means of access to a public road other than the principal arterial~~  
500 ~~right-of-way through any lands zoned for other than commercial uses, not including the~~  
501 ~~zoning attributed to the public road right of way. (amended 2/24/98 Ord. # 98-8)~~  
502 ~~[Relocated to Sec. 3-A.12. Non-Residential Property Access]~~

503 ~~(d) Principal Building on a Lot. Only one principal building and its customary accessory buildings may~~  
504 ~~hereafter be erected on any lot. Each lot shall be described by a written legal description on a~~  
505 ~~recorded deed that satisfies minimum lot requirements of the district in which principal building is~~  
506 ~~located. Any dwelling shall be deemed to be the principal building on the lot on which the same is~~  
507 ~~located in a Residential or Agricultural zoned district. Multifamily buildings located in multifamily~~  
508 ~~zoned districts shall be exempt from having separate legal descriptions for each principal building.~~  
509 ~~[Relocated to Sec. 3-A.14. Legal Description]~~

510 ~~(e) Moving of Buildings. No building or structure shall be moved from one lot or premises to another~~  
511 ~~unless such building or structure shall thereupon be made to conform with all the provisions of this~~  
512 ~~Article as such provisions relate to buildings or structures erected upon the lot or premises to which~~  
513 ~~such building or structure shall have been moved. [Relocated to Sec. 3-A.15. Moving of~~  
514 ~~Buildings]~~

### **Sec. 3-48.(g) ADULT ENTERTAINMENT ESTABLISHMENT AND SEXUALLY ORIENTED BUSINESS LOCATIONS**

515 ~~(g) Measurement of Distances for Separation Requirements. The distance between uses required~~  
516 ~~under subsection (f) shall be measured in a straight line, without regard to intervening structures,~~  
517 ~~from the closest property line of each use. Where a property is in condominium ownership, the~~  
518 ~~distance shall be measured from the outermost boundary of the condominium property. Where a~~  
519 ~~property is in fee ownership, the distance shall be measured from the outermost boundary of the~~  
520 ~~property. [Relocated to Sec. 3-A.16. Adult Entertainment Establishment and Sexually Oriented Business~~  
521 ~~Locations]~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND**  
**DEVELOPMENT STANDARDS**

**Part A General Provisions**

522 *property has multiple tenants, the distance shall be measured from the outermost boundary of the*  
523 *bay or space occupied by the use.* [Relocated to Sec. 3-A.7. Measurement of Separation]

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

Part B Table of Contents	
Section #	Section Title
3-B.1.	Purpose and Intent
3-B.2.	Applicability
3-B.2.a	Applicability for Non-Conformities
3-B.2.b	Discontinuance
3-B.3.	Vested Rights
3-B.3.a	Undue Hardship
3-B.3.b.	Vested Rights
3-B.3.c	Improvement Limitations
3-B.4.	Non-Conformities created by Takings
3-B.4.a.	Site Improvements
3-B.4.b.	Major Structures
3-B.4.c.	Temporary Governmental Taking
3-B.5.	Non-Conforming Residential Lot of Record
3-B.5.a.	Inconsistent Residential Lot of Record
3-B.5.b.	Reduction of Lot Sizes
3-A.5.c.	Improvement Limitations
3-B.6.	Non-Conforming Uses
3-B.6.a.	Legally Established Non-Conforming Use
3-B.6.b.	Limited Improvements for a Non-Conforming Use
3-B.6.c.	Discontinuance
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3-B.7.	Non-Conforming Structures
3-B.7.a.	Non-Conforming Structure
3-B.7.b.	Enlargement, Alteration, or Extension of Structure
3-B.7.c.	Change in Tenancy, Ownership, or Use
3-B.7.d.	Subdivision or Structural Additions
3-B.7.e.	Destruction of Principal Structure or Structures
3-B.7.f.	Calculating Footprint of Structure
3-B.8.	Non-Conforming Site Improvements
3-B.9.	Repairs and Maintenance
3-B.9.a.	Improvement Limitations
3-B.9.b.	Repairs and Maintenance

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

3-B.9.c.	Unsafe Non-conforming Structure due to Lack of Maintenance
3-B.9.d.	Unsafe Non-Conforming Structure due to Other Reasons
3-B.10.	Determining Replacement/Improvement Value
Sec. 3-B.10.a.	Maximum Improvement Value
Sec. 3-B.10.b.	Code Conformity

Part B Summary of Amendments	
Section	Description
<b>Purpose and Intent</b>	Clarified the four types of Non-Conformities: Lots, Uses, Structures, and Site Improvements.
<b>Applicability</b>	Simplified and consolidated existing code language. Added Vested Rights and Casual, Temporary, or Illegal Use.
<b>Vested Rights</b>	Added a new section to clarify how to vest a non-conformity.
<b>Non-Conformities created by Takings</b>	Simplified and consolidated existing code language.
<b>Non-Conforming Residential Lot of Record</b>	Simplified and consolidated existing code language.
<b>Non-Conforming Uses</b>	Simplified and consolidated existing code language.
<b>Non-Conforming Structures</b>	Simplified and consolidated existing code language. Added the Home/Structure Replacement Policy into the proposed code.
<b>Non-Conforming Site Improvements</b>	Simplified and consolidated existing code language.
<b>Repairs and Maintenance</b>	Simplified and consolidated existing code language.
<b>Determining Replacement/Improvement Value</b>	Added a new Section to clarify how to calculate the allowable amount for improvements (repair, maintenance, replacement) to a non-conformity. Establish a standard methodology for estimating average construction costs.

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

### **Sec. 3-B.1. Purpose and Intent**

524  
525 *Within the zoning districts of unincorporated Clay County, there may exist lots, uses, structures, and site*  
526 *improvements which were lawfully established before the date that the Zoning Code became effective, as*  
527 *amended from time to time, and that now would be prohibited, regulated, or restricted under the terms of*  
528 *these zoning standards. It is the intent of this Code to permit regulatory Non-Conformities to continue until*  
529 *they are voluntarily removed or removed as required by these zoning standards. Furthermore, it is not to*  
530 *encourage their survival or act as grounds for adding other uses or structures prohibited elsewhere in the*  
531 *same zoning district. [Relocated from Sec. 3-11.(a)(1) Intent, Regulatory Non-Conformities]*

### **Sec. 3-B.2. Applicability**

#### **3-B.2.a. Applicability for Non-Conformities**

534 *These standards shall apply to Non-Conformities as defined in Sec. 1-15.N.(7), and include lots, uses,*  
535 *structures and any site improvements. The following shall not be considered as a non-conformity unless*  
536 *stated otherwise herein:*

- 537 (1) *A lot that is illegally created or subdivided.*  
538 (2) *A use, use of a lot or structure, and/or combination thereof that were illegally established,*  
539 *commenced, or constructed. Such Non-Conformities, whether the use is primary, incidental,*  
540 *temporary, or illegal shall not be sufficient to establish the existence of a Non-Conforming use or*  
541 *to create rights in the continuance of such use. [Relocated from Sec. 3-11.(k)]*  
542 (3) *A Non-Conforming accessory use shall not become a principal use unless it complies with the*  
543 *required zoning application process and is approved by the applicable County authority.*  
544 (4) *Any structures or part of a structure that was illegally constructed without approval by the applicable*  
545 *County authority.*

#### **3-B.2.b. Discontinuance**

547 *If any Non-Conforming use of a structure, or structure and premises in combination, ceases for any reason*  
548 *(except where governmental action impedes access to the premises) for a period of more than 6*  
549 *consecutive months, any subsequent use shall conform to the Code standards for the district in which the*  
550 *use is located. [Relocated from Sec. 3-11.(e)(5)]*

### **Sec. 3-B.3. Vested Rights**

#### **3-B.3.a. Undue Hardship**

553 *To avoid undue hardship, nothing in these zoning standards shall be deemed to require a change to the*  
554 *designated use of any building for which a building permit was issued prior to the effective date of this*  
555 *Code. [Relocated from Sec. 3-11.(a)(1)(ii)]*

#### **3-B.3.b. Vested Rights**

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

557 To determine whether a lot, use, structure, or site improvement, or combination thereof, are considered to  
558 have vested rights, the applicant shall provide proof to the County, as follows:

- 559 (1) Affidavit. Building permits issued prior to July 1, 1991, for a Non-Conforming use, structure, or lot  
560 may be eligible for vested rights pursuant to the Vested Rights Review process in Article V.  
561 [Relocated from Sec. 3-11.(a)(1)(iii)]
- 562 (2) Site Plan. Any zoning approvals such as Site Plans that demonstrate the lot, use, structures, and/or  
563 site layouts were approved under a prior Code and application process.
- 564 (3) Other Documents. Demonstrate that the use was in continuous operation and not an occasional  
565 use of the lot and structure. Documents such as utility bills, tax returns, occupational licenses,  
566 payroll records, photographs with dates may be provided to the County.

### 3-B.3.c. Improvement Limitations

568 A Non-Conforming use of a structure, a Non-Conforming use of land or water, or a Non-Conforming use of  
569 a structure and land or water in combination is subject to maintenance, renovation, and repair limitations.  
570 Additionally, such situations shall not be extended or enlarged by the attachment on a structure on premises  
571 of signs intended to be seen off the premises, or by the addition of other uses of a nature which would be  
572 prohibited generally in the zoning district involved. [Relocated from Sec. 3-11.(a)(1)(i)]

### Sec. 3-B.4. Non-Conformities Created by Takings

574 Non-Conformities may also be created by governmental taking, either by negotiation or condemnation. Lots  
575 and structures that were lawful and conforming, subject to any Non-Conformities, before a governmental  
576 taking may be in conflict or further conflict with the terms of this Code or future amendments subsequent to  
577 the taking. Non-Conformities so created or increased are takings Non-Conformities. It is the intent of this  
578 Code to exempt takings Non-Conformities to the extent that Non-Conformities so created or expanded  
579 cannot be mitigated from the prohibitions, standards, or restrictions applicable to Non-Conformities as  
580 follows: [Relocated from Sec. 3-11.(a)(2)]

#### 3-B.4.a. Site Improvements

582 The following shall apply to any existing site improvements at the time of the taking:

- 583 (1) Existing site improvements may include minimum lot area and setback requirements; maximum  
584 coverage by all buildings and structures; minimum number of required off-street parking and  
585 loading spaces; and landscaping;
- 586 (2) Shall not be required to be brought into conformity with the provisions of this Code and with respect  
587 to pre-taking conforming uses;
- 588 (3) Shall be deemed thereafter to be conforming and with respect to pre-takings Non-Conformities;  
589 and
- 590 (4) Shall be deemed to be subject only to such pre-takings Non-Conformities.

591 Any expansion or enlargement shall be in accordance with all applicable provisions of this Code.  
592 [Relocated from Sec. 3-11.(a)(2)(i)]

#### 3-B.4.b. Major Structures

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

594 Existing major structures (for these purposes defined as a structure or structures with a Just Value in excess  
595 of \$4,000), and which became Non-Conforming or increased in Non-Conformity may be vested in  
596 accordance with Sec. 3-B.2. Applicability. Such structures, which are thereafter damaged to an extent of  
597 not more than 65 percent of the Just Market Value at the time of damage, may be rebuilt without the  
598 necessity to conform to the characteristics of use as approved under the prior permits. Any expansion or  
599 enlargement shall be in accordance with all applicable provisions of this Code. [Relocated from Sec. 3-  
600 11.(a)(2)(ii)]

601 (1) Just Market Value. For the purpose of this Part B, Just Market Value, as determined by the Clay  
602 County Property Appraiser shall be utilized for the calculation of the allowable improvements of  
603 Non-Conforming structure(s).

### 3-B.4.c. Temporary Governmental Taking

605 A Non-Conformity that would otherwise be created by a temporary governmental taking, whereby the Non-  
606 Conformity would exist only for the duration of the temporary taking or upon expiration of the temporary  
607 taking the circumstances that would have created the Non-Conformity have abated, shall not be deemed  
608 to be a Non-Conformity. For purposes of this Subsection, abatement shall not have been deemed to have  
609 occurred until the condition of the premises within the area affected by the temporary takings use has been  
610 restored to that which was in existence immediately prior to the commencement of the temporary takings  
611 use; provided, a regulatory Non-Conformity shall be deemed to have arisen in the event that a restoration  
612 has not been completed within 30 days, or such other period as may be authorized by the Planning and  
613 Zoning Director or his/her designee for cause, not to exceed 180 days. Such a regulatory taking shall be  
614 governed under the provisions of Sec. 3-B.2. Applicability. [Relocated from Sec. 3-11.(a)(2)(iii)]

### Sec. 3-B.5. Non-Conforming Residential Lot of Record

615 Non-Conforming lots are those parcels of land that do not meet the required minimum lot acreage of a  
616 zoning district and/or dimensional standards such as lot width and depth of this Code. Such non-conforming  
617 lots shall be subject to the following standards, where applicable.

#### 3-B.5.a. Inconsistent Residential Lot of Record

620 In any district in which single-family residential dwelling units are permitted, a maximum of 1 dwelling unit  
621 shall be allowed on a single Residential lot of record, provided the following criteria are met based on when  
622 the lot was created and/or recorded: [Relocated from Sec. 3-11(b)(2)]

623 (1) Before 1973. For lots of record created prior to October 23, 1973, all setbacks shall conform to the  
624 standards of Part D Zoning Districts and Development Standards and other applicable Sections of  
625 this Article. [Relocated from Sec. 3-11(b)(2)(i)]

626 (2) After 1973. For lot of record created after October 23, 1973 and recorded by deed as of 12:01 a.m.  
627 or July 1, 1991, the lot shall conform to the minimum dimensions (lot area, width, and depth) in the  
628 applicable zoning district as stipulated in this Code. These minimum lot dimensions, by the zoning  
629 districts shall be, as follows: [Relocated from Sec. 3-11(b)(2)(ii)]

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

<b>Zoning District in Ordinance 82-45, as amended</b>	<b>Minimum Lot Area (SF)</b>	<b>Minimum Lot Width (Feet)</b>	<b>Minimum Lot Depth (Feet)</b>
Agricultural <del>(A)</del>	43,560	100	150
Agricultural/Residential <del>(AR)</del>	43,560	100	150
<b>Single-Family Residential <del>(RA)</del></b>			
<i>Recorded before May 3, 1979</i>	20,000	100	100
<i>Recorded on or after May 3, 1979</i>	21,780	100	100
<b>Single-Family Residential (RA-1)</b>			
<i>Without central water and sewer, recorded before May 3, 1979</i>	15,000	85	100
<i>Without central water and sewer, recorded on or after May 3, 1979</i>	21,780	85	100
<i>With central water and sewer, recorded on or after May 3, 1979</i>	12,500	85	100
<b>Single-Family Residential <del>(RB)</del></b>			
<i>Without central water and sewer, recorded before May 3, 1979</i>	15,000	75	100
<i>Without central water and sewer, recorded on or after May 3, 1979</i>	21,780	75	100
<i>With approved septic tank and central water, recorded on or after May 3, 1979</i>	10,000	75	100
<i>With central water and sewer, recorded on or after May 3, 1979</i>	8,500	75	100

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

<i>Single-Family Residential Mobile (RMH)</i>			
<i>Without central water and sewer, recorded before May 19, 1979</i>	15,000	75	100
<i>Recorded on or after May 3, 1979</i>	21,780	75	100
<i>Single-Family Residential Mobile Homes (RMH-1)</i>			
<i>With central water and sewer</i>	8,500	75	100
<i>Without central water and sewer</i>	15,000	75	100
<i>Single-Family Residential (RC)</i>			
<i>Without central water and sewer, recorded before May 3, 1979</i>	15,000	70	100
<i>With septic tank and central water</i>	10,800	70	100
<i>With central water and sewer, recorded on or after May 3, 1979</i>	8,500	70	100
<i>Without central water and sewer, recorded on or after May 3, 1979</i>	21,780	70	100
<i>Two-Family Residential (RC)</i>			
<i>Without central water and sewer</i>	43,560	70	100
<i>With septic tank and central water</i>	21,780	70	100
<i>With central water and sewer</i>	15,000	70	100
<i>Three-Family Residential (RC)</i>			
<i>Without central water and sewer</i>	65,340	70	100

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

<i>With septic tank and central water</i>	32,670	70	100
<i>With central water and sewer</i>	20,000	70	100
<b>County Estates (RC-1)</b>			
<i>With central water</i>	43,560	100	150
<i>Without central water</i>	43,560	100	150
<b>Zoning District in Ordinance 82-45, as amended</b>	<b>Density</b>		
<i>Multi-Family (RD-1)</i>	6 units per acre		
<i>Multi-Family (RD-2)</i>	10 units per acre		
<i>Multi-Family (RD-3)</i>	16 units per acre		
<i>Multi-Family (RD-4)</i>	30 units per acre		
<u>Independent Community Overlay</u>	<u>Refer to Sec. 3-D-10.2.</u>		

630 **3-B.5.b. Reduction of Lot Sizes**

631 *No existing lot or yard shall be reduced in size, dimension, or area below the minimum requirements as*  
 632 *previously approved, except by reason of a portion being acquired for public use in any manner, including*  
 633 *dedication, condemnation, or purchase and including acquisition singly or in combination with other lots for*  
 634 *the purpose of dedication of a conservation easement.*

635 *(1) Lots or yards created after the effective date of this Article shall meet the minimum lot standards*  
 636 *established herein. The establishment of a conservation easement on a lot shall not cause the*  
 637 *remainder of the lot which is not covered by the easement to be considered non-conforming with*  
 638 *respect to yard size. [Relocated from Sec. 3-7.(b)(2) Lot Size Requirements]*

639 **3-B.5.c. Improvement Limitations**

640 *A Non-Conforming use of a structure, a Non-Conforming use of land or water, or a Non-Conforming use of*  
 641 *a structure and land or water in combination is subject to maintenance, renovation, and repair limitations.*  
 642 *Additionally, such situations shall not be extended or enlarged by the attachment on a structure on premises*  
 643 *of signs intended to be seen off the premises, or by the addition of other uses of a nature which would be*  
 644 *prohibited generally in the zoning district involved. [Relocated from Sec. 3-11.a.(1)(i)]*

645 **Sec. 3-B.6. Non-Conforming Uses**

646 **3-B.6.a. Legally Established Non-Conforming Use**

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

647 A use which was legally established in a zoning district under a prior Code, but due to changes in the Code,  
648 is no longer an allowed use, shall be deemed to be a legal Non-Conforming use and shall be subject to the  
649 provisions of this section.

### 3-B.6.b. Limited Improvements for a Non-Conforming Use

- 651 (1) *Enlargement, Increases, Intensification, Alteration.* No such Non-Conforming use shall be  
652 enlarged, intensified, increased, or extended to occupy a greater area of land or water than was  
653 occupied at the effective date of this Code. **[Relocated from Sec. 3-11.(c)(1)]**
- 654 (2) Extension. Any Non-Conforming use may be extended throughout any parts of a building which  
655 was manifestly arranged or designed for such use at the effective date of this Code. Any Non-  
656 Conforming use which occupied a portion of the building not originally designed or intended for  
657 such use shall not be extended to any other part of the building. **[Relocated from Sec. 3-11.(e)(2)]**
- 658 (3) Movement. No such Non-Conforming use shall be moved in whole or in part to any portion of the  
659 lot or parcel of land than that occupied by such use at the effective date of this Code. **[Relocated**  
660 **from Sec. 3-11.(c)(2)]**

### 3-B.6.c. Discontinuance

662 *If any such Non-Conforming use ceases for any reason (except when governmental action impedes access*  
663 *to the premises) for a period of more than 6 consecutive months, any subsequent use of such land shall*  
664 *conform to the standards and approval processes specified by this Code for the zoning district in which*  
665 *such land is located. **[Relocated from Sec. 3-11.(c)(3)]***

### 3-B.6.d. Subdivision or Structural Additions

667 *No land in Non-Conforming use shall be subdivided, nor shall any structure be added on such land except*  
668 *for the district in which such land is located; provided, however, that subdivision may be made which does*  
669 *not increase the degree of non-conformity of the use. **[Relocated from Sec. 3-11.(c)(4)]***

## Sec. 3-B.7. Non-Conforming Structures

### 3-B.7.a. Non-Conforming Structure

- 672 *When a structure exists lawfully under a prior Code, and that could not be reconstructed or comply under*  
673 *the standards of the current Code, such structure may be continued so long as it remains otherwise lawful,*  
674 *subject to the following provisions: **[Relocated from Sec. 3-11.(d)]***
- 675 (1) *No such Non-Conforming structure may be enlarged or altered in any way which increases its non-*  
676 *conformity, but any structure or portion thereof may be altered to decrease its non-conformity such*  
677 *as soundproofing. **[Relocated from Sec. 3-11.(d)(1)]***
- 678 (2) *Should such Non-Conforming structure or Non-Conforming portion of structure be destroyed by*  
679 *any means to an extent of more than 60 percent of its replacement value at time of destruction, it*  
680 *shall not be reconstructed except in conformity with the provisions of this Code. **[Relocated from***  
681 *Sec. 3-11.(d)(2)]*

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

682 (3) *Should such structure be moved for any reason for any distance whatever, other than as a result*  
683 *of governmental action, it shall conform to the Code standards for the district in which it is located*  
684 *after it is moved. [Relocated from Sec. 3-11.(d)(3)]*

### 3-B.7.b. Enlargement, Alteration, or Extension of Structure

686 *No existing structure devoted to a use not permitted by this Code in the zoning district in which such use is*  
687 *located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in*  
688 *changing the use of the structure to a use permitted in the zoning district in which it is located. [Relocated*  
689 *from Sec. 3-11.(e)(1)]*

### 3-B.7.c. Change in Tenancy, Ownership, or Use

691 When a structure exists lawfully under these zoning standards at the effective date of its adoption or  
692 amendment, such structure may be continued so long as it remains otherwise lawful, subject to the following  
693 provisions:

694 (1) *There may be a change in tenancy, ownership, or management of a Non-Conforming use provided*  
695 *there is no change in the nature or character of such Non-Conforming use. [Relocated from Sec.*  
696 *3-11.(e)(3)]*

697 (2) *Any structure, or structure and premises in combination, in or on which a Non-Conforming use is*  
698 *superseded by a permitted use shall thereafter conform to the standards for the district in which*  
699 *such structure is located, and the Non-Conforming use shall not thereafter be resumed, nor shall*  
700 *any other Non-Conforming use be permitted. [Relocated from Sec. 3-11.(e)(4)]*

### 3-B.7.d. Subdivision or Structural Additions

702 *Premises of major structures (having values as indicated above), where such major structures are used for*  
703 *Non-Conforming purposes as of the effective date of this Code, shall not be subdivided, nor shall any*  
704 *structure(s) be added on such premises, except for purposes and in a manner conforming to the Code*  
705 *standards for the district in which such premises are located. [Relocated from Sec. 3-11.(e)(6)]*

### 3-B.7.e. Destruction of Principal Structure or Structures

707 *Where Non-Conforming use status applies to a major structure or structures, or to a major structure or*  
708 *structures and premises in combination, removal or destruction of the structure or structures shall eliminate*  
709 *the Non-Conforming status of the land. "Destruction" of the structure for purposes of this Subsection is*  
710 *hereby defined as damage to an extent of more than 50 percent of the replacement value at the time of*  
711 *destruction. Upon removal or destruction as set forth in this paragraph, the use of land and structures shall*  
712 *thereafter conform to the Code standards for the district in which such land is located. [Relocated from*  
713 *Sec. 3-11.(e)(7)]*

714

### 3-B.7.f. Calculating Footprint of Structure

716 Any Single-Family home, Mobile Home, or accessory structure, that has been constructed or placed on a  
717 site based upon the issuance of a valid building permit by the County, shall be allowed to replace that  
718 Single-Family home, Mobile Home, or accessory structure, with a structure of the same type which does  
719 not expand the footprint of the replaced structure. For the purposes of calculating footprint of the structure

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

720 and accessory structure, the applicant shall use Finished Square Footage (Finished Sq. Ft.) as defined in  
721 Sec. 1-15.F.(5) of this Code.

722 (1) The footprint of a Single-Family home or Mobile Home shall be determined by the Finished Square  
723 Feet reported on the Clay County Property Appraiser's website for the subject property and shall  
724 not include any decks, porches, screened rooms, or other structures as may be attached to the  
725 principal home.

726 (2) Likewise, the footprint of an accessory structure shall be determined by the square footage reported  
727 for such yard item structures on the Clay County Property Appraiser's website for the subject  
728 property.

729 (3) The replacement structure shall be located in the same location as the original structure it replaces,  
730 unless:

731 (a) The original location fails to meet the currently applicable building setback requirements.

732 (b) The original location is within a floodplain.

733 (c) The Zoning Chief deems the original location to be unsafe or inappropriate for the structure.

### 734 **Sec. 3-B.8. Non-Conforming Site Improvements**

735 Any on site improvements such as parking, loading, landscaping, signs, or other matters pertaining to the  
736 use of land, structures, and premises that were approved under a prior Code shall not be expanded or  
737 increased their Non-Conformities unless the proposed improvements comply with this Code. [Relocated  
738 from Sec. 3-11.(f)]

### 739 **Sec. 3-B.9. Repairs and Maintenance**

#### 740 **3-B.9.a. Improvement Limitations**

741 A ~~Non-Conforming~~ use of a structure, a ~~Non-Conforming~~ use of land or water, or a ~~Non-Conforming~~ use of  
742 a structure and land or water in combination is subject to maintenance, renovation, and repair limitations.  
743 Additionally, such situations shall not be extended or enlarged by the attachment of a structure intended to  
744 be seen off the premises, or by the addition of other uses of a nature which would be prohibited generally  
745 in the zoning district involved. [Relocated from Sec. 3-11.(a)(1)(i)]

#### 746 **3-B.9.b. Repairs and Maintenance**

747 On any ~~Non-Conforming~~ structure or portion of a structure and on any structure containing a ~~Non-~~  
748 ~~Conforming~~ use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair  
749 or replacement of non-bearing walls, fixtures, wiring, or plumbing to an extent not exceeding 50 percent of  
750 the current assessed valuation of the structure (or of the ~~Non-Conforming~~ portion of the structure if a ~~Non-~~  
751 ~~Conforming~~ portion of a structure is involved), provided that the cubic content of the structure existing at  
752 the date it becomes ~~Non-Conforming~~ shall not be increased. [Relocated from Sec. 3-11.(g)]

#### 753 **3-B.9.c. Unsafe ~~Non-conforming~~ Structure due to Lack of Maintenance**

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

754 If a Non-Conforming structure or portion of a structure or any structure containing a Non-Conforming use  
755 becomes physically unsafe or unlawful due to the lack of repairs or maintenance and is declared by the  
756 Chief Building Official of Clay County to be unsafe or unlawful by reason of physical condition, it shall not  
757 thereafter be restored, repaired, or rebuilt except in compliance with this Code and applicable Florida  
758 Building Code and fire safety standards. [Relocated from Sec. 3-11.(h)]

### **3-B.9.d. Unsafe Non-Conforming Structure due to Other Reasons**

760 If a Non-Conforming structure or portion of a structure or any structure containing a Non-Conforming use  
761 becomes physically unsafe or unlawful for reasons other than lack of repairs or maintenance, nothing  
762 contained herein shall be deemed to prevent the strengthening or restoring to a safe condition of such  
763 building or part hereof declared to be unsafe by the Chief Building Official of Clay County. [Relocated from  
764 Sec. 3-11.(i)]

## **Sec. 3-B.10. Determination of Replacement/Improvement Value**

766 The County Building Official may require an estimate of the cost utilizing any methodology acceptable to  
767 the Building Official, copies of signed contract and/or other descriptive information as a basis for  
768 determining the permit fees.

### **Sec. 3-B.10.a. Maximum Improvement Value**

770 The maximum allowable improvement is 50 percent of the Clay County Property Appraiser's most recent  
771 Just Market Value, cumulative within 1 year.

### **Sec. 3-B.10.b. Code Conformity**

773 When the value of the proposed improvement exceeds 50 percent of the value of the existing  
774 improvements, all existing structures and improvements on the site shall be brought into conformity with  
775 the current Code.

### **Sec. 3-7.(b)(2) Lot Size Requirements – ESTABLISHMENT OF SIZE AND DIMENSION CRITERIA**

777 ~~(2) — Reduction of Lot Sizes or Yards; Subdivision. No lot or yard existing of this Article at the effective~~  
778 ~~date shall thereafter be reduced in size, dimension, or area below the minimum requirements set~~  
779 ~~out herein, except by reason of a portion being acquired for public use in any manner, including~~  
780 ~~dedication, condemnation, or purchase and including acquisition singly or in combination with other~~  
781 ~~lots for the purpose of dedication of a conservation easement. Lots or yards created after the~~  
782 ~~effective date of this Article shall meet the minimum lot requirements established herein, except~~  
783 ~~where the lot is located adjacent to a conservation easement and were it not for dedication of the~~  
784 ~~conservation easement, the lot could have been described so as to meet the minimum lot~~  
785 ~~requirements. (Ord 95-53 – 11/28/95) [Relocated to Sec. 3-B.5.b. Reduction of Lot Sizes]~~

### **Sec. 3-11. NONCONFORMING USES, LOTS AND STRUCTURES**

786 (a) — Intent.

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

- 788 (1) ~~Regulatory Non-conformities. Within the districts established by these zoning regulations~~  
789 ~~or amendments that may later be adopted, there may exist (a) lots, (b) structures, (c) uses~~  
790 ~~of land or water and structures, and (d) characteristics of use which were lawful before~~  
791 ~~these zoning regulations were adopted or amended, but which would be prohibited,~~  
792 ~~regulated, or restricted under the terms of these zoning regulations or future amendments.~~  
793 ~~Non-conformities so created are regulatory non-conformities. It is the intent of these~~  
794 ~~zoning regulations to permit regulatory non-conformities to continue until they are~~  
795 ~~voluntarily removed or removed as required by these zoning regulations, but not to~~  
796 ~~encourage their survival. It is further the intent of these zoning regulations that regulatory~~  
797 ~~non-conformities shall not be enlarged upon, expanded, intensified, or extended nor shall~~  
798 ~~be used as grounds for adding other structures or uses prohibited elsewhere in the same~~  
799 ~~district. (Amended 8/27/96 Ord. 96-35). [Relocated to Sec. 3-B.1. Purpose and Intent]~~  
800 (i) ~~Non-conforming uses are declared hereby to be incompatible with permitted uses~~  
801 ~~in districts involved. A non-conforming use of a structure, a non-conforming use of~~  
802 ~~land or water, or a non-conforming use of a structure and land or water in~~  
803 ~~combination shall not be extended or enlarged after the effective date of these~~  
804 ~~zoning regulations or amendments thereto by the attachment on a structure on~~  
805 ~~premises of signs intended to be seen off the premises, or by the addition of other~~  
806 ~~uses of a nature which would be prohibited generally in the district involved.~~  
807 ~~[Deleted with new language added to Sec. 3-B.5. Non-Conforming Uses]~~  
808 (ii) ~~To avoid undue hardship, nothing in these zoning regulations shall be deemed to~~  
809 ~~require a change to the designated use of any building for which a building permit~~  
810 ~~was issued prior to the effective date of these zoning regulations. [Relocated to~~  
811 ~~Sec. 3-B.3.a. Undue Hardship]~~  
812 (iii) ~~Building permits issued prior to July 1, 1991, for a non-conforming use, structure~~  
813 ~~or lot may be eligible for vested rights pursuant to the Clay County Vested Rights~~  
814 ~~Review Ordinance. [Relocated to Sec. 3-B.3.b.(1) Vested Rights]~~  
815 (2) ~~Takings Non-conformities. Non-conformities may also be created by governmental taking,~~  
816 ~~either by negotiation or condemnation. Lots and structures that were lawful and~~  
817 ~~conforming, subject to any regulatory non-conformities, before a governmental taking may~~  
818 ~~be in conflict or further conflict with the terms of these zoning regulations or future~~  
819 ~~amendments subsequent to the taking. Non-conformities so created or increased are~~  
820 ~~takings non-conformities. It is the intent of these zoning regulations to exempt takings non-~~  
821 ~~conformities to the extent that non-conformities so created or expanded cannot be~~  
822 ~~mitigated from the prohibitions, regulations or restrictions applicable to regulatory non-~~  
823 ~~conformities as follows: [Relocated to Sec. 3-B.4. Non-Conformities created by~~  
824 ~~Takings]~~  
825 (i) ~~Existing characteristics of use including minimum lot area and yard requirements,~~  
826 ~~maximum coverage by all buildings and structures (FAR), minimum number of~~  
827 ~~required off-street parking and loading spaces and required landscaping which~~  
828 ~~would otherwise become non-conforming or increased in nonconformity shall not~~  
829 ~~be required to be brought into conformity with the provisions of these zoning~~  
830 ~~regulations and with respect to pre-taking conforming uses, shall be deemed~~  
831 ~~thereafter to be conforming and with respect to pre-takings regulatory non-~~

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## Part B Non-Conformities

- 832 ~~conformities, shall be deemed to be subject only to such pre-takings regulatory~~  
833 ~~non-conformities. Any expansion or enlargement shall be in accordance with all~~  
834 ~~applicable provisions of these zoning regulations. [Relocated to Sec. 3-B.4.a.~~  
835 ~~Site Improvements]~~
- 836 (ii) ~~Existing major structures [for these purposes defined as a structure or structures~~  
837 ~~with a just value in excess of four thousand (\$4,000)] which became~~  
838 ~~nonconforming or increased in non-conformity according to subparagraph (1)(iii)~~  
839 ~~above which are thereafter damaged to an extent of not more than sixty five (65)~~  
840 ~~percent of the just value at the time of damage, may be rebuilt without the necessity~~  
841 ~~to conform to the characteristics of use as defined in subparagraph (1)(iii) above.~~  
842 ~~Any expansion or enlargement shall be in accordance with all applicable provisions~~  
843 ~~of these zoning regulations. [Relocated to Sec. 3-B.4.b. Major Structures]~~
- 844 (iii) ~~A non-conformity that would otherwise be created by a temporary governmental~~  
845 ~~taking, whereby the non-conformity would exist only for the duration of the~~  
846 ~~temporary taking or upon expiration of the temporary taking the circumstances that~~  
847 ~~would have created the non-conformity have abated, shall not be deemed to be a~~  
848 ~~non-conformity. For purposes of this subparagraph, abatement shall not have~~  
849 ~~been deemed to have occurred until the condition of the premises within the area~~  
850 ~~affected by the temporary takings use has been restored to that which was in~~  
851 ~~existence immediately prior to the commencement of the temporary takings use;~~  
852 ~~provided, a regulatory nonconformity shall be deemed to have arisen in the event~~  
853 ~~that a restoration has not been completed within thirty (30) days, or such other~~  
854 ~~period as may be authorized by the Planning and Zoning Director for cause, not to~~  
855 ~~exceed 180 days. Such a regulatory taking shall be governed under the provisions~~  
856 ~~of paragraph (a)(1)(i—iii) above. [Relocated to Sec. 3-B.4.c. Temporary~~  
857 ~~Government Taking]~~
- 858 (b) ~~Nonconforming Lots of Record. [Relocated to Sec. 3-B.5. Non-Conforming Residential Lot of~~  
859 ~~Record]~~
- 860 (1) ~~Minimum Size. In no case shall a permit be issued for living units on a lot of less than five~~  
861 ~~thousand (5,000) square feet in area, and/or less than 50 feet wide at the building line. A~~  
862 ~~lot not meeting these minimum requirements shall be deemed a substandard lot of record.~~  
863 ~~This provision shall not be applicable to commercial properties. [Removed]~~
- 864 (2) ~~Inconsistent Lots of Record. For unimproved lots of record otherwise inconsistent with the~~  
865 ~~density requirements in this Article and in the Clay County Comprehensive Plan, a~~  
866 ~~maximum of one (1) dwelling shall be allowed provided the following criteria are met:~~  
867 ~~[Relocated to Sec. 3-B.5.a. Inconsistent Residential Lot of Record]~~
- 868 (i) ~~For lots of record created prior to October 23, 1973, lot size must be no less than~~  
869 ~~five thousand (5,000) square feet, lots width must be no less than fifty (50) feet,~~  
870 ~~and lot depth must be no less than seventy five (75) feet. Front building lines and~~  
871 ~~setbacks from side and rear property lines shall conform to the requirements of~~  
872 ~~Section 20.3-7 and other applicable sections of this Article. [Relocated to Sec. 3-~~  
873 ~~B.5.a. Inconsistent Residential Lot of Record]~~
- 874 (ii) ~~For lots of record created after October 23, 1973 and recorded by deed as of 12:01~~  
875 ~~a.m. or July 1, 1991, the lot must conform to the minimum dimensions (lot area,~~

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## **Part B Non-Conformities**

876 ~~width and depth) in the applicable zoning district as stipulated in Ordinance 82-45,~~  
 877 ~~as amended, in effect as of said date and time. These minimum lot dimensions,~~  
 878 ~~by the zoning districts in effect at said date and time, are as follows: [Relocated~~  
 879 ~~to Sec. 3-B.5.a. Inconsistent Residential Lot of Record]~~  
 880

<del>Zoning District</del>	<del>Minimum</del>	<del>Minimum Lot</del>	<del>Minimum Lot</del>
<del>in Ordinance 82-45, as amended</del>	<del>Lot Area (SF)</del>	<del>Width (Feet)</del>	<del>Depth (Feet)</del>
883 <del><u>A: Agricultural</u></del>	<del>43,560</del>	<del>100.00</del>	<del>150.00</del>
884 <del><u>AR: Agricultural Residential</u></del>	<del>43,560</del>	<del>100.00</del>	<del>150.00</del>
885 <del><u>RA: Single-Family Residential</u></del>			
886 <del>Recorded before May 3, 1979</del>	<del>20,000</del>	<del>100</del>	<del>100</del>
887 <del>Recorded on or after May 3, 1979</del>	<del>21,780</del>	<del>100</del>	<del>100</del>
888 <del><u>RA-1: Single-Family Residential</u></del>			
889 <del>Without central water and sewer,</del>	<del>15,000</del>	<del>85</del>	<del>100</del>
890 <del>recorded before May 3, 1979</del>			
891 <del>Without central water and sewer,</del>	<del>21,780</del>	<del>85</del>	<del>100</del>
892 <del>recorded on or after May 3, 1979</del>			
893 <del>With central water and sewer,</del>	<del>12,500</del>	<del>85</del>	<del>100</del>
894 <del>recorded on or after May 3, 1979</del>			
895 <del><u>RB: Single-Family Residential</u></del>			
896 <del>Without central water and sewer,</del>	<del>15,000</del>	<del>75</del>	<del>100</del>
897 <del>recorded before May 3, 1979</del>			
898 <del>Without central water and sewer,</del>	<del>21,780</del>	<del>75</del>	<del>100</del>
899 <del>recorded on or after May 3, 1979</del>			
900 <del>With approved septic tank and</del>	<del>10,000</del>	<del>75</del>	<del>100</del>
901 <del>central water, recorded on or after May 3, 1979</del>			
902 <del>With central water and sewer,</del>	<del>8,500</del>	<del>75</del>	<del>100</del>
903 <del>recorded on or after May 3, 1979</del>			

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## **Part B Non-Conformities**

904	<del><i>RMH: Single-Family Residential Mobile</i></del>			
905	<del><i>Homes</i></del>			
906	<del><i>Without central water and sewer,</i></del>	<del><i>15,000</i></del>	<del><i>75</i></del>	<del><i>100</i></del>
907	<del><i>—recorded before May 19, 1979</i></del>			
908	<del><i>Recorded on or after May 3, 1979</i></del>	<del><i>21,780</i></del>	<del><i>75</i></del>	<del><i>100</i></del>
909	<del><i>RMH-1: Single-Family Residential</i></del>			
910	<del><i>Mobile Homes</i></del>			
911	<del><i>With central water and sewer</i></del>	<del><i>8,500</i></del>	<del><i>75</i></del>	<del><i>100</i></del>
912	<del><i>Without central water and sewer</i></del>	<del><i>15,000</i></del>	<del><i>75</i></del>	<del><i>100</i></del>
913	<del><i>RC: Single-Family Residential</i></del>			
914	<del><i>Without central water and sewer,</i></del>	<del><i>15,000</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
915	<del><i>—recorded before May 3, 1979</i></del>			
916	<del><i>With septic tank and central water</i></del>	<del><i>10,890</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
917	<del><i>With central water and sewer,</i></del>	<del><i>8,500</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
918	<del><i>—recorded on or after May 3, 1979</i></del>			
919	<del><i>Without central water and sewer,</i></del>	<del><i>21,780</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
920	<del><i>—recorded on or after May 3, 1979</i></del>			
921	<del><i>RC: Two-Family Residential</i></del>			
922	<del><i>Without central water and sewer</i></del>	<del><i>43,560</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
923	<del><i>With septic tank and central water</i></del>	<del><i>21,780</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
924	<del><i>With central water and sewer</i></del>	<del><i>15,000</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
925	<del><i>RC: Three-Family Residential</i></del>			
926	<del><i>Without central water and sewer</i></del>	<del><i>65,340</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
927	<del><i>With septic tank and central water</i></del>	<del><i>32,670</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
928	<del><i>With central water and sewer</i></del>	<del><i>20,000</i></del>	<del><i>70</i></del>	<del><i>100</i></del>
929	<del><i>RC 1: Country Estates</i></del>			

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

930	<i>With central water</i>	<del>43,560</del>	<del>100</del>	<del>150</del>
931	<i>Without central water</i>	<del>43,560</del>	<del>150</del>	<del>150</del>
932	<i>RD-1: Multifamily</i>		<del>6 units per acre</del>	
933	<i>RD-2: Multifamily</i>		<del>10 units per acre</del>	
934	<i>RD-3: Multifamily</i>		<del>16 units per acre</del>	
935	<i>RD-4: Multifamily</i>		<del>30 units per acre</del>	

936 **[Relocated to Sec. 3-B.5. Non-Conforming Residential Lot of Record]**

937 ~~(c) Nonconforming Uses of Land or Waters (or Land with Minor Structures Only). Where, at the~~  
 938 ~~effective date of adoption or amendment of these zoning regulations or the regulations in Ordinance~~  
 939 ~~82-45, a lawful use of lands or waters exists which would not be permitted under these zoning~~  
 940 ~~regulations, and where such use involved no individual permanently fixed structure with a~~  
 941 ~~replacement cost exceeding \$2,500 and no combination of permanently fixed structures with a~~  
 942 ~~combined replacement cost exceeding \$7,500 the use may be continued, so long as it remains~~  
 943 ~~otherwise lawful, provided: [Removed]~~

944 ~~(1) Enlargement, Increases, Intensification, Alteration. No such nonconforming use shall be~~  
 945 ~~enlarged, intensified, increased, or extended to occupy a greater area of land or water than~~  
 946 ~~was occupied at the effective date of adoption or amendment of these zoning regulations.~~

947 **[Relocated to Sec. 3-C.6.b.(2) Enlargement, Increases, Intensification, Alteration]**

948 ~~(2) Movement. No such conforming use shall be moved in whole or in part to any portion of~~  
 949 ~~the lot or parcel than that occupied by such use at the effective date of adoption or~~  
 950 ~~amendment of these zoning regulations. [Relocated to Sec. 3-B.6.b.(4) Movement]~~

951 ~~(3) Discontinuance. If any such nonconforming use ceases for any reason (except when~~  
 952 ~~governmental action impedes access to the premises) for a period of more than six~~  
 953 ~~consecutive months, any subsequent use of such land shall conform to the regulations~~  
 954 ~~specified by these zoning regulations for the district in which such land is located.~~

955 **[Relocated to Sec. 3-B.6.c. Discontinuance]**

956 ~~(4) Subdivision or Structural Additions. No land in nonconforming use shall be subdivided, nor~~  
 957 ~~shall any structure be added on such land except for the district in which such land is~~  
 958 ~~located; provided, however, that subdivision may be made which does not increase the~~  
 959 ~~degree of nonconformity of the use. [Relocated to Sec. 3-B.6.d. Subdivision or~~  
 960 ~~Structural Additions]~~

961 ~~(d) Nonconforming Structures. When a structure exists lawfully under these zoning regulations at the~~  
 962 ~~effective date of its adoption or amendment, or the effective date of Ordinance 82-45, as amended,~~  
 963 ~~that could not be built under these zoning regulations by reason of restrictions on lot area, lot~~  
 964 ~~coverage, height, yards, location on the lot, or requirements other than use concerning the~~  
 965 ~~structure, such structure may be continued so long as it remains otherwise lawful, subject to the~~  
 966 ~~following provisions: [Relocated to Sec. 3-B.7.a. Non-Conforming Structures]~~

967 ~~(1) No such nonconforming structure may be enlarged or altered in any way which increases~~  
 968 ~~its nonconformity, but any structure or portion thereof may be altered to decrease its~~

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

- 969 ~~nonconformity (ex: soundproofing).~~ [Relocated to Sec. 3-B.7.a.(1) Non-Conforming  
970 Structures]
- 971 (2) ~~Should such nonconforming structure or nonconforming portion of structure be destroyed~~  
972 ~~by any means to an extent of more than 60 percent of its replacement value at time of~~  
973 ~~destruction, it shall not be reconstructed except in conformity with the provisions of these~~  
974 ~~zoning regulations.~~ [Relocated to Sec. 3-B.7.a.(2) Non-Conforming Structures]
- 975 (3) ~~Should such structure be moved for any reason for any distance whatever, other than as~~  
976 ~~a result of governmental action, it shall thereafter conform to the regulations for the district~~  
977 ~~in which it is located after it is moved.~~ [Relocated to Sec. 3-B.7.a.(3) Non-Conforming  
978 Structures]
- 979 (e) ~~Nonconforming Use of Major Structures, or of Major Structures and Premises in Combination.~~  
980 ~~Where, at the effective date of adoption or amendment of these zoning regulations, or the effective~~  
981 ~~date of Ordinance 82-45, as amended, lawful use of structures, or of structures and premises in~~  
982 ~~combination exists involving an individual, permanently fixed structures with a replacement cost at~~  
983 ~~or exceeding \$2,500 or a combination of permanently fixed structures with a replacement cost at~~  
984 ~~or exceeding \$7,500, such use may be continued so long as it remains otherwise lawful, provided:~~  
985 [Relocated to Sec. 3-B.7.b. Enlargement, Alteration, or Extension of Structures]
- 986 (1) ~~Enlargement, Alteration, Extension, etc. of Structures.~~ No existing structure devoted to a  
987 use not permitted by these zoning regulations in the district in which such use is located  
988 shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered  
989 except in changing the use of the structure to a use permitted in the district in which it is  
990 located. [Relocated to Sec. 3-B.7.b.(1) Enlargement, Alteration, or Extension of  
991 Structures]
- 992 (2) ~~Extension of Use in Building Manifestly Designed for Such Use.~~ Any nonconforming use  
993 may be extended throughout any parts of a building which was manifestly arranged or  
994 designed for such use at the effective date of adoption or amendment of these zoning  
995 regulations. Any nonconforming use which occupied a portion of the building not originally  
996 designed or intended for such use shall not be extended to any other part of the building.  
997 [Deleted and replaced with Sec. 3-B.7. Non-Conforming Structures]
- 998 (3) ~~Change in Tenancy or Ownership.~~ There may be a change in tenancy, ownership, or  
999 management of a nonconforming use provided there is no change in the nature or  
1000 character of such nonconforming use. [Relocated to Sec. 3-B.7.c. Change in Tenancy,  
1001 Ownership, or Use]
- 1002 (4) ~~Change to Conforming Use Required Future Conformity with District Regulations.~~ Any  
1003 structure, or structure and premises in combination, in or on which a nonconforming use is  
1004 superseded by a permitted use shall thereafter conform to the regulations for the district in  
1005 which such structure is located, and the nonconforming use shall not thereafter be resumed  
1006 nor shall any other nonconforming use be permitted. [Relocated to Sec. 3-B.7.c.(2)  
1007 Change in Tenancy, Ownership, or Use]
- 1008 (5) ~~Discontinuance.~~ If any nonconforming use of a structure, or structure and premises in  
1009 combination, ceases for any reason (except where governmental action impedes access  
1010 to the premises) for a period of more than six consecutive months, any subsequent use  
1011 shall conform to the regulations for the district in which the use is located. [Relocated to  
1012 Sec. 3-B.6.c. Discontinuance]

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# ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

## Part B Non-Conformities

- 1013 ~~(6) — Subdivision or Structural Additions. Premises of major structures (having values as~~  
1014 ~~indicated above), where such major structures are used for nonconforming purposes as of~~  
1015 ~~the effective date of adoption or amendment of these zoning regulations, shall not be~~  
1016 ~~subdivided, nor shall any structures be added on such premises, except for purposes and~~  
1017 ~~in a manner conforming to the regulations for the district in which such premises are~~  
1018 ~~located. [Relocated to Sec. 3-B.6.d. Subdivision or Structural Additions]~~
- 1019 ~~(7) — Destruction of Major Structure or Structures. Where nonconforming use status applies to~~  
1020 ~~a major structure or structures, or to a major structure or structures and premises in~~  
1021 ~~combination, removal or destruction of the structure or structures shall eliminate the~~  
1022 ~~nonconforming status of the land. "Destruction" of the structure for purposes of this~~  
1023 ~~subsection is hereby defined as damage to an extent of more than 60 percent of the~~  
1024 ~~replacement cost at the time of destruction. Upon removal or destruction as set forth in~~  
1025 ~~this paragraph, the use of land and structures shall thereafter conform to the regulations~~  
1026 ~~for the district in which such land is located. [Relocated to Sec. 3-B.7.e. Destruction of~~  
1027 ~~Principal Structure or Structures]~~
- 1028 ~~(f) — Nonconforming Characteristics of Use. If characteristics of use, such as signs, off-street parking,~~  
1029 ~~or off-street loading, or other matters pertaining to the use of land, structures, and premises are~~  
1030 ~~made nonconforming by these zoning regulations as adopted or amended, no change shall~~  
1031 ~~thereafter be made in such characteristics of use which increases nonconformity with the~~  
1032 ~~regulations herein set forth. [Deleted and replaced with Sec. 3-B.8. Non-Conforming Site~~  
1033 ~~Improvements]~~
- 1034 ~~(g) — Repairs and Maintenance. On any nonconforming structure or portion of a structure and on any~~  
1035 ~~structure containing a nonconforming use, work may be done in any period of 12 consecutive~~  
1036 ~~months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or~~  
1037 ~~plumbing to an extent not exceeding 40 percent of the current assessed valuation of the structure~~  
1038 ~~(or of the nonconforming portion of the structure if a nonconforming portion of a structure is~~  
1039 ~~involved), provided that the cubic content of the structure existing at the date it becomes~~  
1040 ~~nonconforming shall not be increased. [Relocated to Sec. 3-B.9.b. Repairs and Maintenance]~~
- 1041 ~~(h) — Nonconforming Structures Unsafe Because of Lack of Maintenance. If a nonconforming structure~~  
1042 ~~or portion of a structure or any structure containing a nonconforming use becomes physically~~  
1043 ~~unsafe or unlawful due to the lack of repairs or maintenance, and is declared by the duly authorized~~  
1044 ~~official of Clay County to be unsafe or unlawful by reason of physical condition, it shall not thereafter~~  
1045 ~~be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is~~  
1046 ~~located. [Relocated to Sec. 3-B.9.c. Unsafe Non-Conforming Structures due to Lack of~~  
1047 ~~Maintenance]~~
- 1048 ~~(i) — Nonconforming Structures Unsafe for Reasons Other Than Lack of Maintenance. If a~~  
1049 ~~nonconforming structure or portion of a structure or any structure containing a nonconforming use~~  
1050 ~~becomes physically unsafe or unlawful for reasons other than lack of repairs or maintenance,~~  
1051 ~~nothing contained herein shall be deemed to prevent the strengthening or restoring to a safe~~  
1052 ~~condition of such building or part hereof declared to be unsafe by the authorized official of Clay~~  
1053 ~~County charged with protecting the public safety; provided, however, that where such unsafeness~~  
1054 ~~or unlawfulness is the result of damage from destruction, the percentage of damage limitations set~~  
1055 ~~forth in Paragraph (d)(2) or (e)(7) of this section as the case may be, shall apply. [Relocated to~~  
1056 ~~Sec. 3-B.9.d. Unsafe Non-Conforming Structures due to Other Reasons]~~

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# **ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part B Non-Conformities**

- 1057 (j) ~~Structures Conforming as to Use and Location. Where a structure is conforming as to location and~~  
1058 ~~use, nothing in these zoning regulations shall be deemed to prevent the strengthening or restoring~~  
1059 ~~to a safe condition of such structure or part hereof declared to be unsafe by the Chief Building~~  
1060 ~~Official of Clay County. [Deleted and replaced with Sec. 3-B.9. Repairs and Maintenance]~~  
1061 (k) ~~Casual, Temporary, or Illegal Use. The casual, temporary, or illegal use of land or structures, or~~  
1062 ~~land and structures in combination, shall not be sufficient to establish the existence of a~~  
1063 ~~nonconforming use or to create rights in the continuance of such use. [Relocated to Sec. 3-B.2.b.~~  
1064 ~~Applicability]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

Part C Table of Contents	
Section #	Section Title
<b>DIVISION 1</b>	<b>GENERAL</b>
3-C-1.1.	Purpose and Intent
<b>DIVISION 2</b>	<b>FUTURE LAND USE AND ZONING DISTRICT CONSISTENCY</b>
3-C-2.1.	Future Land Use and Zoning District Consistency Table
3-C-2.2.	Density and Intensity
3-C-2.2.a.	Purpose and Intent
3-C-2.2.b.	Additional Standards
3-C-2.2.c.	Calculating Density and Intensity
3-C-2.2.d.	Additional Density
3-C-2.2.e.	Residential Future Land Use and Zoning District Intensity Consistency Table
3-C-2.2.f.	Rural Residential FLU Category
3-C-2.2.g.	Rural Reserve FLU Category
3-C-2.2.h.	Rural Fringe, Urban Fringe, Urban Core (10) and Urban Core (16) FLU Category
3-C-2.2.i.	Non-Residential Future Land Use Intensity and Density Table
<b>DIVISION 3</b>	<b>INTENSITY BONUS PROGRAMS</b>
3-C-3.1.	Purpose and Intent
3-C-3.2.a.	Intent
3-C-3.2.b.	Clustering Development Standards
3-C-3.2.c.	Cluster Development Characteristics
3-C-3.2.d.	Density
3-C-3.2.	Clustering Development
3-C-3.2.a.	Intent
3-C-3.2.b.	Clustering Development Standards
3-C-3.2.c.	Cluster Development Characteristics
3-C-3.2.d.	Density
3-C-3.3.	Points System
3-C-3.3.a.	Points Criteria
3-C-3.3.b.	Water and Sewer Service
3-C-3.4.	Infill Traditional Neighborhood Development
3-C-3.5.	Transfer of Development Rights
3-C-3.5.a.	Purpose and Intent
3-C-3.5.b.	Transfer Density/Intensity Rating System

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3-C-3.5.c.	Computation of Development Rights
3-C-3.5.d.	Sending Site Base Density/Intensity
3-C-3.5.e.	Conversion Ratio
3-C-3.5.f.	Multiple Sending Sites
3-C-3.5.g.	TDR Certificate Letter of Intent
3-C-3.5.h.	TDR Receiving Sites
3-C-3.5.i.	Documentation of Approved TDRs
3-C-3.6.	Branan Field Intensity Bonus
3-C-3.6.a.	Purpose and Intent
3-C-3.6.b.	Additional Density
3-C-3.6.c.	Additional Density that exceeds 1.5 Units per 2 Net Acres
3-C-3.6.d.	Density Increase from Transfer of Wetlands
3-C-3.6.e.	Complementary Use Bonus Density
3-C-3.6.f.	BF PCN and Open Space Set-Aside Bonus Intensity
3-C-3.6.g.	Additional 25 Percent or 100 Units
3-C-3.6.h.	Central Water and Sewer
3-C-3.7.	Lake Asbury Intensity Bonus
3-C-3.7.a.	Wetland-Upland Buffers
3-C-3.7.b.	Upland Preservation
<b>DIVISION 4</b>	<b>HEIRS EXEMPTION AND HOMESTEAD SUBDIVISION</b>
<b>3-C-4.1.</b>	Heirs Exemptions
3-C-4.1.a.	Eligibility
3-C-4.1.b.	FLU
3-C-4.1.c.	Lot Dimensions
3-C-4.1.d.	Non-Conforming Lots
3-C-4.1.e.	Access
3-C-4.1.f.	Ownership and Title of the Property
3-C-4.1.g.	Types of Transfer
3-C-4.1.h.	Application
3-C-4.1.i.	Approval of Application

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

Part C Summary of Amendments	
Section	Description
<b>DIVISION 1 GENERAL</b>	
Purpose and Intent	Removed current text from Sec. 3-8 Comprehensive Plan Land Use Categories, and modified the purpose and intent to reflect the new structure and contents of this Part C.
Future Land Use Categories	Drafted a new general paragraph to establish the FLU tier organization ranging from low to high intensity. Proposed to consolidate the term “density” with intensity since most of the residential intensity is allowed in Non-Residential districts. Created a new definition for intensity for the purpose of Article 3. For intensity purpose, the term “acre” means gross acre, and only the term “net acre” is identified.
Residential Future Land Use Categories	Added a table to organize the Residential FLU, each tier in order from low and high intensity, and acronyms consistent with the comprehensive plan.
Non-Residential Future Land Use Categories	Referenced the Comprehensive Plan for detailed FLU descriptions and standards, listed all Non-Residential FLU categories.
<b>DIVISION 2 FUTURE LAND USE AND ZONING DISTRICT CONSISTENCY</b>	
Future Land Use and Zoning District Consistency Table	Tabularize Sec. 3-9 Zoning District and Land Use Categories Consistency to provide a more comprehensive overview of the FLU and zoning districts correlation.
Intensity	Added new references to Part D Zoning Districts and Development Standards and Part E Use Types and Supplementary Standards, added an example of how to calculate intensity.
Residential Future Land Use and Zoning District Intensity Consistency Table	Relocated all Residential FLU intensity requirements from existing Sec. 3-8 and 3-10 and provided a comprehensive table to show the intensity consistency.
Non-Residential Future Land Use and Zoning District Intensity Consistency Table	Relocated all Non-Residential FLU intensity requirements from existing Sec. 3-8 and 3-10 and provided a comprehensive table to show the intensity consistency.
<b>DIVISION 3 DENSITY BONUS PROGRAMS</b>	

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

Purpose and Intent	Establish a purpose and intent for the various programs permitted in the County to increase the intensity above the allowable maximums.
Clustering Development	Tabularized existing lot requirements for clustering development. Change the current Code text to clarify that under the clustering development pattern, the intensity calculation should be based on the gross acreage of the subject property. The idea of clustering is to preserve existing upland and environmental sensitive areas within the subject property and allow the increase of intensity concentrated in the development area resulting an incentive of an increase in the number of dwelling units.
Points System	Tabularized existing points criteria and requirements.
Infill TND Development	Established a purpose and intent for the infill TND zoning district with a focus on efficient pedestrian circulation, a mixture of Residential and Non-Residential uses permitted in the Urban Core and Urban Fringe FLU categories. Proposed a required mix of land uses within the TND zoning district and minimum lot size.
Transfer of Development Rights (TDR)	Minor formatting changes.
<b>DIVISION 4 HEIRS EXEMPTION AND HOMESTEAD SUBDIVISION</b>	
Heirs Exemptions	Minor formatting changes, Updated references per the proposed Code. Introduced subsection headings to allow easier reading of the requirements.
Subdivision of Homestead Property	Updated references per the proposed Code. Clarify that the current Code text is about process of subdividing those properties that are subject to Homestead Exemption.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

1065

### **DIVISION 1 GENERAL**

1066

#### **Sec. 3-C-1.1. Purpose and Intent**

1067

The purpose of this Article is to:

1068

(1) implement the goals, objectives, and policies of the 2040 Comprehensive Plan;

1069

(2) establish density and intensity and intensity standards to regulate developments within each applicable FLU category;

1070

1071

(3) classify zoning districts to ensure consistency with the affiliated FLU categories as shown in Sec. 3-C-2.1. Future Land Use and Zoning District Consistency Table;

1072

1073

(5) encourage the increase of housing opportunities by utilizing the intensity bonus programs; and

1074

(6) promote a clustering development pattern in the Agricultural Residential and Rural Reserve FLU categories by limiting the developable area and maximizing open space within the development.

1075

1076

### **DIVISION 2 FUTURE LAND USE AND ZONING DISTRICT CONSISTENCY**

1077

1078

#### **Sec. 3-C-2.1. Future Land Use and Zoning District Consistency Table**

1079

The zoning district of a lot shall be consistent with its designated Future Land Use (FLU) category. All requests for a development order shall be in a zoning district that corresponds to the following FLU categories:

1080

1081

<u>Zoning Districts</u>	<u>Future Land Use Categories</u>																
	<u>Agriculture (AG)</u>	<u>Agricultural/ Residential (AR)</u>	<u>Rural Residential (RR)</u>	<u>Rural Reserve (RRSV)</u>	<u>Rural Fringe (RF)</u>	<u>Urban Fringe (UF)</u>	<u>Urban Core (10) (UC-10)</u>	<u>Urban Core (16) (UC-16)</u>	<u>Commercial (COM)</u>	<u>Industrial (IND)</u>	<u>Recreation/Preservation (RP)</u>	<u>Mining (MIN)</u>	<u>Planned Community (PC)</u>	<u>Conservation (CO)</u>	<u>Mixed Use (MIX)</u>	<u>Business Park</u>	<u>Industrial Park (IP)</u>
<u>Agricultural (AG)</u>	✓	✓	✓								✓	✓					
<u>Agricultural Residential (AR)</u>	✓	✓	✓		✓	✓	✓										

**Notes/Legend:**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>Country Estate (AR-1)</u>		<u>✓</u>	<u>✓</u>		<u>✓</u>														
<u>Rural Estates District (AR-2)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>														
<u>Single-Family Residential District (RA)</u>					<u>✓</u>	<u>✓</u>	<u>✓</u>												
<u>Single-Family Residential (RB)</u>					<u>✓</u>	<u>✓</u>	<u>✓</u>												
<u>Two- or Three- Unit Residential (RC)</u>					<u>✓</u>	<u>✓</u>	<u>✓</u>												
<u>Multi-Family Residential (RD)</u>						<u>✓</u> 1	<u>✓</u> 2	<u>✓</u> 3											
<u>Single-Family Residential (RE)</u>			<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>												
<u>Residential Mobile Home Park (RMHP)</u>						<u>✓</u>	<u>✓</u>												
<u>Neighborhood Business (BA)</u>									<u>✓</u>										
<u>Light Neighborhood Business (BA-1)</u>									<u>✓</u>										
<u>Commercial and Professional Office (BA-2)</u>									<u>✓</u>										
<u>Intermediate Business (BB)</u>									<u>✓</u>										
<u>Light Intermediate Business (BB-1)</u>									<u>✓</u>										
<u>Community Business (BB-2)</u>									<u>✓</u>										
<u>Specialty Business (BB-3)</u>									<u>✓</u>										
<u>Heavy Business District (BB-4)</u>									<u>✓</u>										
<u>Commercial Recreation (BB-5)</u>									<u>✓</u>										
<u>Shopping Center (BSC)</u>									<u>✓</u>										
<u>Industrial Select (IS)</u>										<u>✓</u>									<u>✓</u>
<u>Light Industrial (IA)</u>										<u>✓</u>									<u>✓</u>
<u>Heavy Industrial (IB)</u>										<u>✓</u>									<u>✓</u>
<u>Business Park (BP)</u>										<u>✓</u>								<u>✓</u>	<u>✓</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>Planned Commercial Development (PCD)</u>									<u>✓</u>									
<u>Planned Industrial Development (PID)</u>										<u>✓</u>							<u>✓</u>	<u>✓</u>
<u>Planned Unit Development (PUD)</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>			<u>✓</u>		<u>✓</u>		<u>✓</u>	
<u>Conservation Overlay (CO)</u>													<u>✓</u>					
<u>Public Ownership (PO-1)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Public Ownership (PO-2)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>						<u>✓</u>	
<u>Public Ownership (PO-3)</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Public Ownership (PO-4)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>						<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Private Services (PS-1)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Private Services (PS-2)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Private Services (PS-3)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Private Services (PS-4)</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>		<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Private Services (PS-5)</u>					<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>							<u>✓</u>	
<u>Excavation (EX)</u>													<u>✓</u>					
<u>Incinerators (IN)</u>																		
<u>Footnotes:</u>																		
<u>1</u>	<u>In the UF FLU category, RD-1 (up to 4 units per acre).</u>																	
<u>2</u>	<u>In In UC(10) FLU category, RD-2 (up to 6 units per acre); RD-3 (up to 10 units per acre with points); and RD-4 (up to 16 units per acre with points)</u>																	
<u>3</u>	<u>In UC(16) FLU category, RD-4 (up to 16 units per acre).</u>																	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<b>Zoning District</b>	<b>Master Planned Communities - Future Land Use Categories</b>														
	<b>Branan Field (BF)</b>							<b>Lake Asbury (LAMP)</b>							
	<u>Rural Suburbs (BF RS)</u>	<u>Master Planned Community (BF MPC)</u>	<u>Primary Conservation Network (BF PCN)</u>	<u>Rural Activity Center (BF RAC)</u>	<u>BF Community Center (BF CC)</u>	<u>BF Activity Center (BF AC)</u>	<u>BF Rural Neighborhood Center (BF RNC)</u>	<u>LA Master Planned Community (LA MPC)</u>	<u>LA Rural Reserve (LA RRSV)</u>	<u>LA Rural Community (LA RC)</u>	<u>LA Rural Fringe (LA RF)</u>	<u>LA Activity Center (LA AC)</u>	<u>LA Village Center (LA VC)</u>	<u>LA Interchange Village Center (LA VC)</u>	<u>LA Greenway (LA GW)</u>
<u>Rural Suburbs (BF RS)</u>	✓														
<u>BF Master Planned Community (BF MPC)</u>		✓													
<u>Neighborhood Center Zone</u>		✓													
<u>Village Zone</u>		✓													
<u>Suburban Zone</u>		✓													
<u>BF Primary Conservation Network (BF PCN)</u>			✓												
<u>BF Rural Activity Center (BF RAC)</u>				✓											
<u>BF Community Center (BF CC)</u>					✓										
<u>BF Activity Center (BF AC)</u>						✓									
<u>BF Rural Neighborhood Center (BF RNC)</u>							✓								
<u>LA Master Planned Community (LA MPC)</u>								✓							
<u>LA Rural Reserve (LA RRSV)</u>									✓						
<u>LA Rural Community (LA RC)</u>										✓					
<u>LA Rural Fringe (LA RF)</u>											✓				
<u>LA Activity Center (LA AC)</u>												✓			

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 1101 (2) Net Acreage Example:  
 1102 Residential Net Acreage Example. If a 200-acre parcel of land has a FLU category of Rural Fringe  
 1103 and an Agricultural Zoning District, the Residential density of the parcel is 1 dwelling unit per 20  
 1104 gross acres. This parcel also has an on-site 28 acres of environmental significant land that requires  
 1105 preservation, the total acreage of the preservation land shall be reduced from the site's gross acres  
 1106 for calculation of maximum density would be as follows:  
 1107 200 acres minus 28 acres divided by 20 acres x 1 = maximum 8 units

$\frac{200 \text{ acres (gross acreage)} - 28 \text{ acres (preservation land)}}{20 \text{ acres (density)}} = X \text{ Maximum } 8$
--

- 1108 (3) Non-Residential Gross Acreage Example. If a parcel of land has a FLU category of Business  
 1109 Shopping Center (BSC) and a Shopping Center zoning district, the Non-Residential intensity of the  
 1110 parcel is 40 percent per gross acre.  
 1111 If the parcel has a gross acreage of 50 acres, then the maximum intensity of said parcel would be  
 1112 as follows:

$25 \text{ acres (1,089,000 square feet)} \times 40 \text{ percent} = \text{Maximum } 435,600 \text{ square feet}$
--

1113 **3-C-2.2.d. Maximum Density**

1114 *In no instance shall the maximum density specified for a given zoning district be exceeded in the approval*  
 1115 *of any site plan. Maximum density shall be expressed in number of dwelling units per gross residential*  
 1116 *acre. In the determination of the maximum number of units to be allowed on a parcel, the permitted number*  
 1117 *shall be made proportional to any fraction of an acre(s) that is a part of the parcel, less that portion of the*  
 1118 *parcel that meets the definition for conservation land use, which shall have a maximum density of 1 unit*  
 1119 *per 100 acres. [Relocated from Sec. 3-7.(a) Maximum Density]*

1120 **3-C-2.2.e. Additional Density**

1121 Additional density may be granted by the County under the Density Bonus Programs, refer to Part C,  
 1122 Division 3.

1123 **3-C-2.2.f. Residential Future Land Use Density Table**

- 1124 (1) All request for a development order shall comply with the density listed under the following Table.  
 1125 Additional density may be requested, subject to the standards under each Density Bonus Program:

<u>FLU Category</u>	<u>Base Density</u>	<u>Clustering and Points</u>	<u>With Central Water and Sewer</u>	<u>Without Central Water and Sewer</u>	<u>Housing Element <sup>5</sup></u>	<u>TND <sup>6</sup></u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<i>Agricultural (AG)</i>	1 unit per 20 gross acres <sup>1</sup>	=	=	=	=	=
<i>Agricultural/ Residential (AR)</i>	1 unit per 10 gross acres <sup>2</sup>	1 unit per 5 gross acres <sup>2</sup>	=	=	=	=
<i>Rural Residential (RR)</i>	1 unit per 5 net acres	1 unit per net acre <sup>3</sup>	=	=	=	=
<i>Rural Reserve (RRSV)</i>	1.5 units per gross acre <sup>4</sup>	=	=	=	=	=
<i>Rural Fringe (RF)</i>	1 unit per net acre	=	3 units per net acre <u>subject to Points</u>	2 units per net acre <u>subject to Points</u>	7 units per net acre <sup>5</sup>	=
<i>Urban Fringe (UF)</i>	=	=	4 units per net acre	2 units per net acre	14 units per net acre <sup>5</sup>	10 units per net acre <sup>6</sup>
<i>Urban Core (10) (UC/10)</i>	2 units per net acre	=	=	=	16 units per net acre <sup>5</sup>	15 units per net acre <sup>6</sup>
<i>Urban Core (16) (UC/16)</i>	=	=	16 units per net acre <u>subject to Points</u>	=	20 units per net acre <sup>5</sup>	=
<i>Independent Community Overlay (ICO)</i>						

**Footnotes:**

<u>1</u>	<i>The total number of permits for <u>Single-Family</u> dwelling units shall not exceed 50 per calendar year within the <u>AG FLU</u> category. <b>[Relocated from Sec. 3-10.(b)(1)]</b></i>
<u>2</u>	<i>The total number of permits for <u>Single-Family</u> dwelling units shall not exceed 250 per calendar year within the <u>AR FLU</u> category. <b>[Relocated from Sec. 3-10.(b)(2)]</b></i>
<u>3</u>	<u>Refer to Sec. 3-C-2.2.g. below.</u>
<u>4</u>	<u>Refer to Sec. 3-C-2.2.h. below.</u>
<u>5</u>	<u>Refer to Sec. 3-C-2.2.i. below.</u>
<u>6</u>	<u>Subject to criteria in Sec. 3-C-3.5. Traditional Neighborhood Development (TND).</u>

1126 **[Relocated from Sec. 3-10.(b)(1) to (8)]**

1127 **3-C-2.2.g. Rural Residential FLU Category**

1128 *Within the RR FLU category, developments meeting the following criteria are authorized to subdivide*  
 1129 *parcels into tracts of no less than 5 acres. Property owners are further authorized to construct 1 Single*  
 1130 *Family home on each 5-acre parcel and to receive a building permit upon proper application therefor,*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

1131 without regard to the density restrictions otherwise applicable to such properties as set forth herein and  
1132 the Comprehensive Plan, and without being required to record a plat or otherwise comply with the  
1133 development standards set forth in the subdivision regulations.

- 1134 (1) The parcels must lie within a Residential Aviation Community.  
1135 (2) The geographical boundary of the community must contain less than 100 parcels.  
1136 (3) At least 75 percent of the parcels must be five acres in size or less.  
1137 (4) All roads providing access to the newly created residential parcels must be paved and privately  
1138 owned and maintained.  
1139 (5) The total potential number of newly created parcels must not exceed 20 percent of the total number  
1140 of parcels within the community. **[Relocated from Sec. 3-10.(b)(3) Rural Residential]**

### **3-C-2.2.h. Rural Reserve FLU Category**

1142 Vegetated perimeter buffers that include preserved or planted vegetation and provide an effective visual  
1143 screen (at least 85 percent opacity within 3 years) shall be required at a minimum width of 50 feet. The  
1144 perimeter buffer is calculated at 2.5 percent of the average lot width and depth. Perimeter buffers would  
1145 also apply along roadways.

1146 (1) In calculating the average parcel width or depth, the length of either the width or depth may be  
1147 reduced if wetlands with the following characteristics cross the perimeter:

- 1148 (a) Wetland shall be a vegetated wetland or preserve area that will not be developed.  
1149 (b) Wetland or preserve area shall have a depth of at least 50 feet measured at the property  
1150 line.  
1151 (c) The Rural Reserve FLU category may include up to 25 percent of the developed dwelling  
1152 units as Multi-Family units.  
1153 (d) At least 35 percent of a parcel shall be preserved as permanent open space. This may  
1154 include perimeter buffers, wetlands, wetland-upland buffers, parks, and other open space  
1155 (not including retention ponds). At least 5 percent of a development parcel shall be used  
1156 as active recreation open space. **[Relocated from Sec. 3-10.(b)(4) Rural Reserve]**  
1157 ~~(e) Rural Fringe: at a maximum density of three (3) units per net acre with central water and~~  
1158 ~~sewer, subject to the requirements stipulated in Sec. 20.3-10 (d) below; a maximum density~~  
1159 ~~of two (2) units per net acre without central water and sewer, subject to the requirements~~  
1160 ~~stipulated in Sec. 20.3-10 (d) below; or a maximum of one (1) unit per net acre, not subject~~  
1161 ~~to said requirements. Densities up to seven (7) units per net acre are permitted subject to~~  
1162 ~~the criteria pertaining to low and moderate income or elderly or handicapped housing~~  
1163 ~~specified in Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County~~  
1164 ~~Comprehensive Plan. **[[Relocated and consolidated under Sec. 3-C-2.2.e. Residential**~~  
1165 ~~**Future Land Use Density Table]**~~

### **3-C-2.2.i. Rural Fringe, Urban Fringe, Urban Core (10) and Urban Core (16) FLU Category**

1167 *Subject to criteria pertaining to low and moderate income or elderly or handicapped housing specified in Policies 1.3.6*  
1168 *and 1.3.7 of the Housing Element of the Clay County Comprehensive Plan. **[Relocated from Sec. 3-10.(b)(5)]***

### **3-C-2.2.j. Non-Residential Future Land Use Intensity and Density Table**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

1170 All requests for a development order shall comply with the base intensity and density listed under the  
 1171 following table:

<u>FLU Category</u>	<u>Base Intensity (FAR)</u>	<u>Base Density</u>
Commercial <u>(COM)</u>	40 percent	1 unit per 1,000 <u>Commercial</u> square feet if part of a <u>Mixed-Use</u> development
Mixed Use <u>(MU)</u>	25 percent	16 units per net acre <sup>1</sup>
Industrial <u>(IND)</u>	50 percent	-
Industrial <u>Park</u>	35 percent <sup>2</sup>	-
Conservation <u>(CON)</u>	<u>Not permitted</u>	1 unit per 100 gross acres
Recreation	20 percent	-
Planned Community	<u>Refer to Footnote 3</u>	-
<u>Footnotes:</u>		
<u>1</u>	<u>A mix of minimum of 2 uses, one of which must be Residential with a maximum density of 16 units per net acre and the other which must be Non-Residential (office retail or service) with a maximum FAR of 25 percent. [Relocated from Sec. 3-10.(b)(10)]</u>	
<u>2</u>	<u>Supporting uses shall not consume land uses greater than 10 percent of the developed portion of the Industrial Park. [Relocated from Sec. 3-10.(b)(12)]</u>	
<u>3</u>	<u>See Sec. 1-15.(19) for definition of Planned Community. Density and Intensity of each development is assigned at the approval of the development.</u> <u>Developments authorized under Chapter 380, F. S. the densities and intensities within the areas shown as Planned Communities shall be as stated in the current, valid, unexpired development order of each Development or Regional Impact or through an approved master plan for developments not subject to the provisions of Chapter 380. [Relocated from Sec. 3-10.(b)(15)]</u>	

1172 **[Relocated from Sec. 3-10.(b)(9) to (15)]**

1173 **~~Sec. 3-7. ESTABLISHMENT OF SIZE AND DIMENSION CRITERIA~~**

1174 ~~In order to carry out the intent of this Article, size and dimension criteria for particular zoning districts are~~  
 1175 ~~hereby established. Such size and dimension criteria shall be applied in accordance with this section and~~  
 1176 ~~other applicable provisions of this Article. The minimum area, yards and other open spaces, including the~~  
 1177 ~~intensity of use provisions contained in this Article for each and every building hereafter erected,~~  
 1178 ~~constructed or structurally altered, shall not be encroached upon or considered as area, yard or open space~~  
 1179 ~~requirements or intensity of use requirements for any other building. Variances from these provisions,~~  
 1180 ~~excluding the maximum density limitations, may be granted by the Board of Adjustment, provided such~~  
 1181 ~~variances are consistent with the Clay County Comprehensive Plan.~~

1182 **[Deleted, as the prohibition of encroachment in parking areas, landscape areas/buffers...etc.**  
 1183 **should be specified in other Articles or Sections]**

1184 ~~(a) **Maximum Density.** In no instance shall the maximum density specified for a given zoning district~~  
 1185 ~~be exceeded in the approval of any site plan. Maximum density shall be expressed in number of~~  
 1186 ~~dwelling units per gross residential acre. In the determination of the maximum number of units to~~  
 1187 ~~be allowed on a parcel, the permitted number shall be made proportional to any fraction of an~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

1188 *acre(s) that is a part of the parcel, less that portion of the parcel that meets the definition for*  
1189 *conservation land use, which shall have a maximum density of one (1) unit per one hundred (100)*  
1190 *acres.*—[Relocated to Sec. 3-C-2.2.d. Maximum Density]

1191 **Sec. 3-8. COMPREHENSIVE LAND USE CATEGORIES** [Deleted and replaced with Sec. 3-C-1.1.  
1192 **Purpose and Intent]**

1193 *It is the intent of this article that all development and redevelopment activity in the unincorporated area of*  
1194 *Clay County be consistent with the Clay County Comprehensive Plan. The following land use categories*  
1195 *have been adopted by the county as part of the Comprehensive Plan:* [Deleted and replaced with Sec.

1196 **3-C-1.1. Purpose and Intent]**

1197 ~~(a) Residential Land Use Categories. There are seven residential land use categories. The intent of~~  
1198 ~~the categories is described below. [Deleted]~~

1199 ~~(1) Urban Core (16) Residential Land Use Category. This category is intended for land within~~  
1200 ~~the core of the urban service area and accessible to employment centers. This category is~~  
1201 ~~characterized by high density multifamily housing. [Removed due to repetition with the~~  
1202 ~~Comprehensive Plan FLU descriptions]~~

1203 ~~(2) Urban Core (10) Residential Land Use Category. This category is intended for land within~~  
1204 ~~the core of the urban service area and accessible to employment centers. This category is~~  
1205 ~~characterized by medium to high density housing, single family and multifamily. [Removed~~  
1206 ~~due to repetition with the Comprehensive Plan FLU descriptions]~~

1207 ~~(3) Urban Fringe Residential Land Use Category. This category is reserved for land within the~~  
1208 ~~existing urban service area and located in the immediate expansion area where extension~~  
1209 ~~of public services can be easily provided. This category is generally characterized by~~  
1210 ~~medium density single family detached housing units. [Removed due to repetition with~~  
1211 ~~the Comprehensive Plan FLU descriptions, and are replaced with new description~~  
1212 ~~in each zoning district in Part D]~~

1213 ~~(4) Rural Fringe Residential Land Use Category. This category is reserved for land within the~~  
1214 ~~existing urban service area and located in the secondary expansion area for public~~  
1215 ~~services. This category is generally characterized by medium density single family~~  
1216 ~~detached housing units. [Removed due to repetition with the Comprehensive Plan FLU~~  
1217 ~~descriptions, and are replaced with new description in each zoning district in Part~~  
1218 ~~D]~~

1219 ~~(5) Rural Residential Land Use Category. These areas will serve as a transition between the~~  
1220 ~~planned urban service areas, agriculture/residential areas, and environmentally sensitive~~  
1221 ~~areas. Located outside the urban service area, new growth in these areas would not be~~  
1222 ~~served by central sewer or water systems. Rural residential areas provide a low density~~  
1223 ~~residential character. [Removed due to repetition with the Comprehensive Plan FLU~~  
1224 ~~descriptions, and are replaced with new description in each zoning district in Part~~  
1225 ~~D]~~

1226 ~~These areas recognize a number of existing and future development factors. These include~~  
1227 ~~areas with soil conditions suitable for individual wells and septic systems; existing rural~~  
1228 ~~subdivisions with little or no infrastructure improvements, including unpaved roads; small~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 1229 ~~farms; or recreational and low intensity institutional uses.~~ **[Removed due to repetition**  
1230 **with the Comprehensive Plan FLU descriptions, and are replaced with new**  
1231 **description in each zoning district in Part D]**
- 1232 ~~(6) Agriculture/Residential Land Use Category. This category allows a final transition between~~  
1233 ~~suburban residential densities and major agricultural and silvicultural activities. The very~~  
1234 ~~low density of one dwelling unit per five (5) or ten (10) gross acres allows individual family~~  
1235 ~~agricultural operations.~~ **[Relocated and consolidated under Description of AR Zoning**  
1236 **District in Part D] This designation accommodates the existing rural pattern of residential**  
1237 ~~use that has adequate access and is suitable for continued low density development.~~  
1238 **[Removed due to repetition with the Comprehensive Plan FLU descriptions, and are**  
1239 **replaced with new description in AR zoning districts in Part D]**
- 1240 ~~(7) Rural Reserve Land Use Category. This category functions as a transition between~~  
1241 ~~suburban and rural densities and is intended for application to lands that are located near~~  
1242 ~~existing development of both rural and suburban densities.~~ **[Removed due to repetition**  
1243 **with the Comprehensive Plan FLU descriptions, and are replaced with new**  
1244 **description of each zoning district in Part D] adjacent to suburban developments that**  
1245 ~~may be served by central water and sewer and that are served by paved roads as well as~~  
1246 ~~near the older, existing development within the county that exhibit more rural character~~  
1247 ~~with densities of less than 1 unit per 2 acres and which may not be served by paved roads.~~  
1248 ~~The maximum residential density permitted is 1.5 dwelling units per gross acre.~~  
1249 **[Relocated and consolidated under those districts that are consistent with RR FLU]**
- 1250 ~~(b) Commercial Land Use Category. This accommodates the full range of sales, service, and office~~  
1251 ~~activities. These uses may occur in self-contained shopping centers, free standing structures,~~  
1252 ~~campus-like business parks, central business districts, or along arterial highways. The specific~~  
1253 ~~intensity and range of uses in this category will depend on locational factors, particularly~~  
1254 ~~compatibility with adjacent uses, availability of highway capacity, ease of access, and availability~~  
1255 ~~of other public services and facilities. Uses should be located to protect adjacent residential uses~~  
1256 ~~from such impacts as noise or traffic. In wellfield protection areas, uses must be prohibited that~~  
1257 ~~involve the use, handling, storage, generation or disposal of hazardous waste, or toxic material.~~  
1258 ~~Commercial development in newly developing areas is designated in nodes at major thoroughfare~~  
1259 ~~intersections.~~ **[Removed due to repetition with the Comprehensive Plan FLU descriptions,**  
1260 **and are replaced with new description of each commercial/business zoning district in Part**  
1261 **D]**
- 1262 ~~(c) Industrial Land Use Category. This category accommodates the full range of industrial activities.~~  
1263 ~~The specific range and intensity for uses appropriate in a particular industrial area varies by location~~  
1264 ~~as a function of the availability of public services and access, and compatibility with surrounding~~  
1265 ~~uses.~~ **[Removed due to repetition with the Comprehensive Plan FLU descriptions, and are**  
1266 **replaced with new description of each Industrial zoning district in Part D]**
- 1267 ~~(d) Mining Land Use Category. Areas in this category are intended for mining and quarrying of~~  
1268 ~~significant mineral resources over the course of the planning period. These areas have been~~  
1269 ~~designated based on existing mining operations, planned expansion of existing mining activities,~~  
1270 ~~and the compatibility of these areas with surrounding uses.~~ **[Removed due to repetition with the**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 1271 Comprehensive Plan FLU descriptions, and are replaced with new description of the  
1272 Excavation Zoning District]
- 1273 ~~(e) — Agriculture Land Use Category. This category is intended for those areas of the County designated  
1274 as appropriate locations for agricultural pursuits including crop production, pasture land for grazing  
1275 cattle and horse farming, timber production, and cover crops for soil regeneration. Agricultural lands  
1276 account for an important segment of the Clay County economy and play a vital role in the  
1277 conservation of the County's natural resources. [Removed due to repetition with the  
1278 Comprehensive Plan FLU descriptions, and are replaced with new description of the AG  
1279 Zoning District]~~
- 1280 ~~These uses are generally characterized by being situated in areas removed from urban services,  
1281 having very sparse densities and exhibiting a rural character. The Plan recognizes the value of  
1282 these lands for agricultural and silvicultural activities, at both a small and large scale, and, therefore,  
1283 recognizes their potential suitability for limited residential development at a density of one unit per  
1284 twenty gross acres. [Relocated and consolidated under those zoning districts that are  
1285 consistent with the AG FLU]~~
- 1286 ~~(f) — Conservation Land Use Category. The conservation areas are lands that will provide for the  
1287 conservation and protection of Clay County's natural resources in order to prevent any degradation  
1288 to the major natural resources. These areas include most creek, stream or river banks, major  
1289 drainage ways, major wetlands, poor soils, FEMA defined floodways. [Removed due to repetition  
1290 with the Comprehensive Plan FLU descriptions, and are replaced with new description  
1291 under those districts that are consistent with the CON FLU]~~
- 1292 ~~(g) — Recreation/Preservation Land Use Category. All lands within the recreation/preservation category  
1293 are owned by public or quasi-public entities. The lands are held for use as non-profit public  
1294 recreation, open space and natural resource protection. [Removed due to repetition with the  
1295 Comprehensive Plan FLU descriptions, and are replaced with new description under those  
1296 zoning districts that are consistent with the REC/PRE FLU]~~
- 1297 ~~(h) — Planned Community. All lands within the planned community category are large mixed-use  
1298 developments approved pursuant to Chapter 380, F.S. [Removed due to repetition with the  
1299 Comprehensive Plan FLU descriptions]~~
- 1300 ~~(i) — Mixed Use Land Use Category. This land use category is intended to promote mixed use  
1301 development designed to be compact and pedestrian-oriented, as an alternative to lower density,  
1302 single-use developments that promote excessive vehicular trips. [Removed due to repetition with  
1303 the Comprehensive Plan FLU descriptions] The residential density in the Mixed Use Land Use  
1304 category is 15 units per acre. Non-residential uses are required to be provided at a minimum rate  
1305 of 250 square feet per approved residential unit and a maximum rate of 750 square feet per  
1306 approved residential unit. Non-residential intensity is limited to 0.25 FAR. [Relocated and  
1307 consolidated under density/intensity of each zoning district that is consistent with the MU  
1308 FLU]~~
- 1309 ~~(j) — Business Park Land Use Category. The Business Park land use designation is intended for  
1310 locations that are not feasible for some light or heavy industrial development because of proximity  
1311 to residential areas. The land use is intended for light industrial developments that utilize high  
1312 quality site planning architecture, signage and landscape design to create an attractive and unified~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

1313 ~~development character.~~ [Removed due to repetition with the Comprehensive Plan FLU  
1314 ~~descriptions]~~  
1315 ~~Development occurring in this designation will be limited to a maximum gross floor area ratio (FAR)~~  
1316 ~~of 0.20. Project phasing shall be concurrent with the availability of public facilities. Development in~~  
1317 ~~the Business Park designation will require either BP or PUD zoning, and will be subject to the site~~  
1318 ~~plan requirements and performance standards established by the BP zoning district. [Relocated~~  
1319 ~~and consolidated under the BP zoning district]~~  
1320 (k) ~~Industrial Park Land Use Category. The Industrial Park land use designation accommodates major~~  
1321 ~~industrial activities and supporting commercial and/or office uses. The supporting uses shall be~~  
1322 ~~subordinate to and incidental to serve the industrial population and capture its internal trip~~  
1323 ~~circulation. [Removed due to repetition with the Comprehensive Plan FLU descriptions] The~~  
1324 ~~supporting uses shall not consume land areas greater than 10% of developed portion of the~~  
1325 ~~industrial park. [Relocated and consolidated under those zoning districts that are consistent~~  
1326 ~~with the IND Park FLU] Industrial parks shall be located close to transport facilities, especially~~  
1327 ~~where more than one transport modalities coincide; major thoroughfares (designated major~~  
1328 ~~collector or better), railroads, airports, and/or navigable rivers. [Removed due to repetition with~~  
1329 ~~the Comprehensive Plan FLU descriptions]~~

### 1330 **Sec. 3-10. DENSITIES AND INTENSITIES OF USE**

1331 (a) ~~The county shall apply the following standards of intensity and density of use to development within~~  
1332 ~~each applicable land use category. These density standards shall be applied in addition to the use~~  
1333 ~~and lot size restrictions stipulated in each zoning district in subsequent sections of this article. In~~  
1334 ~~order to comply with this article, development must comply with the overall density standards, as~~  
1335 ~~well as the more specific zoning restrictions. Both the density and the zoning restrictions implement~~  
1336 ~~the Clay County Comprehensive Plan. [Deleted and replaced with Sec. 3-C-2.2. Density and~~  
1337 ~~Intensity]~~

### 1338 **Sec. 3-10.(b)**

1339 (b) ~~The County shall review all proposed development activity for consistency with the following~~  
1340 ~~densities and intensities of use, listed by land use category:~~  
1341 (1) ~~Agriculture: at a maximum density of one (1) unit per twenty (20) gross acres. In addition,~~  
1342 ~~the total number of permits for single family dwelling units shall not exceed a maximum of~~  
1343 ~~50 per calendar year within the Agriculture land use category. [Relocated to Sec. 3-C-~~  
1344 ~~2.2.f. Residential FLU Density Table]~~  
1345 (2) ~~Agriculture/Residential: at a maximum density of one (1) unit per five (5) gross acres,~~  
1346 ~~subject to the applicable requirements stipulated in Sec. 20.3-10 (c) and (d) below; or a~~  
1347 ~~maximum of one (1) unit per ten (10) gross acres, not subject to said requirements. In~~  
1348 ~~addition, the total number of permits for single family dwelling units shall not exceed a~~  
1349 ~~maximum of 250 per calendar year within the Agriculture/Residential land use category.~~  
1350 ~~[Relocated to Sec. 3-C-2.2.f. Residential FLU Density Table]~~  
1351 (3) ~~Rural Residential: at a maximum of one (1) unit per net acre, subject to the applicable~~  
1352 ~~requirements stipulated in Sec. 20.3.10 (c) and (d) below; or a maximum of one (1) unit~~  
1353 ~~per five (5) net acres, not subject to said requirements.[Relocated to Sec. 3-C-2.2.f.~~  
1354 ~~Residential FLU Density Table]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1355 ~~Within the Rural Residential land use designation, developments meeting the following~~  
1356 ~~criteria are authorized to subdivide parcels into tracts of no less than five acres. Property~~  
1357 ~~owners are further authorized to construct one single family home on each five acre parcel~~  
1358 ~~and to receive a building permit upon proper application therefor, without regard to the~~  
1359 ~~density restrictions otherwise applicable to such properties as set forth herein and in the~~  
1360 ~~Comprehensive Plan, and without being required to record a plat or otherwise comply with~~  
1361 ~~the development standards set forth in the subdivision regulations.~~  
1362 ~~(i) The parcels must lie within a Residential Aviation Community.~~  
1363 ~~(ii) The geographical boundary of the community must contain less than 100 parcels.~~  
1364 ~~(iii) At least 75 % of the parcels must be five acres in size or less.~~  
1365 ~~(iv) All roads providing access to the newly created residential parcels must be paved~~  
1366 ~~and privately owned and maintained.~~  
1367 ~~(v) The total potential number of newly created parcels must not exceed 20 % of the~~  
1368 ~~total number of parcels within the community. [Relocated to Sec. 3-C-2.2.g.~~  
1369 ~~Rural Residential FLU Category]~~  
1370 ~~(4) Rural Reserve: at a maximum of one and one half (1.5) units per gross acre. [Relocated~~  
1371 ~~to Sec. 3-C-2.2.j. Non-Residential FLU Intensity and Density Table] Vegetated~~  
1372 ~~perimeter buffers that include preserved or planted vegetation and provide an effective~~  
1373 ~~visual screen (at least 85% opacity within three years) are required at a minimum width of~~  
1374 ~~50 feet. The perimeter buffer is calculated at 2.5 percent of the average lot width and depth.~~  
1375 ~~Perimeter buffers would also apply along roadways.~~  
1376 ~~*In calculating the average parcel width or depth, the length of either the width or depth may*~~  
1377 ~~*be reduced if wetlands with the following characteristics cross the perimeter:*~~  
1378 ~~(i) Wetland must be a vegetated wetland or preserve area that will not be developed.~~  
1379 ~~(ii) Wetland or preserve area must have a depth of at least 50 feet measured at the~~  
1380 ~~property line.~~  
1381 ~~The Rural Reserve Land Use Category may include up to 25 percent of the developed~~  
1382 ~~dwelling units as multi-family units. At least 35percent of a parcel must be preserved as~~  
1383 ~~permanent open space. This may include perimeter buffers, wetlands, wetland-upland~~  
1384 ~~buffers, parks, and other open space (not including retention ponds). At least 5% of a~~  
1385 ~~development parcel must be used as active recreation open space.~~  
1386 ~~[Relocated to Sec. 3-C-2.2.h. Rural Reserve FLU Category]~~  
1387 ~~(5) Rural Fringe: at a maximum density of three (3) units per net acre with central water and~~  
1388 ~~sewer, subject to the requirements stipulated in Sec. 20.3-10 (d) below; a maximum density~~  
1389 ~~of two (2) units per net acre without central water and sewer, subject to the requirements~~  
1390 ~~stipulated in Sec. 20.3-10 (d) below; or a maximum of one (1) unit per net acre, not subject~~  
1391 ~~to said requirements. Densities up to seven (7) units per net acre are permitted subject to~~  
1392 ~~the criteria pertaining to low and moderate income or elderly or handicapped housing~~  
1393 ~~specified in Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County~~  
1394 ~~Comprehensive Plan. [Relocated to Sec. 3-C-2.2.f. Residential FLU Density Table and~~  
1395 ~~Sec. 3-C-2.2.i. Rural Fringe, Urban Fringe, Urban Core (10) and Urban Core (16) FLU~~  
1396 ~~Category]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1397 (6) ~~Urban Fringe: at a maximum density of four (4) units per net acre with central water and~~  
1398 ~~sewer or a maximum of two (2) units per net acre without central water and sewer.~~  
1399 ~~Densities up to ten (10) units per net acre are permitted for infill development meeting TND~~  
1400 ~~criteria. Densities up to seven (14) units per net acre are permitted subject to the criteria~~  
1401 ~~pertaining to low and moderate income or elderly or handicapped housing specified in~~  
1402 ~~Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County Comprehensive Plan.~~  
1403 ~~[Relocated to Sec. 3-C-2.2.f. Residential FLU Density Table and Sec. 3-C-2.2.i. Rural~~  
1404 ~~Fringe, Urban Fringe, Urban Core (10) and Urban Core (16) FLU Category]~~  
1405 (7) ~~Urban Core (10): at a minimum of two (2) units per net acre and a maximum density of ten~~  
1406 ~~(10) units per net acre. For densities greater than six (6) units per net acre, locational~~  
1407 ~~criteria stipulated in Sec. 20.3-10 (d) below must be met. Densities up to fifteen (15) units~~  
1408 ~~per net acre are permitted for infill development meeting TND criteria. Densities up to~~  
1409 ~~sixteen (16) units per net acre are permitted subject to the criteria pertaining to low and~~  
1410 ~~moderate income or elderly or handicapped housing specified in Policies 1.3.6 and 1.3.7~~  
1411 ~~of the Housing Element of the Clay County Comprehensive Plan. [Relocated to Sec. 3-~~  
1412 ~~C-2.2.f. Residential FLU Density Table and Sec. 3-C-2.2.i. Rural Fringe, Urban Fringe,~~  
1413 ~~Urban Core (10) and Urban Core (16) FLU Category]~~  
1414 (8) ~~Urban Core (16): at a maximum density of sixteen (16) units per net acre subject to the~~  
1415 ~~requirements stipulated in Sec. 20.3-10 (d) below. The site must be served by central utility~~  
1416 ~~services and located within ¼ mile of a transit route. Densities up to twenty (20) units per~~  
1417 ~~net acre are permitted [Relocated to Sec. 3-C-2.2.f. Residential FLU Density Table]~~  
1418 ~~subject to the criteria pertaining to low and moderate income or elderly or handicapped~~  
1419 ~~housing specified in Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County~~  
1420 ~~Comprehensive Plan. [Sec. 3-C-2.2.i. Rural Fringe, Urban Fringe, Urban Core (10) and~~  
1421 ~~Urban Core (16) FLU Category]~~  
1422 (9) ~~Commercial: at a density corresponding to a maximum floor area ratio (FAR) of forty (40)~~  
1423 ~~percent. One dwelling unit may be permitted per 1,000 square feet of commercial space if~~  
1424 ~~part of a mixed use development. [Relocated to Sec. 3-C-2.2.j. Non-Residential Future~~  
1425 ~~Land Use Intensity and Density Table]~~  
1426 (10) ~~Mixed Use: a mix of a minimum of two uses, one of which must be residential with a~~  
1427 ~~maximum density of sixteen (16) units per net acre and the other which must be~~  
1428 ~~nonresidential (office retail or service) with a maximum floor area ratio of twenty five (25)~~  
1429 ~~percent. [Relocated to Sec. 3-C-2.2.j. Non-Residential Future Land Use Intensity and~~  
1430 ~~Density Table]~~  
1431 (11) ~~Industrial: at a density corresponding to a maximum FAR of fifty (50) percent. [Relocated~~  
1432 ~~to Sec. 3-C-2.2.b. Non-Residential Future Land Use Intensity and Density Table]~~  
1433 (12) ~~Industrial park: at a density corresponding to a maximum FAR of thirty five (35) percent.~~  
1434 ~~Supporting uses shall not consume land areas greater than ten (10) percent of the~~  
1435 ~~developed portion of the industrial park. [Relocated to Sec. 3-C-2.2.j. Non-Residential~~  
1436 ~~Future Land Use Intensity and Density Table, and Footnote 2]~~  
1437 (13) ~~Conservation: at a maximum density of one (1) unit per one hundred (100) gross acres.~~  
1438 ~~[Relocated to Sec. 3-C-2.2.j. Non-Residential Future Land Use Intensity and Density~~  
1439 ~~Table] Non-residential uses shall not be permitted. Passive recreation shall be allowed~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 1440            ~~(14) Recreation: at a density corresponding to a maximum FAR of twenty (20) percent.~~  
1441            **[Relocated to Sec. 3-C-2.2.j. Non-Residential Future Land Use Intensity and Density**  
1442            **Table]**
- 1443            ~~(15) Planned Community. A very large area under unified plan of development that contains~~  
1444            ~~several different land uses with a large percentage being devoted to residential uses.~~  
1445            **[Relocated to Sec. 1-15 Definitions] This designation is used to show the boundaries of**  
1446            ~~Developments of Regional Impact or Florida Quality Developments authorized under~~  
1447            ~~Chapter 380, F. S. The densities and intensities within the areas shown as Planned~~  
1448            ~~Communities shall be as stated in the current, valid, unexpired development order of each~~  
1449            ~~Development or Regional Impact or through an approved master plan for developments~~  
1450            ~~not subject to the provisions of Chapter 380. [Relocated to 3-C-2.2.j. Non-Residential~~  
1451            ~~Future Land Use Intensity and Density Table, Footnote 3]~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

1452

**DIVISION 3 DENSITY BONUS PROGRAMS**

1453

**Sec. 3-C-3.1. Purpose and Intent**

1454

Clay County offers various programs to allow the increase of density above the allowable maximum density permitted under certain FLU categories, which includes the Master Planned Communities. These density programs increase the supply of Residential opportunities to implement the policies, goals, and objectives of the Housing Element of the Comprehensive Plan, and protection of environmental significant lands.

1455

1456

1457

1458

**3-C-3.1.a. Density Bonus Programs and Sending/Receiving Sites**

1459

(1) Sending Areas. Refer to Sec. 3-C.3.5. TDR Sending Site Base Density/Intensity

1460

(2) Receiving Areas. In addition to those sites with FLU categories listed in the following Table, other areas within the Urban Service Area (USA) may also be qualified as a receiving area.

1461

<b><u>Density Bonus Programs:</u></b>	<b><u>Receiving Areas (FLU Categories):</u></b>
<u>Clustering and Points System</u>	<u>AR, RR</u>
<u>Points System</u>	<u>RF, UF, UC(10), UC(16), and Mixed-Use</u>
<u>Infill Traditional Neighborhood Development (TND)</u>	<u>UC(10), UC(16), UF</u>
<u>Transfer Development of Rights</u>	<u>All areas within USA</u>
<b><u>Branan Field:</u></b>	
<u>Additional Intensity not to exceed 1unit per gross acre</u>	<u>BF RS</u>
<u>Additional Intensity that exceeds 1.5 units per 2 net acres</u>	<u>BF RS</u>
<u>Intensity Increase from Transfer of Wetlands</u>	<u>BF RS</u>
<u>Complementary Use Bonus Intensity</u>	<u>BF RS</u>
<u>BF PCN and Open Space Set-Aside Bonus Intensity</u>	<u>BF RS</u>
<u>Additional 25 Percent or 100 Units</u>	<u>BF RS</u>
<u>Central Water and Sewer</u>	<u>BF RS</u>
<b><u>Lake Asbury:</u></b>	
<u>Wetland-Upland Buffers</u>	<u>Any Residential and Non-Residential zoning districts of LAMPA   Density shall be transferred to the upland portion of the same site where density is earned.</u>

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## **Part D Zoning Districts and Development Standards**

Upland Preservation

Any Residential and Non-Residential zoning districts of LAMPA. Density shall be transferred to the upland portion of the same site where density is earned.

1462 **Sec. 3-C-3.2. Clustering**

1463 **3-C-3.2.a. Intent**

1464 *In order to provide for additional Residential densities in the areas with an AR and RR FLU categories, while maintaining the rural character and availability of Agricultural uses, Residential subdivisions may occur at the higher of the 2 densities stipulated in those zoning districts that are consistent with these 2 FLU categories, (refer to Sec. 3-C.2.1. Future Land Use and Zoning District Consistency Table), provided that the development is clustered contiguously in a development tract on a portion of the parent tract, which is defined as a lawful parcel of record at time of adoption of this plan, and subject to the following standards of this Section. **[Relocated from 3-10.(c) Clustering Provisions]***

1471 **3-C-3.2.b. Clustering Development Standards**

	<u>FLU Categories</u>			
	<u>AR</u>		<u>RR</u>	
<i>Subdivision Size</i>	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
<i>Minimum Size of Development<sup>1</sup> Tract</i>	10 <u>acres</u>	105 <u>acres</u>	5 <u>acres</u>	21 <u>acres</u>
<i>Minimum Open Space Requirement<sup>2</sup></i>	50 <u>percent</u>	50 <u>percent</u>	35 <u>percent</u>	35 <u>percent</u>
<i>Minimum Lot Size Without Central Water and Sewer</i>	1 <u>acre</u>	1 <u>acre</u>	0.5 <u>acre</u>	0.5 <u>acre</u>

Footnotes:

<u>1</u>	<i>The minimum lot size for <u>Residential</u> development of lands within ½ mile of Outstanding Florida Water (0 FW) shall be 1 acre unless served by central water and/or sewer.</i>
<u>2</u>	<u>Refer to Sec. 3-C-3.2.c.(4) Open Space.</u>

1472 **[Relocated from Policy 1.4.4. Clay County Comprehensive Plan]**

- 1473 **(2)** Review Process. *Developments using this option shall be permitted utilizing a development review process administered through the Planning and Zoning Department.*
- 1474
- 1475 **(2)** Combination of Lots. *Contiguous parcels may be combined to form a single parent tract.*
- 1476 **(3)** Platting *All subdivisions of land shall conform to the platting requirements of Chapter 177, F.S. (1991), and maintain the applicable densities stipulated in the lot's FLU category in Part D.*
- 1477 **[Relocated from Sec. 3-10.(c)(1) to (4)]**
- 1478

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1479 (4) Open Space. *All subdivisions of land shall retain permanent open space within the parent tract as*  
1480 *follows:*
- 1481 (a) AR Areas < 20 acres. *Subdivisions creating 20 or less lots on a minimum development*  
1482 *tract of 10 acres in AR areas may occur provided such subdivision is located on not more*  
1483 *than 50 percent of the required development tract and the undeveloped balance of the*  
1484 *development tract is reserved as Open Space). For purposes of calculating points toward*  
1485 *development, the minimum Open Space), a required is 50 percent of the development*  
1486 *tract.*
- 1487 (b) AR Areas > 20 acres. *Subdivisions creating more than 20 lots on a minimum development*  
1488 *t ract of 105 acres in AR areas may occur provided such subdivision is located on not more*  
1489 *than 50 percent of the required development tract and the balance of the development tract*  
1490 *is reserved as Open Space. For purposes of calculating points toward development, the*  
1491 *minimum open space required is 50 percent of the development tract.*
- 1492 (c) RR Areas < 20 acres. *Subdivisions creating 20 or less lots on a minimum development*  
1493 *tract of 5 acres in Rural Residential areas may occur provided such subdivision is located*  
1494 *on not more than 65 percent of the required development tract and the undeveloped*  
1495 *balance of the development tract is reserved as open space. For purposes of calculating*  
1496 *points toward development, the minimum open space required is 35 percent of the*  
1497 *development tract.*
- 1498 (d) RR Areas > 20 acres. *Subdivisions creating more than 20 lots on a minimum development*  
1499 *tract of 21 acres in Rural Residential areas may occur provided such subdivision is located*  
1500 *on not more than 65 percent of the required development tract and the balance of the*  
1501 *development tract is reserved as open space. For purposes of calculating points toward*  
1502 *development, the minimum open space required is 35 percent of the development tract.*  
1503 **[Relocated from Sec. 3-10.(c)(5)(i) to (iv)]**

### 1504 3-C-3.2.c. Cluster Development Characteristics

- 1505 (1) Suitable Land. *Located on suitable upland away from environmentally sensitive land, including*  
1506 *wetlands and 100-year flood plains, and buffered from agricultural use.*
- 1507 **[Relocated from 3-10.(c)(6)(i) Clustering Provisions].**
- 1508 (2) Lot Size. *The minimum lot size is 1/2 acre if central water and sewer are not provided.*
- 1509 (3) Landscape Buffers. *Landscape buffers with a minimum width of 50 feet shall be provided along*  
1510 *the perimeter of the development area to ensure compatibility of the development activity with*  
1511 *adjacent uses. [Relocated from 3-10.(c)(6)(iii) Clustering Provisions]*
- 1512 (a) The required buffer shall be exempt if one side of the development area abuts the  
1513 preserved open space.
- 1514 (b) These buffers shall include preserved or planted vegetation that provides an effective  
1515 visual screen (at least 85 percent opacity) from street rights-of-way and adjacent  
1516 properties. The 85 percent opacity standard shall be met within 3 years after planting.  
1517 **[Relocated from 3-10.(c)(6)(iii) Clustering Provisions]**
- 1518 (c) Buffers shall not include utility easements, roads, retention, or any other areas that are not  
1519 vegetated. **[Relocated from 3-10.(c)(6)(iii) Clustering Provisions]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

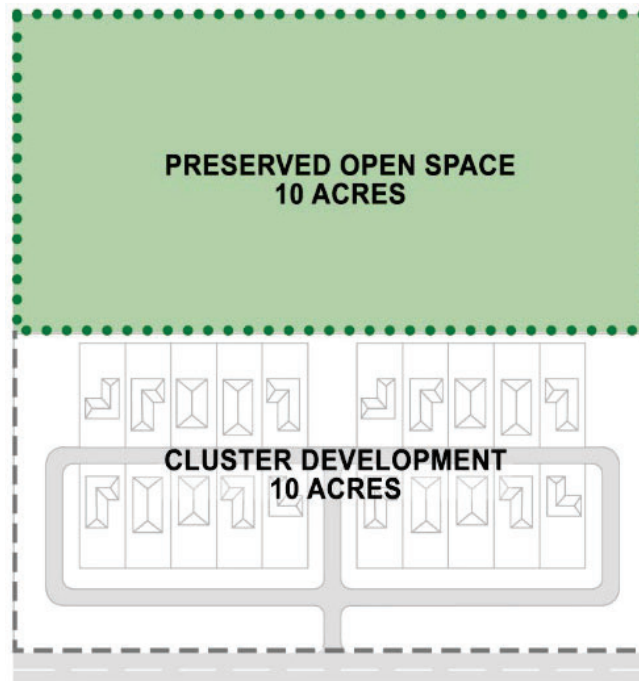
- 1520 (d) Hiking or multi-purpose trails shall be allowed in the buffers, but not to exceed a width of 8  
1521 feet. Trails, at 6-feet in width, shall be paved or mulched. [Relocated from 3-10.(c)(6)(iii)  
1522 Clustering Provisions]  
1523 (e) Buffers may be incorporated into the preserved open space with 100 percent native plant  
1524 materials. [Relocated from 3-10.(c)(6)(iii) Clustering Provisions]

### **3-C-3.2.d. Density**

1526 The proposed density shall be calculated utilizing the gross acreage of the site resulting in a higher net  
1527 density than the base density of the FLU .

- 1528 (1) Example without Water and Sewer. A 20-acre site located in the AR Zoning District is allowed to  
1529 develop a subdivision for a total of 20 units if the dwelling units are clustered in a 10-acre portion  
1530 of the site, and the remainder of the 10-acre is designated as preserved open space. This results  
1531 in a net intensity of 1 unit per acre based on the cluster development intensity bonus program.  
1532 Each lot shall be ½ acre in size.

**Graphic 1: Cluster Development Graphic**



- 1534 **Sec. 3-10. Densities and Intensities of Use**  
1535 ~~(c) Clustering Provisions. In order to provide for additional residential densities in the~~  
1536 ~~Agricultural/Residential and Rural Residential land use areas, while maintaining the rural character~~  
1537 ~~and availability of agricultural uses, residential subdivisions may occur at the higher of the two~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1538 densities stipulated in ~~Sec. 20.3-10 (b) above~~, provided that the development is clustered  
1539 contiguously in a development tract on a portion of the parent tract, which is defined as a lawful  
1540 parcel of record at time of adoption of this plan, ~~subject to Sec. 20.3-10 (d) below and to the~~  
1541 ~~following general requirements:~~ [Relocated to Sec. 3-C-3.2.a. Intent, Clustering]
- 1542 (1) ~~The minimum size of such development tract is as follows:~~
- 1543 (i) ~~Agricultural/Residential areas not less than ten (10) acres.~~
- 1544 (ii) ~~Rural Residential areas not less than five (5) acres.~~ [Relocated to Sec. 3-C-  
1545 3.2.b.(1) Lot Size, Clustering Development Standards]
- 1546 (2) ~~Developments using this option shall be permitted utilizing a development review process~~  
1547 ~~administered through the Planning and Zoning Department.~~ [Relocated to Sec. 3-C-  
1548 3.2.b.(2) Review Process, Clustering Development Standards]
- 1549 (3) ~~Contiguous parcels may be combined to form a single parent tract.~~ [Relocated to Sec. 3-  
1550 C-3.2.b.(3) Combination of Lots, Clustering Development Standards]
- 1551 (4) ~~All subdivisions of land must conform to the platting requirements of Chapter 177, F.S.~~  
1552 ~~(1991), and maintain the applicable densities stipulated in Sec. 20.3-10 (b).~~ [Relocated to  
1553 Sec. 3-C-3.2.b.(4) Platting, Clustering Development Standards]
- 1554 (5) ~~All subdivisions of land must retain permanent open space within the parent tract as~~  
1555 ~~follows:~~
- 1556 (i) ~~Subdivisions creating 20 or less lots on a minimum development tract of 10 acres~~  
1557 ~~in Agricultural/Residential areas may occur provided such subdivision is located~~  
1558 ~~on not more than 50 percent of the required development tract and the~~  
1559 ~~undeveloped balance of the development tract is reserved as open space. For~~  
1560 ~~purposes of calculating points toward development under Sec. 20.3-10 (d) below,~~  
1561 ~~the minimum open space required is 50 percent of the development tract.~~  
1562 [Relocated to Sec. 3-C-3.2.b.(5) Open Space, Clustering Development  
1563 Standards]
- 1564 (ii) ~~Subdivisions creating more than 20 lots on a minimum development tract of 105~~  
1565 ~~acres in Agricultural/Residential areas may occur provided such subdivision is~~  
1566 ~~located on not more than 50 percent of the required development tract and the~~  
1567 ~~balance of the development tract is reserved as open space. For purposes of~~  
1568 ~~calculating points toward development under Sec. 20.3-10 (d) below, the minimum~~  
1569 ~~open space required is 50 percent of the development tract.~~ [Relocated to Sec.  
1570 3-C-3.2.b.(5) Open Space, Clustering Development Standards]
- 1571 (iii) ~~Subdivisions creating 20 or less lots on a minimum development tract of 5 acres~~  
1572 ~~in Rural Residential areas may occur provided such subdivision is located on not~~  
1573 ~~more than 65 percent of the required development tract and the undeveloped~~  
1574 ~~balance of the development tract is reserved as open space. For purposes of~~  
1575 ~~calculating points toward development under Sec. 20.3-10 (d) below, the minimum~~  
1576 ~~open space required is 35 percent of the development tract.~~ [Relocated to Sec.  
1577 3-C-3.2.b.(5) Open Space, Clustering Development Standards]
- 1578 (iv) ~~Subdivisions creating more than 20 lots on a minimum development tract of 21~~  
1579 ~~acres in Rural Residential areas may occur provided such subdivision is located~~  
1580 ~~on not more than 65 percent of the required development tract and the balance of~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1581 ~~the development tract is reserved as open space. For purposes of calculating~~  
1582 ~~points toward development under Sec. 20.3-10 (d), the minimum open space~~  
1583 ~~required is 35 percent of the development tract. [Relocated to Sec. 3-C-3.2.b.(5)~~  
1584 ~~Open Space, Clustering Development Standards]~~
- 1585 (v) ~~All open space required in this policy shall be designated as permanent open~~  
1586 ~~space for use as preservation of natural areas and also for passive recreation in~~  
1587 ~~the form of pedestrian walkways, bicycle paths, boardwalks, docks built for water~~  
1588 ~~access. [Relocated to Sec. 3-C-3.2.c.(3) Landscape Buffers, Clustering~~  
1589 ~~Development Characteristics]~~
- 1590 (vi) ~~Preserved open space shall be upland. Up to 20% of preserved open space may~~  
1591 ~~be utilized as drainage retention areas, if such facilities are incorporated within the~~  
1592 ~~parks and open space system of the development as an amenity. [Relocated to~~  
1593 ~~Sec. 3-C-3.2.c. 3-C-3.2.c.(3) Landscape Buffers, Clustering Development~~  
1594 ~~Characteristics]~~
- 1595 ~~The following factors, in order of priority, shall guide the selection of preserved~~  
1596 ~~open space: lands with listed species (flora and/or fauna) present, or one of the~~  
1597 ~~following regionally important natural communities known to host rare, vulnerable,~~  
1598 ~~and/or listed species: scrub, sandhill, scrubby flatwoods, xeric hammock, upland~~  
1599 ~~pine forest, mesic flatwoods and wet flatwoods. Listed plant and animal species~~  
1600 ~~include those species identified in Florida Administrative Code (F.A.C.) 5B-~~  
1601 ~~40.0055, Regulated Plant Index, and F.A.C. 68A-27.003, Florida's List of~~  
1602 ~~Endangered or Threatened Species, respectively. Descriptions of the qualified~~  
1603 ~~environmentally significant natural communities can be found at [www.fnai.org](http://www.fnai.org).~~  
1604 ~~Preserved open space must be in contiguous areas that are non-linear in shape,~~  
1605 ~~unless linear forms are needed to preserve high-priority preservation areas as~~  
1606 ~~defined above. [Relocated to Sec. 3-C-3.2.c.(3) Landscape Buffers, Clustering~~  
1607 ~~Development Characteristics]~~
- 1608 (6) ~~The proposed cluster development must have the following characteristics:~~
- 1609 (i) ~~Located on suitable upland away from environmentally sensitive land, including~~  
1610 ~~wetlands and 100-year floodplains, and buffered from agricultural use.~~  
1611 ~~[Relocated to Sec. 3-C-3.2.c.(1) Suitable Land, Clustering Development~~  
1612 ~~Characteristics]~~
- 1613 (ii) ~~The minimum lot size is one-half acre if central water and sewer are not provided.~~  
1614 ~~[Relocated to Sec. 3-C-3.2.c.(2) Lot Size, Clustering Development~~  
1615 ~~Characteristics]~~
- 1616 (iii) ~~Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the~~  
1617 ~~development activity with adjacent uses. These buffers must include preserved or~~  
1618 ~~planted vegetation that provides an effective visual screen (at least 85% opacity)~~  
1619 ~~from rights-of-way and adjacent properties. If such a buffer is planted or~~  
1620 ~~supplemented, the 85% opacity standard must be met within three years after~~  
1621 ~~planting. Buffers shall not include utility easements, roads, retention, or any other~~  
1622 ~~areas that are not vegetated, except for hiking or multi-purpose trails not to exceed~~  
1623 ~~a paved width of eight feet. Where practicable, buffers shall include unpaved or~~

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## **Part D Zoning Districts and Development Standards**

1624 ~~paved trails of at least six feet in width for the use of residents. Buffers may be~~  
 1625 ~~incorporated into the mandatory open space.~~ [Relocated to Sec. 3-C-3.2.c.(3),  
 1626 **Landscape Buffers, Clustering Development Characteristics]**

### **Sec. 3-C-3.3. Points System**

1628 In addition to the standards in Sec. 3-C-3.2. Clustering, developments proposed in areas with the AR, RR,  
 1629 RF, UF, UC(10), UC(16) and Mixed-Use FLU Categories may occur at the higher of the densities stipulated  
 1630 in each zoning district as set forth in Part D, provided that such developments comply with the following  
 1631 conditions: [Relocated from Sec. 3-10.(d) Points Provisions]

#### **3-C-3.3.a. Points Criteria**

1633 Proposed developments shall be subject to a weighted evaluation process to determine the degree to which  
 1634 they utilize existing infrastructure, promote Open Space, conserve natural resources, and reduce urban  
 1635 sprawl. The process shall consist of the following criteria at a minimum: [Relocated from Sec. 3-10.(d)(1)  
 1636 **Points Provisions]**

1637 (1) Proximity to fire protection:

<u>Mile radii from the nearest fire station</u>	<u>Points Awarded</u>
<u>0 to 3.0 miles</u>	<u>20 points</u>
<u>3.1 to 6.0 miles</u>	<u>10 points</u>

1638 [Relocated from Sec. 3-10.(d)(1)(i) Points Provisions]

1639 (2) Proximity to emergency medical services:

<u>Mile radii from the nearest responding EMS unit</u>	<u>Points Awarded</u>
<u>0 to 3.0 miles</u>	<u>20 points</u>
<u>3.1 to 6.0 miles</u>	<u>10 points</u>

1640 [Relocated from Sec. 3-10. (d)(1)(ii) Points Provisions]

1641 (3) Vehicular access to arterial and collector roads which meet or exceed adopted level-of-service  
 1642 standards:

<u>Vehicular Access</u>	<u>Points Awarded</u>
<u>Access to an arterial road(s)</u>	<u>10 points</u>
<u>Access to a collector road(s)</u>	<u>5 points</u>

1643 Development shall be linked to the arterial or collector road by a paved road or roads. [Relocated  
 1644 **from Sec. 3-10. (d)(1)(iii) Points Provisions]**

1645 (4) Access and utilization of existing central water and sewer facilities:

<u>Utility Access</u>	<u>Points Awarded</u>
-----------------------	-----------------------

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>Access to water and sewer services</u>	50 points
<u>Only access</u> to water	20 points
<u>Only access</u> to sewer	20 points

1646 *Points for utility service may be received by connecting to an existing public or PSC franchised*  
 1647 *system. [Relocated from Sec. 3-10. (d)(1)(iv) Points Provisions]*

1648 (5) *Proximity to public schools (existing or under construction):*

<u>Distance from a public school</u>	<u>Points Awarded</u>
<i>*Within 1.5 miles (no busing required except as required for safety purposes):</i>	20 points
<i>Within the limits of existing bus routes:</i>	10 points

1649 *\*Required busing shall be verified by the Clay County School Board. [Relocated from Sec. 3-*  
 1650 *10.(d)(1)(v) Points Provisions]*

1651 (6) *Additional reservation of open space above minimums:*

<u>Open Space</u>	<u>Maximum Points Awarded</u>
<i>One point for every 1 percent of dedicated <u>Open Space</u> above the minimum identified in <u>Sec. 3-C-3.2.:</u></i>	25 points

1652 **[Relocated from Sec. 3-10.(d)(1)(vi) Points Provisions]**

1653 (7) *Proximity to mass transit route:*

<u>Distance from an existing mass transit route</u>	<u>Maximum Points Awarded</u>
<i>¼ mile</i>	10 points
<i>½ mile</i>	5 points

1654 **[Relocated from Sec. 3-10.(d)(1)(vii) Points Provisions]**

1655 (8) *In order to qualify for the bonus density in AR, RR, and RF areas on the FLUM, the development*  
 1656 *shall achieve the following point totals:*

<u>Zoning District</u>	<u>Minimum Points</u>
<u>AR</u>	50 points
<u>RR</u>	60 points
<u>RF</u>	80 points

1657 **[Relocated from Sec. 3-10.(d)(1)(viii) Points Provisions]**

1658 (9) *In order to qualify for the bonus density in UF, UC(10), UC(16) and Mixed-Use areas on the FLUM*  
 1659 *at intensities greater than 6 units per acre, the development shall achieve the following point totals:*

<u>FLU Category</u>	<u>Minimum Points Possible</u>
<u>UF</u>	100 points
<u>UC</u> (10)	120 points

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## Part D Zoning Districts and Development Standards

<u>UC (16)</u>	130 points
Mixed-Use	100 points

1660 **[Relocated from Sec. 3-10.(d)(1)(ix) Points Provisions]**

1661 **(10)** *Awarding of points shall adhere to the following criteria:*

1662 **(a)** *Points shall be awarded for only 1 item in each category except water and sewer which*  
1663 *can receive points for both services.*

1664 **(b)** *Points shall be awarded for additional Open Space allocations only after a development*  
1665 *qualifies for points under at least 2 of the other categories. [Relocated from Sec. 3-*  
1666 *10.(d)(1)(x) Points Provisions]*

### 1667 **3-C-3.3.b. Water and Sewer Service**

1668 *All developments of land under this policy shall provide for water and sewer at the expense of the developer*  
1669 *or homeowner or shall meet all standards for on-site disposal systems pursuant to Chapter 10D-6, FAC.*

1670 **[Relocated from Sec. 3-10.(d)(2) Points Provisions]**

### 1671 **Sec. 3-10. Density and Intensities of Use**

1672 ~~*(d) Points Provisions. In addition to the requirements in Sec. 20.3-10 (c), above, developments*~~  
1673 ~~*proposed in the Agricultural/Residential, Rural Residential, Rural Fringe, Urban Fringe, Urban Core*~~  
1674 ~~*(10), Urban Core (16) and Mixed Use areas may occur at the higher of the densities stipulated in*~~  
1675 ~~*Sec. 20.3-10 (b) provided that such developments comply with the following conditions: [Relocated*~~  
1676 ~~*to Sec. 3-C-3.3. Points System]*~~

1677 ~~*(1) Proposed developments shall be subjected to a weighted evaluation process to determine*~~  
1678 ~~*the degree to which they utilize existing infrastructure, promote open space, conserve*~~  
1679 ~~*natural resources and reduce urban sprawl. The process shall consist of the following*~~  
1680 ~~*criteria at a minimum: [Relocated to Sec. 3-C-3.3.a. Points System]*~~

1681 ~~*(i) Proximity to fire protection. Proximity shall be determined by the proposed*~~  
1682 ~~*development's location relative to boundaries of generalized response zones*~~  
1683 ~~*drawn with three and six mile radii from the nearest fire station.*~~  
1684 ~~*Allow a maximum of 20 points based on distance to nearest responding fire station.*~~  
1685 ~~*Points would be awarded as follows: 0 to 3.0 miles (20 points); 3.1 to 6.0 miles (10*~~  
1686 ~~*points). [Relocated to Sec. 3-C-3.3.a.(1) Points System]*~~

1687 ~~*(ii) Proximity to emergency medical services. Proximity shall be determined by the*~~  
1688 ~~*proposed development's location relative to boundaries of generalized response*~~  
1689 ~~*zones drawn with three and six mile radii from the nearest responding EMS unit.*~~  
1690 ~~*Allow a maximum of 20 points based on distance to nearest responding*~~  
1691 ~~*EMS facility. Points would be awarded as follows: within three miles (20 points);*~~  
1692 ~~*within six miles (10 points). [Relocated to Sec. 3-C-3.3.a.(2) Points System]*~~

1693 ~~*(iii) Vehicular access to arterial and collector roads which meet or exceed adopted*~~  
1694 ~~*level of service standards. Development must be linked to the arterial or collector*~~  
1695 ~~*road by a paved road or roads.*~~

1696 ~~*Allow a maximum of 10 points based on the functional classification of the arterial*~~  
1697 ~~*or collector. Points would be awarded as follows: Access to an arterial road(s) 10*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1698 ~~points; access to a collector(s)– 5 points.~~ [Relocated to Sec. 3-C-3.3.a.(3) Points  
1699 System]
- 1700 (iv) ~~Access and utilization of existing central water and sewer facilities.~~  
1701 ~~Allow a maximum of 50 points for both water and sewer service or 20 points for~~  
1702 ~~only water or sewer. Points for utility service may be received by connecting to an~~  
1703 ~~existing public or PSC franchised system.~~ [Relocated to Sec. 3-C-3.3.a.(4) Points  
1704 System]
- 1705 (v) ~~Proximity to schools (existing or under construction).~~  
1706 ~~Allow a maximum of 20 points. Twenty points shall be awarded if the development~~  
1707 ~~is located within one and one-half miles of a public school and requires no busing~~  
1708 ~~(except as required for safety purposes) as verified by the Clay County School~~  
1709 ~~Board. Ten points shall be awarded if the development is located within the limits~~  
1710 ~~of existing bus routes as verified by the Clay County School Board.~~ [Relocated to  
1711 Sec. 3-C-3.3.a.(5) Points System]
- 1712 (vi) ~~Additional reservation of open space above minimums. Points shall be awarded~~  
1713 ~~based on the amount of open space placed in a conservation easement above the~~  
1714 ~~minimum required. A maximum of 25 points shall be awarded at the rate of one~~  
1715 ~~point for every one percent of land placed in open space above the minimum~~  
1716 ~~identified in Sec. 20.3-10 (c).~~ [Relocated to Sec. 3-C-3.3.a.(6) Points System]
- 1717 (vii) ~~Proximity to mass transit route~~  
1718 ~~Allow a maximum of 10 points. Ten points shall be awarded if the development is~~  
1719 ~~located within ¼ mile of an existing mass transit route. Five points shall be~~  
1720 ~~awarded if the development is located within ½ mile of an existing mass transit~~  
1721 ~~route.~~ [Relocated to Sec. 3-C-3.3.a.(7) Points System]
- 1722 (viii) ~~In order to proceed with development in Agricultural/ Residential, Rural Residential~~  
1723 ~~and Rural Fringe areas on the Future Land Use Map, the development must~~  
1724 ~~achieve the following point totals:~~
- 1725 a. ~~Agricultural/Residential a minimum of 50 points out of a possible 155~~  
1726 ~~points available as set forth in (i) through (vii), above.~~
- 1727 b. ~~Rural Residential a minimum of 60 points out of a possible 155 points~~  
1728 ~~available as set forth in (i) through (vii), above.~~
- 1729 c. ~~Rural Fringe a minimum of 80 out of 155 points available as set forth in~~  
1730 ~~(i) through (vii), above.~~ [Relocated to Sec. 3-C-3.3.a.(8) Points System]
- 1731 (ix) ~~In order to proceed with development in Urban Fringe, Urban Core (10), Urban~~  
1732 ~~Core (16) and Mixed Use areas on the Future Land Use Map at densities greater~~  
1733 ~~than six (6) units per acre, the development must achieve the following point totals:~~
- 1734 a. ~~Urban Fringe a minimum of 100 points out of a possible 155 points~~  
1735 ~~available as set forth in (i) through (vii), above,~~
- 1736 b. ~~Urban Core (10) a minimum of 120 points out of a possible 155 points~~  
1737 ~~available as set forth in (i) through (vii), above,~~
- 1738 c. ~~Urban Core (16) a minimum of 130 points out of a possible 155 points~~  
1739 ~~available as set forth in (i) through (vii), above,~~

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## Part D Zoning Districts and Development Standards

- 1740 d. ~~Mixed Use~~ a minimum of 100 points out of a possible 155 points  
1741 available as set forth in (i) through (vii), above, [Relocated to Sec. 3-C-  
1742 3.3.a.(9) Points System]  
1743 (x) ~~Awarding of points shall adhere to the following criteria:~~  
1744 a. ~~Points shall be awarded for only one item in each category except water~~  
1745 ~~and sewer which can receive points for both services.~~  
1746 b. ~~Points shall be awarded for additional open space allocations only after a~~  
1747 ~~development qualifies for points under at least two of the other categories.~~  
1748 [Relocated to Sec. 3-C-3.3.a.(10) Points System]  
1749 (2) ~~All developments of land under this policy must provide for water and sewer at the expense~~  
1750 ~~of the developer or homeowner or must meet all requirements for on-site disposal systems~~  
1751 ~~pursuant to Chapter 10D-6, FAC. [Relocated to Sec. 3-C-3.3.b. Points System]~~

### 1752 Sec. 3-C-3.4. Infill Traditional Neighborhood Development (TND)

#### 1753 3-C-3.4.a. Purpose and Intent

1754 The purpose and intent of the Infill Traditional Neighborhood Development (TND) Zoning District is to  
1755 provide development incentives and flexible standards that encourage compact development of mixed  
1756 Residential and Non-Residential uses in properties with the UC and UF FLU categories. Such  
1757 developments are generally designed with a range of housing types with convenient Commercial and  
1758 Recreational uses that serve the daily needs of the Residential community. Emphases are focused on the  
1759 provision of efficient pedestrian and non-motorized circulation systems to ensure a safe and cohesive  
1760 neighborhood environment is achieved.

#### 1761 3-C-3.4.b. Infill Site Criteria

- 1762 (1) Infill Sites are defined as follows:  
1763 (a) At least one boundary of the infill site must be adjacent to the following existing  
1764 development types and intensities/densities. For the purpose of determining adjacency,  
1765 lands having a common boundary or separated only by the right of way for a road with a  
1766 functional classification of minor collector or lower shall be considered adjacent. Adjacent  
1767 does not include lands located diagonally across any intersection or those across the right  
1768 of way of a roadway classified higher than a minor collector.  
1769 i. Non-Residential use on land designated for Commercial Land Use on the Future  
1770 Land Use Map; or  
1771 ii. Residential use developed at a density that is greater than or equal to the density  
1772 of the proposed infill site development.  
1773 (b) The remainder of the infill site shall be bounded by developed Non-Residential uses or  
1774 Residential uses at a density of 2 units per acre or greater. Wetlands within the  
1775 development parcel or on adjacent lands shall be excluded from the determination that a  
1776 site is surrounded by existing development.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1777 (c) An infill site must have direct access to a road with a functional classification of minor  
1778 collector or higher. **[Relocated from Sec. 3-10.(e)(1)]**
- 1779 (2) TNDs utilizing the density bonuses shall be allowed through a Planned Unit Development (PUD).  
1780 The following criteria, among others, shall be employed to guide TND development pattern and  
1781 design:
- 1782 (a) To ensure internal connectivity, the development shall have a grid or modified grid street  
1783 pattern with block lengths no greater than 600 feet.
- 1784 (b) On-street parking shall be allowed.
- 1785 (c) Sidewalks with a minimum width of five feet shall be required on both sides of all roads.
- 1786 (d) The development shall provide rear entry garages, accessed by alleys, for a minimum of  
1787 50 percent of the lots.
- 1788 (e) All front entry garage units shall be designed so as to recess the garage a minimum of 15  
1789 feet from the front roofline of the structure and to provide habitable space above the garage  
1790 recess.
- 1791 (f) The maximum front yard setback shall be 10 feet.
- 1792 (g) The development shall provide a minimum of 10 percent upland open space, 50 percent  
1793 of which shall be used to create a public gathering space the boundary of which shall be  
1794 defined by road rights of way. The opposing right of way line shall be defined by the front  
1795 façade of residential units.
- 1796 (h) The development shall be connected to adjacent parcels through the use of streets,  
1797 sidewalks and bike lanes/paths. Connections to adjacent collector or arterial roads shall  
1798 be a maximum of 750 feet apart. Multiple access requirements may be waived by the  
1799 County if environmental lands would be impacted, traffic safety considerations indicate that  
1800 the access should not be provided or FDOT access management requirements do not  
1801 permit the access. **[Relocated from Sec. 3-10.(e)(2)]**
- 1802 (3) The PUD may provide a mix of the following housing types:
- 1803 (a) Single-Family Detached;
- 1804 (b) Single-Family Attached including townhomes;
- 1805 (c) Multi-Family units;
- 1806 (d) Additional design criteria within the PUD shall regulate building length, facades, design  
1807 variation, fenestration, porch height, and other elements. County review and acceptance  
1808 of site and architectural plans shall be required concurrent with the approval of an infill  
1809 density bonus. **[Relocated from Sec. 3-10.(e)(32)]**

### 1810 **Sec. 3-10. Densities and Intensities of Use**

- 1811 ~~(e) Infill TND Development. Density bonuses will be allowed for eligible infill TND development within~~  
1812 ~~the Urban Core and Urban Fringe land use categories. To be eligible for the bonus, demonstration~~  
1813 ~~of adequate public facilities including water, sewer and transportation facilities to serve the site~~  
1814 ~~must be provided. Suitability of the site for the increased density must also be demonstrated prior~~  
1815 ~~to receiving approval for the density. **[Relocated to Sec. 3-C-3.4.c. Density Bonus]**~~
- 1816 ~~(1) Infill sites are defined as follows:~~
- 1817 ~~(i) At least one boundary of the infill site must be adjacent to the following existing~~  
1818 ~~development types and intensities/densities. For the purpose of determining~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1819 *adjacency, lands having a common boundary or separated only by the right of way*  
1820 *for a road with a functional classification of minor collector or lower shall be*  
1821 *considered adjacent. Adjacent does not include lands located diagonally across*  
1822 *any intersection or those across the right of way of a roadway classified higher*  
1823 *than a minor collector.*
- 1824 (ii) ~~The remainder of the infill site **must** be bounded by developed ~~non-residential uses~~~~  
1825 ~~or residential uses at a density of 2 units per acre or greater. Wetlands within the~~  
1826 ~~development parcel or on adjacent lands shall be excluded from the determination~~  
1827 ~~that a site is surrounded by existing development.~~
- 1828 (iii) ~~An infill site **must** have direct access to a road with a functional classification of~~  
1829 ~~minor collector or higher. [Relocated to Sec. 3-C-3.4.b.(1) Infill Site Criteria]~~
- 1830 (2) ~~TNDs utilizing the density bonuses shall be allowed through a Planned Unit Development~~  
1831 ~~(PUD). The following criteria, among others, shall be employed to guide TND development~~  
1832 ~~pattern and design:~~
- 1833 (i) ~~To ensure internal connectivity, the development shall have a grid or modified grid~~  
1834 ~~street pattern with block lengths no greater than 500 feet.~~
- 1835 (ii) ~~On-street parking shall be allowed.~~
- 1836 (iii) ~~Sidewalks with a minimum width of five feet shall be required on both sides of all~~  
1837 ~~roads.~~
- 1838 (iv) ~~The development shall provide rear entry garages, accessed by alleys, for a~~  
1839 ~~minimum of 50 percent of the lots.~~
- 1840 (v) ~~All front entry garage units shall be designed so as to recess the garage a minimum~~  
1841 ~~of 15 feet from the front roofline of the structure and to provide habitable space~~  
1842 ~~above the garage recess.~~
- 1843 (vi) ~~The maximum front yard setback shall be 10 feet.~~
- 1844 (vii) ~~The development shall provide a minimum of 10 percent **upland** open space, 50~~  
1845 ~~percent of which shall be used to create a public gathering space the boundary of~~  
1846 ~~which shall be defined by road rights of way. The opposing right of way line shall~~  
1847 ~~be defined by the front façade of residential units.~~
- 1848 (viii) ~~The development shall be connected to adjacent **parcels** through the use of~~  
1849 ~~streets, sidewalks and bike lanes/paths. Connections to adjacent collector or~~  
1850 ~~arterial roads **shall be** a maximum of 750 feet apart. Multiple access requirements~~  
1851 ~~may be waived by the County if environmental lands would be impacted, traffic~~  
1852 ~~safety considerations indicate that the access should not be provided or FDOT~~  
1853 ~~access management requirements do not permit the access. [Relocated to Sec.~~  
1854 ~~3-C-3.4.b.(2) Infill Site Criteria]~~
- 1855 (3) ~~The PUD may provide a mix of the following housing types:~~  
1856 ~~single-family detached single-family attached including townhomes (iii) multi-family units~~
- 1857 *Additional design criteria within the PUD shall regulate building length, facades, design*  
1858 *variation, fenestration, porch height, and other elements. County review and acceptance*  
1859 *of site and architectural plans shall be required concurrent with the approval of an infill*  
1860 *density bonus. [Relocated to Sec. 3-C-3.4.b.(3) Infill Site Criteria]*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

1861

### 1862 **Sec. 3-C-3.5. Transfer of Development Rights (TDR)**

#### 1863 **3-C-3.5.a. Purpose and Intent**

1864 Residential density and/or ~~Non-Residential~~ intensity may be transferred from eligible sending sites to  
1865 eligible receiving sites through a voluntary process that encourages preservation/conservation of natural  
1866 resources, protects healthy agricultural lands, manages sustainable urban growth, and assures protection  
1867 of continuous growth in land values for a public benefit. **[Relocated from Sec. 3-10.(f)]** It is the County's  
1868 intent to further incentivize application of the TDR program to Agriculture lands. **[Relocated from Sec. 3-**  
1869 **10.(f)(1)(iv)]**

#### 1870 **3-C-3.5.b. Density/Intensity Rating System**

1871 The number of Residential units and the floor-area of ~~Non-Residential~~ development rights that a sending  
1872 site is eligible to transfer to a receiving site shall be determined by applying the TDR sending site base  
1873 density/intensity as set forth in Sec. 3-C-3.5.e. Sending Site Base Density/Intensity.

1874 (1) Net Density/Intensity. The allowable density/intensity from a sending site shall not include:

1875 (a) an area that is associated with any existing development;

1876 (b) an area that has any retained development rights; and

1877 (c) an area with any portion already in a conservation easement, a restrictive covenant, or  
1878 other similar encumbrance. **[Relocated from Sec. 3-10.(f)(1)(i) Density/Intensity Rating**  
1879 **System]**

1880 (2) Reduced Lot Size. For each existing dwelling unit or retained development right, the sending site  
1881 area shall be reduced by the minimum lot size for that zoning district. **[Relocated from Sec. 3-**  
1882 **10.(f)(1)(i) Density/Intensity Rating System]**

1883 (3) Fractional Development Rights. Any fractions of development rights that result from the  
1884 calculations in subsection (1) above shall not be included in the final determination of total  
1885 development rights available for transfer. **[Relocated from Sec. 3-10.(f)(1)(ii) Density/Intensity**  
1886 **Rating System]**

#### 1887 **3-C-3.5.c. Computation of Development Rights**

1888 For purposes of calculating the amount of development rights a sending site can transfer, the amount of  
1889 land contained within a sending site shall be determined as follows:

1890 (1) Tax Lot. If the sending site is an entire tax lot, the square footage or acreage shall be determined:

1891 (a) by the records from the Clay County Property Appraiser's Office; or

1892 (b) by a survey funded by the applicant that has been prepared and stamped by a surveyor  
1893 licensed in the State of Florida.

1894 (2) Land with Split FLU Categories. If the sending site consists of a lot that is divided by a FLU  
1895 boundary, the square footage or acreage shall be calculated separately for each FLU category.  
1896 The square footage or acreage within each FLU category shall be determined by the Clay County  
1897 FLUM.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

1898 (a) Alternate Method of Determination. *When such records are not available or are not*  
 1899 *adequate to determine the square footage or acreage within each FLU category, then the*  
 1900 *Department of Economic and Development Services shall calculate the square footage or*  
 1901 *acreage through the geographic information system (GIS) mapping system. [Relocated*  
 1902 *from Sec. 3-10.(f)(1)(iii) Density/Intensity Rating System]*

### 3-C-3.5.d. Sending Site Base Density/Intensity

1904 *For the purposes of the TDR program, the following TDR sending site base densities and intensities shall*  
 1905 *apply:*

<u>Future Land Use</u>	<u>Base Density/Intensity</u>
<i>Agriculture</i>	<i>1 <u>unit per</u> 10 gross acres</i>
<i>Agriculture/Residential</i>	<i>1 <u>unit per</u> 5 gross acres</i>
<i>Rural Residential</i>	<i>1 <u>unit per 1</u> net acre</i>
<i>Rural Reserve</i>	<i>1.5 <u>unit per 1</u> gross acre</i>
<i>Rural Fringe</i>	<i>3 <u>units per 1</u> net acre</i>
<i>Urban Fringe</i>	<i>6 <u>units per 1</u> net acre</i>
<i>Urban Core (10)</i>	<i>10 <u>units per 1</u> net acre</i>
<i>Commercial</i>	<i>40 <u>percent</u> FAR</i>
<i>Mixed Use</i>	<i>15 <u>units per 1</u> net acre and 25 <u>percent</u> FAR</i>
<i>Industrial</i>	<i>50 <u>percent</u> FAR</i>
<i>Industrial Park</i>	<i>35 <u>percent</u> FAR</i>
<i>Business Park</i>	<i>20 <u>percent</u> FAR</i>

1906 **[Relocated from Sec. 3-10.(f)(1)(iv) Density Rating System]**

### 3-C-3.5.e. Conversion Ratio

1908 *The number and/or the floor-area of development rights that a sending site is eligible to transfer to a*  
 1909 *receiving site shall be determined through the application of a conversion ratio included in this Subsection.*  
 1910 *The conversion ratio shall be applied to the number of available sending site development rights determined*  
 1911 *under Subsection d.(1) of this Section. [Relocated from Sec. 3-10(f)(1)(v) Density Rating System]*

**Table 3-C-3.5.f. Conversion Ratio**

	<u>From:</u>					
	<i>Industrial (<u>Per 1,000</u> <u>SF</u>)</i>	<i>Single- Family (<u>Per unit</u>)</i>	<i>Multi- Family (<u>Per unit</u>)</i>	<i>Hotel (<u>Per</u> <u>room</u>)</i>	<i>Office (<u>Per 1,000</u> <u>SF</u>)</i>	<i>Retail/ Service (<u>Per 1,000</u> <u>SF</u>)</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<b>To:</b>	<i>Industrial</i> (Per 1,000 SF)	1.00	2.70	1.20	1.70	3.17	5.27
	<i>Single-Family</i> (Per unit)	N/A	1.00	0.44	N/A	N/A	N/A
	<i>Multi-Family</i> (Per unit)	N/A	2.25	1.00	N/A	N/A	N/A
	<i>Hotel</i> (Per room)	0.59	1.59	0.71	1.00	1.87	3.11
	<i>Office</i> (Per 1,000 SF)	0.32	0.85	0.38	0.54	1.00	1.67
	<i>Retail/Service</i> (Per 1,000 SF)	0.19	0.51	0.23	0.32	0.60	<u>N/A</u>

1913 **3-C-3.5.f. Multiple Sending Sites**

1914 *Development rights from 1 sending site may be allocated to more than 1 receiving site and 1 receiving site*  
 1915 *may accept development rights from more than 1 sending site. [Relocated from Sec. 3-10(f)(1)(vi) Density*  
 1916 **Rating System]**

1917 **3-C-3.5.g. TDR Certificate Letter of Intent**

1918 *The determination of the number of Residential development rights a sending site has available for transfer*  
 1919 *to a receiving site shall be valid for transfer purposes only, shall be documented in a TDR certificate letter*  
 1920 *of intent and shall be considered a final determination, not to be revised due to changes to the sending*  
 1921 *site's FLU or zoning district. [Relocated from Sec. 3-10(f)(1)(vii) Density Rating System]*

1922 **3-C-3.5.h. TDR Receiving Sites**

- 1923 **(1)** *A designation of Density Receiving Area (DRA) shall be limited to Commercial, Business Park,*  
 1924 *Industrial, Industrial Park, Mixed-Use, and Residential FLU categories with a minimum density/intensity*  
 1925 *greater than 1 unit per acre, and similar FLU categories in Master Plan Areas within the*  
 1926 *Urban Service Area (USA).. Respectively, the areas outside of the DRA shall be a potential*  
 1927 *Density/Intensity Sending Area (DSA). The designation of site-specific DRA and DSA shall be*  
 1928 *reviewed and authorized by the Planning and Zoning Department.*
- 1929 **(2)** *Density/Intensity transfers may be permitted from an area within the DRA into another portion of*  
 1930 *the DRA subject to Sec. 3-C-3-5.d. and f. Density/Intensity Rating System. Developed lands within*  
 1931 *the DRA are not qualified to become a DSA. In case the developed lands within the DRA are*  
 1932 *reclaimed for conservation, preservation, recreation and/or urban agricultural purposes, it may be*  
 1933 *qualified to become a DRA upon review.*
- 1934 **(3)** *In no case shall density/intensity be transferred to the outside of the DRA from the DRA. Also, no*  
 1935 *transfer shall be allowed within areas outside of the DRA.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1936 (4) For projects utilizing this TDR process, density/intensity may be increased above and beyond the  
1937 density/intensity otherwise allowed by the Density Rating System up to 200 percent of the  
1938 maximum density/intensity permitted. For Master Plan areas, up to 200 percent of recommended  
1939 average density/intensity standards may be permitted for receiving sites independently from other  
1940 areas.
- 1941 (5) TDR receiving sites shall meet the following requirements:
- 1942 (a) Be served by Centralized Water and Sewer Services;
- 1943 (b) Demonstrate the availability of public facilities or planned within the next 5 years at the  
1944 adopted LOS standards;
- 1945 (c) Promote compact development and energy efficient land use pattern; and
- 1946 (d) Demonstrate the suitability of the site for receiving the density/intensity transfer.
- 1947 [Relocated from Sec. 3-10.(f)(2) through (6) Densities and Intensities of Use]

### 3-C-3.5.i. Documentation of Approved TDRs

- 1948
- 1949 Development rights from a sending site shall be considered transferred to a receiving site when a final  
1950 decision is made on the TDR receiving area development proposal, the sending site is protected by a  
1951 completed and recorded land dedication (TDR Deed of Transfer), Conservation Easement, and notification  
1952 shall be provided to the Clay County Property Appraiser's Office and a TDR extinguishment document shall  
1953 be provided to the Department of Economic and Development Services, or its successor agency.  
1954 [Relocated from Sec. 3-10.(f)(7) Densities and Intensities of Use]

### Sec. 3-10. Densities and Intensities of Use

- 1955 (f) ~~Transfer of Development Rights. Residential density and/or non residential intensity may be~~  
1956 ~~transferred from eligible sending sites to eligible receive sites through a voluntary process that~~  
1957 ~~encourages preservation/conservation of natural resources, protects healthy agricultural lands,~~  
1958 ~~manages sustainable urban growth and assures protection of continuous growth in land values for~~  
1959 ~~a public benefit. [Relocated to Sec. 3-C-3.5.a. Purpose and Intent Transfer Development~~  
1960 ~~Rights,]~~  
1961 ~~Density/Intensity Rating System:~~
- 1962 (1) ~~Density/Intensity Rating System:~~
- 1963 (i) ~~The number of residential units and the floor area of nonresidential development~~  
1964 ~~rights that a sending site is eligible to send to a receiving site shall be determined~~  
1965 ~~by applying the TDR sending site base density/intensity established in subsection~~  
1966 ~~(iv) of this section to the area of the sending site, after deducting the area~~  
1967 ~~associated with any existing development, any retained development rights and~~  
1968 ~~any portion of the sending site already in a conservation easement, a restrictive~~  
1969 ~~covenant or other similar encumbrance. [Relocated to Sec. 3-C-3.5.c.(1)~~  
1970 ~~Sending Area Transfer Density/Intensity Rating System] For each existing~~  
1971 ~~dwelling unit or retained development right, the sending site area shall be reduced~~  
1972 ~~by the minimum lot size for that zone. [Relocated to Sec. 3-C-3.5.c.(2) Sending~~  
1973 ~~Area Transfer Density/Intensity Rating System]~~
- 1974 (ii) ~~Any fractions of development rights that result from the calculations in subsection~~  
1975 ~~A of this section shall not be included in the final determination of total~~

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## **Part D Zoning Districts and Development Standards**

- 1976 *development rights available for transfer.* [Relocated to Sec. 3-C-3.5.c.(3)  
 1977 **Sending Area Transfer Density/Intensity Rating System]**  
 1978 (iii) ~~For purposes of calculating the amount of development rights a sending site can~~  
 1979 ~~transfer, the amount of land contained within a sending site shall be determined~~  
 1980 ~~as follows:~~  
 1981 **a.** ~~If the sending site is an entire tax lot, the square footage or acreage shall~~  
 1982 ~~be determined:~~  
 1983 **i.** ~~by the records from the Clay County Property Appraiser's Office;~~  
 1984 ~~or~~  
 1985 **ii.** ~~by a survey funded by the applicant that has been prepared and~~  
 1986 ~~stamped by a surveyor licensed in the State of Florida; and~~  
 1987 **b.** ~~If the sending site consists of a lot that is divided by a **future land use**~~  
 1988 ~~boundary, the square footage or acreage shall be calculated separately~~  
 1989 ~~for each **land use classification**. The square footage or acreage within~~  
 1990 ~~each **land use classification** shall be determined by the Clay County **Future**~~  
 1991 ~~**Land Use Map** that established the land use and property lines, such as~~  
 1992 ~~an approved lot line adjustment. When such records are not available or~~  
 1993 ~~are not adequate to determine the square footage or acreage within each~~  
 1994 ~~land use classification, the Department of Development Services shall~~  
 1995 ~~calculate the square footage or acreage through the geographic~~  
 1996 ~~information system (GIS) mapping [Relocated to Sec. 3-C-3.5.d.~~  
 1997 **Computation of Development Rights]**  
 1998 (iv) ~~For the purposes of the transfer of development rights (TDR) program~~  
 1999 ~~only, the following TDR sending site base densities apply:~~

<b><i>Land Use</i></b>	<b><i>Base Density/Intensity</i></b>
<i>Agriculture</i>	<del>1 du/10 gross acres*</del>
<i>Agriculture/ Residential</i>	<del>1 du/5 gross acres</del>
<i>Rural Residential</i>	<del>1 du/net acres</del>
<i>Rural Reserve</i>	<del>1.5 du/gross acre</del>
<i>Rural Fringe</i>	<del>3 du/net acre</del>
<i>Urban Fringe</i>	<del>6 du/net ac</del>
<i>Urban Core (10)</i>	<del>10 du/net acre</del>
<i>Commercial</i>	<del>40% FAR</del>
<i>Mixed Use</i>	<del>15 du/net acre and 25% FAR</del>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<i>Industrial</i>	<del>50% FAR</del>
<i>Industrial Park</i>	<del>35% FAR</del>
<i>Business Park</i>	<del>20% FAR</del>

2000  
2001  
2002  
2003  
2004  
2005  
2006  
2007

*\* It is the County's intent to further incentivize application of TDR program to Agriculture lands [Relocated to Sec. 3-C-3.5.e. Sending Site Base Densities]*

(v) ~~The number and/or the floor area of development rights that a sending site is eligible to send to a receiving site shall be determined through the application of a conversion ratio included in this subsection. The conversion ratio will be applied to the number of available sending site development rights determined under subsection (1)(i) of this section. [Relocated to Sec. 3-C-3.5.f. Conversion Ratio]~~

### **Conversion Ratio**

		FROM					
		<i>Industrial (1,000sf)</i>	<i>Single Family (d.u.)</i>	<i>Apartment/ Multi Family (d.u.)</i>	<i>Hotel (room)</i>	<i>Office (1,000sf)</i>	<i>Retail/Service (1,000sf)</i>
<b>TO</b>	<i>Industrial (1,000sf)</i>	1	2.7	1.2	1.7	3.17	5.27
	<i>Single Family (per d.u.)</i>	N/A	1	0.44	N/A	N/A	N/A
	<i>Apt/Multi- Family (per d.u.)</i>	N/A	2.25	1	N/A	N/A	N/A
	<i>Hotel (per room)</i>	0.59	1.59	0.71	1	1.87	3.11
	<i>Office (per 1,000sf)</i>	0.32	0.85	0.38	0.54	1	1.67
	<i>Retail/Service (per 1,000sf)</i>	0.19	0.51	0.23	0.32	0.6	1

2008

**[Relocated to Table 3-C-3.7.g. Conversion Ratio]**

2009  
2010  
2011  
2012  
2013

(vi) ~~Development rights from one sending site may be allocated to more than one receiving site and one receiving site may accept development rights from more than one sending site. [Relocated to Sec. 3-C-3.5.g. Multiple Sending Sites]~~

(vii) ~~The determination of the number of residential development rights a sending site has available for transfer to a receiving site shall be valid for transfer purposes~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2014 *only, shall be documented in a TDR certificate letter of intent and shall be*  
2015 *considered a final determination, not to be revised due to changes to the sending*  
2016 *site's land use or zoning. [Relocated to Sec. 3-C-3.5.h. TDR Certificate Letter*  
2017 *of Intent]*
- (2) ~~*A designation of DRA shall be limited to Commercial, Business Park, Industrial, Industrial Park, Mixed-Use, residential land use categories with a minimum density greater than 1 unit per acre, and similar categories in Master Plan Areas within the Centralized Water and Sewer Service Area (CWSSA). Respectively, the areas outside of the DRA shall be a potential Density/Intensity Sending Area (DSA). The designation of site-specific DRA and DSA shall be reviewed and authorized by the TDR Review Committee formed under the program. [Relocated to Sec. 3-C-3.5.i.(1) TDR Receiving Sites]*~~
- (3) ~~*Density/Intensity transfers may be permitted from an area within the DRA into another portion of the DRA subject to the Density/Intensity Rating System. Developed lands within the DRA are not qualified to become a DSA. In case the developed lands within the DRA are reclaimed for conservation, preservation, recreation and/or urban agricultural purposes, it may be qualified to become a DSA upon review. [Relocated to Sec. 3-C-3.5.i.(2) TDR Receiving Sites]*~~
- (3) ~~*Density/Intensity transfers may be permitted from an area within the DRA into another portion of the DRA subject to the Density/Intensity Rating System. Developed lands within the DRA are not qualified to become a DSA. In case the developed lands within the DRA are reclaimed for conservation, preservation, recreation and/or urban agricultural purposes, it may be qualified to become a DSA upon review. [Relocated to Sec. 3-C-3.5.i.(2) TDR Receiving Sites]*~~
- (4) ~~*In no case shall density/intensity be transferred to the outside of the DRA from the DRA. Also, no transfer shall be allowed within areas outside of the DRA. [Relocated to Sec. 3-C-3.5.i.(3) TDR Receiving Sites]*~~
- (5) ~~*For projects utilizing this TDR process, density/intensity may be increased above and beyond the density/intensity otherwise allowed by the Density Rating System up to 200% of the maximum density/intensity permitted. For master plan areas, up to 200% of recommended average density/intensity standards may be permitted for receiving sites independently from other areas. [Relocated to Sec. 3-C-3.5.i.(4) TDR Receiving Sites]*~~
- (6) ~~*TDR receiving sites shall meet the following requirements:*~~
- (i) ~~*Be served by Centralized Water and Sewer Services;*~~
  - (ii) ~~*Demonstrate the availability of public facilities or planned within the next five years at the adopted LOS standards;*~~
  - (iii) ~~*Promote compact development and energy efficient land use pattern; and*~~
  - (iv) ~~*Demonstrate the suitability of the site for receiving the density/intensity transfer. [Relocated to Sec. 3-C-3.5.i.(5) TDR Receiving Sites]*~~
- (7) ~~*Development rights from a sending site shall be considered transferred to a receiving site when a final decision is made on the TDR receiving area development proposal, the sending site is protected by a completed and recorded land dedication (TDR Deed of Transfer), Conservation Easement, and notification shall be provided to the Clay County Property Appraiser's Office and a TDR extinguishment document shall be provided to the*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

2057 ~~department of development services, or its successor agency.~~ [Relocated to Sec. 3-C-  
2058 3.5.j. Documentation of Approved TDRs]

### 2059 Sec. 3-C-3.6. Branan Field Density Bonus Programs

#### 2060 3-C-3.6.a. Purpose and Intent

2061 The purpose and intent of the Section is to address the allowance of additional density for the Branan Field  
2062 Rural Suburb (BF RS) FLU category. The base density of the BF RS is 1 unit per 5 acres, and additional  
2063 density is allowed if a proposed development commits to the preservation of environmentally sensitive  
2064 lands and Open Space. There are 7 ways of achieving additional density as described in the following  
2065 Subsections.

#### 2066 3-C-3.6.b. Eligibility

2067 *Properties eligible for the Density Bonus Program include those properties that were in the Rural*  
2068 *Residential FLU category on the 2015 Comprehensive Plan at the time of adoption of the LDCs, and shall*  
2069 *also include those properties that were greater than 200 acres and under common ownership as shown by*  
2070 *the Property Appraiser tax rolls at the time of adoption of these LDCs.*

#### 2071 3-C-3.6.c. Additional Density

2072 *Additional density not to exceed 1 unit per acre shall comply with the following requirements:*

- 2073 (1) *Minimum Open Space. A minimum of 35 percent of usable Open Space with no more than 60*  
2074 *percent of this being wetland area. This shall be usable open space intertwined throughout the*  
2075 *community and shall include connected, paved or unpaved walking trails and/or bike paths.*
- 2076 (2) *Perimeter Buffer.*
- 2077 (a) *A minimum average width of 50 feet, may be exempt when abutting a similar buffer of the*  
2078 *same width; or*
- 2079 (b) *Buffer width may be reduced to a maximum of 35 feet if the following conditions are met:*
- 2080 i. *Non-Wetland or BF PCN. Shall not include wetland or BF PCN lands;*
- 2081 ii. *Vegetation. Shall include preserved or planted vegetation that provides an effective*  
2082 *visual screen at least 85 percent opacity from adjacent street rights-of-way and*  
2083 *properties. The 85 percent opacity standard shall be met within 3 years after planting.*  
2084 *Buffers shall include native vegetation to ensure drought tolerance and survivability.*
- 2085 iii. *Non-Vegetation. Buffers shall not include roads, retention, or any other areas that are*  
2086 *not vegetated, except for utility easements at a maximum width of 15 feet when right-*  
2087 *of-way is not available to serve lots with utilities, and/or hiking or multi-purpose trails*  
2088 *not to exceed a paved area of 8 feet.*
- 2089 iv. *Performance Bond. A performance bond shall be provided to the County for the period*  
2090 *of 3 years to ensure that planted vegetation is established.*
- 2091 v. *Ownership. Buffers may not be part of individual lots but shall be common areas owned*  
2092 *by homeowners' associations or deeded to the County or water management district.*

#### 2093 3-C-3.6.d. Additional Density that exceeds 1.5 Units per 2 Net Acres

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2094 Developments utilizing the Density Bonus Program that achieve net densities (less wetlands and  
2095 parks/Open Space) that are higher than 1.5 units per 2 acres shall comply with the following standards:

<u>Developments:</u>	<u>Apply Development Standards of:</u>
<u>With &gt; 20 percent lots that are &lt; 6,000 square feet</u>	<u>BF MPC Village Zone</u>
<u>With other lot size</u>	<u>Suburban Zone</u>

- 2096 (1) Neighborhood Centers shall be required and shall include, at a minimum, a centrally located  
2097 Primary Neighborhood Park with facilities and required Civic Space.  
2098 (2) Neighborhood Centers that provide General Retail Sales and Business or Professional Office type  
2099 of uses as described in the BF MPC category are encouraged.

### **3-C-3.6.e. Density Increase from Transfer of Wetlands**

2101 The density of wetlands (within a conservation easement), if existing on a property with a base density of 1  
2102 unit per 5 acres, may be transferred to the upland areas. Refer to Sec. 3-C-3.2. Clustering.

### **3-C-3.6.f. Complementary Use Bonus Density**

2104 The base density of 1 unit per 5 acres may be allowed to increase to 1 unit per 2 acres when development  
2105 is adjacent to 1 or more of the following land uses: BF AC, BF CC, BF MPC, or any other land use that  
2106 allows densities of greater than 2 units per acre.

- 2107 (1) Adjacency. In this case, "adjacent" requires that the property in question share a property boundary  
2108 that is at least 1/3 of the perimeter of the property in question with 1 or more of the above land uses.  
2109 Lands across a road classified as collector or below shall be counted in this calculation, however  
2110 land across the BF PCN or a Conservation area shall not be counted.

### **3-C-3.6.g. BF PCN and Open Space Set-Aside Bonus Density**

2112 The base density of 1 unit per 5 acres may be increased to a maximum of 1 unit per acre through the  
2113 transfer of intensity from lands within the BF PCN network and from preserved Open Space. All lands which  
2114 are subject to the transfer of intensity shall be contiguous, and isolated fragments shall not be created.

<u>Additional Density</u>	<u>Set-aside BF PCN Lands or Preserved Open Space</u>
<u>10 units per acre:</u>	<u>1 acre of BF PCN land that are immediately adjacent to the existing BF PCN land or that will function as a corridor providing for wildlife movement between BF PCN lands.</u>
<u>4 units per acre:</u>	<u>1 acre of land that is dominated by ecologically sensitive communities like Longleaf Pine, Turkey Oak, or Sand Hill.</u>
<u>2 units per acre:</u>	<u>In the absence of the above 2 types of density bonus lands, 1 acre of Open Space that is either forested or an extension of required perimeter buffers may be allowed for intensity transfer subject to a minimum size as follows:</u>
	<u>Such lands shall be contiguous areas that are at least 2 acres in size with an average width and depth of 200 feet.</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2115 **3-C-3.6.h. Additional 25 Percent or 100 Units**
- 2116 An additional 25 percent of the allowable maximum intensity or 100 units, whichever is less, may be allowed  
2117 subject to the following:
- 2118 (1) All development rights from lands within the property that transferred the density shall be  
2119 permanent.
- 2120 (2) Dedication of Park space shall exceed minimum requirements by 150 percent.
- 2121 (3) Additional BF PCN lands shall be provided within the development in the amount of at least 10,000  
2122 square feet per additional unit. Such lands shall be uplands and may not include any lands within  
2123 utility easements.
- 2124 (4) A clubhouse shall be provided in a Civic Space.

- 2125 **3-C-3.6.i. Central Water and Sewer**
- 2126 Connection to the urban services of central water and sewer is required for new developments within the  
2127 BF Master Planned Community. However, septic tanks and wells shall be allowed for Single-Family units  
2128 on existing lots of record.
- 2129 (1) New Commercial, except within the BF RAC, shall tie into central water and sewer.
- 2130 (2) Residential subdivisions may also be served by well and septic tanks meeting all of the following  
2131 standards:

(a)	<u>Number of Lots:</u>	<u>≤ 50</u>
(b)	<u>Overall Density:</u>	<u>≤ 2.5 unit per acre</u>
(c)	<u>Minimum Size of Lots:</u>	<u>≤ ¾ acre</u>

2132 **Sec. 3-C-3.7. Lake Asbury Density Bonus Program**

- 2133 **3-C-3.7.a. Wetland-Upland Buffers**
- 2134 (1) *These buffers shall be protected by conservation easements that are dedicated to the St. Johns*  
2135 *River Water Management District, the Florida Fish and Wildlife Conservation Commission, an*  
2136 *established private non-profit land trust or the County.*
- 2137 (2) *These lands shall be deeded to one of these agencies, the homeowners' association, or retained*  
2138 *by the landowner or developer, but shall not be deeded to individual homeowners.*
- 2139 (3) *Crossings of the wetland-upland buffers are permitted for roadways, utility crossings, trails and*  
2140 *pathways, and drainage outfalls, all subject to agency permitting.*
- 2141 (4) *No wetland-upland buffer is required between jurisdictional wetlands and road crossings, public*  
2142 *infrastructure, utility crossings, wetlands impacts permitted by State and Federal regulatory*  
2143 *agencies nor berms associated with stormwater ponds .*
- 2144 (5) *In addition to the wetland-upland buffers for jurisdictional wetlands as required by other regulatory*  
2145 *agencies, wetland-upland buffers shall be required for certain creeks within the Asbury Greenway*  
2146 *as follows, where the offset distance is defined as the perpendicular distance from the established*  
2147 *jurisdictional wetland line:*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Creek	Average Buffer	Minimum Buffer
<i>Black Creek (northern LAMPA boundary)</i>	100 feet	50 feet
<i>Peters Creek (eastern boundary)</i>	100 feet	50 feet
<i>Bradley Creek</i>	100 feet	50 feet
<i>Black Creek South Prong</i>	50 feet	30 feet

- 2148 (6) *Creek tributary buffer width shall transition between the widths listed above and the 30-foot*  
 2149 *standard at a decreasing buffer width rate not to exceed 15 linear feet for each foot of buffer*  
 2150 *width.*
- 2151 (7) *The allowable density shall be calculated for the acreage of lands protected in the wetland-upland*  
 2152 *buffers.*
- 2153 (8) *Asbury Greenway. For wetland-upland buffers located in the Asbury Greenway, density shall be*  
 2154 *based on the adjacent FLU category. This density may be applied to Residential development*  
 2155 *within the limits as shown on a preliminary plan which includes that portion of the Greenway.*
- 2156 (9) *Maximum Density. Total density, including density from wetland-upland buffers located within the*  
 2157 *Greenway, shall not exceed the maximum density established by the FLU category as shown in*  
 2158 *LA FLU Policy 1.4.1 of the 2040 Comprehensive Plan.*

### **3-C-3.7.b. Upland Preservation**

- 2160 *The preservation of environmentally significant lands lying outside the Asbury Greenway shall entitle the*  
 2161 *owner to an additional density bonus of up to 10 units per acre.*
- 2162 (1) *Maximum Density. This density may be applied to Residential development within the limits as*  
 2163 *shown on a preliminary plan which includes those environmentally significant lands. Total density*  
 2164 *including density bonus shall not exceed the maximum density established by the FLU category.*
- 2165 (2) *Criteria for Density Bonus. To receive a density bonus, the area preserved shall be a minimum of*  
 2166 *2 contiguous acres in area and shall be configured in a manner that takes into account topography,*  
 2167 *parcel shape, and other factors that are unique to the property.*
- 2168 (a) *Configuration. The use of long narrow preservation areas shall be discouraged unless they*  
 2169 *are combined with other preservation areas to form a larger, contiguous preservation area.*  
 2170 *To enhance existing systems, priority should be given to such communities that are*  
 2171 *contiguous to the Asbury Greenway or Greenbelt Zoning Overlay.*
- 2172 (3) *Upland Preservation Area Connectivity. Upland preservation shall also provide for greenway*  
 2173 *connectivity in the form of those greenbelts depicted on the LAMPA Map (FLUM).*
- 2174 (a) *Greenbelts. Created by the Greenbelt Zoning Overlay, greenbelts shall consist of uplands*  
 2175 *that connect natural features such as creeks and linear wetlands and utilize forested*  
 2176 *corridors whenever possible to connect areas of the Asbury Greenway.*
- 2177 (b) *Allowable Uses. Shall be limited to passive recreation in the form of pedestrian walkways,*  
 2178 *bicycle paths, and boardwalks.*

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

2191

**DIVISION 4 HEIRS EXEMPTION AND HOMESTEAD**

2192

**SUBDIVISION**

2193

**Sec. 3-C-4.1. Heirs Exemption**

2194

*Heirs Exemptions. Pursuant to Policy 1.9.6 of the 2040 Comprehensive Plan, Clay County shall provide mechanisms to allow the transfer of land (hereby known as property) for the use of the transferor's heir for his or her primary residence subject to the following standards.*

2195

2197

**3-C-4.1.a. Eligibility**

2198

*(1) For the purpose of eligibility for Heir's Exemption, an heir is defined as a transferor's: Grandparent, Parent, Stepparent, Adopted Parent, Sibling, Child, Stepchild, Adopted Child, or Grandchild.*

2199

2200

*(2) Only one lot shall be created for each family member, regardless of where the lot is located or the amount of time that has passed.*

2201

2202

*(3) Lots subdivided as part of a Residential Aviation Community may not be further subdivided through the heir's exemption.*

2203

2204

**3-C-4.1.b. FLU**

2205

*Within the AG, AR and RR FLU Categories, a minimum lot size of 1 acre is required. Within the RF, UF, UC(10) FLU Categories, the minimum lot size shall be pursuant to Part D Zoning Districts and Development Standards, and the maximum lot size shall be 1 acre.*

2206

2207

2208

**3-C-4.1.c. Lot Dimensions**

2209

*Lot width and depth, setbacks, and uses shall be governed by the zoning district for the property. Refer to Part D Zoning Districts and Development Standards.*

2210

2211

**3-C-4.1.d. Non-Conforming Lots**

2212

*The Heir's Exemption cannot be utilized to bring into conformance lots which do not otherwise qualify for Non-Conforming lot of record status as set forth in Part B Non-Conformities.*

2213

2214

**3-C-4.1.e. Access**

2215

*Both the heir's property and the remainder of the transferor's lot shall have access via a publicly maintained road or a private easement with a minimum width of 30 feet.*

2216

2217

**3-C-4.1.f. Ownership and Title of the Property**

2218

*Building permits and Certificates of Occupancy may only be issued with the heir specified as the owner of the property.*

2219

2220

*(1) If the property remains vacant, then the heir shall retain title to the property for a minimum of 5 years before transfer or sale. The sale of the property prior to that time shall cause the cancellation*

2221

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2222 of the property's heir's exemption status, and no construction of a dwelling unit shall be permitted  
2223 on the property unless the property complies with the assigned FLU intensity requirements.
- 2224 (2) Minimum Length of Residency on Property. If an heir constructs his or her permanent residence  
2225 on the property, the heir shall reside in the residence for a minimum of 2 years from the date of the  
2226 issuance of the Certificate of Occupancy. The sale or lease of the property for occupancy by  
2227 another party prior to that time shall cause the cancellation of the heir's exemption status and the  
2228 home shall be subject to applicable requirements of Part B Non-Conformities. In no case, however,  
2229 will the heir be required to retain title of the lot for more than 5 years, despite the length of  
2230 occupancy of the dwelling unit by the heir.
- 2231 (3) Exemption. For those Heir's Exemption transfers executed prior to November 27, 2007, the heir  
2232 shall have retained title to the property a minimum of 1 year in order for the property to retain the  
2233 Heir's Exemption status and to be eligible for sale or transfer.

### 2234 3-C-4.1.g. Types of Transfer

- 2235 The following types of transfers shall not cause the cancellation of a lot's heir's exemption status and shall  
2236 not subject a home on the lot to Part B Non-Conformities, regardless of the length of time the property has  
2237 been retained by the heir:
- 2238 (1) *Transfer of the lot to the heir's estate upon the death of the heir, either through testate or intestate  
2239 succession as provided by state law; or*
- 2240 (2) *Involuntary transfer of the lot arising out of a judgment or order entered against the heir and  
2241 rendered by a court of competent jurisdiction; or*
- 2242 (3) *Relocation due to an employment or educational opportunity, provided that the relocation would  
2243 require the heir to move his or her permanent residence, as defined in section 196.012(18), Florida  
2244 Statutes.*
- 2245 (4) *In the event the heir wishes to transfer the lot due to relocation, the heir shall submit an affidavit to  
2246 the County attesting to the circumstances surrounding the educational or employment opportunity  
2247 that require the heir to move his or her permanent residence.*
- 2248 (5) *A lot shall retain its heir's exemption status in the event the heir is serving in any branch of the  
2249 Armed Forces of the United States and, by reason of such service, is unable to reside on the lot.*

### 2250 3-C-4.1.h. Application

- 2251 To obtain an Heir's Exemption, a completed application must be submitted to the County. The following  
2252 items must be provided with an application for Heir's Exemption:
- 2253 (1) *An unrecorded deed and a legal description of the transferred property which includes the size both  
2254 of the new parcel and the remainder of the parent parcel;*
- 2255 (2) *A copy of the original recorded deed for the transferor's property;*
- 2256 (3) *Evidence of the relationship between the heir and the transferor;*
- 2257 (4) *A certified survey performed since the most recent land transaction showing the dimensions of the  
2258 heir's lot and the remainder portion of the transferor's lot. Applicants may request a waiver from  
2259 the survey requirement if the remainder of the grantor's parcel is larger than 10 acres after the  
2260 transfer to the heir, and no survey has been done in the previous year;*
- 2261 (5) *The survey must show evidence that the heir's lot and the remainder of the transferor's property  
2262 have access via a publicly maintained road or a private easement with a minimum width of 30 feet;  
2263 and*

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## **Part D Zoning Districts and Development Standards**

2264 (6) *An acknowledgement by the Applicant that standards outside the purview of the County may affect*  
2265 *or preclude the construction of a residence upon the heir's lot, including but not limited to wetlands*  
2266 *standards or septic tank standards.*

### **3-C-4.1.i. Approval of Application**

2268 *Following the approval of the heir's exemption, the applicant shall execute an affidavit which documents*  
2269 *the heir's exemption and the conditions of approval.*

2270 (1) *The affidavit form shall be provided by the County and be recorded by the applicant, together with*  
2271 *the deed for the transferred property, in the Official Records of Clay County at the applicant's*  
2272 *expense.*

2273 (2) *The applicant shall provide copies of the recorded affidavit and deed to the County.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

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3-D-13.4.b.	Residential
3-D-13.4.c.	Non-Residential
3-D-13.5.	LA Master Planned Community (LA MPC)
3-D-13.5.a.	Description
3-D-13.5.b.	Development Standards

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3-D-13.6.	LA Rural Reserve (LA RRSV)
3-D-13.6.a.	Description
3-D-13.6.b.	Development Standards
3-D-13.6.c.	LA RRSV Uses
3-D-13.7.	LA Rural Community (LA RC)
3-D-13.7.a.	Description
3-D-13.7.b.	Development Standards
3-D-13.7.c.	LA RC Uses
3-D-13.8.	LA Rural Fringe (LA RF)
3-D-13.8.a.	Description
3-D-13.8.b.	Development Standards
3-D-13.8.c.	LA RF Uses
3-D-13.9.	LA Activity Center (LA AC)
3-D-13.9.a.	Description
3-D-13.9.b.	Land Use Mix
3-D-13.9.c.	Development Standards
3-D-13.9.d.	LA AC Uses
3-D-13.10.	LA Village Center (LA VC)
3-D-13.10.a.	Description
3-D-13.10.b.	Land Use Mix
3-D-13.10.c.	Development Standards
3-D-13.10.d.	LA VC Uses
3-D-13.11.	LA Interchange Village Center (LA IVC)
3-D-13.11.a.	Description
3-D-13.11.b.	Land Use Mix
3-D-13.11.c.	Development Standards
3-D-13.11.d.	LA IVC Uses
3-D-13.12.	Solite (LA SOL)
3-D-13.12.a.	Description
3-D-13.12.b.	Intensity
3-D-13.12.c.	LA SOL Uses
3-D-13.13.	LA Greenway (LA GW)
3-D-13.13.a.	Description
3-D-13.13.b.	Development Standards
3-D-13.14.	LA Wetland-Upland Buffers

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

3-D-13.14.a.	Wetland - Upland Buffers
3-D-13.14.b.	Intensity Transfer

2274

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2275

### **DIVISION 1 GENERAL PROVISIONS**

2276

#### **Sec. 3-D-1.1. Purpose and Intent**

2277 The purpose and intent of Part D is to further implement Part C, Future Land Use Categories and Density  
2278 Bonus Programs by establishing standards specific to each zoning district, and ensure these standards are  
2279 consistent with the FLU of Clay County’s Comprehensive Plan. The zoning districts which include the  
2280 Agricultural, Residential standard districts and Planned Development districts are grouped under 3 Tiers:  
2281 Low Intensity; Medium Intensity; and High Intensity. The Tier system shall not apply to the Non-Residential  
2282 districts and Master Planned Communities.

2283

#### **Sec. 3-D-1.2. Applicability**

2284 Part D shall apply to all parcels of land within the boundaries of Clay County. Any applications for a  
2285 Development Order (DO) are required to rezone to a zoning district that is consistent with the parcel of  
2286 land’s FLU category, refer to Table.

2287

##### **3-D-1.2.a. Prior Approval**

2288 Any application for a modification to a previously approved DO shall be subject to the standards of the lot’s  
2289 zoning district.

2290

#### **Sec. 3-D-1.3. District Development Standards**

2291 The minimum and maximum land development standards, which include but is not limited to, lot size and  
2292 dimensions; lot coverage; and setbacks shall be applied as set forth in individual zoning district subsections,  
2293 unless stated otherwise in Subsection a. Exception.

2294

##### **3-D-1.3.a. Exception**

- 2295 (1) *Aquatic Preserves or Outstanding Florida Waters.* All structures shall be set back a minimum of 50  
2296 feet landward from the ordinary high-water line or mean high water line, whichever is applicable;  
2297 for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback shall be  
2298 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing  
2299 bulkheads permitted by the St. Johns River Water Management District or Florida Department of  
2300 Environmental Protection.
- 2301 (2) *Waterfront Lots.* Waterfront lot widths shall be a minimum of 100 feet at the ordinary high-water  
2302 line or the mean high-water line, whichever is applicable. Lot width shall be measured by the chord  
2303 terminated by the property corners at the ordinary high-water line or the mean high-water line as  
2304 applicable.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 2305 **Sec. 3-D-1.4. Setbacks**

2306 *All existing and proposed buildings or structures shall comply with the required setbacks as stated in each*  
2307 *zoning district, except as determined by the Planning and Zoning Director or his/her designee, as follows:*

#### 2308 **3-D-1.4.a. Exemptions**

2309 *Underground utility equipment, clothes lines, flag poles, mail boxes, police call boxes, traffic signals, fire*  
2310 *hydrants, light poles, or any similar structure or device.*

#### 2311 **3-D-1.4.b. Trees**

2312 *May reduce the front, side or rear setback standards identified in each FLU category or zoning district to*  
2313 *preserve a hardwood tree with a minimum 12 inch DBH.*

#### 2314 **3-D-1.4.c. Error in Position**

2315 *A waiver of up to 3 feet where an error in structure placement has occurred and removal and/or correction*  
2316 *would cause an undue hardship on the builder or property owner.*

#### 2317 **3-D-1.4.d. Corner Lots**

2318 *On corner lots, the setback from any street shall be the same as the setback from the street serving as the*  
2319 *front street, except on lots having less than 75 feet of frontage and recorded on plats prior to December 30,*  
2320 *1945. On such lots no building shall be erected closer than 15 feet from the side line abutting an intersecting*  
2321 *street and no buildings shall be erected closer than 10 feet from the rear property line on a site within 60*  
2322 *feet of the side street.*

#### 2323 **3-D-1.4.e. Lot Width**

2324 *The minimum lot width identified in the applicable Residential zoning district shall be met within 50 feet of*  
2325 *the front lot line or centerline of the easement providing access.*

### 2326 **Sec. 3-D-1.5. Lot Frontage**

2327 *Lot Frontage. No building shall be erected on a lot which does not abut at least 1 public or private street or*  
2328 *easement for at least the applicable distance below:*

#### 2329 **3-D-1.5.a. Cul-de-Sac**

2330 *Lots which front on a cul-de-sac shall abut the street for a minimum of 25 feet being measured by the chord*  
2331 *terminated by the front property corners. In addition, cul-de-sac lots shall have a minimum building line*  
2332 *width of 50 feet measured at the required front yard setback line.*

#### 2333 **3-D-1.5.b. Curve Lots**

2334 *Lots fronting on a curve shall have a minimum frontage of 40 feet being measured by the chord terminated*  
2335 *by the front property corners provided that a minimum building line width of 50 feet is provided at the*  
2336 *required front lot setback.*

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

- 2337 **3-D-1.5.c. Lots Accessed by a Private Easement**
- 2338 *Lots fronting on a private access easement shall have a minimum frontage of 50 feet, provided however*
- 2339 *that the lot terminating the easement may have frontage of 30 feet. A minimum lot width of 50 feet shall be*
- 2340 *provided at the required front setback.*
- 2341 **3-D-1.5.d. All other lots**
- 2342 *All other lots shall have a minimum frontage of 50 feet being measured at the right-of-way line.*
- 2343

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

2344

**DIVISION 2 AGRICULTURAL ZONING DISTRICT**

2345

**Sec. 3-D-2.1. Agricultural (AG) Zoning District**

2346

**3-D-2.1.a. AG Intent**

2347

*Intent. All land designated as AG Zoning District is subject to the standards of this Section. Such uses have been established for the protection of agriculture as a major industry in the County by preventing encroachment on agricultural lands by incompatible uses; to encourage a broad range of agricultural activities and their accessory operations, including the processing and sale of agricultural products raised on the premises; to protect watersheds and water supplies, wilderness and scenic areas and conservation and wildlife areas; and to permit a variety of activities which require non-urban locations but which do not operate to the detriment of adjoining lands devoted to rural and agriculture purposes.*

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**3-D-2.1.b. AG Density**

2355

*The maximum densities and minimum lot size for Residential uses in the AR District under different FLU categories shall be as follows:*

2356

<u>FLU</u>	<u>Density/Lot Size<sup>1</sup></u>	<u>Non-Subdivision</u>	<u>Subdivision with Clustering and Points</u>	<u>Subdivision without Clustering and Points</u>
<u>AG</u>	<i>Maximum Density:</i>	<i>1 unit per 20 gross acres</i>	=	=
	<i>Minimum Lot Size:</i>	<i>20 acres</i>	=	=

Footnote:

1 Or as provided for in Sec. 3-C.4.1. Heirs Exemption.

2357

**3-D-2.1.c. AG Development Standards**

2358

*The principal structure(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards:*

2359

<u>(1)</u>	<u>Minimum Lot Size:</u>	<u>1 acre [Sec. 3-11.(b)(2)(ii).]</u>
<u>(2)</u>	<u>Minimum Lot Dimensions:</u>	
<u>(a)</u>	<i>Lot Width<sup>1</sup>:</i>	<i>At building line:</i>
		<i>100 feet [From Sec. 3-12.(f)(1)]</i>
<u>(b)</u>	<i>Lot Depth:</i>	<i>150 feet [From Sec. 3-12.(f)(2)]</i>
<u>(3)</u>	<u>Minimum Setbacks<sup>2</sup>:</u>	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

(a)	<u>Front:</u>	<u>From property line when adjacent to any district:</u>	30 feet [From Sec. 3-12.(f)(3)]
(b)	<u>Side</u> <sup>3</sup> :	<u>From property line when adjacent to any district:</u>	15 feet [From Sec. 3-12.(f)(5)]
(c)	<u>Rear:</u>	<u>From property line when adjacent to any district:</u>	35 feet [From Sec. 3-12.(f)(4)]
(4)	<u>Accessory Structure</u> <sup>4</sup> :		
(a)	<u>Front:</u>	<u>From property line when adjacent to any district:</u>	30 feet From Sec. 3-12.(f)(6)]
(b)	<u>Side, Rear:</u>	<u>From property line when adjacent to any district:</u>	7.5 feet [From Sec. 3-12.(f)(7)]
(5)	<u>Minimum Living Area:</u>		750 square feet [From Sec. 3-12.(f)(8)]

Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.
- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

2360 **3-D-2.1.d. AG Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>	
		<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>	
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>	
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>	

2361 **Sec. 3-12. AGRICULTURAL DISTRICT (ZONE AG)**

2362 (a) ~~Intent. All land designated as Zone AG is subject to the regulations of this Section as well as the~~  
 2363 ~~appropriate density and intensity restrictions from Sec. 20.3-10. Such uses have been established~~  
 2364 ~~for the protection of agriculture as a major industry in the County by preventing encroachment on~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

2365 *agricultural lands by incompatible uses; to encourage a broad range of agricultural activities and*  
2366 *their accessory operations, including the processing and sale of agricultural products raised on the*  
2367 *premises; to protect watersheds and water supplies, wilderness and scenic areas and conservation*  
2368 *and wildlife areas; and to permit a variety of activities which require non-urban locations but which*  
2369 *do not operate to the detriment of adjoining lands devoted to rural and agriculture purposes.*  
2370 **[Relocated to Sec. 3-D-2.1.a Intent]**  
2371 (e) *Density Requirements. The maximum density for residential development in this zoning district is*  
2372 *one (1) unit per twenty (20) acres, or as otherwise provided for in Sections 20.3-10(e) and (f), which*  
2373 *address heirs and homestead exemptions. [Relocated to Sec. 3-D-2.1.b. AG Density]*  
2374 (f) ~~Lot and Building Requirements. The principal buildings and other lot uses shall be located so as to~~  
2375 ~~comply with the following requirements:~~  
2376 (1) ~~Minimum Lot Width at Building Line~~ 100 feet  
2377 (2) ~~Minimum Lot Depth~~ 150 feet  
2378 (3) ~~Minimum Front Setback~~ 30 feet  
2379 (4) ~~Minimum Rear Setback~~ 35 feet  
2380 (5) ~~Minimum Side Setback~~ 15 feet  
2381 (6) ~~Minimum Front Yard Setback for Accessory Structures~~ 30 feet  
2382 (7) ~~Minimum Rear and Side Yard Setback for Accessory Structures,~~ 7.5 feet  
2383 ~~Excluding Fences~~  
2384 (8) ~~Minimum living area~~ 750 sq. ft.  
2385 **[Relocated to Sec. 3-D-2.1.c. AG Development Standards]**  
2386 ~~(amended 2/05—Ord. 95-2)~~  
2387 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
2388 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
2389 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
2390 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
2391 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
2392 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
2393 ~~Outstanding Florida Waters]~~  
2394 (10) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~  
2395 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~  
2396 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~  
2397 ~~high water line as applicable. (amended 5/05—Ord. 05-18) [Relocated to Sec. 3-D-~~  
2398 ~~1.3.a.(2) Waterfront Lots]~~  
2399

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

2400 **DIVISION 3 AGRICULTURAL RESIDENTIAL ZONING**  
 2401 **DISTRICTS**

2402 **Sec. 3-D-3.1. Agricultural/Residential (AR) Zoning Districts**

2403 *The AR FLU category allows a transition between suburban Residential densities and major agricultural*  
 2404 *and silvicultural activities. The very low to low density in the Agricultural/Residential (AR); Country Estates*  
 2405 *(AR-1) and Rural Estates (AR-2) Zoning Districts allows individual family agricultural operations and*  
 2406 *maintains the existing rural pattern of Residential uses that has adequate access. Some locations in the*  
 2407 *AR Zoning Districts may qualify for additional density if the development utilizes the Density Bonus*  
 2408 *Programs such as Clustering, and provides central water and/or sewer facilities.*

2409 **Sec. 3-D-3.2. Agricultural/Residential (AR) Zoning District**

2410 **3-D-3.2.a. AR Intent**

2411 *The AR District is to provide a transition between the agricultural areas and the more urban residential*  
 2412 *communities; and to create a Rural Residential environment wherein natural constraints applicable to*  
 2413 *development can be recognized and protected in a manner compatible with the needs of the residents. All*  
 2414 *land designated as AR Zoning District is subject to the standards of this Section. [Relocated from Sec. 3-*  
 2415 *13.(a)]*

2416 **3-D-3.2.b. AR Density**

2417 *The maximum densities and minimum lot size for Residential uses in the AR District under different FLU*  
 2418 *categories shall be as follows:*

<u>FLU<sup>1</sup></u>	<u>Density/Lot Size</u>	<u>Non-Subdivision</u>	<u>Subdivision with Clustering and Points</u>	<u>Subdivision without Clustering and Points</u>
<u>AG</u>	Maximum Density:	1 unit per 20 <u>gross</u> acres	=	=
	Minimum Lot Size:	20 acres	=	=
<u>A/R</u>	Maximum Density:	1 unit per 10 <u>gross</u> acres	1 unit per 5 <u>gross</u> acres	1 unit per 10 <u>gross</u> acres
	Minimum Lot Size:	10 acres	1 acre	9 acres
<u>RR</u>	Maximum Density:	1 unit per 5 <u>gross</u> acres	1 unit per <u>gross</u> acre	1 unit per 5 <u>gross</u> acres
	Minimum Lot Size:	5 acres	0.5 acre	4 acres
<u>RF</u>	Maximum Density:	1 unit per <u>net</u> acre	=	=

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	Minimum Lot Size:	1 acre	=	=
<u>UF</u>	Maximum Density:	2 units per <u>net</u> acre	=	=
	Minimum Lot Size:	0.5 acre	=	=
<u>UC</u>	Maximum Density:	2 units per <u>net</u> acre	=	=
<u>(10)</u>	Minimum Lot Size:	0.5 acre	=	=

**Footnote:**

**1** The total number of permits for Single-Family dwelling units shall not exceed a maximum of 250 per calendar year within the Agriculture/Residential FLU category. [Relocated to Sec. 3-10.(b)(2) Agricultural/Residential]

2419 **[Relocated from Sec. 3-13.(e) Density Requirements]**

2420 **3-D-3.2.c. AR Development Standards**

2421 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 2422 *following minimum standards:* **[Relocated from Sec. 3-13(f)]**

(1)	<u>Minimum Lot Size:</u>	<u>Refer to Sec. 3-D-3.2.b. AR Density</u>
(2)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Width<sup>1</sup>:</u>	<u>At building line: 100 feet [From Sec. 3-13.(f)(1)]</u>
(b)	<u>Lot Depth:</u>	<u>100 feet [From Sec. 3-13.(f)(2)]</u>
(3)	<u>AR Minimum Setbacks<sup>2</sup>:</u>	
(a)	<u>Front:</u>	<u>From building line when adjacent to any district: 30 feet [From Sec. 3-13.(f)(3)]</u>
(b)	<u>Side<sup>3</sup>:</u>	<u>From property line when adjacent to any district: 20 feet <sup>4</sup> [From Sec. 3-13.(f)(5)]</u>
(c)	<u>Rear:</u>	<u>From property line when adjacent to any district: 35 feet [From Sec. 3-13.(f)(4)]</u>
(4)	<u>Accessory Structure<sup>5</sup>:</u>	
(a)	<u>Front:</u>	<u>From property line when adjacent to any district: 30 feet [From Sec. 3-13.(f)(6)]</u>
(b)	<u>Side, Rear:</u>	<u>From property line when adjacent to any district: 7.5 feet [From Sec. 3-13.(f)(7)]</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(5)</u>	<u>Minimum Living Area:</u>	750 square feet [From Sec. 3-13.(f)(8)]
------------	-----------------------------	--

Footnotes:

<u>1</u>	<u>Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>
<u>2</u>	<u>Refer to Sec. 3-D-1.3.b.(2) Waterfront Lots.</u>
<u>3</u>	<u>If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.</u>
<u>4</u>	<u>For waterfront properties along Doctors Lake within the Neilhurst Plat, recorded in Plat Book 2, pages 44 through 46, the minimum side setback shall be 5 feet. [From Sec. 3-13.(f)(5)]</u>
<u>5</u>	<u>Excluding fences.</u>

2423

### **3-D-3.2.d. AR Uses and Structures**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u> <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

2424

2425 **Sec. 3-13. AGRICULTURAL/RESIDENTIAL DISTRICT (ZONE AR)**

2426 ~~(a) Intent. All land designated as Zone AR is subject to the requirements of this Section as well as the~~  
 2427 ~~appropriate density and intensity in Sec. 20.3-10. Such uses have been established to provide a~~  
 2428 ~~transition between agricultural and the more urban residential areas; and to create a rural~~  
 2429 ~~residential environmental wherein natural constraints applicable to development can be recognized~~  
 2430 ~~and protected in a manner compatible with the needs of the resident. [Deleted and portions~~  
 2431 ~~relocated to Sec. 3-D-3.2.a. Intent of AR Zoning Districts]~~

2432 ~~(e) Density Requirements. The maximum densities and minimum lot areas for residential uses in the~~  
 2433 ~~AR district shall be as follows:~~

2434 ~~(1) Land with a zoning classification of AR and a land use designation of~~  
 2435 ~~Agricultural/Residential.~~

2436 ~~(i) Residential development not classified as a subdivision pursuant to Ordinance 85-~~  
 2437 ~~68, as amended.~~

2438 ~~Maximum Density One (1) unit per ten (10) acres~~

2439 ~~Minimum Lot Size Ten (10) acres or 435,600 square feet~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 2440 (ii) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2441 ~~Maximum Density~~
- 2442 ~~With Clustering and Points One (1) unit per five (5) acres~~
- 2443 ~~Without Clustering and Points One (1) unit per ten (10) acres~~
- 2444 ~~Minimum Lot Size~~
- 2445 ~~With Clustering and Points One (1) acre or 43,560 square feet~~
- 2446 ~~Without Clustering and Points Nine (9) acres or 392,040 sq. feet~~
- 2447 (2) Land with a zoning classification of AR and a land use designation of Rural Residential.
- 2448 (i) Residential development not classified as a subdivision pursuant to Ordinance 85-
- 2449 68, as amended.
- 2450 ~~Maximum Density~~
- 2451 ~~One (1) unit per five (5) acres~~
- 2452 ~~Minimum Lot Size~~
- 2453 ~~Five (5) acres or 217,800 square feet~~
- 2454 (ii) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2455 ~~Maximum Density~~
- 2456 ~~With Clustering and Points One (1) unit per acre~~
- 2457 ~~Without Clustering and Points One (1) unit per five (5) acres~~
- 2458 ~~Minimum Lot Size~~
- 2459 ~~With Clustering and Points 21,780 square feet~~
- 2460 ~~Without Clustering and Points Four (4) acres or 174,240 sq. feet~~
- 2461 (3) Land with a zoning classification of AR and a land use designation of Rural Fringe.
- 2462 ~~Maximum Density One (1) unit per acre~~
- 2463 ~~Minimum Density 43,560 square feet~~
- 2464 (4) Land within a zoning classification of AR and a land use designation of Urban Fringe.
- 2465 (amended 2/94 Ord. 94-03)
- 2466 ~~Maximum Density Two (2) units per acre~~
- 2467 ~~Maximum Lot Size 21,780 square feet~~
- 2468 (5) Land within a zoning classification of AR and a land designation of Urban Core (10).
- 2469 ~~Maximum Density Two (2) units per acre~~
- 2470 ~~Maximum Lot Size 21,780 square feet~~
- 2471 (6) Land with a zoning classification of AR and a land use designation of Agriculture.
- 2472 (amended 7/02 Ord. 02-36)
- 2473 (i) Residential development not classified as a subdivision pursuant to Ordinance 85-
- 2474 65, as amended.
- 2475 ~~Maximum Density One (1) unit per twenty (20) acres~~
- 2476 ~~Minimum Lot Size Twenty (20) acres~~
- 2477 **[Relocated to Sec. 3-D-3.2.b. AR Density]**
- 2478 (f) ~~Lot and Building Requirements. The principal buildings and other lot uses shall be so located as to~~
- 2479 ~~comply with the following requirements:~~
- 2480 (1) ~~Minimum Lot Width at Building Line 100 feet~~
- 2481 (2) ~~Minimum Lot Depth 100 feet~~
- 2482 (3) ~~Minimum Front Setback 30 feet~~
- 2483 (4) ~~Minimum Rear Setback 35 feet~~
- 2484 (5) ~~Minimum Side Setback 20 feet\*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2485 *\*For waterfront properties along Doctors*  
 2486 *Lake within the Neilhurst Plat, recorded in*  
 2487 *Plat Book 2, pages 44 through 46, the minimum*  
 2488 *side setback shall be 5 feet.*  
 2489 ~~(6) Minimum Front Yard Setback for Accessory Buildings Excluding Fences 30 feet~~  
 2490 ~~(7) Minimum Rear and Side Yard Setback for Accessory Buildings, 7.5 feet~~  
 2491 ~~(8) Minimum Living Area 750 sq. ft.~~  
 2492 ~~(amended 2/95—Ord. 95-2)~~  
 2493 **[Relocated to Sec. 3-D-3.2.c AR Development Standards]**  
 2494 ~~(9) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
 2495 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
 2496 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
 2497 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
 2498 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
 2499 ~~Environmental Protection. **[Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or**~~  
 2500 ~~**Outstanding Florida Waters]**~~  
 2501 ~~(10) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~  
 2502 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~  
 2503 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~  
 2504 ~~high water line as applicable. ~~(amended 5/05—Ord. 05-18)~~ **[Relocated to Sec. 3-D-**~~  
 2505 ~~**1.3.a.(2) Waterfront Lots]**~~

### **Sec. 3-D-3.3. Country Estates (AR-1) Zoning District**

#### **3-D-3.3.a. AR-1 Intent**

2508 The AR-1 District is to provide a transition between the agricultural areas and the more urban residential  
 2509 communities; and to create a Rural Residential environment wherein natural constraints applicable to  
 2510 development can be recognized and protected in a manner compatible with the needs of the residents.  
 2511 The keeping and maintenance of the various types of animals permitted within this District is expressly  
 2512 intended as accessory uses or activities for the pleasure and personal, Non-Commercial use by the  
 2513 property owner, occupant, or guest. It is further provided within these standards that all permitted animals  
 2514 shall be kept or maintained in a manner which is consistent with the nature of development and character  
 2515 of the area without constituting a detriment or nuisance to the surrounding neighborhood. All land  
 2516 designated as AR-1 Zoning District is subject to the standards of this Section.  
 2517 **[Relocated from Sec. 3-14.(a)]**

#### **3-D-3.3.b. AR-1 Density**

2519 The maximum densities and minimum lot size for Residential uses in the AR-1 District under different FLU  
 2520 categories shall be as follows:

<u>FLU</u>	<u>Density/Lot Size</u>	<u>Non-Subdivision</u>	<u>Subdivision with Clustering and Points</u>	<u>Subdivision without Clustering and Points</u>
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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<b>RR</b>	Maximum Density:	1 unit per 5 <u>gross</u> acres	-	-
	Minimum Lot Size:	5 acres	-	-
<b>RF</b>	Maximum Density:	1 unit per <u>net</u> acre	1 unit per <u>net</u> acre	1 unit per 5 <u>net</u> acres
	Minimum Lot Size:	<u>1 acre</u>	0.5 acre	4 acres

2521 **[Relocated from Sec. 3-14.(f) Density Requirements]**

2522 **3-D-3.3.c. AR-1 Development Standards**

2523 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 2524 *following minimum standards: [Relocated from Sec. 3-14(g)]*

<b>(1)</b>	<u>Minimum Lot Size:</u>	<u>Refer to Sec. 3-D-3.3.b. Density</u>
<b>(2)</b>	<u>Minimum Lot Dimensions:</u>	
	<b>(a)</b> Lot Width <sup>1</sup> :	At building line: 100 feet <b>[From Sec. 3-14.(g)(1)]</b>
	<b>(b)</b> Lot Depth:	100 feet <b>[From Sec. 3-14.(g)(2)]</b>
<b>(3)</b>	<u>Minimum Setbacks<sup>2</sup>:</u>	
	<b>(a)</b> Front:	<u>From building line when adjacent to any district:</u> 20 feet <b>[From Sec. 3-14.(g)(3)]</b>
	<b>(b)</b> Side <sup>3</sup> :	<u>From property line when adjacent to any district:</u> 20 feet <b>[From Sec. 3-14.(g)(4)]</b>
	<b>(c)</b> Rear:	<u>From property line when adjacent to any district:</u> 30 feet <b>[From Sec. 3-14.(g)(5)]</b>
<b>(4)</b>	<u>Accessory Structure<sup>4</sup>:</u>	
	<b>(a)</b> Front:	<u>From property line when adjacent to any district:</u> 30 feet <b>[From Sec. 3-14.(g)(6)]</b>
	<b>(b)</b> Side, Rear:	<u>From property line when adjacent to any district:</u> 7.5 feet <b>[From Sec. 3-14.(g)(6)]</b>
<b>(5)</b>	<u>Maximum Lot Coverage:</u>	30 percent <b>[From Sec. 3-14.(g)(7)]</b>
<b>(6)</b>	<u>Minimum Living Area:</u>	1,200 square feet <b>[From Sec. 3-14.(g)(9)]</b>

**Footnotes:**

1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 
- 2     Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.
- 
- 3     If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 
- 4     Excluding fences.
- 

2525

### **3-D-3.3.d. AR-1 Uses**

- 
- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>   |
|     |  | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>                                  |
|     |  | <u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>              |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u> |
|     |  | <u>Refer to Sec. 3-F-8. Accessory Structures</u>   |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>                                 |
- 

2526

### **Sec. 3-14. COUNTRY ESTATES DISTRICT (ZONE AR-1)**

- 2527 ~~(a) Intent. All land designated as Zone AR-1 is subject to the regulations of this Section as well as Sec.~~
- 2528 ~~20.3-10. Such areas have been established in order to protect the lands best suited for country~~
- 2529 ~~estates purposes. The purpose and intent of the AR-1 District is to provide a transition between the~~
- 2530 ~~agricultural areas and the more urban residential communities; and to create a rural residential~~
- 2531 ~~environment wherein natural constraints applicable to development can be recognized and~~
- 2532 ~~protected in a manner compatible with the needs of the resident.~~
- 2533 ~~The keeping and maintenance of the various types of animals permitted within this district is~~
- 2534 ~~expressly intended as accessory uses or activities for the pleasure and personal, noncommercial~~
- 2535 ~~use by the property owner, occupant, or guest. It is further provided within these regulations that~~
- 2536 ~~all permitted animals shall be kept or maintained in a manner which is consistent with the nature of~~
- 2537 ~~development and character of the area without constituting a detriment or nuisance to the~~
- 2538 ~~surrounding neighborhood. [Relocated to Sec. 3-D-3.3.a. AR-1 Intent]~~
- 2539 ~~(f) Density Requirements. The maximum densities and minimum lot areas for residential uses in the~~
- 2540 ~~AR-1 district shall be as follows:~~
- 2541 ~~(1) Land with a zoning classification of AR-1 and a land use designation of Rural Fringe~~
- 2542 ~~Residential. (amended 2/94 Ord. 94-03)~~
- 2543 ~~(i) Maximum Density One (1) unit per acre~~
- 2544 ~~Maximum Lot Size: 43,560 square feet~~
- 2545 ~~(2) Land with a zoning classification of AR-1 and a land use designation of Rural Residential:~~
- 2546 ~~(i) Residential Development not classified as a subdivision pursuant to Ordinance 85-~~
- 2547 ~~68, as amended.~~
- 2548 ~~Maximum Density~~
- 2549 ~~One (1) unit per five (5) acres~~
- 2550 ~~Minimum Lot Size~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2551 ~~Five (5) acres or 217,800 square feet~~
- 2552 (ii) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2553 ~~Maximum Density~~
- 2554 ~~With Clustering and Points One (1) unit per acre~~
- 2555 ~~Without Clustering and Points One (1) unit per five (5) acres~~
- 2556 ~~Minimum Lot Size~~
- 2557 ~~With Clustering and Points \_\_\_\_\_ 21,780 square feet~~
- 2558 ~~Without Clustering and Points \_\_\_\_\_ Four (4) acres or 174,240 sq. feet~~
- 2559 **[Relocated to Sec. 3-D-3.3.b. AR-1 Density]**
- 2560 (g) ~~Lot and Building Requirements. The principal buildings, accessory buildings, and other lot uses~~
- 2561 ~~shall be located so as to comply with the following requirements:~~
- 2562 (1) ~~Minimum lot width at building \_\_\_\_\_ 100 ft.~~
- 2563 (2) ~~Minimum lot depth \_\_\_\_\_ 100 ft.~~
- 2564 (3) ~~Minimum front setback \_\_\_\_\_ 20 ft.~~
- 2565 (4) ~~Minimum side setback \_\_\_\_\_ 20 ft.~~
- 2566 (5) ~~Minimum rear setback \_\_\_\_\_ 30 ft.~~
- 2567 (6) ~~Minimum setback from all lot lines of accessory structures,~~
- 2568 ~~except fences, side and rear \_\_\_\_\_ 7.5 ft.~~
- 2569 ~~front (but in no event nearer to front line than the front~~
- 2570 ~~of the principal building.) \_\_\_\_\_ 30 ft.~~
- 2571 (7) ~~Maximum percent of lot coverage \_\_\_\_\_ 30%~~
- 2572 ~~(Total for all primary and accessory buildings)~~
- 2573 (8) ~~Maximum percent of rear lot coverage \_\_\_\_\_ 30%~~
- 2574 **[Deleted since lot coverage should be for the entire lot and no need to place additional**
- 2575 **restrictions for the rear yard]**
- 2576 (9) ~~Minimum living area \_\_\_\_\_ 1,200 sq. ft.~~
- 2577 **[Relocated to Sec. 3-D-3.3.c AR-1 Development Standards]**
- 2578 (10) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
- 2579 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
- 2580 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
- 2581 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
- 2582 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
- 2583 ~~Environmental Protection. **[Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or**~~
- 2584 ~~**Outstanding Florida Waters]**~~
- 2585 (11) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
- 2586 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
- 2587 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
- 2588 ~~high water line as applicable. (amended 5/05 — Ord. 05-18) **[Relocated to Sec. 3-D-**~~
- 2589 ~~**1.4.a.(2) Waterfront Lots]**~~

### 2590 **Sec. 3-D-3.4. Rural Estates (AR-2) Zoning District**

#### 2591 **3-D-3.4.a. AR-2 Intent**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2592 The AR-2 District is to provide a transition between the agricultural areas and the more urban residential  
 2593 communities; and to create a Rural Residential environment wherein natural constraints applicable to  
 2594 development can be recognized and protected in a manner compatible with the needs of the residents. All  
 2595 land designated as AR-2 Zoning District is subject to the standards of this Section. **[Relocated from Sec.**  
 2596 **3-15.(a)]**

### **3-D-3.4.b. AR-2 Density**

2598 The maximum densities and minimum lot size for Residential uses in the AR-2 District under different FLU  
 2599 categories shall be as follows:

<u>FLU</u>	<u>Density/Lot Size</u>	<u>Subdivision</u>				
		<u>Non-Subdivision</u>	<u>With Clustering and Points</u>	<u>Without Clustering and Points</u>	<u>With Points and Central Water/ Sewer</u>	<u>With Points and No Central Water/ Sewer</u>
<u>AG</u>	Maximum Density:	1 unit per 20 <u>gross</u> acres	-	-	-	-
	Minimum Lot Size:	20 acres	-	-	-	-
<u>A/R</u>	Maximum Density:	1 unit per 10 <u>gross</u> acres	-	-	-	-
	Minimum Lot Size:	10 acres	-	-	-	-
<u>RR</u>	Maximum Density:	1 unit per 5 <u>gross</u> acres	1 unit per <u>gross</u> acre	1 unit per 5 <u>gross</u> acres	-	-
	Minimum Lot Size:	5 acres	0.5 acre	4 acres	-	-
<u>RF</u>	Maximum Density:	1 unit per <u>net</u> acre	-	1 unit per acre	2 units per acre	1.5 units per acre
	Minimum Lot Size:	1 acre	-	0.8 acre	0.25 acre	0.5 acre

2600 **[Relocated from Sec. 3-15.(e) Density Requirements]**

### **3-D-3.4.c. AR-2 Development Standards**

2602 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 2603 following minimum standards: **[Relocated from Sec. 3-15(g)]**

(1)	<u>Minimum Lot Size:</u>	<u>Refer to Sec. 3-D-3.4.1 AR-2 Density</u>
	(2) <u>Minimum Lot Dimensions:</u>	
	(a) Lot Width <sup>1</sup> :	100 feet <b>[From Sec. 3-15.(g)(1)]</b>
	(b) Lot Depth:	100 feet <b>[From Sec. 3-15.(g)(2)]</b>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(3)</u>	<u>AR Minimum Setbacks<sup>2</sup>:</u>		
	<u>(a) Front:</u>	<u>From building line when adjacent to any district:</u>	<u>20 feet [From Sec. 3-15.(g)(3)]</u>
	<u>(b) Side<sup>3</sup>:</u>	<u>From property line when adjacent to any district:</u>	<u>10 feet [From Sec. 3-15.(g)(5)]</u>
	<u>(c) Rear:</u>	<u>From property line when adjacent to any district:</u>	<u>30 feet [From Sec. 3-15.(g)(4)]</u>
<u>(4)</u>	<u>Accessory Structure<sup>4</sup>:</u>		
	<u>(a) Front:</u>	<u>From property line when adjacent to any district:</u>	<u>30 feet [From Sec. 3-15.(g)(6)]</u>
	<u>(b) Side, Rear:</u>	<u>From property line when adjacent to any district:</u>	<u>7.5 feet [From Sec. 3-15.(g)(6)]</u>
<u>(5)</u>	<u>Maximum Lot Coverage</u>		<u>30 percent [From Sec. 3-15.(g)(7)]</u>
<u>(6)</u>	<u>Minimum Living Area:</u>		<u>1,200 square feet [From Sec. 3-15.(g)(9)]</u>

Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.
- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

2604

**3-D-3.4.d. AR-2 Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>	
		<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>	
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>	
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>	

2605

**Sec. 3-15. RURAL ESTATES DISTRICT (ZONE AR-2)**

2606

~~(a) Intent. All land designated as Zone AR-2 is subject to the regulations of this Section as well as Sec. 20-3-10. Such areas have been established in order to protect the lands best suited for rural estates~~

2607

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2608 ~~purposes. The purpose and intent of the AR-2 District is to provide a transition between the~~  
2609 ~~agricultural areas and the more urban residential communities; and to create a rural residential~~  
2610 ~~environment wherein natural constraints applicable to development can be recognized and~~  
2611 ~~protected in a manner compatible with the needs of the resident. [Relocated to Sec. 3-D-3.4.a.~~  
2612 ~~AR-2 Intent]~~
- (e) ~~Density Requirements. The maximum densities and minimum lot areas for residential uses in the~~  
2613 ~~AR-2 district shall be as follows:~~
- (1) ~~Land with a zoning classification of AR-2 and a land use designation of Rural Fringe~~  
2616 ~~Residential:~~
- (i) ~~Maximum Density \_\_\_\_\_~~  
2617 ~~With Points and Central Water/Sewer \_\_\_\_\_ Two (2) units per acre~~  
2618 ~~With Points and No Central Water/Sewer \_\_\_\_\_ 1.5 units per acre~~  
2619 ~~Without Points One (1) unit per acre~~
- (2) ~~Land with a zoning classification of AR-2 and a land use designation of Rural Residential:~~
- (i) ~~Residential Development not classified as a subdivision pursuant to Ordinance 85-~~  
2622 ~~68, as amended. (Amended 8/27/96 - Ord.96-35)~~
- ~~Maximum Density~~  
2624 ~~One (1) unit per five (5) acres~~  
2625 ~~Minimum Lot Size \_\_\_\_\_~~  
2626 ~~217,800 square feet~~
- (ii) ~~Subdivision pursuant to Ordinance 85-68, as amended:~~
- ~~Maximum Density~~  
2629 ~~With Clustering and Points One (1) unit per acre~~  
2630 ~~Without Clustering and Points One (1) unit per five (5) acres~~  
2631 ~~Minimum Lot Size~~  
2632 ~~With Clustering and Points \_\_\_\_\_ 21,780 square feet~~  
2633 ~~Without Clustering and Points \_\_\_\_\_ Four (4) acres or 174,240 sq. feet~~
- (3) ~~Land with a zoning classification of AR-2 and a land use designation of~~  
2635 ~~Agricultural/Residential:~~
- (i) ~~Residential Development not classified as a subdivision pursuant to Ordinance 85-~~  
2637 ~~68, as amended:~~
- ~~Maximum Density One (1) unit per ten (10) acres~~  
2639 ~~Minimum Lot Size Ten (10) acres~~
- (4) ~~Land within a zoning classification of AR-2 and a land use designation of Agricultural.~~  
2641 ~~(amended 2/95 - Ord. 95-2)~~
- ~~Maximum Density One (1) unit per twenty (20) acres~~  
2642 ~~Minimum Lot Size Twenty (20) acres~~
- ~~[Relocated to Sec. 3-D-3.4.b. AR-2 Density]~~
- (g) ~~Lot and Building Requirements. The principal buildings, accessory buildings, and other lot uses~~  
2646 ~~shall be located so as to comply with the following requirements:~~
- (1) ~~Minimum lot width at building line \_\_\_\_\_ 100 ft.~~  
2648  
(2) ~~Minimum lot depth \_\_\_\_\_ 100 ft.~~  
2649  
(3) ~~Minimum front setback \_\_\_\_\_ 20 ft.~~  
2650  
(4) ~~Minimum side setback \_\_\_\_\_ 10 ft.~~  
2651  
(5) ~~Minimum rear setback \_\_\_\_\_ 30 ft.~~  
2652

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2653	(6)	<i>Minimum setback from all lot lines of accessory structures, except fences, side and rear</i>	7.5 ft.
2654		<i>front (but in no event nearer to front line than the front of the principal building.)</i>	30 ft.
2655	<del>(7)</del>	<del>Maximum percent of lot coverage</del>	<del>30%</del>
2656		<del>(Total for all primary and accessory buildings)</del>	
2657	(8)	<del>Maximum percent of rear lot coverage</del>	30%
2658		<b>[Deleted since lot coverage should be for the entire lot and no need to place additional restrictions for the rear yard]</b>	
2659	<del>(9)</del>	<del>Minimum living area</del>	<del>1,200 sq. ft.</del>
2660		<b>[Relocated to Sec. 3-D-3.4.c AR-2 Development Standards]</b>	
2661	<del>(10)</del>	<del>All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by the St. Johns River Water Management District or Florida Department of Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]</del>	
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2671	<del>(11)</del>	<del>Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water line or the mean high water line, whichever is applicable. Lot width shall be measured by the chord terminated by the property corners at the ordinary high water line or the mean high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to Sec. 3-D-1.4.b.(2) Waterfront Lots]</del>	
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

2676

### DIVISION 4 RESIDENTIAL ZONING DISTRICTS

2677

#### Sec. 3-D-4.1. Intent of Residential Zoning Districts

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The Exurban, Transitioning Suburban, Suburban and Urban FLU categories provide a transition between urban/suburban areas, which may be served by central utility services, and those exurban/rural areas with a septic/well system. The RA, RB and RE Single-Family Zoning Districts; the RC Two-or Three-Unit Residential Zoning District; and the RD Multi-Family Residential Zoning District allow the development of a variety of housing types with varied densities, along with Non-Residential uses that support the Residential communities.

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#### Sec. 3-D-4.2. Single-Family Residential (RA) Zoning District

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##### 3-D-4.2.a. RA Intent

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All land designated as RA Zoning District is subject to the standards of this Section. Such areas are established to provide for Single-Family development and can be found in land areas with either a Rural Fringe Residential (RF) FLU category or an Urban Fringe (UF) FLU category. **[Relocated from Sec. 3-16(a)]**

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##### 3-D-4.2.b. RA Density

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The maximum densities and minimum lot size for Residential uses in the RA District under different FLU categories shall be as follows:

FLU	Density/Lot Size	Non-Subdivision			Subdivision		
		Without Points	With Points and No Central Water/Sewer	With Points and Central Water/Sewer	Without Points	With Points and No Central Water/Sewer	With Points and Central Water/Sewer
	Maximum Density:	1 unit per acre	1.5 units per acre	2 units per acre	1 unit per acre	1.5 units per acre	2 units per acre
<u>RF</u>	Minimum Lot Size:	<u>1 acre</u>	29,040 square feet	<u>0.5 acre</u>	<u>0.8 acre or 34,848 square feet</u>	<u>0.5 acre</u>	<u>0.25 acre</u>
	Maximum Density:	=	=	2 units per acre <sup>1</sup>	=	2 units per acre <sup>1</sup>	2 units per acre <sup>1</sup>
<u>UF</u>	Minimum Lot Size:	=	=	<u>0.25 acre</u>	=	<u>0.5 acre</u>	<u>0.25 acre</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>UC</u> <u>(10)</u>	Maximum Density:	=	4 units per acre <sup>1</sup>	=	4 units per acre <sup>1</sup>	=	4 units per acre <sup>1</sup>
	Minimum Lot Size:	=	<u>0.5 acre</u>	=	10,890 square feet	=	<u>0.5 acre</u> 8,712 square feet

2693 **[Relocated from Sec. 3-16.(e) Density Requirements]**

2694 **3-D-4.2.c. RA Development Standards**

2695 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 2696 *following minimum standards:* **[Relocated from Sec. 3-16(f)]**

<b>(1) Minimum Lot Dimensions:</b>			
	<u>(a)</u>	Lot Width <sup>1</sup> :	At building line: 100 feet <b>[From Sec. 3-16.(f)(1)]</b>
	<u>(b)</u>	Lot Depth:	100 feet <b>[From Sec. 3-16.(f)(1)]</b>
<b>(2) Minimum Setbacks<sup>2</sup>:</b>			
	<u>(a)</u>	Front:	From building line when adjacent to any district: 40 feet <b>[From Sec. 3-16.(f)(3)]</b>
	<u>(b)</u>	Side <sup>3</sup> :	From property line when adjacent to any district: Abutting an interior lot: 10 feet <b>[From Sec. 3-16.(f)(4)]</b>
			Abutting an intersecting street: 25 feet <b>[From Sec. 3-16.(f)(5)]</b>
	<u>(c)</u>	Rear:	From property line when adjacent to any district: 25 feet <b>[From Sec. 3-16.(f)(6)]</b>
<b>(3) Accessory Structure<sup>4</sup>:</b>			
	<u>(a)</u>	Front:	From property line when adjacent to any district: 30 feet
	<u>(b)</u>	Side, Rear:	From property line when adjacent to any district: 7.5 feet <b>[From Sec. 3-16.(f)(7)]</b>
<u>(4)</u>	Minimum Living Area:		1,400 square feet <b>[From Sec. 3-16.(f)(10)]</b>
<u>(5)</u>	Maximum Total Lot Coverage:		25 percent <b>[From Sec. 3-16.(f)(8)]</b>

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

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### **3-D-4.2.d. RA Uses and Structures**

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>   |
|     |  | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>                                  |
|     |  | <u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>              |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u> |
|     |  | <u>Refer to Sec. 3-F-8. Accessory Structures</u>   |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>                                 |

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### **Sec. 3-16. SINGLE-FAMILY RESIDENTIAL DISTRICT (ZONE RA)**

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~~(a) Intent. All land designated as Zone RA is subject to the regulations of this Section, as well as the appropriate density and intensity restrictions in Sec. 20-3-10. [Relocated to Sec. 3-D-4.2.a. RA Intent]~~

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~~(e) Density Requirements. The maximum densities and minimum lot areas for residential uses in the RA district shall be as follows: amended 10/12/93 Ord 93-36)~~

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- (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~  
Maximum Density  
*With Points and Central Water/Sewer Two (2) units per acre*  
*With Points and No Central Water/Sewer 1.5 units per acre*  
*Without Points One (1) unit per acre*  
Minimum Lot Size  
*With Points and Central Water/Sewer 17,424 square feet*  
*With Points and No Central Water/Sewer 21,780 square feet*  
*Without Points 34,848 square feet*
- (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-68.~~  
Maximum Density  
*With Points and Central Water/Sewer Two (2) units per acre*  
*With Points and No Central Water/Sewer 1.5 units per acre*  
*Without Points One (1) unit per acre*  
Minimum Lot Size  
*With Points and Central Water/Sewer 21,780 square feet*  
*With Points and No Central Water/Sewer 29,040 square feet*  
*Without Points 43,560 square feet*
- (2) ~~Land with a zoning classification of RA and a land use designation of Urban Fringe Residential.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 2725 (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2726 ~~Maximum Density Two (2) units per acre~~
- 2727 ~~Minimum Lot Size with Central Water/Sewer 17,424 square feet~~
- 2728 ~~Minimum Lot Size with No Water/Sewer 21,780 square feet~~
- 2729 (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~
- 2730 ~~68, as amended.~~
- 2731 ~~Maximum Density Two (2) units per acre~~
- 2732 ~~Minimum Lot Size 21,780 square feet~~
- 2733 (3) ~~Land with a zoning classification of RA and a land use designation of Urban Core (10)~~
- 2734 ~~Residential.~~
- 2735 (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2736 ~~Maximum Density Four (4) units per acre~~
- 2737 ~~Minimum Lot Size with Central Water/Sewer 8,712 square feet~~
- 2738 ~~Minimum Lot Size with No Water/Sewer 21,780 square feet~~
- 2739 (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~
- 2740 ~~68, as amended.~~
- 2741 ~~Maximum Density Four (4) units per acre~~
- 2742 ~~Minimum Lot Size with Central Water/Sewer 10,890 square feet~~
- 2743 ~~Minimum Lot Size with No Water/Sewer 21,780 square feet~~
- 2744 **[Relocated to Sec. 3-D-4.2.b. RA Density]**
- 2745 (f) ~~Lot and Building Requirements. The principal buildings, accessory buildings and other lot uses~~
- 2746 ~~shall be located so as to comply with the following requirements:~~
- 2747 (1) ~~Minimum Lot Width at Building Line 100 feet~~
- 2748 (2) ~~Minimum Lot Depth 100 feet~~
- 2749 (3) ~~Minimum Front Setback 40 feet~~
- 2750 (4) ~~Minimum Side Setback Abutting an Interior Lot 10 feet~~
- 2751 (5) ~~Minimum Side Setback Abutting an Intersecting Street 25 feet~~
- 2752 (6) ~~Minimum Rear Setback 25 feet~~
- 2753 (7) ~~Minimum Setback from all Lot Lines of Accessory Structures, 7.5 feet~~
- 2754 ~~Excluding Fences~~
- 2755 (8) ~~Maximum Percentage of Lot Coverage 25 percent~~
- 2756 **[Relocated to Sec. 3-D-4.2.c. RA Development Standards]**
- 2757 (9) ~~Maximum Percentage of Rear Yard Coverage 25 percent~~
- 2758 **[Deleted since lot coverage should be for the entire lot and no need to place**
- 2759 **additional restrictions for the rear yard]**
- 2760 (10) ~~Minimum Living Area 1,400 square feet~~
- 2761 **[Relocated to Sec. 3-D-4.2.c. RA Development Standards]**
- 2762 (11) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high~~
- 2763 ~~water line or mean high water line, whichever is applicable; for waters designated as~~
- 2764 ~~Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These~~
- 2765 ~~setbacks shall not apply to structures on lots or parcels located landward of existing~~
- 2766 ~~bulkheads permitted by the St. Johns River Water Management District or Florida~~
- 2767 ~~Department of Environmental Protection. **[Relocated to Sec. 3-D-1.3.a.(1) Aquatic**~~
- 2768 ~~Preserves or Outstanding Florida Waters]~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

2769            ~~(12)~~ *Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water*  
2770            *line or the mean high water line, whichever is applicable. Lot width shall be measured by*  
2771            *the chord terminated by the property corners at the ordinary high water line or the mean*  
2772            *high water line as applicable.* ~~(amended 5/05 — Ord. 05-18)~~ **[Relocated to Sec. 3-D-**  
2773            **1.4.b.(2) Waterfront Lots]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2774 **Sec. 3-D-4.3. Single-Family Residential (RB) Zoning District**

2775 **3-D-4.3.a. RB intent**

2776 All land designated as RB Zoning District is subject to the standards of this Section. Such areas are  
 2777 established to create low density, single-family Residential developments within Rural Fringe (RF), Urban  
 2778 Core (UC 10) or Urban Fringe (UF) FLU categories. [From Sec. 3-17.(a)]

2779 **3-D-4.3.b. RB Density**

2780 The maximum densities and minimum lot size for Residential uses in the RA District under different FLU  
 2781 categories shall be as follows:

FLU	Density/Lot Size	Non-Subdivision			Subdivision		
		Without Points	With Points and No Central Water/Sewer	With Points and Central Water/Sewer	Without Points	With Points and No Central Water/Sewer	With Points and Central Water/Sewer
RF	Maximum Density:	1 unit per acre	2 units per acre	3 units per acre	1 unit per acre	2 units per acre	3 units per acre
	Minimum Lot Size:	<u>1 acre</u>	21,780 square feet	14,520 square feet	34,848 square feet	21,780 square feet	11,616 square feet
UF	Maximum Density:	=	4 units per acre <sup>1</sup>	4 units per acre <sup>1</sup>	=	4 units per acre <sup>1</sup>	4 units per acre <sup>1</sup>
	Minimum Lot Size:	=	21,780 square feet	10,890 square feet	=	21,780 square feet	8,712 square feet
UC (10)	Maximum Density:	=	2 units per acre <sup>1</sup>	6 units per acre <sup>1</sup>	=	2 units per acre <sup>1</sup>	6 units per acre <sup>1</sup>
	Minimum Lot Size:	=	21,780 square feet	7,260 square feet	=	21,780 square feet	5,808 square feet

Footnote:

<sup>1</sup> In UF FLU category, this applies to those areas with central water and sewer services, no Points are required.

2782 **[Relocated from Sec. 3-17.(e) Density Requirements]**

2783 **3-D-4.3.c. RB Development Standards**

2784 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 2785 following minimum standards. Those lots that were recorded prior to the effective date of this Ordinance  
 2786 shall be vested under the previously approved dimensional standards, refer to Sec. 3-B.5.a. Inconsistent  
 2787 Residential Lot of Record: **[Relocated from Sec. 3-17(f)]**

(1) Minimum Lot Dimensions:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

(a)	<u>Lot Width<sup>2,4</sup>:</u>	<u>At building line:</u>	60 feet [From Sec. 3-17.(f)(1)]
		<u>At street frontage:</u>	<u>See Footnote 6</u>
(b)	<u>Lot Depth:</u>		100 feet [From Sec. 3-17.(f)(2)]
(c)	<u>Lot size<sup>5</sup>:</u>	<u>Apply setbacks of the lot's Zoning District, if applicable</u>	
(2)	<u>Minimum Setbacks<sup>1</sup>:</u>		
(a)	<u>Front:</u>	<u>From building line when adjacent to any district:</u>	20 feet [From Sec. 3-17.(f)(3)]
(b)	<u>Side<sup>3</sup>:</u>	<u>From property line when adjacent to any district:</u>	7.5 feet [From Sec. 3-17.(f)(4)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	15 feet [From Sec. 3-17.(f)(5)]
(3)	<u>Accessory Structure <sup>4</sup>:</u>		
(a)	<u>Front, Side and Rear:</u>	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-17.(f)(6)]
(4)	<u>Maximum Total Lot Coverage:</u>		
			30 percent [From Sec. 3-17.(f)(7)]
(5)	<u>Minimum Living Area:</u>		
			1,000 square feet [From Sec. 3-17.(f)(9)]

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.
- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

2788 **3-D-4.3.d. RB Development Standard Exceptions**

- 2789 (1) *Minimum Width Exception. In the event that a ~~Single-Family~~ dwelling has been constructed*  
 2790 *pursuant to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB*  
 2791 *and a land use designation of Urban Core (10) Residential that is depicted within a plat recorded*  
 2792 *in the public records after April 12, 1999, and that is served by central water and sewer, then any*  
 2793 *other provisions of this article to the contrary notwithstanding, if such lot fronts upon a curve of a*  
 2794 *public road dedicated within such plat, the minimum lot width at building line applicable thereto*  
 2795 *shall be 43 ½ feet, and if such lot has straight frontage upon such a road, the minimum lot width at*  
 2796 *building line applicable thereto shall be 53 ½ feet. [Relocated from Sec. 3-17.(g)]*
- 2797 (2) *Minimum Size Exception. In the event that a ~~Single-Family~~ dwelling has been constructed pursuant*  
 2798 *to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a*  
 2799 *land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2800 public records subsequent to April 12, 1999, that fronts upon a public road dedicated within such  
 2801 plat, and that is served by central water and sewer, then any other provisions of this article to the  
 2802 contrary notwithstanding, the minimum size for such lot shall be 5,608 square feet. **[Relocated**  
 2803 **from Sec. 3-17.(h)]**

2804 (3) **Minimum Frontage Exception.** In the event that a ~~Single-Family~~ dwelling has been constructed  
 2805 pursuant to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB  
 2806 and a land use designation of Urban Core (10) Residential that is depicted within a plat recorded  
 2807 in the public records subsequent to April 12, 1999, that fronts upon a public road dedicated within  
 2808 such plat, and that is served by central water and sewer, then any other provisions of this article to  
 2809 the contrary notwithstanding, if such lot fronts upon a curve of a public road dedicated within such  
 2810 plat, the minimum frontage along such road shall be 36 ½ feet being measured by the chord  
 2811 terminated by the front property corners, and if such lot has straight frontage upon such a road, the  
 2812 minimum frontage along such road shall be 49 feet. **[Relocated from Sec. 3-17.(i)]**

2813 **3-D-4.3.e. RB Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
		<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

2814 **Sec. 3-17. SINGLE-FAMILY RESIDENTIAL DISTRICT (ZONE RB)**

2815 ~~(a) Intent. All land designated as Zone RB is subject to the regulations of this Section, as well as the~~  
 2816 ~~requirements in Sec. 20.3-10. Such areas are established to protect the areas best suited for low~~  
 2817 ~~density, single-family residential development. [Deleted and portions relocated to Sec. 3-D-~~  
 2818 ~~4.3.a. RB Intent]~~

2819 ~~(e) Density Requirements. The maximum densities and minimum lot areas for residential uses in the~~  
 2820 ~~RB district shall be as follows: (amended 10/12/93-Ord 93-36)~~

2821 ~~(1) Land with a zoning classification of RB and a land use designation of Rural Fringe~~  
 2822 ~~Residential:~~

2823 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~

2824 ~~Maximum Density~~

2825 ~~With Points and Central Water/Sewer Three (3) units per acre~~

2826 ~~With Points and No Central Water/Sewer Two (2) units per acre~~

2827 ~~Without Points One (1) unit per acre~~

2828 ~~Minimum Lot Size~~

2829 ~~With Points and Central Water/Sewer 11,616 square feet~~

2830 ~~With Points and No Central Water/Sewer 21,780 square feet~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 2831 *Without Points* ~~34,848 square feet~~
- 2832 (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~
- 2833 ~~68-~~
- 2834 ~~Maximum Density~~
- 2835 ~~With Points and Central Water/Sewer~~ ~~Three (3) units per acre~~
- 2836 ~~With Points and No Central Water/Sewer~~ ~~Two (2) units per acre~~
- 2837 ~~Without Points~~ ~~One (1) unit per acre~~
- 2838 ~~Minimum Lot Size~~ \_\_\_\_\_
- 2839 ~~With Points and Central Water/Sewer~~ ~~14,520 square feet~~
- 2840 ~~With Points and No Central Water/Sewer~~ ~~21,780 square feet~~
- 2841 ~~Without Points~~ ~~43,560 square feet~~
- 2842 (2) ~~Land with a zoning classification of RB and a land use designation of Urban Fringe~~
- 2843 ~~Residential.~~
- 2844 (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2845 ~~Maximum Density~~ ~~Four (4) units per acre~~
- 2846 ~~Minimum Lot Size with Central Water/ Sewer~~ ~~10,890 square feet~~
- 2847 ~~Minimum Lot Size with No Central Water/ Sewer~~ ~~21,780 square feet~~
- 2848 (3) ~~Land with a zoning classification of RB and a land use designation of Urban Core (10)~~
- 2849 ~~Residential.~~
- 2850 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~
- 2851 ~~Maximum Density~~
- 2852 ~~With Central Water/Sewer~~ ~~Six (6) units per acre~~
- 2853 ~~Without Central Water/Sewer~~ ~~Two (2) units per acre~~
- 2854 ~~Minimum Lot Size~~
- 2855 ~~With Central Water/Sewer~~ ~~5,808 square feet~~
- 2856 ~~Without Central Water/Sewer~~ ~~21,780 square feet~~
- 2857 (ii) ~~Single family residential development not classified as a subdivision pursuant to~~
- 2858 ~~Ordinance 85-68, as amended.~~
- 2859 ~~Maximum Density~~
- 2860 ~~With Central Water/Sewer~~ ~~Six (6) units per acre~~
- 2861 ~~Without Central Water/Sewer~~ ~~Two (2) units per acre~~
- 2862 ~~Minimum Lot Size~~
- 2863 ~~With Central Water/Sewer~~ ~~7,260 square feet~~
- 2864 ~~Without Central Water/Sewer~~ ~~21,780 square feet~~
- 2865 **[Relocated to Sec. 3-D-4.3.b. Density]**
- 2866 (f) ~~Lot and Building Requirements. The principal buildings, accessory building and other lot uses shall~~
- 2867 ~~be located so as to comply with the following requirements:~~
- 2868 (1) ~~Minimum Lot Width at Building Line~~ \_\_\_\_\_ ~~60 feet~~
- 2869 (2) ~~Minimum Lot Depth~~ \_\_\_\_\_ ~~100 feet~~
- 2870 (3) ~~Minimum Front Setback~~ \_\_\_\_\_ ~~20 feet~~
- 2871 (4) ~~Minimum Side Setback~~ \_\_\_\_\_ ~~7.5 feet~~
- 2872 (5) ~~Minimum Rear Setback~~ \_\_\_\_\_ ~~15 feet~~
- 2873 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ \_\_\_\_\_ ~~7.5 feet~~
- 2874 ~~Excluding Fences~~
- 2875 (7) ~~Maximum Percentage of Lot Coverage~~ \_\_\_\_\_ ~~30 percent~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2876 [Relocated to Sec. 3-D-4.3.c. RB Development Standards]  
2877 ~~(8) — Maximum Percentage of Rear Yard Coverage — 30 percent~~  
2878 [Deleted since lot coverage should be for the entire lot and no need to place additional  
2879 restrictions for the rear yard]  
2880 ~~(9) — Minimum Living Area — 1,000 square feet~~  
2881 [Relocated to Sec. 3-D-4.3.c. RB Development Standards]  
2882 ~~(10) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water  
2883 line or mean high water line, whichever is applicable; for waters designated as Aquatic  
2884 Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks  
2885 shall not apply to structures on lots or parcels located landward of existing bulkheads  
2886 permitted by the St. Johns River Water Management District or Florida Department of  
2887 Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or  
2888 Outstanding Florida Waters]~~  
2889 ~~(11) — Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water  
2890 line or the mean high water line, whichever is applicable. Lot width shall be measured by  
2891 the chord terminated by the property corners at the ordinary high water line or the mean  
2892 high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to Sec. 3-D-  
2893 1.4.b.(2) Waterfront Lots]~~  
2894 ~~(g) — Minimum Width Exception. In the event that a single family dwelling has been constructed pursuant  
2895 to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a  
2896 land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the  
2897 public records after April 12, 1999, and that is served by central water and sewer, then any other  
2898 provisions of this article to the contrary notwithstanding, if such lot fronts upon a curve of a public  
2899 road dedicated within such plat, the minimum lot width at building line applicable thereto shall be  
2900 43 ½ feet, and if such lot has straight frontage upon such a road, the minimum lot width at building  
2901 line applicable thereto shall be 53 ½ feet. [Relocated to Sec. 3-D-4.3.d RB Development  
2902 Standard Exceptions]~~  
2903 ~~(h) — Minimum Size Exception. In the event that a single family dwelling has been constructed pursuant  
2904 to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a  
2905 land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the  
2906 public records subsequent to April 12, 1999, that fronts upon a public road dedicated within such  
2907 plat, and that is served by central water and sewer, then any other provisions of this article to the  
2908 contrary notwithstanding, the minimum size for such lot shall be 5,608 square feet. [Relocated to  
2909 Sec. 3-D-4.3.d RB Development Standard Exceptions]~~  
2910 ~~(i) — Minimum Frontage Exception. In the event that a single family dwelling has been  
2911 constructed pursuant to a building permit prior to November 1, 2001, on a lot with a  
2912 zoning classification of RB and a land use designation of Urban Core (10) Residential  
2913 that is depicted within a plat recorded in the public records subsequent to April 12, 1999,  
2914 that fronts upon a public road dedicated within such plat, and that is served by central  
2915 water and sewer, then any other provisions of this article to the contrary notwithstanding,  
2916 if such lot fronts upon a curve of a public road dedicated within such plat, the minimum  
2917 frontage along such road shall be 36 ½ feet being measured by the chord terminated by  
2918 the front property corners, and if such lot has straight frontage upon such a road, the~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2919 *minimum frontage along such road shall be 49 feet.* (~~Subsection (f) thru (i) amended 6/02~~  
 2920 ~~—Ord. 02-29~~) [Relocated to Sec. 3-D-4.3.d RB Development Standard Exceptions]

### **2921 Sec. 3-D-4.4. Two- or Three-Unit Residential (RC) Zoning District**

#### **2922 3-D-4.4.a. RC Intent**

2923 *All land designated as RC is subject to the standards of this Section. Such areas are established to create*  
 2924 *medium intensity developments within Urban Fringe (UF) or Rural Fringe (RF) designations. Those*  
 2925 *developments that are without central water/sewer shall be considered as low intensity.* [From Sec. 3-  
 2926 **18.(a)**]

#### **2927 3-D-4.4.b. RC Density**

2928 *The maximum densities and minimum lot size for the Two or Three- Family Residential uses in the RC*  
 2929 *District under different FLU categories shall be as follows:*

		<u>Non-Subdivision - Two-Family</u>			<u>Subdivision – Two Family</u>	
<u>FLU</u>	<u>Density/Lot Size</u>	<u>With No Central Water/Sewer</u>	<u>With Central Water/Sewer</u>	<u>Without Points</u>	<u>With No Central Water/Sewer</u>	<u>With Central Water/Sewer</u>
<u>RF</u>	<i>Maximum Density:</i>	=	=	<i>1 unit per acre</i>	<i>1.5 units per acre</i>	<i>3 units per acre</i>
	<i>Minimum Lot Size:</i>	=	=	<i>69,696 square feet</i>	<i>46,464 square feet</i>	<i>23,232 square feet</i>
<u>UF</u>	<i>Maximum Density:</i>	<i>2 units per acre</i>	<i>4 units per acre</i>	=	<i>2 units per acre</i>	<i>4 units per acre</i>
	<i>Minimum Lot Size:</i>	<i>43,560 square feet</i>	<i>21,780 square feet</i>	=	<i>34,848 square feet</i>	<i>17,424 square feet</i>
<u>UC (10)</u>	<i>Maximum Density:</i>	<i>2 units per acre</i>	<i>6 units per acre</i>	=	<i>2 units per acre</i>	<i>6 units per acre</i>
	<i>Minimum Lot Size:</i>	<i>43,560 square feet</i>	<i>14,520 square feet</i>	=	<i>34,848 square feet</i>	<i>11,616 square feet</i>
		<u>Non-Subdivision - Three-Family</u>			<u>Subdivision – Three Family</u>	
<u>FLU</u>	<u>Density/Lot Size</u>	<u>With No Central Water/Sewer</u>	<u>With Central Water/Sewer</u>	<u>Without Points</u>	<u>With No Central Water/Sewer</u>	<u>With Central Water/Sewer</u>
<u>RF</u>	<i>Maximum Density:</i>	=	=	<i>1 unit per acre</i>	<i>1.5 units per acre</i>	<i>3 units per acre</i>
	<i>Minimum Lot Size:</i>	=	=	<i>104,544 square feet</i>	<i>69,696 square feet</i>	<i>34,848 square feet</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>UF</u>	Maximum Density:	2 units per acre	4 units per acre	=	2 units per acre	4 units per acre
	Minimum Lot Size:	65,340 square feet	32,670 square feet	=	52,272 square feet <sup>1</sup>	26,136 square feet
<u>UC (10)</u>	Maximum Density:	=	6 units per acre	=	2 units per acre	6 units per acre
	Minimum Lot Size:	=	21,780 square feet	=	52,272 square feet <sup>1</sup>	17,424 square feet

Footnote:

1 Subject to HRS Permit for septic sewer service. **[Relocated from Sec. 3-18.(e)(5)]**

2930 **[Relocated from Sec. 3-18.(e) Density Requirements]**

2931 **3-D-4.4.c. RC Development Standards**

2932 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 2933 *following minimum standards. Those lots that were recorded prior to the effective date of this Ordinance*  
 2934 *shall be vested under the previously approved dimensional standards, refer to Sec. 3-B-5.a. Inconsistent*  
 2935 *Residential Lot of Record. **[Relocated from Sec. 3-18(e)]***

(1) Minimum Lot Dimensions:

<u>(a)</u>	<i>Lot Width<sup>1</sup>:</i>	<i>At building line:</i>	<i>60 feet [From Sec. 3-18.(e)(1)]</i>
<u>(b)</u>	<i>Lot Depth:</i>		<i>100 feet [From Sec. 3-18.(e)(2)]</i>

(2) Minimum Setbacks<sup>2</sup>:

<u>(a)</u>	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	<i>20 feet [From Sec. 3-18.(e)(3)]</i>
<u>(b)</u>	<u>Side<sup>3</sup>:</u>	<u>From lot line when adjacent to any district:</u>	<i>7.5 feet [From Sec. 3-18.(e)(4)]</i>
<u>(c)</u>	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	<i>15 feet [From Sec. 3-18.(e)(5)]</i>

(3) Accessory Structure<sup>4</sup>:

<u>(a)</u>	<u>Front, Side, Rear:</u>	<u>From lot line when adjacent to any district:</u>	<i>7.5 feet [From Sec. 3-18.(e)(6)]</i>
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(4) Maximum Total Lot Coverage:

<u>(5)</u>	<u>Minimum Living Area:</u>	<i>750 square feet [From Sec. 3-18.(f)(9)]</i>
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Footnotes:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>1</u>	<u>Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.</u>
<u>2</u>	<u>Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>
<u>3</u>	<u>If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.</u>
<u>4</u>	<u>Excluding fences.</u>

2936

<b>3-D-4.4.d. RC Uses</b>	
(1)	<p><u>Permitted and Conditional uses:</u>      <u>Refer to Part E Use Types and Standards</u></p> <hr/> <p><u>Refer to Sec. 3-E-9. Accessory Use and Structure</u></p> <hr/> <p><u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u></p>
(2)	<p><u>Accessory:</u></p> <hr/> <p><u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u></p> <hr/> <p><u>Refer to Sec. 3-F-8. Accessory Structures</u></p>
(3)	<p><u>Temporary:</u>      <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u></p>

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**Sec. 3-18. TWO- OR THREE-UNIT RESIDENTIAL DISTRICT (ZONE RC)**

~~(a) Intent. All land designated as **Zone RC** is subject to the regulations of this Section, as well as the restrictions in Sec. 20.3-10. [Deleted and portions relocated to Sec. 3-D-4.4.a. RC Intent]~~

~~(e) Density Requirements. The maximum densities and minimum lot areas for residential uses in the RC district shall be as follows: (amended 10/12/93 Ord 93-36)~~

~~(1) Land with a zoning classification of RC and a land use designation of Rural Fringe Residential.~~

~~(i) Maximum Density~~

~~With Points and Central Water/Sewer **Three (3) units per acre**~~

~~With Points and No Central Water/Sewer **1.5 units per acre**~~

~~Without Points **One (1) unit per acre**~~

~~Minimum Lot Size~~

~~With Points and Central Water/Sewer **23,232 square feet**~~

~~With Points and No Central Water/Sewer **46,464 square feet**~~

~~Without Points **69,696 square feet**~~

~~(2) Two family residential development on land with a zoning classification of RC and a land use designation of Urban Fringe Residential.~~

~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~

~~Maximum Density~~

~~With Central Water/Sewer and Points **Four (4) units per acre**~~

~~Without Central Water/Sewer **Two (2) units per acre**~~

~~Minimum Lot Size~~

~~With Central Water/Sewer **17,424 square feet**~~

~~Without Central Water/Sewer **34,848 square feet**~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 2961 (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~  
2962 ~~68, as amended.~~  
2963 ~~Maximum Density~~  
2964 ~~With Central Water/Sewer *Four (4) units per acre*~~  
2965 ~~Without Central Water/Sewer *Two (2) units per acre*~~  
2966 ~~Minimum Lot Size~~  
2967 ~~With Central Water/Sewer *21,780 square feet*~~  
2968 ~~Without Central Water/Sewer *43,560 square feet*~~  
2969 (3) ~~Two family residential development on land with a zoning classification of RC and a land~~  
2970 ~~use designation of Urban Core (10) Residential.~~  
2971 (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~  
2972 ~~Maximum Density~~  
2973 ~~With Central Water/Sewer *Six (6) units per acre*~~  
2974 ~~Without Central Water/Sewer *Two (2) units per acre*~~  
2975 ~~Minimum Lot Size~~  
2976 ~~With Central Water/Sewer *11,616 square feet*~~  
2977 ~~Without Central Water/Sewer *34,848 square feet*~~  
2978 (ii) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~  
2979 ~~68, as amended.~~  
2980 ~~Maximum Density~~  
2981 ~~With Central Water/Sewer *Six (6) units per acre*~~  
2982 ~~Without Central Water/Sewer *Two (2) units per acre*~~  
2983 ~~Minimum Lot Size~~  
2984 ~~With Central Water/Sewer *14,520 square feet*~~  
2985 ~~Without Central Water/Sewer *43,560 square feet*~~  
2986 (4) ~~Three family residential development on land with a zoning classification of RC and a land~~  
2987 ~~use designation of Rural Fringe Residential.~~  
2988 (i) ~~Maximum Density~~  
2989 ~~With Points and Central Water/Sewer *Three (3) units per acre*~~  
2990 ~~With Points and No Central Water/Sewer *1.5 units per acre*~~  
2991 ~~Without Points *One (1) unit per acre*~~  
2992  
2993 ~~Minimum Lot Size~~  
2994 ~~With Points and Central Water/Sewer *34,848 square feet*~~  
2995 ~~With Points and No Central Water/Sewer *69,696 square feet*~~  
2996 ~~Without Points *104,544 square feet*~~  
2997 (5) ~~Three family residential development on land with a zoning classification of RC and a land~~  
2998 ~~use designation of Urban Fringe Residential.~~  
2999 (i) ~~Subdivision pursuant to Ordinance 85-68, as amended.~~  
3000 ~~Maximum Density~~  
3001 ~~With Central Water/Sewer *Four (4) units per acre*~~  
3002 ~~Without Central Water/Sewer *Two (2) units per acre*~~  
3003 ~~Minimum Lot Size~~  
3004 ~~With Central Water/Sewer *26,136 square feet*~~  
3005 ~~Without Central Water/Sewer *52,272 square feet*~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3006 *Subject to HRS Permit for septic sewer service.*
- 3007 ~~(ii) Residential development not classified as a subdivision.~~
- 3008 ~~Maximum Density~~
- 3009 ~~With Central Water/Sewer Four (4) units per acre~~
- 3010 ~~Without Central Water/Sewer Two (2) units per acre~~
- 3011 ~~Minimum Lot Size~~
- 3012 ~~With Central Water/Sewer 32,670 square feet~~
- 3013 ~~Without Central Water/Sewer 65,340 square feet~~
- 3014 ~~(6) Three-family residential development on land with a zoning classification of RC and a land use designation of Urban Core (10) Residential.~~
- 3015 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~
- 3016 ~~Maximum Density~~
- 3017 ~~With Central Water/Sewer Six (6) units per acre~~
- 3018 ~~Without Central Water/Sewer Two (2) units per acre~~
- 3019 ~~Minimum Lot Size~~
- 3020 ~~With Central Water/Sewer 17,424 square feet~~
- 3021 ~~Without Central Water/Sewer 52,272 square feet~~
- 3022 ~~Subject to HRS Permit for septic sewer service.~~
- 3023 ~~(ii) Residential development not classified as a subdivision.~~
- 3024 ~~Maximum Density Six (6) units per acre~~
- 3025 ~~Minimum Lot Size 21,780 square feet~~
- 3026 ~~[Relocated to Sec. 3-D-4.4.b. Density]~~
- 3027 ~~(e) Lot and Building Requirements. The principal buildings, accessory building and other lot uses shall be located so as to comply with the following requirements:~~
- 3028 ~~(1) Minimum Lot Width at Building Line 60 feet~~
- 3029 ~~(2) Minimum Lot Depth 100 feet~~
- 3030 ~~(3) Minimum Front Setback 20 feet~~
- 3031 ~~(4) Minimum Side Setback 7.5 feet~~
- 3032 ~~(5) Minimum Rear Setback 15 feet~~
- 3033 ~~(6) Minimum Setback from all Lot Lines of Accessory Structures, Excluding Fences 7.5 feet~~
- 3034 ~~(7) Maximum Percent of Lot Coverage 30 percent~~
- 3035 ~~[Relocated to Sec. 3-D-4.4.b. RC Density]~~
- 3036 ~~(8) Maximum Percentage of Rear Yard Coverage 30 percent~~
- 3037 ~~[Deleted since lot coverage should be for the entire lot and no need to place additional restrictions for the rear yard]~~
- 3038 ~~(9) Minimum Living Area 750 square feet~~
- 3039 ~~[Relocated to Sec. 3-D-4.4.b. RC Density]~~
- 3040 ~~(10) All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by the St. Johns River Water Management District or Florida~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

3049 *Department of Environmental Protection.* [Relocated to Sec. 3-D-1.3.a.(1) Aquatic  
 3050 Preserves or Outstanding Florida Waters]  
 3051 ~~(11)~~ ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~  
 3052 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~  
 3053 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~  
 3054 ~~high water line as applicable. (amended 5/05 — Ord. 05-18)~~ [Relocated to Sec. 3-D-  
 3055 1.4.b.(2) Waterfront Lots]

### **Sec. 3-D-4.5. Multi-Family Residential (RD) Zoning District**

#### **3-D-4.5.a. RD Intent**

- 3057  
 3058 (1) All land designated as RD shall be governed by the standards of this Section and shall be further  
 3059 designated into one of the following Subdistricts of RD-1, RD-2, RD-3, and RD-4, and shall be  
 3060 governed as hereinafter set forth. [From Sec. 3-19.(a)]  
 3061 (2) This designation is intended for those lands located in close proximity to the core of urban service  
 3062 areas and accessible to employment centers. Densities in this area shall range from a minimum of  
 3063 2 acres per net acre and a maximum of 10 units per net acre. Higher density may be achieved  
 3064 through the Density Bonus Programs in Part C, Division 3.  
 3065 (3) The density of each Subdistrict is to provide for a diversity of housing types, with more Single-  
 3066 Family Detached units in RD-1 and RD-2, and more mixed housing types such as Single-Family  
 3067 Detached, Attached, and Multi-Family units in RD-3 and RD-4.  
 3068 (4) Subdistrict RD-4 under the UC (16) FLU category may allow a maximum density of 16 units per net  
 3069 acre for the provision of housing for the elderly or handicapped and housing for very low, low-  
 3070 income, and moderate-income households. Proximity to employment centers, public transportation,  
 3071 commercial services, and central utility services is vital.

#### **3-D-4.5.b. RD Density**

3072  
 3073 The maximum densities and minimum lot size for the Residential uses in the RD-1, RD-2, RD 3 and RD-4  
 3074 Districts under different FLU categories shall comply with the following. In addition, those lands under the  
 3075 Urban Core FLU categories, UC (10) and UC (16) may allow additional density subject to criteria listed in  
 3076 the Density Bonus Programs in Part C, Division 3, and other standards listed in Footnotes 1 through 4:

<u>Zoning/FLU</u>	<u>Density/Lot Size</u>	<u>Without Points</u>	<u>With Points</u>	<u>With Points and Central/Water Sewer</u>	<u>Without Central Water/Sewer</u>	<u>With Central Water/Sewer</u>
<u>RD-1/UF</u>	<i>Maximum Density:</i>	=	=	=	2 units per acre	4 units per acre
<u>RD-2/ UC (10)<sup>1</sup></u>	<i>Maximum Density:</i>	=	=	=	=	6 units per acre

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>RD-3/UC (10)<sup>1</sup></u>	Maximum Density:	6 units per acre	10 units per acre	=	=
<u>RD-4/UC (10)<sup>1</sup></u>	Maximum Density:	=	=	16 units per acre	= 6 units per acre

**Footnotes:**

- 1** Lands with a UC (10) FLU category meeting the criteria of Sec. 3-C-3.3. Points System for low moderate income housing identified in Policy 1.3.6 of the Housing Element of the Plan, may develop at a density of 16 units per acre. [Relocated from Sec. 3-19.(e)(7) Density Requirements]
- 2** Lands with a UC (16) FLU category meeting the criteria of Sec. 3-C-3.3. Points System for low moderate income housing identified in Policy 1.3.6 of the Housing Element of the Plan, may develop at a density of 20 units per acre. [Relocated from Sec. 3-19.(e)(7) Density Requirements]
- 3** The low- and moderate- income categories to be served by the proposed development shall be defined using Housing and Urban Development (HUD) Standards. Verification of rent ranges consistent with HUD standards shall occur annually in a report submitted to the Planning and Zoning Departments, due each January 1 beginning with the January following zoning approval. [Relocated from Sec. 3-19.(e)(7) Density Requirements]
- 4** A maximum of 100 acres within the Urban Core Category may be developed at the density bonus identified above through the 2040 planning period. [Relocated from Sec. 3-19.(e)(7) Density Requirements]

3077 **[Relocated from Sec. 3-19.(e)]**

3078 **3-D-4.5.c. RD Development Standards**

3079 The principal building(s), accessory structure(s), and other uses in all RD Subdistricts shall be located so  
 3080 as to comply with the following minimum standards:

<b>(1) <u>Minimum Lot Dimensions:</u></b>				
	<b>(a)</b>	<u>Lot Size:</u>	<u>Apply standards of the lot's zoning district, if applicable</u>	
	<b>(b)</b>	<u>Lot Width<sup>1</sup>:</u>	<u>Apply standards of the lot's zoning district, if applicable</u>	
	<b>(c)</b>	<u>Lot Depth:</u>	<u>Apply standards of the lot's zoning district, if applicable</u>	
<b>(2) <u>Minimum Setbacks<sup>2</sup>:</u></b>				
	<b>(a)</b>	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-19.(f)(1)(i)]</u>
	<b>(b)</b>	<u>Side<sup>3</sup>:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>10 feet [From Sec. 3-19.(f)(1)(iii)]</u>
			<u>Interior:</u>	<u>2 units or less:</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

		<u>3 units and over:</u>	<u>10 feet</u> [From Sec. 3-19.(f)(1)(iii)]
		<i>Street:</i>	<u>20 feet</u> [From Sec. 3-19.(f)(1)(iv)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any Single-Family use:</u>	<u>25 feet</u> [From Sec. 3-19.(f)(1)(ii)]
		<u>From lot line when adjacent to any other use:</u>	<u>20 feet</u> [From Sec. 3-19.(f)(1)(ii)]
(3)	<u>Accessory Structure</u> <sup>4</sup> :		
(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>20 feet</u> [From Sec. 3-19.(f)(2)]
(b)	<u>Side, Rear:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>5 feet</u> [From Sec. 3-19.(f)(2)]
(4)	<u>Minimum Building Spacing:</u>	<i>For more than 1 building on a single lot:</i>	<u>60 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Front/Front:</i>	<u>60 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Front/Side:</i>	<u>40 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Front/Rear:</i>	<u>60 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Rear/Rear:</i>	<u>40 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Rear/Side:</i>	<u>30 feet</u> [From Sec. 3-19.(f)(3)]
		<i>Side/Side:</i>	<u>20 feet</u> [From Sec. 3-19.(f)(3)]

**Footnotes:**

- 1 Refer to Sec. 3-D-A.3.a.(2) Waterfront Lots.
- 2 Refer to Sec. 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3081 **3-D-4.5.d. RD Additional Standards**

3082 (1) *Visual Barrier: Proposed Multi-Family development shall be buffered from adjacent land within the*

3083 *Residential FLU categories, unless said adjacent land zoned for Multi-Family development at the*

3084 *time of proposed development, with a 25-foot building setback, 10-foot landscaped area, minimum*

3085 *6-foot high opaque barrier (fence or vegetation), and tree planting 30-foot on center. [From Sec.*

3086 *3-19.(f)(4)]*

3087 **3-D-4.5.e. RD Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
		<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

3088 **Sec. 3-19. MULTIFAMILY RESIDENTIAL DISTRICT (ZONE RD)**

3089 ~~(a) Intent. All land designated as Zone RD shall be governed by the regulations of this Section and~~

3090 ~~shall be further designated into one of the following sub-districts of RD-1, RD-2, RD-3, and RD-4,~~

3091 ~~and shall be governed as hereinafter set forth. Said lands shall also be subject to the applicable~~

3092 ~~restrictions in Sec. 20.3-10. [Deleted and portions relocated to Sec. 3-D-4.6.a. RD Intent]~~

3093 ~~(e) Density Requirements.~~

3094 ~~(1) Land with a zoning classification of RD-1 and a land use designation of Urban Fringe~~

3095 ~~Residential or Urban Core (10) Residential.~~

3096 ~~With Central Water/Sewer Four (4) units per acre~~

3097 ~~Without Central Water/Sewer Two (2) units per acre~~

3098 ~~(2) Land with a zoning classification of RD-2, a land use designation of Urban Core (10)~~

3099 ~~Residential, and with central water and sewer facilities shall be developed at a maximum~~

3100 ~~density of six (6) units per acre.~~

3101 ~~(3) Land with a zoning classification of RD-3, a land use designation of Urban Core (10)~~

3102 ~~Residential, and central water and sewer facilities.~~

3103 ~~With required points pursuant to Sec. 20.3-10. 10 units per acre~~

3104 ~~Without points 6 units per acre~~

3105 ~~(4) Land within a zoning classification of RD-4, a land use designation of Urban Core (10)~~

3106 ~~Residential, and with required points pursuant to Sec. 20.3-10 and central water and sewer~~

3107 ~~facilities may develop at a density of 10 units per acre.~~

3108 ~~(Amended 4/26/94, Ord. 94-26)(Amended 12/03 Ord. 03-96)~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3109            ~~(5) — Lands within a zoning classification of RD-4, a land use designation of Urban Core (10)~~  
 3110            ~~Residential, with central water and sewer facilities, which do not meet the points criteria~~  
 3111            ~~established in Sec. 20.3-10 may develop at a density of six units per acre.~~  
 3112            ~~(Amended 12/03 — Ord. 03-96)~~
- 3113            ~~(6) — Land within a zoning classification of RD-4, a land use designation of Urban Core (16)~~  
 3114            ~~Residential, and with required points pursuant to Sec. 20.3-10 and central water and sewer~~  
 3115            ~~facilities may develop at a density of 16 units per acre.~~
- 3116            ~~(7) — Lands meeting the points criteria consistent with Sec. 20.3-10, the density bonus criteria~~  
 3117            ~~for low and moderate income housing identified in Policy 1.3.6 of the Housing Element of~~  
 3118            ~~the Plan, and having the land use designation of Urban Core (10) may develop at a density~~  
 3119            ~~of 16 units per acre. Lands meeting the points criteria consistent with Sec. 20.3-10, the~~  
 3120            ~~density bonus criteria for low and moderate income housing identified in Policy 1.3.6 of the~~  
 3121            ~~Housing Element of the Plan, and having the land use designation of Urban Core (16) may~~  
 3122            ~~develop at a density of 20 units per acre~~
- 3123            ~~The low and moderate income categories to be served by the proposed~~  
 3124            ~~development shall be defined using Housing and Urban Development (HUD)~~  
 3125            ~~Standards. Verification of rent ranges consistent with HUD standards shall occur~~  
 3126            ~~annually in a report submitted to the Planning and Zoning Departments, due each~~  
 3127            ~~January 1 beginning with the January following zoning approval.~~
- 3128            ~~A maximum of one hundred (100) acres within the Urban Core Category may be~~  
 3129            ~~developed at the density bonus identified above through the 2040 planning period~~  
 3130            ~~(Amended 12/03 — Ord. 03-96)~~
- 3131            **[Relocated to Sec. 3-D-4.5.b. RD Density]**
- 3132            ~~(f) — Lot and Building Requirements:~~
- 3133            ~~(1) — Setback of building(s) from property line (all sub-districts):~~
- 3134            ~~(i) — Minimum Front Yard \_\_\_\_\_ 20 ft.~~  
 3135            ~~(ii) — Minimum Rear Yard \_\_\_\_\_ 20 ft. or~~  
 3136            ~~25 ft. adjacent~~  
 3137            ~~to single family~~  
 3138            ~~residential~~
- 3139            ~~(iii) — Minimum Side Yard Interior:~~
- 3140            ~~1 and 2 Units \_\_\_\_\_ 10 ft.~~  
 3141            ~~3 Units and Over \_\_\_\_\_ 10 ft.~~
- 3142            ~~(iv) — Minimum Side Yard Street \_\_\_\_\_ 20 ft.~~
- 3143            ~~(2) — Accessory Buildings (Not to exceed one (1) story):~~
- 3144            ~~(i) — Minimum Setback from Lot Line~~
- 3145            ~~Front \_\_\_\_\_ 20 ft.~~  
 3146            ~~Rear \_\_\_\_\_ 5 ft.~~  
 3147            ~~Side \_\_\_\_\_ 5 ft.~~
- 3148            ~~(3) — Building Spacing. For more than one building on a single lot:~~
- 3149            ~~Front/Front    Front/Side    Front/Rear    Rear/Rear    Rear/Side    Side/Side~~  
 3150            ~~60 ft.            40 ft.            60 ft.            40 ft.            30 ft.            20 ft.~~
- 3151            **[Relocated to Sec. 3-D-4.5.c. RD Development Standards]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3152           (4) ~~Visual Barrier: Proposed multi-family development shall be buffered from adjacent land~~  
 3153           ~~within the residential land use categories identified in Section 20.3-8, unless said adjacent~~  
 3154           ~~land zoned for multi-family development at the time of proposed development, with a~~  
 3155           ~~twenty-five (25) foot building setback, ten (10) foot landscaped area, minimum six (6) foot~~  
 3156           ~~high opaque barrier (fence or vegetation) and tree planting thirty (30) foot on center. (Ord~~  
 3157           ~~94 — 4/26/94) [Relocated to 3-D-4.5.d. RD Additional Standards]~~  
 3158           (5) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high~~  
 3159           ~~water line or mean high water line, whichever is applicable; for waters designated as~~  
 3160           ~~Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These~~  
 3161           ~~setbacks shall not apply to structures on lots or parcels located landward of existing~~  
 3162           ~~bulkheads permitted by the St. Johns River Water Management District or Florida~~  
 3163           ~~Department of Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic~~  
 3164           ~~Preserves or Outstanding Florida Waters]~~  
 3165           (6) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~  
 3166           ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~  
 3167           ~~the chord terminated by the property corners at the ordinary high water line or the mean~~  
 3168           ~~high water line as applicable. (amended 5/05 Ord. 05-18) [Relocated to Sec. 3-D-~~  
 3169           ~~1.4.b.(2) Waterfront Lots]~~

### **Sec. 3-D-4.6. Single-Family Residential Zoning District (RE)**

#### **3-D-4.6.a. RE Intent**

3172 All land designated as RE is subject to the standards of this Section. Such areas are established to create  
 3173 medium- to high-intensity developments within the Rural Residential (RR), Rural Fringe (RF), Urban Fringe  
 3174 (UF), and Urban Core (10) (UC-10) designations. [From Sec. 3-20.(a)]

#### **3-D-4.6.b. RE Density**

3176 The maximum densities and minimum lot size for Residential uses in the RE District under different FLU  
 3177 categories shall be as follows:

		<u>Non-Subdivision</u>			<u>Subdivision</u>			
<u>FLU</u>	<u>Density/Lot Size</u>	<u>Without Clustering and Points</u>	<u>With No Central Water/ Sewer</u>	<u>With Central Water/ Sewer</u>	<u>With Clustering and Points</u>	<u>Without either Points or Clustering</u>	<u>With Points and No Central Water/ Sewer</u>	<u>With Points and Central Water/ Sewer</u>
	Maximum Density:	1 unit per 5 acres	=	=	1 unit per acre	1 unit per 5 acres <sup>1</sup>	=	=
<u>RR</u>	Minimum Lot Size:	217,800 square feet	=	=	21,780 square feet	174,240 square feet	=	=

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>RF</u>	Maximum Density:	=	=	=	=	1 unit per acre <sup>1</sup>	1.5 units per acre	3 units per acre
	Minimum Lot Size:	=	=	=	=	34,848 square feet	23,232 square feet	11,616 square feet
<u>UF</u>	Maximum Density:	=	2 units per acre	=	=	=	4 units per acre <sup>2</sup>	4 units per acre <sup>2</sup>
	Minimum Lot Size:	=	21,780 square feet	=	=	=	21,780 square feet	8,742 square feet
<u>UC (10)</u>	Maximum Density:	=	2 units per acre <sup>3</sup>	6 units per acre <sup>3</sup>	=	=	2 units per acre <sup>2</sup>	6 units per acre <sup>2</sup>
	Minimum Lot Size:	=	21,780 square feet	7,260 square feet	=	=	21,780 square feet	5,808 square feet

Footnote:

- 1     In RR, subdivision without clustering may develop at 1 unit per 5 acre. In RF, subdivision without points may develop at 1 unit per acre.
- 2     In UF or UC (10) FLU category, this applies to those areas with central water and sewer services, no Points are required.
- 3     In UC (10) FLU category, Mobile Home Residential uses in a Non-Subdivision development.

3178 **[Relocated from Sec. 3-17.(e) Density Requirements]**

3179 **3-D-4.6.c. RE Development Standards**

3180 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 3181 *following minimum standards:* **[Relocated from Sec. 3-20(f)]**

<u>(1) Minimum Lot Dimensions:</u>		
<u>(a)</u>	<i>Lot Width<sup>1</sup>:</i>	At building line: 60 feet <b>[From Sec. 3-20.(f)(1)]</b>
<u>(b)</u>	<i>Lot Depth:</i>	100 feet <b>[From Sec. 3-20.(f)(2)]</b>
<u>(2) Minimum Setbacks<sup>2</sup>:</u>		
<u>(a)</u>	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u> 20 feet <b>[From Sec. 3-20.(f)(3)]</b>
<u>(b)</u>	<u>Side<sup>3</sup>:</u>	<u>From lot line when adjacent to any zoning district:</u> 7.5 feet <b>[From Sec. 3-20.(f)(4)]</b>
<u>(c)</u>	<u>Rear:</u>	<u>From lot line when adjacent to any zoning district:</u> 15 feet <b>[From Sec. 3-20.(f)(5)]</b>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

(3)	<u>Accessory Structure<sup>4</sup>:</u>		
	(a) <u>Front, Side and Rear:</u>	<u>From lot line when adjacent to any zoning district:</u>	7.5 feet [From Sec. 3-20.(f)(6)]
(4)	<u>Maximum Lot Coverage:</u>		30 percent [From Sec. 3-20.(f)(7)]
(5)	<u>Minimum Living Area:</u>	<u>Mobile homes:</u>	600 square feet [From Sec. 3-20.(f)(9)]
		<u>All other permanent structures:</u>	750 square feet [From Sec. 3-20.(f)(10)]

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(2) Waterfront Lots.
- 2 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 3 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.
- 4 Excluding fences.

3182 **3-D-4.6.d. RE Additional Standards**

- 3183 (1) *Single-Family residences consisting of either modular building or mobile homes, so long as the*  
 3184 *aforesaid modular building or Mobile Home complies with all applicable standards governing*  
 3185 *modular buildings or Mobile Homes. Mobile Homes shall meet the standards pursuant to Sec. 3-*  
 3186 *E-3.3. Mobile Home [Relocated from Sec. 3-20.(b)(3)]*

3187 **3-D-4.6.e. RE Accessory Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>	
		<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u>	
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u>	
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>	
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>	

3188 **~~Sec. 3-20. SINGLE-FAMILY RESIDENTIAL DISTRICT (ZONE RE)~~**

- 3189 (a) ~~Intent. All land designated as Zone RE is subject to the regulations of this Section and in Sec. 20.3-~~  
 3190 ~~40. [Deleted and portions relocated to Sec. 3-D-4.6.a. RE Intent]~~
- 3191 (e) ~~Density Requirements. The maximum densities and minimum lot areas for residential uses in the~~  
 3192 ~~RE district shall be as follows: (amended 10/12/93 Ord 93-36)~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3193 (1) ~~Land with a zoning classification of RE and a land use designation of Rural Fringe~~  
3194 ~~Residential.~~  
3195 ~~(i) Maximum Density~~  
3196 ~~*With Points and Central Water/Sewer Three (3) units per acre*~~  
3197 ~~*With Points and No Central Water/Sewer 1.5 units per acre*~~  
3198 ~~*Without Points One (1) unit per acre*~~  
3199 ~~Minimum Lot Size~~  
3200 ~~*With Points and Central Water/Sewer 11,616 square feet*~~  
3201 ~~*With Points and No Central Water/Sewer 23,232 square feet*~~  
3202 ~~*Without Points 34,848 square feet*~~  
3203 (2) ~~Land with a zoning classification of RE and a land use designation of Urban Fringe~~  
3204 ~~Residential. (amended 10/12/93-Ord. 93-36)~~  
3205 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~  
3206 ~~Maximum Density Four (4) units per acre~~  
3207 ~~Minimum Lot Size~~  
3208 ~~*With Central Water/Sewer 8,742 square feet*~~  
3209 ~~*Without Central Water/Sewer 21,780 square feet*~~  
3210 ~~(ii) Residential development not classified as a subdivision pursuant to Ordinance 85-~~  
3211 ~~68.~~  
3212 ~~Maximum Density Two (2) units per acre~~  
3213 ~~Minimum Lot Size 21,780 square feet~~  
3214 (3) ~~Land with a zoning classification of RE and a land use designation of Urban Core (10)~~  
3215 ~~Residential.~~  
3216 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~  
3217 ~~Maximum Density Four (4) units per acre~~  
3218 ~~*With Central Water/Sewer Six (6) units per acre*~~  
3219 ~~*Without Central Water/Sewer Two (2) units per acre*~~  
3220 ~~Minimum Lot Size~~  
3221 ~~*With Central Water/Sewer 5,808 square feet*~~  
3222 ~~*Without Central Water/Sewer 21,780 square feet*~~  
3223 ~~(i) Mobile home residential development not classified as a subdivision pursuant to~~  
3224 ~~Ordinance 85-68, as amended.~~  
3225 ~~Maximum Density~~  
3226 ~~*With Central Water/Sewer Six (6) units per acre*~~  
3227 ~~*Without Central Water/Sewer Two (2) units per acre*~~  
3228 ~~Minimum Lot Size~~  
3229 ~~*With Central Water/Sewer 7,260 square feet*~~  
3230 ~~*Without Central Water/Sewer 21,780 square feet*~~  
3231 (4) ~~Land with a zoning classification of RE and a land use designation of Rural Residential.~~  
3232 ~~(i) Subdivision pursuant to Ordinance 85-68, as amended.~~  
3233 ~~Maximum Density~~  
3234 ~~*With Clustering and Points One (1) unit per acre*~~  
3235 ~~*Without Clustering and Points One (1) unit per five acres*~~  
3236 ~~Minimum Lot Size~~  
3237 ~~*With Clustering and Points 21,780 square feet*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3238 *Without Clustering and Points* ~~174,240 square feet~~
- 3239 (i) ~~Residential development not classified as a subdivision pursuant to Ordinance 85-~~
- 3240 ~~68, as amended:~~
- 3241 ~~Maximum Density One (1) unit per five acres~~
- 3242 ~~Minimum Lot Size 217,800 square feet~~
- 3243 **[Relocated to Sec. 3-D-4.6.b. RE Density]**
- 3244 (f) ~~Lot and Building Requirements. The principal building, accessory buildings and other lot uses shall~~
- 3245 ~~be located so as to comply with the following requirements:~~
- 3246 (1) ~~Minimum Lot Width at Building Line~~ 60 feet
- 3247 (2) ~~Minimum Lot Depth~~ 100 feet
- 3248 (3) ~~Minimum Front Setback~~ 20 feet
- 3249 (4) ~~Minimum Side Setback~~ 7.5 feet
- 3250 (5) ~~Minimum Rear Setback~~ 15 feet
- 3251 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ 7.5 feet
- 3252 ~~Excluding Fences~~
- 3253 (7) ~~Maximum Percent of Lot Coverage~~ 30 percent
- 3254 (8) ~~Maximum Percent of Rear Yard Coverage~~ 30 percent
- 3255 (9) ~~Minimum Living Area, Mobile Homes~~ 600 square feet
- 3256 (10) ~~Minimum Living Area, Permanent Structures~~ 750 square feet
- 3257 **[Relocated to Sec. 3-D-4.6.d. RE Development Standards]**
- 3258 (11) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high~~
- 3259 ~~water line or mean high water line, whichever is applicable; for waters designated as~~
- 3260 ~~Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These~~
- 3261 ~~setbacks shall not apply to structures on lots or parcels located landward of existing~~
- 3262 ~~bulkheads permitted by the St. Johns River Water Management District or Florida~~
- 3263 ~~Department of Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic~~
- 3264 ~~Preserves or Outstanding Florida Waters]~~
- 3265 (12) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
- 3266 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
- 3267 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
- 3268 ~~high water line as applicable. (amended 5/05—Ord. 05-18) [Relocated to Sec. 3-D-~~
- 3269 ~~1.3.a.(2) Waterfront Lots]~~

### 3270 **Sec. 3-D-4.7. Residential Mobile Home Park (RMHP) Zoning District**

#### 3271 **3-D-4.7.a. RMHP Intent**

3272 All land designated as RMHP is subject to the standards of this Section. Such areas are established to

3273 accommodate the housing needs of those residents desiring Mobile Homes or Mobile Home sites. **[From**

3274 **Sec. 3-21.(a)]**

#### 3275 **3-D-4.7.b. RMHP Density**

#### **Notes/Legend:**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3276 The maximum densities for Residential uses in the RMHP District under different FLU categories shall be  
 3277 as follows:

<u>FLU</u>	<u>Density</u>	<u>With Central Water/ Sewer</u>	<u>With Central Water/ Sewer</u>
<u>UF</u>	<i>Maximum Density:</i>	<i>4 units per acre</i>	<i>2 units per acre</i>
<u>UC (10)</u>	<i>Maximum Density:</i>	<i>6 units per acre</i>	-

3278 **[Relocated from Sec. 3-21.(e)(3)]**

3279 **3-D-4.7.c. RMHP Development Standards**

3280 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 3281 following minimum standards:

<u>(1)</u>	<u>Minimum Lot Dimensions:</u>		
<u>(a)</u>	<u>Lot Size:</u>	<i>Residential <u>Mobile Home Park</u> site:</i>	<i>10 acres [From Sec. 3-21.(e)(1)]</i>
		<i>Individual <u>Residential Mobile Home</u> site:</i>	<i>5,000 square feet [From Sec. 3-21.(e)(2)]</i>
<u>(b)</u>	<u>Lot Width:</u>	<i>Residential <u>Mobile Home Park</u> site:</i>	<i>300 feet [From Sec. 3-21.(e)(1)]</i>
		<i>Individual <u>Residential Mobile Home</u> site:</i>	<i>50 feet [From Sec. 3-21.(e)(2)]</i>
<u>(2)</u>	<u>Minimum Setbacks<sup>1</sup>:</u>		
<u>(a)</u>	<u>External:</u>	<u>From lot line when adjacent to a RD, BA, BB, IS, IA, IB, BSC, PO, or PS Zoning District:</u>	<i>15 feet [From Sec. 3-21.(e)(4)]</i>
		<u>From lot line when adjacent to all other Zoning Districts:</u>	<i>50 feet [From Sec. 3-21.(e)(4)]</i>
<u>(b)</u>	<u>Internal:</u>	<u>From lot line when adjacent to any public rights-of-way or pavement edges of private streets:</u>	<i>20 feet [From Sec. 3-21.(e)(4)]</i>
<u>(3)</u>	<u>Minimum Distance Between Structures:</u>		<i>15 feet [From Sec. 3-21.(e)(5)]</i>
<u>(4)</u>	<u>Maximum Height of Structure:</u>		<i>35 feet [From Sec. 3-21.(e)(7)]</i>
<u>(5)</u>	<u>Minimum Floor Area:</u>		<i>500 square feet [From Sec. 3-21.(f)(6)]</i>

Footnote:

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

### 3282 3-D-4.7.d. RMHP Additional Standards

3283 (1) *Patio.* Each Mobile Home space shall have a concrete patio of not less than 10 feet by 24 feet,  
3284 conveniently located at the entrance of each Mobile Home.**[Relocated from Sec. 3-21.(e)(8)**  
3285 **Density Lot and Building Requirements]**

3286 (2) Application Submittal. Refer to Sec. 3-F-11. Application Submission Standards.

### 3287 3-D-4.7.e. RMHP Uses

(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

Refer to Sec. 3-E-9. Accessory Use and Structure

Refer to Sec. 3-E-9.9. Agricultural District Specific  
Accessory Uses

(2) Accessory: Refer to Sec. 3-E-9.10. Residential District Specific  
Accessory Use and Structure

Refer to Sec. 3-F-8. Accessory Structures

(3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure

### 3288 **Sec. 3-21. RESIDENTIAL MOBILE HOME PARK DISTRICT (ZONE RMHP)**

3289 ~~(a) Intent. All land designated as Zone RMHP is subject to the regulations of this Section, and in Sec.~~  
3290 ~~20.3-10. Such areas are established to accommodate the housing needs of those residents~~  
3291 ~~desiring mobile homes or mobile home sites. [Relocated to Sec. 3-D-4.7.a. RMHP Intent]~~

3292 ~~(e) Density Lot and Building Requirements.~~

3293 ~~(1) Minimum Site for a Residential Mobile Home Park. An area not less than ten (10) acres,~~  
3294 ~~having a minimum width of 300 feet measured along a public right-of-way.~~

3295 ~~(2) Minimum Individual Mobile Home Site Size. An area not less than 5,000 square feet and~~  
3296 ~~having a minimum width of not less than 50 feet.~~

3297 **[Relocated to Sec. 3-D-4.7.c. RMHP Development Standards]**

3298 ~~(3) Density Requirements. Maximum densities are as follows:~~

3299 ~~(i) Urban Fringe Residential~~

3300 ~~Central water and sewer 4 units per acre~~

3301 ~~Without central water and sewer 2 units per acre~~

3302 ~~(ii) Urban Core (10) Residential with central water and sewer 6 units per acre~~

3303 **[Relocated to Sec. -D-4.7.b. RMHP Density]**

3304 ~~(4) Setbacks. Mobile homes and structures shall be set back not less than 50 feet from all~~  
3305 ~~property lines, unless such line is contiguous to property zoned RD, BA, BB, IS, IA, IB,~~  
3306 ~~BSC, PO and PS, in which case the setback shall be 15 feet. Individual structures within~~  
3307 ~~the park shall set back not less than 20 feet from all public rights-of-way or pavement edges~~  
3308 ~~of private streets.~~

3309 ~~(5) Minimum Distance Between Structures. Fifteen (15) feet.~~

3310 ~~(6) Minimum Floor Area. Five hundred (500) square feet.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3311            ~~(7) — *Maximum Height of Structures. Thirty-five (35) feet.*~~  
3312                            **[Relocated to Sec. 3-D-4.7.c. RMHP Development Standards]**
- 3313            ~~(8) — *Patio. Each mobile home space shall have a concrete patio of not less than ten (10) feet*~~  
3314            ~~*by twenty-four (24) feet, conveniently located at the entrance of each mobile home.*~~  
3315                            **[Relocated to Sec. 3-D-4.7.d. RMHP Additional Standards]**
- 3316            ~~(9) — *All structures shall be set back a minimum of 50 feet landward from the ordinary high water*~~  
3317            ~~*line or mean high water line, whichever is applicable; for waters designated as Aquatic*~~  
3318            ~~*Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks*~~  
3319            ~~*shall not apply to structures on lots or parcels located landward of existing bulkheads*~~  
3320            ~~*permitted by the St. Johns River Water Management District or Florida Department of*~~  
3321            ~~*Environmental Protection.*~~ **[Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or**  
3322                            **Outstanding Florida Waters]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3323 **Sec. 3-D-4.8. Planned Unit Development Zoning District (PUD)**

3324 **3-D-4.8.a. PUD Intent**

- 3325 *It is the purpose of this District to:*
- 3326 (1) encourage the development of land as planned communities;
- 3327 (2) encourage flexible and creative concepts of site planning;
- 3328 (3) preserve the natural amenities of the land by encouraging scenic and functional open area;
- 3329 (4) accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of this Section;
- 3330
- 3331 (5) provide for the efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and
- 3332
- 3333 (6) provide a stable environment character compatible with surrounding areas. [Relocated from Sec. 3-33.(a)]
- 3334

3335 **3-D-4.8.b. Applicability**

3336 This Section applies to properties rezoned to a PUD, modifications to an approved PUD, or unless stated otherwise in the Code.

3337

3338 **3-D-4.8.c. Design Objectives**

3339 The design intent of a PUD is to encourage flexible and creative concepts of site planning, consisting of solely Residential uses or a combination of Non-Residential and Residential uses that may include support services, such as Office, Retail, and Recreational, for the population and/or workforce of the planned development. It is encouraged to share facilities and integrate uses.

3340

3341

3342

3343 If a mixture of Non-Residential and Residential uses are provided within the PUD, then a minimum of 2 primary land use type, as indicated in Sec. 3-D-7.5.c.(1) Floor Area Ratios (FAR), shall be provided in each PUD. Otherwise, the PUD may be 100 percent Residential use(s).

3344

3345

3346

(1) Mix of Land Uses:

<u>Land Use Types</u>	<u>Minimum percentage of Land Area</u>	<u>Maximum percentage of Land Area</u>
<u>Commercial:</u>	<u>15</u>	<u>30</u>
<u>Institutional/Public Private Facilities:</u>	<u>15</u>	<u>30</u>
<u>Residential:</u>	<u>50</u>	<u>75</u>
<u>Recreational/Open Space<sup>1</sup>:</u>	<u>10</u>	<u>20</u>

Footnote:

1 Protected environmental lands such as upland preserves or wetlands found within a PUD site are excluded from the maximum percentage of gross land area dedicated to that land use type.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3347 (2) Density and Intensity. The proposed density and intensity shall be determined based on the FLU  
 3348 category of which the development is located. The proposed density and intensity shall be  
 3349 approved at the rezoning process.

3350 (3) Design Standards. Refer to Sec. 3-F-6. Architectural Design Guidelines and Sec. 3-D-11.11.  
 3351 Design Standards for Master Planned Communities and apply where applicable.

3352 **3-D-4.8.d. PUD Development Standards**

3353 The principal building(s), accessory structure(s), and other use(s) shall be located so as to comply with the  
 3354 following minimum standards.

(1)	<u>Minimum Site Size:</u>	
	(a) <i>Residential uses</i> <u>only within the PUD:</u>	<u>5 acres [From Sec. 3-33.(h)]</u>
	(b) <u>Combination of Non-Residential and Residential uses within the PUD:</u> <b>[From Sec. 3-33.(h)]</b>	<u>2 acres</u>
(2)	<u>Minimum Lot Dimensions:</u>	
	(a) <u>Lot Width:</u>	<u>Per the approved PUD</u>
	(b) <u>Lot Depth:</u>	<u>Per the approved PUD</u>
(3)	<u>Minimum Setbacks<sup>1</sup>:</u>	
	(a) <u>Front:</u>	<u>Per the approved PUD</u>
	(b) <u>Side:</u>	<u>Per the approved PUD</u>
	(c) <u>Rear:</u>	<u>Per the approved PUD</u>

Footnotes:

1 *If the PUD is to include a combination of Non-Residential uses and Residential uses, the parcel is not required to adhere to this minimum size standard. [Relocated from Sec. 3-33.(h) Minimum Acreage]*

2 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

3355 **3-D-4.8.e. Rezoning to a PUD**

3356 The procedure for a rezoning to a PUD shall be pursuant to Sec. 12-9. Rezoning and Amendments to the  
 3357 Code, and Part F, Division 11, Application Submission Requirements.

3358 (1) Final Development Plan. If rezoning approval for the PUD is granted by the Board, within 30 months  
 3359 the applicant shall submit to the Planning and Zoning Department for approval a Final Development  
 3360 Plan covering all of the approved Master Plan. The 30-month time period for submittal does not  
 3361 apply to amendment to a development approved pursuant to a Development of Regional Impact

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3362 (DRI) adopted under Section 380.06, Florida Statutes. [Relocated from Sec. 3-33.(d) Final  
3363 Development Plan, Zone PUD]

### **3-D-4.8.f. Modifications to a PUD**

3365 Any proposed major or substantial change in the approved PUD which affects the intent and character of  
3366 the development, the density or land use pattern, the location or dimension of streets, or similar substantial  
3367 changes shall be reviewed by the Local Planning Agency and the Board of County Commissions in the  
3368 same manner as a Rezoning application.

3369 (1) Minor Modifications. Changes applied for by the Land Owner which do not affect the intent or  
3370 character of the development will be submitted to the Planning and Zoning Department for  
3371 approval.

3372 (2) Major Modifications. Any proposed change submitted for a portion of an approved PUD Master  
3373 Plan in which the applicant seeking the change does not control all of the real property located  
3374 within the PUD shall be reviewed by the Local Planning Agency and the Board of County  
3375 Commissioners in the same manner as an application for a rezoning. [Relocated from Sec. 3-  
3376 33.(e) Revision of Planned Unit Development]

### **3-D-4.8.g. PUD Time Limitations**

3378 The following time limitations shall apply to all PUD Zoning Districts other than those granted for  
3379 development within a DRI.

3380 (1) If substantial construction, as determined by the Planning and Zoning Director or his/her designee  
3381 has not begun within 4 years after approval of the PUD, the approval of the PUD shall lapse.

3382 (2) Extension. At its discretion and for good cause, the Board of County Commission may extend for  
3383 1 additional year the period for beginning construction.

3384 (3) Lapsed Approval. If the approved PUD lapses under this provision, the Planning and Zoning  
3385 Director or his/her designee shall cause the PUD District to be removed from the Official Zoning  
3386 Map, mail a notice by registered mail of revocation to the owner, and reinstate the zoning district  
3387 which was in effect prior to the approval of the PUD. [Relocated from Sec. 3-33.(f) Planned Unit  
3388 Development Time Limitations]

### **3-D-4.8.h. Deviation from the PUD Development Plan**

3389 Any unapproved deviation from the accepted Development Plan shall institute a breach of agreement  
3390 between the applicant and the County. Such deviation may cause the Board of County Commission to  
3391 immediately revoke the Development Plan until such time as the deviations are corrected or become a part  
3392 of the accepted Development Plan. [Relocated from Sec. 3-33.(g) Deviation from the Development  
3393 Plan]  
3394

### **3-D-4.8.i. Phase Development**

3396 In the event the applicant desires to develop a PUD in phases for other than development within a DRI, the  
3397 applicant shall submit a Schedule of Phases with the application for rezoning.

3398 (1) The Final Development Plans for the first phase shall be submitted within 12 months of the approval  
3399 of the PUD. Final Development Plans for each subsequent phase shall be submitted not later than  
3400 6 months prior to the date of commencement of each phase for the approval by the Board of County  
3401 Commissioners.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3402 (2) *Multi-County PUD. The requirement that substantial construction begin within 2 years of approval*  
 3403 *of the PUD shall be satisfied by commencing substantial construction in either county.*  
 3404 (3) *Developments of Regional Impact. A PUD approved for development within a DRI is recognized*  
 3405 *as phased development and shall comply with its specific approved DRI development order.*  
 3406 **[Relocated from Sec. 3-33.(i) Phase Development]**

### **3-D-4.8.j. PUD Uses**

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u><br><u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-E-9.9. Agricultural District Specific Accessory Uses</u> |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9.10. Residential District Specific Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u>   |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>   |

### **Sec. 3-33. PLANNED UNIT DEVELOPMENT (ZONE PUD)**

- 3408 ~~(a) Intent and Purpose. It is the purpose of this Section to permit Planned Unit Developments which~~  
 3409 ~~are intended to encourage the development of land as planned communities; encourage flexible~~  
 3410 ~~and creative concepts of site planning; preserve the natural amenities of the land by encouraging~~  
 3411 ~~scenic and functional open area; accomplish a more desirable environment than would be possible~~  
 3412 ~~through the strict application of the minimum requirements of this Regulation; provide for the~~  
 3413 ~~efficient use of land resulting in smaller networks of utilities and streets and thereby lowering~~  
 3414 ~~development and housing costs; and provide a stable environment character compatible with~~  
 3415 ~~surrounding areas. [Relocated to Sec. 3-D-4.8.a. PUD Intent]~~  
 3416 ~~(d) Final Development Plan. If rezoning approval for the Planned Unit Development is granted, within~~  
 3417 ~~thirty (30) months the applicant shall submit to the Planning and Zoning Department for approval a~~  
 3418 ~~Final Development Plan covering all of the approved Master Plan. The thirty month time period for~~  
 3419 ~~submittal does not apply to development approved pursuant to a Development of Regional Impact~~  
 3420 ~~(DRI) adopted under Section 380.06, Florida Statutes. The Final Development Plan shall include~~  
 3421 ~~the following exhibits: [Relocated to Sec. 3-D-4.8.e. Rezoning to a PUD]~~  
 3422 ~~(i) A map drawn to scale of 100 feet to one inch by a registered surveyor and/or engineer~~  
 3423 ~~showing:~~  
 3424 ~~(ii) The location of existing property or right of way lines, both for private property and public~~  
 3425 ~~property, streets, buildings, water courses, transmission lines, sewers, bridges, culverts~~  
 3426 ~~and drain pipes, water mains, and any public utility easements.~~  
 3427 ~~(iii) Wooden areas, streams, lakes, marshes, and any other physical conditions affecting the~~  
 3428 ~~site.~~  
 3429 ~~(iv) Width, location, and names of surrounding streets.~~  
 3430 ~~(v) Proposed streets and street names and other vehicular and pedestrian circulation systems,~~  
 3431 ~~including off-street parking.~~  
 3432

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3433 (v) ~~The use, size, and location of all proposed building sites.~~
- 3434 (2) ~~Statistical Information:~~
- 3435 (i) ~~Total acreage of the site.~~
- 3436 (ii) ~~Maximum building coverage expressed as a percent of the area.~~
- 3437 (iii) ~~Area of land devoted to recreation purposes expressed as a percent of the total site area.~~
- 3438 ~~Recreation space must be equal to or greater than 10 percent of the gross acreage. Of~~
- 3439 ~~this 10 percent, 4 percent must be for usable recreation purposes as defined by the growth~~
- 3440 ~~management plan.~~
- 3441 (iv) ~~Calculated density for the proposed section.~~ **[Deleted, as these submittal requirements**
- 3442 **should be in Article 12, and Part F, Division 11, Application Submission**
- 3443 **Requirements]**
- 3444 (e) ~~Any proposed major or substantial change in the approved Planned Unit Development which~~
- 3445 ~~affects the intent and character of the development, the density or land use pattern, the location or~~
- 3446 ~~dimension of streets, or similar substantial changes shall be reviewed by the Local Planning~~
- 3447 ~~Agency and the Board of County Commissions in the same manner as an application for a rezoning~~
- 3448 ~~under subsection (c). A request for a revision requires a written statement demonstrating the~~
- 3449 ~~reasons the revisions are necessary or desirable. Changes applied for by the Land Owner which~~
- 3450 ~~do not affect the intent or character of the development will be submitted to the Planning and Zoning~~
- 3451 ~~Department for approval. Any proposed change submitted for a portion of an approved Planned~~
- 3452 ~~Unit Development Master Plan in which the applicant seeking the change does not control all of~~
- 3453 ~~the real property located within the Planned Unit Development must be reviewed by the Local~~
- 3454 ~~Planning Agency and the Board of County Commissioners in the same manner as an application~~
- 3455 ~~for a rezoning. In addition to all other notice requirements that may be applicable, such applicant~~
- 3456 ~~shall be responsible for mailing a notice of the public hearings to all other owners of real property~~
- 3457 ~~located within the Planned Unit Development not controlled by such applicant, as determined from~~
- 3458 ~~the records of the Property Appraiser's Office. In such cases where the PUD is also a DRI, such~~
- 3459 ~~notice shall only be mailed to all owners of parcels of real property within the PUD that are located~~
- 3460 ~~within 1,000 feet of the property for which the change is being requested. The mailed notice must~~
- 3461 ~~include a statement that the Local Planning Agency and the Board of County Commissioners will~~
- 3462 ~~be considering the proposed change, that sets forth the time, date and place of the hearings, the~~
- 3463 ~~title of the proposed ordinance approving the change, the place within the County where such~~
- 3464 ~~proposed ordinance may be inspected by the public, and a summary of the change pre approved~~
- 3465 ~~by the Director of the Planning and Zoning Division, and that advises that interested parties may~~
- 3466 ~~appear at the meetings and be heard with respect to the proposed ordinance. One notice~~
- 3467 ~~containing the dates, times and place of all hearings before the Local Planning Agency and the~~
- 3468 ~~Board of County Commissioners as well as all other required information may be utilized, and shall~~
- 3469 ~~be mailed no later than 15 days prior to the date of the hearing before the Local Planning Agency.~~
- 3470 ~~Prior to the Local Planning Agency's hearing, the applicant shall provide to the County a copy of~~
- 3471 ~~the mailed notice, a list of property owners who were mailed the notice, and a sworn affidavit signed~~
- 3472 ~~by the applicant stating that the notices were mailed out prior to the 15 day minimum by postage~~
- 3473 ~~prepaid first class mail. For purposes of this subsection, control means ownership of title or~~
- 3474 ~~possession of a dated writing from the owner of title authorizing the applicant to seek the change~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

3475 on behalf of such owner, provided that the date of such writing cannot be more than 180 days prior  
3476 to the date of the application. For purposes of the sentence immediately preceding, title means  
3477 fee simple, a life estate or a primary leasehold interest that has a remaining term, including options,  
3478 at the time of the application, of 25 years or more. For purposes of the sentence immediately  
3479 preceding, a primary leasehold interest is a leasehold interest from the fee simple owner or the  
3480 owner's predecessor authorizing the holder of the interest to take and hold full possession  
3481 throughout the term of the interest. **[Partially relocated to Sec. 3-D-4.8.f. Modifications to a**  
3482 **PUD]**

3483 ~~(f) Planned Unit Development Time Limitations.~~

3484 ~~(1) The following time limitations shall apply to all PUD Zoning Districts other than those~~  
3485 ~~granted for development within a DRI.~~

3486 ~~(i) If substantial construction, as determined by the Planning and Zoning Director has~~  
3487 ~~not begun within four (4) years after approval of the Planned Unit Development~~  
3488 ~~under Section hereof, the approval of the Planned Unit Development will lapse.~~

3489 ~~(ii) At its discretion and for good cause, the Board of County Commission may extend~~  
3490 ~~for one additional year the period for beginning construction. If the approved~~  
3491 ~~Planned Unit Development lapses under this provision, the Planning, Zoning and~~  
3492 ~~Building Administrator shall cause the Planned Unit Development district to be~~  
3493 ~~removed from the Official Zoning Map, mail a notice by registered mail of~~  
3494 ~~revocation to the owner, and reinstate the zoning district which was in effect prior~~  
3495 ~~to the approval of the Planned Unit Development.~~

3496 **[Relocated to Sec. 3-D-4.8.g. PUD Time Limitations]**

3497 ~~(2) The following time limitations shall apply to all PUD Zoning Districts granted for~~  
3498 ~~development within a DRI: Physical development within the site, as determined by the~~  
3499 ~~Planning and Zoning Director, shall occur consistent with the phasing schedule adopted in~~  
3500 ~~the DRI Development Order, as such may be amended from time to time. Should the~~  
3501 ~~Planning and Zoning Director determine that physical development has not occurred~~  
3502 ~~consistent with the time frames adopted in the applicable DRI Development Order, the~~  
3503 ~~approval of the Planned Unit Development shall lapse. If the approved Planned Unit~~  
3504 ~~Development lapses under this provision, the Planning Zoning and Building Administrator~~  
3505 ~~shall suspend the Planned Unit Development district and so note its suspension on the~~  
3506 ~~Official Zoning Map and mail a notice by registered mail of suspension of the PUD zoning~~  
3507 ~~district to the owner. No development shall be allowed within the PUD parcel until such~~  
3508 ~~time as a new PUD is approved consistent with the requirements of this Section and the~~  
3509 ~~conditions in the DRI Development Order, unless the DRI is abandoned or expires. In such~~  
3510 ~~a case, the zoning will revert to that which was in effect prior to approval of the DRI.~~

3511 **[Deleted]**

3512 ~~(g) Deviation from the Development Plan. Any unapproved deviation from the accepted Development~~  
3513 ~~Plan shall institute a breach of agreement between the applicant and the County. Such deviation~~  
3514 ~~may cause the Board of County Commission to immediately revoke the Development Plan until~~  
3515 ~~such time as the deviations are corrected or become a part of the accepted Development Plan.~~

3516 **[Relocated to 3-D-4.8.h. Deviation from the PUD Development Plan]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3517 (h) ~~Minimum Acreage. For residential uses, the minimum size parcel to be considered for Planned Unit~~  
3518 ~~Development shall be five acres. However, if the Planned Unit Development is to include a~~  
3519 ~~combination of non residential uses and residential uses, the parcel is not required to adhere to~~  
3520 ~~this minimum size standard. [Relocated to Sec. 3-D-4-8.d. PUD Development Standards ]~~  
3521 (i) ~~Phase Development.~~  
3522 (1) ~~A Planned Unit Development as defined herein may be developed in phases with the~~  
3523 ~~approval of the Board of County Commissioners. In the event the applicant desires to~~  
3524 ~~develop a Planned Unit Development in phases for other than development within a DRI,~~  
3525 ~~the applicant shall submit a Schedule of Phases in addition to these items required in~~  
3526 ~~Paragraph (c) above with the application for zoning.~~  
3527 (2) ~~The Final Development Plans for the first phase shall be submitted within 12 months of the~~  
3528 ~~approval of the Planned Unit Development. Final Development Plans for each subsequent~~  
3529 ~~phase shall be submitted not later than six months prior to the date of commencement of~~  
3530 ~~each phase for the approval by the Board of County Commissioners.~~  
3531 (3) ~~Multi-County Planned Unit Development. The requirement that substantial construction~~  
3532 ~~begin within two years of approval of the Planned Unit Development shall be satisfied by~~  
3533 ~~commencing substantial construction in either county.~~  
3534 (4) ~~Developments of Regional Impact. A Planned Unit Development approved for development~~  
3535 ~~within a DRI is recognized as phased development not subject to the requirements of subsection (i)~~  
3536 ~~above and not subject to the requirement for a Final Development Plan for phase 1 or any subsequent~~  
3537 ~~phases. [Relocated to Sec. 3-D.4.8.i. Phase Development]~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

3538 **DIVISION 5 NEIGHBORHOOD BUSINESS ZONING DISTRICTS**

3539 **Sec. 3-D-5.1. Intent of Neighborhood Business Zoning Districts**

3540 The Neighborhood Business, Light Neighborhood Business and Commercial and Professional Office  
3541 Zoning Districts are intended to serve the Residential neighborhood or providing a range of sales, services,  
3542 and office activities. In addition serving the daily needs of the communities, these Zoning Districts provide  
3543 transition areas minimizing the impacts and noise of the more intense Non-Residential uses on adjacent  
3544 Residential neighborhoods.

3545 **Sec. 3-D-5.2. General Development Standards**

3546 Refer to Part D, Division 1 General Standards.

3547 **Sec. 3-D-5.3. Neighborhood Business (BA) Zoning District**

3548 **3-D-5.3.a. BA Intent**

3549 *This BA Zoning District is to provide a limited Commercial facility of a convenience nature, servicing persons*  
3550 *residing in adjacent Residential areas, and to permit primarily such uses as are necessary to satisfy those*  
3551 *basic shopping and service needs which occur frequently and do require retail and service facilities in*  
3552 *relative proximity to places of residence.*

3553 *This District is further designed to accommodate Commercial development on a scale that is less intensive*  
3554 *than that permitted in a BB District. [From **Sec. 3-24.(a)**]*

3555 **3-D-5.3.b. BA Intensity**

3556 *The maximum intensity/density of development for land in the BA District shall correspond to a Floor Area*  
3557 *Ratio (FAR) of 40 percent. [Relocated from **Sec. 3-24.(f)** Density Requirements]*

3558 **3-D-5.3.c. BA Development Standards**

3559 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
3560 *following minimum standards: [Relocated from **Sec. 3-24(g)**]*

(1)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Width:</u>	<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(2)	<u>Minimum Setbacks<sup>1</sup>:</u>	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(a)</u>	<u>Front:</u>	<u>From property line when adjacent to any zoning district:</u>	<i>25 feet</i> [From Sec. 3-24.(g)(1)]
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<i>25 feet</i> [From Sec. 3-24.(g)(3)(i)]
			<i>35 feet</i> [From Sec. 3-24.(g)(3)(ii)]
		<u>From property line when adjacent to Business zoning district:</u>	<i>0 feet<sup>3</sup></i> [From Sec. 3-24.(g)(3)(iii)]
			<i>15 feet</i> [From Sec. 3-24.(g)(3)(iii)]
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to a Multi-Family and Single-Family use:</u>	<i>25 feet</i> [From Sec. 3-24.(g)(4)(i)]
			<i>35 feet</i>
		<u>From property line when adjacent to all other uses:</u>	<i>20 feet</i> [From Sec. 3-24.(g)(5)]
<u>(3)</u>	<u>Maximum Building Height:</u>		
<u>(a)</u>	<u>1-story construction:</u>		<i>22 feet</i> [From Sec. 3-24.(g)(7)]
<u>(b)</u>	<u>2-story construction:</u>		<i>35 feet</i> [From Sec. 3-24.(g)(7)]

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-24.(g)(3)(i)]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

3 Where the adjoining lot is also zoned for Commercial, a building at a maximum height of 22 feet may be placed anywhere within the required side setback area up to the side lot lines providing that the building is constructed in accordance with the standards of the applicable Florida Building Code. [From Sec. 3-24.(g)(3)(iii)]

### 3561 3-D-5.3.d. BA Additional Standards

- 3562 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
3563 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
3564 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback.  
3565 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20  
3566 feet in width and shall be unobstructed at all times. [From Sec. 3-24.(g)(5)]

### 3567 3-D-5.3.e. BA Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 3568 Sec. 3-24. Neighborhood Business District (Zone BA)

3569 ~~(a) Purpose and Intent. This District is to provide a limited commercial facility of a convenience nature,~~  
3570 ~~servicing persons residing in adjacent residential areas, and to permit primarily such uses as are~~  
3571 ~~necessary to satisfy those basic shopping and service needs which occur frequently and so require~~  
3572 ~~retail and service facilities in relative proximity to places of residence.~~

3573 ~~This district is further designed to accommodate commercial development on a scale that is less~~  
3574 ~~intensive than that permitted in a BB District. [Relocated to Sec. 3-D-5.3.a. BA Intent]~~

3575 ~~(f) Density Requirements. The maximum density of development for land in the BA zoning~~  
3576 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec.~~  
3577 ~~3-D-5.3.b. BA Intensity]~~

3578 ~~(g) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
3579 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

3580 ~~(1) Front lot line setbacks shall in no case be less than twenty five (25) feet. [Relocated to~~  
3581 ~~Sec. 3-D-5.3.c. BA Development Standards]~~

3582 ~~(2) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
3583 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
3584 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
3585 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
3586 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
3587 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
3588 ~~Outstanding Florida Waters]~~

3589 ~~(3) Side lot line setbacks.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3590 (i) ~~For one-story building height up to a maximum of twenty-two (22) feet on property~~  
3591 ~~which abuts any residential or agricultural district shall be no less than twenty-five~~  
3592 ~~(25) feet. [Relocated to Sec. 3-D-5.3.c. BA Development Standards] If said lot~~  
3593 ~~is a corner lot, then setbacks shall be the same as the front setback. [Relocated~~  
3594 ~~to Sec. 3-D-5.3.b. Footnote 2]~~
- 3595 (ii) ~~For two-story building height up to a maximum of thirty-five (35) feet on property~~  
3596 ~~which abuts any residential or agricultural district shall be no less than thirty-five~~  
3597 ~~(35) feet. [Relocated to Sec. 3-D-5.3.c. BA Development Standards] If said lot~~  
3598 ~~is a corner lot, then setbacks shall be the same as the front setback. [Relocated~~  
3599 ~~to Sec. 3-D-5.3.b. BA Development Standards, Footnote 2]~~
- 3600 (iii) ~~Where the adjoining lot is also zoned for business, a one-story building at a~~  
3601 ~~maximum height of twenty-two (22) feet may be placed anywhere within the~~  
3602 ~~required side setback area up to the side lot lines providing that the building is~~  
3603 ~~constructed in accordance with the regulations of the applicable Building Code.~~  
3604 ~~[Relocated to Sec. 3-D-5.3.c. BA Development Standards, Footnote 2] A two~~  
3605 ~~story building with a maximum height of thirty-five (35) feet shall provide the~~  
3606 ~~maximum side setback of fifteen (15) feet.~~
- 3607 (4) ~~Rear lot line setbacks:~~
- 3608 (i) ~~In one-story building height up to a maximum of twenty-two (22) feet on property~~  
3609 ~~which abuts any zoning district shall be no less than twenty-five (25) feet when~~  
3610 ~~adjacent to multi-family and single-family residences.~~
- 3611 (ii) ~~In two-story building height up to a maximum thirty-five (35) feet on property which~~  
3612 ~~abuts any zoning district shall be no less than thirty-five (35) feet, and no less than~~  
3613 ~~twenty-five (25) feet when adjacent to multi-family and single-family residences.~~
- 3614 (5) ~~Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public street,~~  
3615 ~~then access over private property shall be provided. Access shall not be less than fifteen~~  
3616 ~~(15) feet in width and shall be unobstructed at all times.~~  
3617 ~~[Relocated to Sec. 3-D-5.3.c. BA Development Standards]~~
- 3618 (6) ~~Where a district is adjacent to a lot line of property of a residential or agricultural~~  
3619 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~  
3620 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
3621 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
3622 ~~visible. [Deleted and rephrased in Sec. 3-D-5.3.d. Waste Disposal and/or Material~~  
3623 ~~Storage]~~
- 3624 (7) ~~Height limitations:~~
- 3625 (i) ~~One-story construction shall not exceed the building height of twenty-two (22) feet.~~  
3626 (ii) ~~Two-story construction shall not exceed the building height of thirty-five (35) feet.~~  
3627 ~~[Relocated to Sec. 3-D-5.3.c. BA Development Standards]~~

### **Sec. 3-D-5.4. Light Neighborhood Business Zoning District (BA-1)**

#### **3-D-5.4.a. BA-1 Intent**

#### **Notes/Legend:**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3630 *All land designated as BA-1 is subject to the standards of this Section. Such areas are established to*  
 3631 *provide for the development of business facilities designed to accommodate the immediate neighborhood*  
 3632 *needs. [From Sec. 3-23.(a)]*

3633 **3-D-5.4.b. BA-1 Intensity**

3634 *The maximum intensity/density of development for land in the BA-1 District shall correspond to a Floor Area*  
 3635 *Ratio (FAR) of 40 percent. [Relocated from Sec. 3-23.(e) Density Requirements]*

3636 **3-D-5.4.c. BA-1 Development Standards**

3637 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 3638 *following minimum standards: [Relocated from Sec. 3-23(f)]*

<u>(1) Minimum Dimensions:</u>			
<u>(a)</u>	<u>Lot Width:</u>		<u>Not Applicable</u>
<u>(b)</u>	<u>Lot Depth:</u>		<u>Not Applicable</u>
<u>(2) Minimum Setbacks<sup>1</sup>:</u>			
<u>(a)</u>	<u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-23.(f)(3)]</u>
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-23.(f)(1)(i)]</u>
		<u>From property line when adjacent to a Business zoning district:</u>	<u>0 feet <sup>3</sup> [From Sec. 3-23.(f)(1)(ii)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-23.(f)(1)(ii)]</u>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to all zoning districts:</u>	<u>20 feet [From Sec. 3-23.(f)(2)]</u>
<u>(3) Maximum Building Height:</u>			
<u>(a)</u>	<u>1-story construction:</u>	<u>First floor Non-Residential<sup>4</sup>:</u>	<u>22 feet [From Sec. 3-23.(f)(6)(i)]</u>
<u>(b)</u>	<u>2-story construction:</u>	<u>First floor Non-Residential with second floor Residential<sup>4</sup>:</u>	<u>35 feet [From Sec. 3-23.(f)(6)(i)]</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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Footnotes:

- 
- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-23.(f)(1)(i)]
- 
- 3 Where the adjoining lot is also zoned for business, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-23.(f)(1)(ii)]
- 
- 4 First story gross retail floor area shall be limited to 2,000 square feet per shop. [From Sec. 3-23.(f)(6)(ii)]
- 

3639 **3-D-5.4.d. BA-1 Additional Standards**

- 3640 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a
- 3641 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of
- 3642 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback
- 3643 and Sec. 3-F.8.3. Waste Storage Area.
- 3644 (2) Rear Access. In all Commercial zoning districts, the rear lot area shall be accessible from a public
- 3645 street for emergency vehicles. If the rear yard does not abut a public street, then access shall be
- 3646 not less than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-23.(f)(2)]

3647 **3-D-5.4.e. BA-1 Uses**

- 
- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- 
- (2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure
- Refer to Sec. 3-F-8. Accessory Structures
- 
- (3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure
- 

3648 **~~Sec. 3-23. LIGHT NEIGHBORHOOD BUSINESS DISTRICT (ZONE BA-1)~~**

- 3649 ~~(a) Area. All land designated as Zone BA-1 is subject to the regulations of this Section and Sec. 20.3-~~
- 3650 ~~10. Such areas are established to provide for the development of business facilities designed to~~
- 3651 ~~accommodate the immediate neighborhood needs. [Relocated to Sec. 3-D-5.4.a. BA-1 Intent]-A~~
- 3652 ~~site plan shall be submitted to the Planning and Zoning Department for review and approval prior~~
- 3653 ~~to obtaining a building permit for all uses within this District.~~
- 3654 ~~(e) Density Requirements. The maximum density of development for land in the BA-1 zoning~~
- 3655 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec.~~
- 3656 ~~3-D-5.4.b. BA-1 Intensity]~~
- 3657 ~~(f) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
- 3658 ~~be located so as to comply with the following minimum requirements. [Relocated to Sec. 3-D-~~
- 3659 ~~5.4.c. BA-1 Development Standards]~~
- 3660 ~~Rev. 04/22/08~~
- 3661 ~~(1) Side lot line setbacks.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3662 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~  
3663 ~~shall be not less than twenty five (25) feet. [Relocated to Sec. 3-D-5.4.c. BA-1~~  
3664 ~~Development Standards] If said lot is a corner lot, then setback shall be the same~~  
3665 ~~as the front setback. [Relocated to Sec. 3-D-5.4.c. BA-1 Development~~  
3666 ~~Standards, Footnotes 2]~~  
3667 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~  
3668 ~~to the side lot line, providing the building is constructed in accordance with the~~  
3669 ~~regulations of the applicable Building Code; in all other construction, the minimum~~  
3670 ~~side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-5.4.c. BA-1~~  
3671 ~~Development Standards, Footnotes 3]~~  
3672 (2) ~~Rear lot line setbacks shall be twenty five (25) feet. [Relocated to Sec. 3-D-5.4.c. BA-1~~  
3673 ~~Development Standards] In all business districts the rear lot area shall be accessible from~~  
3674 ~~a public street for emergency vehicles. If the rear yard does not abut a public street, then~~  
3675 ~~access over private property shall be not less than twenty (20) feet in width and shall be~~  
3676 ~~unobstructed at all times. [Relocated to Sec. 3-D-5.4.d. BA-1 Additional Standards]~~  
3677 (3) ~~Front lot line setbacks shall not be less than twenty five (25) feet. [Deleted and portions~~  
3678 ~~relocated to Sec. 3-D-5.4.c. BA-1 Development Standards]~~  
3679 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
3680 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
3681 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
3682 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
3683 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
3684 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
3685 ~~Outstanding Florida Waters]~~  
3686 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
3687 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~  
3688 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
3689 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
3690 ~~visible. [Deleted and rephrased in Sec. 3-D-5.4.d.(1) Waste Disposal and/or Material~~  
3691 ~~Storage]~~  
3692 (6) ~~Height and size limitations.~~  
3693 (i) ~~One story construction not higher than twenty two (22) feet except where the~~  
3694 ~~second story will be used as residence, the height shall not exceed thirty five (35)~~  
3695 ~~feet. [Deleted and portions relocated to Sec. 3-D-5.4.c. BA-1 Development~~  
3696 ~~Standards]~~  
3697 (ii) ~~First story gross retail floor area limited to two thousand (2,000) square feet per~~  
3698 ~~shop. [Relocated to Sec. 3-D-5.4.c. BA-1 Development Standards, Footnote~~  
3699 ~~4]~~

### 3700 **Sec. 3-D-5.5. Commercial and Professional (BA-2) Zoning District**

#### 3701 **3-D-5.5.a. BA-2 Intent**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3702 All land designated as BA-2 is subject to the standards of this Section. Such areas are established to  
 3703 provide for the development of Commercial and professional offices and to facilitate the change from  
 3704 Residential to Commercial usage. [Relocated from Sec. 3-22(a)]

3705 **3-D-5.5.b. BA-2 Intensity**

3706 The maximum intensity/density of development for land in the BA-2 District shall correspond to a Floor Area  
 3707 Ratio (FAR) of 40 percent. [Relocated from Sec. 3-22.(e) Density Requirements]

3708 **3-D-5.5.c. BA-2 Development Standards**

3709 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 3710 following minimum standards: [Relocated from Sec. 3-22(f)]

(1)	<u>Minimum Lot Dimensions:</u>		
	(a) <u>Lot Width:</u>		<u>Not Applicable</u>
	(b) <u>Lot Depth:</u>		<u>Not Applicable</u>
(2)	<u>Minimum Setbacks<sup>1</sup>:</u>		
	(a) <u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-22.(f)(4)]</u>
	(b) <u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-22.(f)(1)]</u>
		<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-22.(f)(2)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-22.(f)(2)]</u>
	(c) <u>Rear:</u>	<u>From property line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-22.(f)(3)]</u>
(3)	<u>Maximum Building Height:</u>	<u>From property line when adjacent to all zoning districts:</u>	
	(a) <u>1-story construction<sup>4</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>22 feet [From Sec. 3-22.(f)(7)(i)]</u>

Footnotes:

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-22.(f)(1)]
- 3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Florida Building Code. [From Sec. 3-22.(f)(2)]
- 4 Gross floor area shall be limited to 2,500 square feet per building. [From Sec. 3-22.(f)(7)(ii)]

### 3711 3-D-5.5.d. BA-2 Additional Standards

- 3712 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
3713 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
3714 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
3715 and Sec. 3-F-8.3. Waste Storage Area.
- 3716 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20  
3717 feet in width and shall be unobstructed at all times. [From Sec. 3-22.(f)(3)]

### 3718 3-D-5.5.e. BA-2 Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- (2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure  
Refer to Sec. 3-F-8. Accessory Structures
- (3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure

### 3719 Sec. 3-22. COMMERCIAL AND PROFESSIONAL OFFICE DISTRICT (ZONE BA-2)

- 3720 (a) ~~Area~~. All land designated as ~~Zone BA-2~~ is subject to the ~~regulations~~ of this Section. Such areas  
3721 are established to provide for the development of ~~commercial and professional offices~~ and to  
3722 facilitate the change from ~~residential to commercial usage~~. [Relocated to Sec. 3-D-5.5.a. BA-2  
3723 Intent] A site plan shall be submitted to the Planning and Zoning Department for review and  
3724 approval prior to obtaining a building permit for all uses within this District.
- 3725 (e) ~~Density Requirements~~. The maximum density of development for land in the BA-2 zoning  
3726 classification shall correspond to a floor area ratio (FAR) of ~~forty (40) percent~~. [Relocated to Sec.  
3727 3-D-5.5.b. BA-2 Intensity]
- 3728 (f) ~~Lot and Building Requirements~~. The principal building(s), accessory structures and other uses shall  
3729 be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Deleted and  
3730 portions relocated to Sec. 3-D-5.5.c. BA-2 Development Standards]
  - 3731 (1) ~~Side lot line setbacks on property which abuts residential or agricultural districts shall not~~  
3732 ~~be less than twenty five (25) feet~~. [Deleted and portions relocated to Sec. 3-D-5.5.c.  
3733 BA-2 Development Standards] If ~~said lot~~ is a corner lot, then setback shall be the same  
3734 as the front setback. [Relocated to Sec. 3-D-5.5.c. BA-2 Development Standards,  
3735 Footnote 2]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3736 (2) ~~Where the adjoining lot is also zoned for business, the building may be placed up to the~~  
3737 ~~side lot line, providing the building is constructed in accordance with the regulations of the~~  
3738 ~~applicable Building Code; in all other construction, the minimum side setback shall be~~  
3739 ~~fifteen (15) feet. [Relocated to Sec. 3-D-5.5.c. BA-2 Development Standards, Footnote~~  
3740 ~~3]~~
- 3741 (3) ~~Rear lot line setbacks shall be twenty five (25) feet. [Relocated to Sec. 3-D-5.5.c. BA-2~~  
3742 ~~Development Standards] The rear lot area shall be accessible from a public street for~~  
3743 ~~emergency vehicles. If the rear yard does not abut a public street, then access over private~~  
3744 ~~property shall be provided and shall be not less than twenty (20) feet in width and shall be~~  
3745 ~~unobstructed at all times. [Relocated to Sec. 3-D-5.5.d. BA-2 Additional Standards]~~
- 3746 (4) ~~Front lot line setbacks shall in no case be less than twenty five (25) feet. [Relocated to~~  
3747 ~~Sec. 3-D-5.5.c. BA-2 Development Standards]~~
- 3748 (5) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
3749 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
3750 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
3751 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
3752 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
3753 ~~Environmental Protection. [Relocated to Sec. 3-D-1.4.a. Aquatic Preserves or~~  
3754 ~~Outstanding Florida Waters]~~
- 3755 (6) ~~Where a BA-2 district is adjacent to a lot line of property of a residential or agricultural~~  
3756 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~  
3757 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
3758 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
3759 ~~visible. [Deleted and rephrased in Sec. 3-D-5.5.d. BA-2 Additional Standards]~~
- 3760 (7) ~~Height and size limitations.~~
- 3761 (i) ~~One story construction not higher than twenty two (22) feet. [Relocated to Sec. 3-~~  
3762 ~~D-5.5.c. BA-2 Development Standards]~~
- 3763 (ii) ~~Gross floor area limited to twenty five hundred (2,500) square feet per building.~~  
3764 ~~[Relocated to Sec. 3-D-5.5.c. BA-2 Development Standards, Footnote 4]~~
- 3765 (8) ~~Lot and building requirements and height and size limitations in the Subsections above shall not~~  
3766 ~~be applicable where there are existing structures at the time of rezoning; however, additions and~~  
3767 ~~alterations shall comply with the requirements of this Section. [Deleted]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

### **DIVISION 6 BUSINESS ZONING DISTRICTS**

3768

#### **Sec. 3-D-6.1. Intent of Business Zoning Districts**

3769

3770 The Intermediate Business (BB), Light Intermediate Business (BB-1), Community Business (BB-2), Special  
 3771 Business (BB-3), Heavy Business (BB-4), Commercial Business (BB-5) and Shopping Center Zoning  
 3772 Districts are intended to serve the communities and general public for a full range of sales, services and  
 3773 business/commercial activities. These uses may occur in self-contained shopping centers, freestanding  
 3774 structures, campus-like business parks, central business districts and along highways. The location of such  
 3775 business/commercial development shall be concentrated at major intersections within Planned  
 3776 Communities creating a commercial node that provides a mixed of uses such as offices, restaurants and  
 3777 hotels.

#### **Sec. 3-D-6.2. Intermediate Business (BB) Zoning District**

3778

##### **3-D-6.2.a. BB Intent**

3779

3780 All land designated as BB is subject to the standards of this Section. Such areas are established to provide  
 3781 for the development of Business facilities designated to accommodate trade generally supported by  
 3782 vehicular traffic and related to needs generated by traffic demands. **[Relocated from Sec. 3-25(a)]**

##### **3-D-6.2.b. BB Intensity**

3783

3784 The maximum intensity/density of development for land in the BB District shall correspond to a Floor Area  
 3785 Ratio (FAR) of 40 percent. **[Relocated from Sec. 3-25.(e)(7) Density Requirements]**

##### **3-D-6.2.c. BB Development Standards**

3786

3787 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 3788 following minimum standards: **[Relocated from Sec. 3-25(e)]**

<b>(1) Minimum Lot Dimensions:</b>			
	<b>(a) Lot Width:</b>		<u>Not Applicable</u>
	<b>(b) Lot Depth:</b>		<u>Not Applicable</u>
<b>(2) Minimum Setbacks<sup>1</sup>:</b>			
	<b>(a) Front:</b>	<u>From property line when adjacent to all zoning districts:</u>	<b>25 feet [From Sec. 3-25.(e)(3)]</b>
	<b>(b) Side<sup>2</sup>:</b>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<b>25 feet [From Sec. 3-25.(e)(1)(i)]</b>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>From property line when adjacent to a Commercial zoning district:</u>	0 feet <sup>3</sup> [From Sec. 3-25.(e)(1)(ii)]
	<u>From property line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-25.3.(e)(1)(ii)]
(c) Rear:	<u>From property line when adjacent to a Residential use:</u>	25 feet [From Sec. 3-25.(e)(2)]
	<u>From property line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-25.(e)(2)]

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-25.(e)(1)(i)]
- 3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-25.(e)(1)(ii)]

3789 **3-D-6.2.d. BB Additional Standards**

- 3790 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a
- 3791 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of
- 3792 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback
- 3793 and Sec. 3-F.8.3. Waste Storage Area.
- 3794 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15
- 3795 feet in width and shall be unobstructed at all times. [From Sec. 3-25.(e)(2)]
- 3796 (3) Amplification. No outside amplification of sound shall be permitted which can be heard off-site.
- 3797 [From Sec. 3-25.(e)(8)]
- 3798 (4) Visual Barrier. Shall be buffered from adjacent land within the Residential FLU categories with a
- 3799 10-foot landscaped area, minimum 6-foot high opaque barrier (fence or vegetation) and tree
- 3800 planting 30 feet on center.
- 3801 (a) For all development commenced on or after January 28, 2003, the provisions of this
- 3802 Subsection (4) shall not apply. For developments that commence after this date, the
- 3803 provisions of Article VI Tree Ordinance of the Clay County Land Development Code shall
- 3804 apply. [Relocated from Sec. 3-25.(e)(9)]
- 3805 (5) Prior Approval. With respect to any parcel zoned BB on November 1, 1999, any use permitted
- 3806 under this Section may be undertaken or continued thereon, and may lawfully continue thereafter.
- 3807 (a) With respect to any parcel zoned BB on November 1, 1999, any non-conforming use then
- 3808 in existence thereon may lawfully continue thereafter, subject to the provisions and
- 3809 limitations set forth in Section 20.3-11 hereof.
- 3810 (b) No parcel shall be rezoned to BB unless application therefore has been filed on or before
- 3811 November 1, 1999. [Relocated from Sec. 3-25.(f) General Provisions]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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### 3-D-6.2.e. BB Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

3814

### **Sec. 3-25. INTERMEDIATE BUSINESS DISTRICT (ZONE BB)**

3815

~~(a) Area. All land designated as Zone BB is subject to the regulations of this Section and Sec. 20.3-10. Such areas are established to provide for the development of business facilities designed to accommodate trade generally supported by vehicular traffic, and related to needs generated by traffic demands. [Relocated to Sec. 3-D-6.2.a. BB Intent]~~

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~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

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~~(1) Side Lot Setbacks:~~

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~~(i) Side lot line setbacks on property which abuts residential or agricultural districts shall be not less than twenty five (25) feet from side property lines.~~

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3824

~~[Relocated to Sec. 3-D-6.2.c. BB Development Standards] If said lot is a corner lot, then setbacks should be the same as the front setback. [Relocated to Sec. 3-D-6.2.a. BB Development Standards, Footnote 2]~~

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~~(ii) Where the adjoining lot is also zoned for business, the building may be placed up to the side lot line, providing the building is constructed in accordance with the regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.2.c. Footnote 3] in all other construction, the minimum side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.2.c. BA Development Standards]~~

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~~(2) Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not less than twenty five (25) feet when adjacent to multi-family and single-family residences. [Relocated to Sec. 3-D-6.2.c. BA Development Standards] If the rear yard does not abut a public street, then access over private property shall be provided. Access shall be not less than fifteen (15) feet in width, and shall be unobstructed at all times. [Relocated to Sec. 3-D-6.2.d. BA Additional Standards]~~

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~~(3) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as amended, and shall in no case be less than twenty five feet from front property line. [Relocated to Sec. 3-D-6.2.d. BA Additional Standards]~~

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~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by the St. Johns River Water Management District or Florida Department of Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3848 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
3849 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~  
3850 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
3851 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
3852 ~~visible. [Deleted and rephrased in Sec. 3-D-6.2.d.(1) Waste Disposal and/or Material~~  
3853 ~~Storage]~~  
3854 (6) ~~Lighting. Artificial lighting used to illuminate the premises and/or advertising copy shall be~~  
3855 ~~directed away from adjacent residential or agricultural districts. [Deleted, as Lighting is~~  
3856 ~~now in Part F, Division 7, Exterior Lighting]~~  
3857 (7) ~~Density Requirements. The maximum density of development for land in the BB zoning~~  
3858 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated~~  
3859 ~~to Sec. 3-D-6.2.b. BB Intensity]~~  
3860 (8) ~~No outside amplification of sound shall be permitted which can be heard off-site.~~  
3861 ~~[Relocated to Sec. 3-D-6.2.d.(3) BB Additional Standards]~~  
3862 (9) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~  
3863 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
3864 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
3865 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
3866 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
3867 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
3868 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
3869 ~~[Relocated to Sec. 3-D-6.2.d.(4) BB Additional Standards]~~  
3870 (f) ~~General Provisions.~~  
3871 (1) ~~With respect to any parcel zoned BB on November 1, 1999, any use permitted under this~~  
3872 ~~Section may be undertaken or continued thereon, and may lawfully continue thereafter.~~  
3873 (2) ~~With respect to any parcel zoned BB on November 1, 1999, any non-conforming use then~~  
3874 ~~in existence thereon may lawfully continue thereafter, subject to the provisions and~~  
3875 ~~limitations set forth in Section 20.3-11 hereof.~~  
3876 (3) ~~No parcel shall be rezoned to BB unless application therefore has been filed on or before~~  
3877 ~~November 1, 1999. [Relocated to Sec. 3-D-6.2.d.(5) BB Additional Standards]~~

### 3878 **Sec. 3-D-6.3. Light Intermediate Business (BB-1) Zoning District**

#### 3879 **3-D-6.3.a. BB-1 Intent**

3880 All land designated as BB-1 is subject to the standards of this Section. Such areas are established to  
3881 provide for the development of sales and entertainment facilities designed to accommodate trade generally  
3882 supported by vehicular traffic and related to the needs generated by major Residential areas. [Relocated  
3883 from Sec. 3-26.(a)]

3884 (1) General Provisions.

3885 (a) With respect to any parcel zoned BB-1 on November 1, 1999, any use permitted under this  
3886 Section may be undertaken or continued thereon and may lawfully continue thereafter.  
3887 [Relocated from Sec. 3-26.(g)(1)]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 3888 (b) With respect to any parcel zoned BB-1 on November 1, 1999, any ~~Non-Conforming~~ use  
 3889 then in existence thereon may lawfully continue thereafter, subject to the provisions and  
 3890 limitations set forth in Part B Non-Conformities hereof. **[Relocated from Sec. 3-26.(g)(2)]**  
 3891 (c) No parcel shall be rezoned to BB-1 unless application therefore has been filed on or before  
 3892 November 1, 1999. **[Relocated from Sec. 3-26.(g)(3)]**

3893 **3-D-6.3.b. BB-1 Intensity**

3894 The maximum intensity/density of development for land in the BB-1 District shall correspond to a Floor Area  
 3895 Ratio (FAR) of 40 percent. **[Relocated from Sec. 3-26.(e) Density Requirements]**

3896 **3-D-6.3.c. BB-1 Development Standards**

3897 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 3898 following minimum standards: **[Relocated from Sec. 3-26.(f)]**

<b>(1) Minimum Lot Dimensions:</b>			
(a)	<u>Lot Width:</u>		<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>		<u>Not Applicable</u>
<b>(2) Minimum Setbacks<sup>1</sup>:</b>			
(a)	<u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-26.(f)(3)]</u>
(b)	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to all Residential or Agricultural zoning districts:</u>	<u>25 feet [From Sec. 3-26.(f)(1)(i)]</u>
		<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet <sup>3</sup> [From Sec. 3-26.(f)(1)(ii)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-26.(f)(1)(ii)]</u>
(c)	<u>Rear:</u>	<u>From property line when adjacent to all Residential uses:</u>	<u>25 feet [From Sec. 3-26.(f)(2)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-26.(f)(2)]</u>

**Footnotes:**

1 Refer to Sec. 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. **[From Sec. 3-26.(f)(1)(i)]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-26.(f)(1)(ii)]

### 3899 3-D-6.3.d. BB-1 Additional Standards

- 3900 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
3901 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
3902 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
3903 and Sec. 3-F-8.3. Waste Storage Area.
- 3904 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20  
3905 feet in width and shall be unobstructed at all times. [From Sec. 3-26.(f)(2)]

### 3906 3-D-6.3.e. BB-1 Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- (2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure  
Refer to Sec. 3-F-8. Accessory Structures
- (3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure

### 3907 Sec. 3-26. LIGHT INTERMEDIATE BUSINESS DISTRICT (ZONE BB-1)

- 3908 ~~(a) Area. All land designated as Zone BB-1 is subject to the standards of this Section and Sec. 20.3-~~  
3909 ~~10. Such areas are established to provide for the development of sales and entertainment facilities~~  
3910 ~~designed to accommodate trade generally supported by vehicular traffic and related to the needs~~  
3911 ~~generated by major residential areas. [Relocated to Sec. 3-D-6.3.a. BB-1 Intent]~~  
3912 ~~A site plan shall be submitted to the Planning and Zoning Department for review and approval prior~~  
3913 ~~to obtaining a building permit for all uses within this District.~~
- 3914 ~~(e) Density Requirements. The maximum density of development for land in the BB-1 zoning~~  
3915 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec.~~  
3916 ~~3-D-6.3.b. BB-1 Intensity]~~
- 3917 ~~(f) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
3918 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~  
3919 ~~Sec. 3-D-7.1.c. BB-1 Development Standards]~~
- 3920 ~~(1) Side Lot Setbacks:~~
- 3921 ~~(i) Side lot line setbacks on property which abuts residential or agricultural districts~~  
3922 ~~shall be not less than twenty five (25) feet. [Relocated to Sec. 3-D-6.3.c. BB-1~~  
3923 ~~Development Standards] If said lot is a corner lot, then the setback shall be the~~  
3924 ~~same as the front setback. [Relocated to Sec. 3-D-6.3. BB-1 Development~~  
3925 ~~Standards, Footnote 2]~~
- 3926 ~~(ii) Where the adjoining lot is also zoned for business the building may be placed up~~  
3927 ~~to the side lot line providing the building is constructed in accordance with the~~  
3928 ~~regulations of the applicable building code. [Relocated to Sec. 3-D-6.3. BB-1~~  
3929 ~~Development Standards, Footnote 3] In all other construction, the minimum side~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 3930 setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.3. BB-1 Development  
3931 Standards]  
3932 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet when adjacent to~~  
3933 ~~multi-family and single-family residences.~~ [Relocated to Sec. 3-D-6.3. BB-1  
3934 Development Standards] *If the rear yard does not abut a public street, then access over*  
3935 *private property shall be provided. Access shall be not less than twenty (20) feet in width*  
3936 *and shall be unobstructed at all times.* [Relocated to Sec. 3-D-6.3.d. BB-1 Additional  
3937 Standards]  
3938 (3) ~~Front line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and shall~~  
3939 ~~in no case be less than twenty five (25) feet.~~ [Deleted and portions relocated to Sec. 3-  
3940 D-G.7.1.b.(3)(a)]  
3941 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
3942 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
3943 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
3944 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
3945 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
3946 ~~Environmental Protection.~~ [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or  
3947 Outstanding Florida Waters]  
3948 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
3949 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than~~  
3950 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
3951 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
3952 ~~visible.~~ [Deleted and rephrased in Sec. 3-D-6.3.d.(1) Waste Disposal and/or Material  
3953 Storage]  
3954 (g) ~~General Provisions.~~  
3955 (1) ~~With respect to any parcel zoned BB-1 on November 1, 1999, any use permitted under this~~  
3956 ~~Section may be undertaken or continued thereon, and may lawfully continue thereafter.~~  
3957 (2) ~~With respect to any parcel zoned BB-1 on November 1, 1999, any non-conforming use~~  
3958 ~~then in existence thereon may lawfully continue thereafter, subject to the provisions and~~  
3959 ~~limitations set forth in Section 20.3-11 hereof.~~  
3960 (3) ~~No parcel shall be rezoned to BB-1 unless application therefore has been filed on or before~~  
3961 ~~November 1, 1999.~~ [Relocated to Sec. 3-D-6.3.a. BB-Intent]

### 3962 **Sec. 3-D-6.4. Community Business (BB-2) Zoning District**

#### 3963 **3-D-6.4.a. BB-2 Intent**

3964 All lands designated as BB-2 are subject to the standards of this Section. Such areas are established to  
3965 provide for the shopping and limited service and recreational needs of several neighborhoods, a community,  
3966 or a substantial land area. [Relocated from Sec. 3-26.1.(a)]

#### 3967 **3-D-6.4.b. BB-2 Intensity**

3968 The maximum intensity/density of development for land in the BB-2 District shall correspond to a Floor Area  
3969 Ratio (FAR) of 40 percent. [Relocated from Sec. 3-26.1.(e)(7) Density Requirements]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3970 **3-D-6.4.c. BB-2 Development Standards**

3971 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 3972 *following minimum standards: [Relocated from Sec. 3-26.1.(e)]*

<b>(1) Minimum Lot Dimensions:</b>			
<b>(a)</b>	<b>Lot Width:</b>		<b>Not Applicable</b>
<b>(b)</b>	<b>Lot Depth:</b>		<b>Not Applicable</b>
<b>(2) Minimum Setbacks<sup>1</sup>:</b>			
<b>(a)</b>	<b>Front:</b>	<b>From building line when adjacent to all zoning districts:</b>	<b>25 feet [From Sec. 3-26.1.(e)(3)]</b>
<b>(b)</b>	<b>Side<sup>2</sup>:</b>	<b>From property line when adjacent to a Residential or Agricultural zoning district:</b>	<b>25 feet [From Sec. 3-26.1.(e)(1)(i)]</b>
		<b>From property line when adjacent to a Commercial zoning district:</b>	<b>0 feet<sup>3</sup> [From Sec. 3-26.1.(e)(1)(ii)]</b>
		<b>From property line when adjacent to all other zoning districts:</b>	<b>15 feet [From Sec. 3-26.1.(e)(1)(ii)]</b>
<b>(c)</b>	<b>Rear:</b>	<b>From property line when adjacent to a Residential use:</b>	<b>25 feet [From Sec. 3-26.1.(e)(2)]</b>
		<b>From property line when adjacent to all other zoning districts:</b>	<b>20 feet [From Sec. 3-26.1.(e)(2)]</b>

**Footnotes:**

- 1** Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2** *If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-26.1.(e)(1)(i)]*
- 3** *Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-26.1.(e)(1)(ii)]*

3973 **3-D-6.4.d. BB-2 Additional Standards**

- (1)** Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec. 3-F.8.3. Waste Storage Area.
- (2)** Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-26.1.(e)(2)]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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### 3-D-6.4.e. BB-2 Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

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### **Sec. 3-26.1. COMMUNITY BUSINESS DISTRICT (ZONE BB-2)**

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(a) ~~Area. All lands designated as Zone BB-2 are subject to the regulations of this Section and Sec. 20.3-10. Such areas are established to provide for the shopping and limited service and recreational needs of several neighborhoods, a community, or a substantial land area. [Relocated to Sec. 3-D-6.4.a. BB-2 Intent] Retail stores are intended to include general merchandise, fashion, durable goods, and personal service. A site plan shall be submitted to the Development Review Committee for review and approval prior to obtaining a building permit for all uses within this District.~~

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(e) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to Sec. 3-D-6.4.c. BB-2 Development Standards]~~

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(1) ~~Side Lot Setbacks:~~

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(i) ~~Side lot setbacks on property which abuts residential or agricultural districts shall be not less than twenty five (25) feet from side property lines. [Deleted and portions relocated to Sec. 3-D-6.4.b.(3)(b)] If said lot is a corner lot, then setbacks should be the same as the front setback. [Relocated to Sec. 3-D-7.2.b. Footnote 2]~~

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(ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up to the side lot line, providing the building is constructed in accordance with the regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.4.c. BB-2 Development Standards, Footnote 3] in all other construction, the minimum side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.4.c. BB-2 Development Standards]~~

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(2) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not less than twenty five (25) feet when adjacent to multi family and single family residences. [Deleted and portions relocated to Sec. 3-D-6.4.c. BB-2 Development Standards] If the rear yard does not abut a public street, then access over private property shall be provided. Access shall be not less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and portions relocated to Sec. 3-D-6.4.d. BB-2 Additional Standards]~~

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(3) ~~Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as amended, and shall in no case be less than twenty five feet from front property line. [Deleted and portions relocated to Sec. 3-D-G.2.b.(3)(a)]~~

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(4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing bulkheads~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4017 *permitted by the St. Johns River Water Management District or Florida Department of*  
 4018 *Environmental Protection.* [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or  
 4019 **Outstanding Florida Waters]**  
 4020 ~~(5) Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
 4021 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~  
 4022 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
 4023 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
 4024 ~~visible.~~ [Deleted and rephrased in Sec. 3-D-6.4.d. Waste Disposal and/or Material  
 4025 **Storage]**  
 4026 ~~(e)(7) Density Requirements.~~ *The maximum density of development for land in the BB-2 zoning*  
 4027 *classification shall correspond to a floor area ratio (FAR) of forty (40) percent.* [Relocated to Sec.  
 4028 **3-D-6.4.b. BB-2 Intensity]**

### **Sec. 3-D-6.5. Specialty Business (BB-3) Zoning District**

#### **3-D-6.5.a. BB-3 Intent**

4031 *All lands designated as BB-3 are subject to the standards of this Section. Such areas are established to*  
 4032 *provide areas for the development of special Commercial facilities which require access by motor vehicles*  
 4033 *of all types including tractor-trailer units.* [Relocated from Sec. 3-26.2.(a)]

#### **3-D-6.5.b. BB-3 Intensity**

4035 *The maximum intensity/density of development for land in the BB-2 District shall correspond to a Floor Area*  
 4036 *Ratio (FAR) of 40 percent.* [Relocated from Sec. 3-26.1.(e)(7) Density Requirements]

#### **3-D-6.5.c. BB-3 Development Standards**

4038 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 4039 *following minimum standards:* [Relocated from Sec. 3-26.2.(e)]

<b>(1)</b>	<b><u>Minimum Lot Dimensions:</u></b>	
	<b>(a) <u>Lot Width:</u></b>	<b><u>Not Applicable</u></b>
	<b>(b) <u>Lot Depth:</u></b>	<b><u>Not Applicable</u></b>
<b>(2)</b>	<b><u>Minimum Setbacks<sup>1</sup>:</u></b>	
	<b>(a) <u>Front:</u></b>	<b><u>From building line when adjacent to all zoning districts: 25 feet [From Sec. 3-26.2.(e)(3)]</u></b>
	<b>(b) <u>Side<sup>2</sup>:</u></b>	<b><u>From property line when adjacent to all Residential or Agricultural zoning districts: 25 feet [From Sec. 3-26.2.(e)(1)(i)]</u></b>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-26.2.(e)(1)(ii)]</u>
	<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-26.2.(e)(1)(ii)]</u>
<u>(c) Rear:</u>	<u>From property line when adjacent to a Residential use:</u>	<u>25 feet [From Sec. 3-26.2.(e)(2)]</u>
	<u>From property line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-26.2.(e)(2)]</u>

Footnotes:

- |          |  |
|----------|--|
| <u>1</u> | <u>Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>  |
| <u>2</u> | <u>If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-26.2.(e)(1)(i)]</u>   |
| <u>3</u> | <u>Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-26.2.(e)(1)(ii)]</u> |

4040 **3-D-6.5.d. BB-3 Additional Standards**

- 4041 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
 4042 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
 4043 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
 4044 and Sec. 3-F.8.3. Waste Storage Area.  
 4045 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15  
 4046 feet in width and shall be unobstructed at all times. [From Sec. 3-26.2.(e)(2)]

4047 **3-D-6.5.e. BB-3 Uses**

- |            |  |   |
|------------|--|---|
| <u>(1)</u> | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| <u>(2)</u> | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| <u>(3)</u> | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

4048 **Sec. 3-26.2. SPECIALTY BUSINESS DISTRICT (ZONE BB-3)**

- 4049 ~~(a) Area. All land designated as Zone BB-3 is subject to the regulations of this Section and Sec. 20.3-~~  
 4050 ~~10. Such areas are established to provide areas for the development of special commercial facilities~~  
 4051 ~~which require access by motor vehicles of all types including tractor-trailer units. A site plan shall~~  
 4052 ~~be submitted to the Development Review Committee for review and approval prior to obtaining a~~  
 4053 ~~building permit for all uses within this District. [Relocated to Sec. 3-D-6.5. BB-3 Intent]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4054 ~~(e) — Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
4055 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~ [Relocated to  
4056 **Sec. 3-D-6.5.c. BB-3 Development Standards]**
- 4057 ~~(1) — Side Lot Setbacks:~~
- 4058 ~~(i) — Side lot setbacks on property which abuts residential or agricultural districts shall~~  
4059 ~~be not less than twenty five (25) feet from side property lines. [Deleted and~~  
4060 ~~portions relocated to Sec. 3-D-H.1.b.(3)(b)] If said lot is a corner lot, then~~  
4061 ~~setbacks should be the same as the front setback. [Relocated to Sec. 3-D-8.1.b.~~  
4062 **Footnote 2]**
- 4063 ~~(ii) — Where the adjoining lot is also zoned for business, the building may be placed up~~  
4064 ~~to the side lot line, providing the building is constructed in accordance with the~~  
4065 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.5.c. BB-3~~  
4066 **Development Standards, Footnote 3]** ~~in all other construction, the minimum side~~  
4067 ~~setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.5.c. BB-3~~  
4068 **Development Standards]**
- 4069 ~~(2) — Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~  
4070 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~  
4071 **[Relocated to Sec. 3-D-6.5.c. BB-3 Development Standards]** ~~If the rear yard does not~~  
4072 ~~abut a public street, then access over private property shall be provided. Access shall be~~  
4073 ~~not less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and~~  
4074 **portions relocated to Sec. 3-D-6.5.d. BB-3 Additional Standards]**
- 4075 ~~(3) — Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
4076 ~~amended, and shall in no case be less than twenty-five feet from front property line.~~  
4077 **[Relocated to Sec. 3-D-6.5.c. BB-3 Development Standards]**
- 4078 ~~(4) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
4079 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
4080 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4081 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
4082 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
4083 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
4084 **Outstanding Florida Waters]**
- 4085 ~~(5) — Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
4086 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~  
4087 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
4088 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
4089 ~~visible. [Deleted and rephrased in Sec. 3-D-6.5.d.(1) Waste Disposal and/or Material~~  
4090 **Storage]**
- 4091 ~~(7) — Density Requirements. The maximum density of development for land in the BB-3 zoning~~  
4092 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated~~  
4093 **to Sec. 3-D-6.5.b. BB-3 Intensity]**

### 4094 **Sec. 3-D-6.6. Heavy Business (BB-4) Zoning District**

#### 4095 **3-D-6.6.a. BB-4 Intent**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4096 All lands designated as Zone BB-4 are subject to the standards of this Section. Such areas are established  
 4097 to provide for those uses such as Retail Sales, General and Personal Services, which may require outside  
 4098 storage of materials or equipment. Businesses are intended to serve clients and customers from a regional  
 4099 area providing access for large delivery trucks and tractor trailers. **[Relocated from Sec. 3-26.3.(a)]**

4100 **3-D-6.6.b. BB-4 Intensity**

4101 The maximum intensity/density of development for land in the BB-4 District shall correspond to a Floor Area  
 4102 Ratio (FAR) of 40 percent. **[Relocated from Sec. 3-26.3.(e)(7) Density Requirements]**

4103 **3-D-6.6.c. BB-4 Development Standards**

4104 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 4105 following minimum standards: **[Relocated from Sec. 3-26.3.(e)]**

<b>(1) Minimum Lot Dimensions:</b>			
	<b>(a)</b>	<u>Lot Width:</u>	<u>Not Applicable</u>
	<b>(b)</b>	<u>Lot Depth:</u>	<u>Not Applicable</u>
<b>(2) Minimum Setbacks<sup>1</sup>:</b>			
	<b>(a)</b>	<u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u> 25 feet <b>[From Sec. 3-26.3.(e)(3)]</b>
	<b>(b)</b>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u> 25 feet <b>[From Sec. 3-26.3.(e)(1)(i)]</b>
			<u>From property line when adjacent to a Commercial zoning district:</u> 0 feet <sup>3</sup> <b>[From Sec. 3-26.3.(e)(1)(ii)]</b>
			<u>From property line when adjacent to all other zoning districts:</u> 15 feet <b>[From Sec. 3-26.3.(e)(1)(ii)]</b>
	<b>(c)</b>	<u>Rear:</u>	<u>From property line when adjacent to a Residential use:</u> 25 feet <b>[From Sec. 3-26.3.(e)(2)]</b>
			<u>From property line when adjacent to all other zoning districts:</u> 20 feet <b>[From Sec. 3-26.3.(e)(2)]</b>

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. **[From Sec. 3-26.3.(e)(1)(i)]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-26.3.(e)(1)(ii)]

### 4106 3-D-6.6.d. BB-4 Additional Standards

- 4107 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
4108 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
4109 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurements and Sec. 3-  
4110 F.8.3. Waste Storage Area.  
4111 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15  
4112 feet in width and shall be unobstructed at all times. [From Sec. 3-26.3.(e)(2)]

### 4113 3-D-6.6.e. BB-4 Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- (2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure  
Refer to Sec. 3-F-8. Accessory Structures
- (3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure

### 4114 ~~Sec. 3-26.3. HEAVY BUSINESS DISTRICT (ZONE BB-4)~~

- 4115 ~~(a) Area. All land designated as Zone BB-4 is subject to the regulations of this Section and Sec. 20.3-~~  
4116 ~~10. Such areas are established to provide for those uses such as retail or wholesale, repair and~~  
4117 ~~service, which may require outside storage of materials or equipment. Businesses are intended to~~  
4118 ~~serve clients and customers from a regional area providing access for large delivery trucks and~~  
4119 ~~tractor trailers. [Relocated to Sec. 3-D-6.6.a. BB-4 Intent] A site plan shall be submitted to the~~  
4120 ~~Development Review Committee for review and approval prior to obtaining a building permit for all~~  
4121 ~~uses within this District.~~  
4122 ~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
4123 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~  
4124 ~~Sec. 3-D-6.6.c. BB-4 Development Standards]~~  
4125 ~~(1) Side Lot Setbacks:~~  
4126 ~~(i) Side lot setbacks on property which abuts residential or agricultural districts shall~~  
4127 ~~be not less than twenty five (25) feet from side property lines. [Deleted and~~  
4128 ~~portions relocated to Sec. 3-D-6.6.c. BB-4 Development Standards] If said lot~~  
4129 ~~is a corner lot, then setbacks should be the same as the front setback. [Relocated~~  
4130 ~~to Sec. 3-D-6.6.c. BB-4 Development Standards, Footnote 2]~~  
4131 ~~(ii) Where the adjoining lot is also zoned for business, the building may be placed up~~  
4132 ~~to the side lot line, providing the building is constructed in accordance with the~~  
4133 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.6.c. BB-4~~  
4134 ~~Development Standards, Footnote 3] in all other construction, the minimum side~~  
4135 ~~setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.6.c. BB-4~~  
4136 ~~Development Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4137 (2) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~  
4138 ~~less than twenty-five (25) feet when adjacent to multi-family and single-family residences.~~  
4139 ~~[Deleted and portions relocated to Sec. 3-D-6.6.c. BB-4 Development Standards] If~~  
4140 ~~the rear yard does not abut a public street, then access over private property shall be~~  
4141 ~~provided. Access shall be not less than fifteen (15) feet in width, and shall be unobstructed~~  
4142 ~~at all times. [Relocated to Sec. 3-D-6.6.d. BB-4 Additional Standards]~~  
4143 (3) ~~Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
4144 ~~amended, and shall in no case be less than twenty-five feet from front property line.~~  
4145 ~~[Deleted and portions relocated to Sec. 3-D-6.6.c. BB-4 Development Standards]~~  
4146 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
4147 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
4148 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4149 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
4150 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
4151 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
4152 ~~Outstanding Florida Waters]~~  
4153 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
4154 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~  
4155 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
4156 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
4157 ~~visible. [Deleted and rephrased in Sec. 3-D-6.6.d.(1) Waste Disposal and/or Material~~  
4158 ~~Storage]~~  
4159 (7) ~~Density Requirements. The maximum density of development for land in the BB-4 zoning~~  
4160 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated~~  
4161 ~~to Sec. 3-D-6.6.b. BB-4 Intensity]~~

### 4162 **Sec. 3-D-6.7. Commercial Recreation (BB-5) Zoning District**

#### 4163 **3-D-6.7.a. BB-5 Intent**

4164 All land designated as BB-5 is subject to the standards of this Section. Such areas are established to  
4165 provide for Commercial activities that require centralized locations within a large service area. [Relocated  
4166 from Sec. 3-26.4.(a)]

#### 4167 **3-D-6.7.b. BB-5 Intensity**

4168 The maximum intensity/density of development for land in the BB-5 District shall correspond to a Floor Area  
4169 Ratio (FAR) of 40 percent. [Relocated from Sec. 3-26.1.(e)(7) Density Requirements]

#### 4170 **3-D-6.7.c. BB-5 Development Standards**

4171 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
4172 following minimum standards: [Relocated from Sec. 3-26.4.(e)]

#### (1) Minimum Lot Dimensions:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(a)</u>	<u>Lot Width:</u>		<u>Not Applicable</u>
<u>(b)</u>	<u>Lot Depth:</u>		<u>Not Applicable</u>
<u>(2)</u>	<u>Minimum Setbacks<sup>1</sup>:</u>		
<u>(a)</u>	<u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-26.4.(e)(3)]</u>
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-26.4.(e)(1)(i)]</u>
		<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-26.4.(e)(1)(ii)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-26.4.(e)(1)(ii)]</u>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to a Residential use:</u>	<u>25 feet [From Sec. 3-26.4.(e)(2)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-26.4.(e)(2)]</u>

Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 *If it is a corner lot, then the side property line setback shall be the same as the front lot line setback. [From Sec. 3-26.4.(e)(1)(i)]*
- 3 *Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-26.4.(e)(1)(ii)]*

4173 **3-D-6.7.d. BB-5 Additional Standards**

- 4174 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec. 3-F.8.3. Waste Storage Area.
- 4175
- 4176
- 4177
- 4178 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-26.4.(e)(2)]
- 4179

4180 **3-D-6.7.e. BB-5 Uses**

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

---

4181 **Sec. 3-26.4. COMMERCIAL RECREATION DISTRICT (ZONE BB-5)**  
4182 (a) ~~Area. All land designated as Zone BB-5 is subject to the regulations of this Section and Sec. 20.3-~~  
4183 ~~10. Such areas are established to provide for commercial activities that require centralized locations~~  
4184 ~~within a large service area. [Relocated to Sec. 3-D-6.7.a. BB-5 Intent] A site plan shall be~~  
4185 ~~submitted to the Development Review Committee for review and approval prior to obtaining a~~  
4186 ~~building permit for all uses within this District. [Deleted, as this repeats Article II Procedures for~~  
4187 ~~Development Review]~~  
4188 (e) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
4189 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~  
4190 ~~Sec. 3-D-6.7.c. BB-5 Development Standards]~~  
4191 (1) ~~Side Lot Setbacks:~~  
4192 (i) ~~Side lot setbacks on property which abuts residential or agricultural districts shall~~  
4193 ~~be not less than twenty five (25) feet from side property lines. [Relocated to Sec.~~  
4194 ~~3-D-6.7.c. BB-5 Development Standards] If said lot is a corner lot, then setbacks~~  
4195 ~~should be the same as the front setback. [Relocated to Sec. 3-D-6.7.c. BB-5~~  
4196 ~~Development Standards, Footnote 2]~~  
4197 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~  
4198 ~~to the side lot line, providing the building is constructed in accordance with the~~  
4199 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.7.c. BB-5~~  
4200 ~~Development Standard, Footnote 3] in all other construction, the minimum side~~  
4201 ~~setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.7.c. BB-5~~  
4202 ~~Development Standards]~~  
4203 (2) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~  
4204 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~  
4205 ~~[Relocated to Sec. 3-D-6.7.c. BB-5 Development Standards] If the rear yard does not~~  
4206 ~~abut a public street, then access over private property shall be provided. Access shall be~~  
4207 ~~not less than fifteen (15) feet in width, and shall be unobstructed at all times. [Relocated~~  
4208 ~~to Sec. 3-D-6.7.d. Additional Standards]~~  
4209 (3) ~~Front line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
4210 ~~amended, and shall in no case be less than twenty five (25) feet from front property line.~~  
4211 ~~[Relocated to Sec. 3-D-6.7.c. BB-5 Development Standards]~~  
4212 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
4213 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
4214 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4215 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
4216 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
4217 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
4218 ~~Outstanding Florida Waters]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 4219            ~~(5) — Where a business district is adjacent to a lot line of property of a residential or agricultural~~  
 4220            ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~  
 4221            ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
 4222            ~~containerized and such containers shall be enclosed or screened so as not to be readily~~  
 4223            ~~visible. [Deleted and rephrased in Sec. 3-D-6.7.d.(1) Waste Disposal and/or Material~~  
 4224            ~~Storage]~~  
 4225            ~~(7) — Density Requirements. The maximum density of development for land in the BB-5 zoning~~  
 4226            ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated~~  
 4227            ~~to Sec. 3-D-6.7.b. BB-5 Intensity]~~

### **Sec. 3-D-6.8. Shopping Center Zoning District (BSC)**

#### **3-D-6.8.a. BSC Intent**

4229            *All land designated as BSC is subject to the standards of this Section. Such areas are established to provide*  
 4230            *for planned Commercial facilities with depth rather than strip type commercial development. This District*  
 4231            *shall be used for the purpose of providing a variety of goods and services and not used for single purpose*  
 4232            *activities. [Relocated from Sec. 3-27.(a)]*  
 4233

#### **3-D-6.8.b. BSC Intensity**

4234            *The maximum intensity/density of development for land in the BB-2 District shall correspond to a Floor Area*  
 4235            *Ratio (FAR) of 40 percent. [Relocated from Sec. 3-26.1.(e)(7) Density Requirements]*  
 4236

#### **3-D-6.8.c. BSC Development Standards**

4237            *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 4238            *following minimum standards: [Relocated from Sec. 3-27.(f)]*  
 4239

<b>(1) Minimum Lot Dimensions:</b>			
	<b>(a)</b>	<u>Lot Width:</u>	<u>Not Applicable</u>
	<b>(b)</b>	<u>Lot Depth:</u>	<u>Not Applicable</u>
<b>(2) Minimum Setbacks<sup>1</sup>:</b>			
	<b>(a)</b>	<u>Front:</u>	<u>From building line when adjacent to all zoning districts: 25 feet [From Sec. 3-27.(f)(4)]</u>
	<b>(b)</b>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district: 25 feet [From Sec. 3-27.(f)(2)(i)]</u>
		<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-27.(f)(2)(ii)]</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>From property line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-27.(f)(2)(ii)]
(c) <u>Rear:</u>	<u>From property line when adjacent to a Residential use:</u>	25 feet [From Sec. 3-27.(f)(3)]
	<u>From property line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-27.(f)(3)]

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-27.(f)(2)(i)]
- 3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-27.(f)(2)(ii)]

4240 **3-D-6.8.d. BSC Additional Standards**

- 4241 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec. 3-F.8.3. Waste Storage Area.
- 4242
- 4243
- 4244
- 4245 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-27.(f)(3)]
- 4246
- 4247 (3) Rezone. The minimum area for consideration for rezoning to the BSC District classification is 5 acres with 300 feet of street frontage. However, an area which is less than 5 acres and may or may not have street frontage may nonetheless be rezoned to BSC District classification if such area: [From Sec. 3-27.(f)(1)]
- 4248
- 4249
- 4250
- 4251 (a) Has contiguity with an area already within the BSC District which contains 5 or more acres and has at least 300 feet of street frontage and is then being used for purposes allowed by the BSC District; and [From Sec. 3-27.(f)(1)(i)]
- 4252
- 4253
- 4254 (b) The area to be rezoned will be used for a purpose permitted within the BSC District consistent with the then use of the contiguous 5- or more acre area within the BSC District. [From Sec. 3-27.(f)(1)(ii)]
- 4255
- 4256

4257 **3-D-6.8.e. BSC Uses**

(1) <u>Permitted and Conditional uses:</u>	Refer to Part E Use Types and Standards
(2) <u>Accessory:</u>	Refer to Sec. 3-E-9. Accessory Use and Structure Refer to Sec. 3-F-8. Accessory Structures
(3) <u>Temporary:</u>	Refer to Sec. 3-E-10. Temporary Use and Structure

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4258 **Sec. 3-27. SHOPPING CENTER DISTRICT (ZONE BSC)**  
4259 (a) ~~Area. All land designated as Zone BSC is subject to the regulations of this Section and Sec. 20.3-~~  
4260 ~~10. Such areas are established to provide for planned commercial facilities with depth rather than~~  
4261 ~~strip type commercial development. The district shall be used for the purpose of providing a variety~~  
4262 ~~of goods and services and not used for single purpose activities. [Relocated to Sec. 3-D-6.8.a.~~  
4263 ~~BSC Intent]~~  
4264 (e) ~~Density Requirements. The maximum density of development for land with a BSC zoning~~  
4265 ~~classification shall correspond to a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec.~~  
4266 ~~3-D-6.8.b. BSC Intensity]~~  
4267 (f) ~~Lot and Building Requirement. The principal building(s), accessory structures and other uses shall~~  
4268 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08s. [Relocated~~  
4269 ~~to Sec. 3-D-6.8.c. BSC Development Standards]~~  
4270 (1) ~~Minimum Lot Size and Street Frontage Requirements. Minimum area for consideration to~~  
4271 ~~rezone to BSC District classification is five acres and 300 feet of street frontage.~~  
4272 ~~However, an area which is less than five acres which area may or may not have street~~  
4273 ~~frontage may nonetheless be rezoned to BSC District classification if such area:~~  
4274 (i) ~~Has contiguity with an area already within the BSC district classification which~~  
4275 ~~contains five or more acres and has at least 300 feet of street frontage and is then~~  
4276 ~~being used for purposes permitted by the BSC District classification; and~~  
4277 (ii) ~~The area to be rezoned will be used for a purpose permitted within the BSC District~~  
4278 ~~classification consistent with the then use of the contiguous five or more acre area~~  
4279 ~~within the BSC District classification.~~  
4280 **[Relocated to Sec. 3-D-6.8.d. BSC Additional Standards]**  
4281 (2) ~~Side Lot Setbacks:~~  
4282 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~  
4283 ~~shall be not less than twenty five (25) feet from side property lines. [Relocated to~~  
4284 ~~Sec. 3-D-6.8.c. BSC Development Standards] If said lot is a corner lot, then~~  
4285 ~~setbacks should be the same as the front setback. [Relocated to Sec. 3-D-6.8.c.~~  
4286 ~~Footnote 2]~~  
4287 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~  
4288 ~~to the side lot line, providing the building is constructed in accordance with the~~  
4289 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-6.8.c. BSC~~  
4290 ~~Development Standards, Footnote 3] in all other construction, the minimum side~~  
4291 ~~setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-6.8.c. BSC~~  
4292 ~~Development Standards]~~  
4293 (3) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~  
4294 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~  
4295 ~~[Relocated to Sec. 3-D-6.8.c. BSC Development Standards] If the rear yard does not~~  
4296 ~~abut a public street, then access over private property shall be provided. Access shall be~~  
4297 ~~not less than fifteen (15) feet in width, and shall be unobstructed at all times. [Relocated~~  
4298 ~~to Sec. 3-D-6.8.d. BSC Additional Standards]~~  
4299 (4) ~~Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
4300 ~~amended, and shall in no case be less than twenty five feet from front property line.~~  
4301 ~~[Deleted and portions relocated to Sec. 3-D-6.8.c. BSC Development Standards]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4302            ~~(5) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
 4303            ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
 4304            ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
 4305            ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
 4306            ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
 4307            ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
 4308            ~~Outstanding Florida Waters]~~

### **Sec. 3-D-6.9. Planned Commercial Development Zoning District (PCD)**

#### **3-D-6.9.a. PCD Intent**

4311            *It is the intent of this District to encourage the development of land as multiple planned Commercial sites;*  
 4312            *encourage flexible and creative concepts of site planning; utilize shared on-site facilities such as parking*  
 4313            *and loading areas; accomplish a more desirable environment than would be possible through the strict*  
 4314            *application of the minimum standards of conventional Commercial zoning districts such as a cohesive*  
 4315            *signage program or drainage and access points; and to provide a stable environment and use which is*  
 4316            *compatible with the character of surrounding areas. [Relocated from Sec. 3-31.(a)]*

#### **3-D-6.9.b. Applicability**

4317            *This Section applies to properties rezoned to a PCD, modifications to an approved PCD, or unless stated*  
 4318            *otherwise in the Code.*

#### **3-D-6.9.c. Design Objectives**

4321            *The design intent of a PCD is to encourage flexible and creative concepts of site planning, predominantly*  
 4322            *consisting of multiple Commercial uses with support services, such as Office, Retail, and Recreational, for*  
 4323            *the population and/or workforce of the planned development. It is encouraged to share facilities and*  
 4324            *integrate uses.*

4325            *A minimum of 2 primary land use types, as indicated in Table below, shall be provided in each PCD.*

4326            (1) *Mix of Land Uses:*

<u>Land Use Types</u>	<u>Minimum Percentage of Land Area</u>	<u>Maximum Percentage of Land Area</u>
<u>Commercial:</u>	<u>50</u>	<u>75</u>
<u>Industrial:</u>	<u>15</u>	<u>30</u>
<u>Residential:</u>	<u>15</u>	<u>30</u>
<u>Recreational/Open Space<sup>1</sup>:</u>	<u>10</u>	<u>20</u>

Footnote:

1            *Protected environmental lands such as upland preserves or wetlands found within a PCD site are excluded from the maximum percentage of gross land area dedicated to that land use type.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4327 (2) Design Standards. Refer to Sec. 3-F-6. Architectural Design Guidelines and Sec. 3-D-11.11.  
 4328 Master Planned Communities Design Standards and apply where applicable.

### **3-D-6.9.d. PCD Development Standards**

4330 The principal buildings, accessory structure(s), and other uses shall be located so as to comply with the  
 4331 following minimum requirements.

(1)	<u>Minimum Site Size:</u>	
	(a) <u>Acreage:</u>	<u>5 acres</u>
(2)	<u>Minimum Lot Dimensions:</u>	
	(a) <u>Lot Width:</u>	<u>Per the approved PID</u>
	(b) <u>Lot Depth:</u>	<u>Per the approved PID</u>
(3)	<u>Minimum Setbacks<sup>1</sup>:</u>	
	(a) <u>Front:</u>	<u>Per the approved PID</u>
	(b) <u>Side:</u>	<u>Per the approved PID</u>
	(c) <u>Rear:</u>	<u>Per the approved PID</u>

Footnotes:

1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

4332 (4) Density and Intensity. The proposed density and intensity shall be determined based on the FLU  
 4333 category of which the development is located. The proposed density and intensity shall be  
 4334 approved at the rezoning process.

### **3-D-6.9.e. Rezoning to a PCD**

4336 (1) The procedure for a rezoning to a PCD shall be pursuant to Article XII, Sec. 12-9. Rezonings and  
 4337 Amendments to the Code, and Part F, Division 11, Application Submission Standards. Approval  
 4338 for a PCD is obtained through a two-step process, as follows:  
 4339 (a) Preliminary Site Plan, including use or uses of the site, and rezoning of the land.  
 4340 (b) Final Site Plan approval along with the Developer's Commitment Agreement.  
 4341 **[Relocated from Sec. 3-31.(d) Planned Commercial Development approval procedure]**  
 4342 (2) The Planning Commission will hold a public hearing on the request and forward their  
 4343 recommendations to the Board of County Commissioners.  
 4344 (a) The Board of County Commissioners, in approving any PCD rezoning, may impose special  
 4345 conditions or safeguards so as to insure the proposed development will not have an  
 4346 adverse impact on the public interest. [Relocated from Sec. 3-31.(e) Planned  
 4347 Commercial Development zoning and preliminary site plan approval]  
 4348 (3) Final Site Plan. If rezoning approval for the PCD is granted by the Board, within 30 months from  
 4349 the date of Preliminary Site Plan approval, the applicant shall submit to the Planning and Zoning

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

4350 Department for approval a Final Site Plan. [Relocated from Sec. 3-31.(f) Final site plan  
4351 approval]

### 4352 3-D-6.9.f. Modifications to a PCD

4353 Any major or substantial change in the approved PCD, which affects the intent and character of the  
4354 development or permitted uses shall be reviewed and approved by the Board of County Commissioners.

4355 (1) Minor Modifications. Minor changes that do not affect the intent or character of the development  
4356 may be approved by the Planning and Zoning Director.

4357 (2) Major Modifications. If the requested changes are deemed to have a substantial effect on adjacent  
4358 property owners, the Board of County Commissioners shall cause a public hearing to be held prior  
4359 to official action on said requested change.

4360 [Relocated from Sec. 3-31.(g) Revisions of Planned Commercial Development final site plan]

### 4361 3-D-6.9.g. PCD Time Limitations

4362 The following time limitations shall apply to all PCD Zoning Districts:

4363 (1) If substantial construction, as determined by the Planning and Zoning Director has not begun within  
4364 4 years after approval of the PCD, the approval of the PCD shall lapse.

4365 (2) At its discretion and for good cause, the Board of County Commission may extend for 1 additional  
4366 year the period for beginning construction. If the approved PCD lapses under this provision, the  
4367 Planning and Zoning Director shall cause the PCD District to be removed from the Official Zoning  
4368 Map, mail a notice by registered mail of revocation to the owner, and reinstate the zoning district  
4369 which was in effect prior to the approval of the PCD. [Relocated from Sec. 3-31.(h)Planned  
4370 Commercial Development Time Limitations]

### 4371 3-D-6.9.h. Deviation from the PCD Development Plan

4372 Any unapproved deviation from the accepted Development Plan shall institute a breach of agreement  
4373 between the applicant and the County. Such deviation may cause the Board of County Commissioners to  
4374 immediately revoke the Development Plan until such time as the deviations are corrected or become a part  
4375 of the accepted Development Plan. [Relocated from Sec. 3-31.(i) Deviation from the Development Plan]

### 4376 3-D-6.9.i. Phase Development

4377 (1) In the event the applicant desires to develop a PCD in phases for other than development within a  
4378 DRI, the applicant shall submit a Schedule of Phases with the application for rezoning. The  
4379 Schedule of Phases shall contain the following:

4380 (a) The number of phases;

4381 (b) The date of commencement for each phase;

4382 (c) The approximate number of acres contained in each phase of development;

4383 (d) A map indicating with reasonable certainty the location of each phase of development.

4384 (2) The Final Development Plans for the first phase shall be submitted within 12 months of the approval  
4385 of the PCD. Final Development Plans for each subsequent phase shall be submitted not later than  
4386 6 months prior to the date of commencement of each phase for the approval by the Board of County  
4387 Commissioners.

4388 (3) Multi-County PCD. The requirement that substantial construction begin within 2 years of approval  
4389 of the PCD shall be satisfied by commencing substantial construction in either county.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

4390 (4) *Developments of Regional Impact. The requirements of this Section shall be supplemented or*  
4391 *superseded by any contrary provisions of a County Development Order for a Development of*  
4392 *Regional Impact (DRI), if the County, DRI developer, Florida Department of Community Affairs and*  
4393 *appropriate Regional Planning Council have entered a development agreement pursuant to*  
4394 *Section 380.032(3) Florida Statutes, modifying this Section. [Relocated from Sec. 3-31.(j) Phase*  
4395 *Development]*

### 3-D-6.9.j. PCD Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 4397 ~~Sec. 3-31. PLANNED COMMERCIAL DEVELOPMENT DISTRICT (ZONE PCD)~~

4398 ~~(a) *Intent and purpose. It is the intent of this district to permit Planned Commercial Developments which*~~  
4399 ~~*are intended to encourage the development of land as planned commercial sites; encourage*~~  
4400 ~~*flexible and creative concepts of site planning; accomplish a more desirable environment than*~~  
4401 ~~*would be possible through the strict application of the minimum requirements of conventional*~~  
4402 ~~*commercial zoning districts and to provide a stable environment and use which is compatible with*~~  
4403 ~~*the character of surrounding areas. [Relocated to Sec. 3-D-6.9.a. PCD Intent]*~~

4404 ~~(c) *Minimum Waterfront Setback. All structures shall be set back a minimum of 50 feet landward from*~~  
4405 ~~*the ordinary high water line or mean high water line, whichever is applicable; for waters designated*~~  
4406 ~~*as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks*~~  
4407 ~~*shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by*~~  
4408 ~~*the St. Johns River Water Management District or Florida Department of Environmental Protection.*~~  
4409 ~~**[Relocated to 3-D-.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]**~~

4410 ~~(d) *Planned Commercial Development approval procedure. Approval for a Planned Commercial*~~  
4411 ~~*Development is obtained through a two step process. The first step is an approval of the*~~  
4412 ~~*Preliminary Site Plan, including use or uses of the site, and rezoning of the land. The second step*~~  
4413 ~~*consists of Final Site Plan approval along with the Developer's Commitment Agreement.*~~  
4414 ~~**[Relocated to Sec. 3-D-6.9.e. Rezoning to a PCD]**~~

4415 ~~(e) *Planned Commercial Development zoning and preliminary site plan approval. The applicant shall*~~  
4416 ~~*submit to the Planning and Zoning Department a request for rezoning to Planned Commercial*~~  
4417 ~~*Development Zoning Classification and a Preliminary Site Plan containing the following exhibits:*~~

4418 ~~(1) *A vicinity map showing the location of the proposed development and the relationship to*~~  
4419 ~~*surrounding streets and driveways.*~~

4420 ~~(2) *A site plan indicating location of all proposed structures, buffer areas, wetlands, parking*~~  
4421 ~~*areas, driveway locations and landscaping concepts.*~~

4422 ~~(3) *Detailed explanation of the proposed use of the property.*~~

4423 ~~*The Planning Commission will hold a public hearing on the request and forward their*~~  
4424 ~~*recommendations to the Board of County Commissioners.*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4426 *The Board of County Commissioners, in approving any Planned Commercial Development*  
4427 *rezoning, may impose special conditions or safeguards so as to insure the proposed development*  
4428 *will not have an adverse impact on the public interest.* [Relocated to Sec. 3-D.6.9.e. Rezoning to  
4429 **a PCD]**
- 4430 ~~(f) Final site plan approval. The applicant shall submit, within thirty (30) months from the date of~~  
4431 ~~Preliminary Site Plan approval.~~ [Relocated to Sec. 3-D-6.9.e. Rezoning to a PCD]
- 4432 ~~(1) A Final Site Plan containing all the required submittals in accordance with Section 20.3-~~  
4433 ~~33(d) of this Article.~~
- 4434 ~~(2) A completed Developer's Commitment Agreement containing all conditions imposed during~~  
4435 ~~Preliminary Site Plan approval.~~
- 4436 ~~The Final Site Plan and the Developer's Commitment Agreement will be reviewed by the~~  
4437 ~~Development Review Committee prior to the issuance of any building permit.~~
- 4438 ~~(g) Revisions of Planned Commercial Development final site plan. Any major or substantial change in~~  
4439 ~~the approved PCD, which affects the intent and character of the development or permitted uses~~  
4440 ~~shall be reviewed and approved by the Board of County Commissioners. If the requested changes~~  
4441 ~~are deemed to have a substantial effect on adjacent property owners, the Board of County~~  
4442 ~~Commissioners shall cause a public hearing to be held prior to official action on said requested~~  
4443 ~~change. Minor changes that do not affect the intent or character of the development may be~~  
4444 ~~approved by the Planning and Zoning Director.~~ [Relocated to Sec. 3-D.6.9.f. Modifications to a  
4445 **PCD]**
- 4446 ~~(h) Planned Commercial Development Time Limitations.~~
- 4447 ~~(1) If substantial construction, as determined by the Planning and Zoning Director has not~~  
4448 ~~begun within four (4) years after approval of the Planned Commercial Development, the~~  
4449 ~~approval of the Planned Commercial Development will lapse.~~
- 4450 ~~(2) At its discretion and for good cause, the Board of County Commission may extend for one~~  
4451 ~~(1) additional year the period for beginning construction. If the approved Planned Industrial~~  
4452 ~~Development lapses under this provision, the Planning and Zoning Director shall cause~~  
4453 ~~the Planned Industrial Development District to be removed from the Official Zoning Map,~~  
4454 ~~mail a notice by registered mail of revocation to the owner, and reinstate the zoning district~~  
4455 ~~which was in effect prior to the approval of the Planned Industrial Development.~~  
4456 **[Relocated to Sec. 3-D.6.9.g. PCD Time Limitations]**
- 4457 ~~(i) Deviation from the Development Plan. Any unapproved deviation from the accepted Development~~  
4458 ~~Plan shall institute a breach of agreement between the applicant and the County.~~  
4459 ~~Such deviation may cause the Board of County Commissioners to immediately revoke the~~  
4460 ~~Development Plan until such time as the deviations are corrected or become a part of the accepted~~  
4461 ~~Development Plan.~~ [Relocated to Sec. 3-D.6.9.h. Deviation from the PCD Development Plan]
- 4462 ~~(j) Phase Development.~~
- 4463 ~~(1) A Planned Commercial Development as defined herein may be developed in phases with~~  
4464 ~~the approval of the Board of County Commissioners. In the event the applicant desires to~~  
4465 ~~develop a Planned Commercial Development in phases for other than development within~~  
4466 ~~a DRI, the applicant shall submit a Schedule of Phases in addition to those items required~~  
4467 ~~in Paragraph (c) above with the application for zoning. The Schedule of Phases shall~~  
4468 ~~contain the following:~~
- 4469 ~~(i) The number of phases;~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

4488

### DIVISION 7 INDUSTRIAL ZONING DISTRICTS

4489

#### Sec. 3-D-7.1 Intent of Industrial Zoning Districts

4490 The Industrial Select (IS), Light Industrial (IA), Heavy Industrial (IB), Zoning Districts accommodate the full  
4491 range of industrial/business activities. Suitable locations for the operation of industrial uses will minimize  
4492 the impacts and noise of Non-Residential uses on adjacent Residential neighborhoods. Therefore, the  
4493 availability of public services and access to major thoroughfares will determine the specific range and  
4494 intensity of uses.

4495 The Industrial Park such as Business Park (BP) and Planned Industrial Park (PID) Zoning Districts generally  
4496 accommodate major industrial activities and supporting commercial and/or office uses. Industrial Parks  
4497 shall be located close to transport facilities, major thoroughfares, railroads, airports or navigable rivers.

4498

#### Sec. 3-D-7.2. Industrial Select (IS) Zoning District

4499

##### 3-D-7.2.a. IS Intent

4500 *All land designated as IS is subject to the standards of this Section. This industrial district is intended for*  
4501 *locations which are not feasible for some Light or Heavy industrial development because of proximity to*  
4502 *residential areas. The standards for this District are intended to encourage development compatible with*  
4503 *surrounding or abutting Residential districts, with suitable Open Space, landscaping, and parking areas.*  
4504 *Consequently, development is limited to those administrative, wholesaling, and manufacturing activities*  
4505 *that can be carried on in a relatively unobtrusive manner. [Relocated from Sec. 3-28.(a)]*

4506

##### 3-D-7.2.b. IS Intensity

4507 *The maximum intensity/density for development on land with the IS Zoning District shall correspond to a*  
4508 *Floor Area Ratio (FAR) of 50 percent. [Relocated from Sec. 3-28.(e) Density Requirements]*

4509

##### 3-D-7.2.c. IS Development Standards

4510 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
4511 *following minimum standards: [Relocated from Sec. 3-28.(f)]*

##### (1) Minimum Lot Dimensions:

<u>(a) Lot Width:</u>	<u>100 feet</u>
-----------------------	-----------------

<u>(b) Lot Depth:</u>	<u>200 feet</u>
-----------------------	-----------------

##### (2) Minimum Setbacks<sup>1</sup>:

<u>(a) Front:</u>	<u>From building line when adjacent to any zoning district:</u>	<u>25 feet</u> <u>[From Sec. 3-28.(f)(3)]</u>
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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to Residential or Agricultural districts:</u>	25 feet <b>[From Sec. 3-28.(f)(1)]</b>
		<u>Adjacent to all other districts:</u>	<u>15 feet</u>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to Multi-Family or Single-Family districts:</u> <b>[From Sec. 3-28.(a)(2)]</b>	25 feet <b>[From Sec. 3-28.(f)(2)]</b>
		<u>From property line when adjacent to any zoning districts:</u>	<u>20 feet</u> <b>[From Sec. 3-28.(a)(2)]</b>

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 *If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.*  
**[From Sec. 3-28.(f)(1)]**

4512 **3-D-7.2.d. IS Additional Standards**

- 4513 (1) Waste Disposal and/or Material Storage. Where an Industrial zoning district is adjacent to a lot with  
 4514 a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of refuse  
 4515 shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec.  
 4516 3-F.8.3. Waste Storage Area.
- 4517 (2) Rear Access. *If the rear yard does not abut a public street, then access shall be not less than 20*  
 4518 *feet in width and shall be unobstructed at all times.* **[From Sec. 3-28.(f)(2)]**

4519 **3-D-7.2.e. IS Uses**

- |            |  |   |
|------------|--|---|
| <u>(1)</u> | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| <u>(2)</u> | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| <u>(3)</u> | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

4520 **Sec. 3-28. Industrial Select (Zone IS)**

4521 ~~(a) Area. All land designated as Zone IS is subject to the regulations of this Section, as well as Sec.  
 4522 20-3-10. This industrial district is intended for locations which are not feasible for some light or  
 4523 heavy industrial development because of proximity to residential areas. The regulations for this  
 4524 district are intended to encourage development compatible with surrounding or abutting residential  
 4525 districts, with suitable open space, landscaping, and parking areas. Consequently, development is  
 4526 limited to those administrative, wholesaling, and manufacturing activities that can be carried on in  
 4527 a relatively unobtrusive manner. A site plan conforming to the requirements of this chapter shall be  
 4528 submitted to the Planning and Zoning Department for administrative review and approval prior to  
 4529 obtaining a building permit for all uses within this District. **[Relocated to Sec. 3-D-7.2.a. IS Intent]**~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4530 (e) ~~Density Requirements. The maximum density of development for land with the IS zoning~~  
4531 ~~classification shall correspond to a floor area ratio (FAR) of fifty (50) percent.~~ [Relocated to Sec.  
4532 3-D-7.2.b. IS Intensity]
- 4533 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
4534 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~  
4535 (1) ~~Side lot line setbacks on property which abuts residential or agricultural districts shall be~~  
4536 ~~not less than twenty five (25) feet. [Relocated to Sec. 3-D-7.2.c. IS Development~~  
4537 ~~Standards] If said lot is a corner lot, then setbacks should be the same as the front~~  
4538 ~~setback. [Relocated to Sec. 3-D-7.2.c. IS Development Standards, Footnotes 2]~~  
4539 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet from multifamily and~~  
4540 ~~single family residences. [Relocated to Sec. 3-D-7.2.c. IS Development Standards] If~~  
4541 ~~the rear yard does not abut a public street, then access shall be not less than 20 feet in~~  
4542 ~~width and shall be unobstructed at all times. [Relocated to Sec. 3-D-7.2.d. IS Additional~~  
4543 ~~Standards]~~  
4544 (3) ~~Front lot line setbacks shall in no case be less than 25 feet. [Relocated to Sec. 3-D-7.2.c.~~  
4545 ~~IS Development Standards]~~  
4546 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
4547 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
4548 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4549 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
4550 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
4551 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
4552 ~~Outstanding Florida Waters]~~  
4553 (5) ~~Where a district is adjacent to a lot line of property of a residential or agricultural~~  
4554 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than 15~~  
4555 ~~feet to such a residential or agricultural district. Garbage or refuse shall be screened so as~~  
4556 ~~not to be readily visible. [Deleted and replaced with new text in Sec. 3-D-7.2.d. Waste~~  
4557 ~~Disposal and/or Material Storage]~~

### 4558 **Sec. 3-D-7.3. Light Industrial (IA) Zoning District**

#### 4559 **3-D-7.3.a. IA Intent**

4560 All land designated as IA is subject to the standards of this Section. Such areas are established to provide  
4561 for the development of Industrial activities of a light manufacturing and wholesaling nature. [Relocated  
4562 from Sec. 3-29.(a)]

#### 4563 **3-D-7.3.b. IA Intensity**

4564 The maximum intensity/density for development on land with the IA Zoning District shall correspond to a  
4565 Floor Area Ratio (FAR) of 50 percent. [Relocated from Sec. 3-29.(f) Density Requirements]

#### 4566 **3-D-7.3.c. IA Development Standards**

4567 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
4568 following minimum standards: [Relocated to Sec. 3-29.(g)]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(1)</u>	<u>Minimum Lot Dimensions:</u>	
<u>(a)</u>	<u>Lot Width:</u>	<u>100 feet</u>
<u>(b)</u>	<u>Lot Depth:</u>	<u>200 feet</u>
<u>(2)</u>	<u>Minimum Setbacks<sup>1</sup>:</u>	
<u>(a)</u>	<u>Front:</u>	<u>25 feet [From Sec. 3-29.(g)(3)]</u> <i>From building line when adjacent to any zoning district:</i>
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>25 feet [From Sec. 3-29.(g)(1)]</u> <i>From property line when adjacent to Residential or Agricultural districts:</i>
		<u>15 feet</u> <i>From property line when adjacent to all other districts:</i>
<u>(c)</u>	<u>Rear:</u>	<u>20 feet [From Sec. 3-29.(g)(2)]</u> <i>From property line when adjacent to any zoning district:</i>

Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 *If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-29(f)(1)]*

4569 **3-D-7.3.d. IA Additional Standards**

- 4570 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec. 3-F.8.3. Waste Storage Area.
- 4571
- 4572
- 4573
- 4574 (2) Rear Access. *If the rear yard does not abut a public street, then access shall be not less than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-29.(g)(2)]*
- 4575

4576 **3-D-7.3.e. IA Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

4577 **Sec. 3-29. Light Industrial (Zone IA)**

- 4578 (a) Area. ~~All land designated as Zone IA is subject to the regulations of this Section and Sec. 20.3-10. Such areas are established to provide for the development of industrial activities of a light manufacturing and wholesaling nature.~~ [Relocated to Sec. 3-D-7.3.a. IA Intent] A site plan conforming to the requirements of
- 4579
- 4580

**Notes/Legend:**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4581 this section shall be submitted to the Planning and Zoning Department for administrative review and  
4582 approval prior to obtaining a building permit for all uses within this District.  
4583 (f) ~~Density Requirements. The maximum density of development for land with the IA zoning~~  
4584 ~~classification shall correspond to a floor area ratio (FAR) of fifty (50) percent. [Relocated to Sec.~~  
4585 ~~3-D-7.3.b IA Intensity]~~  
4586 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
4587 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~  
4588 ~~Sec. 3-D-7.3.c. IA Development Standards]~~  
4589 (1) ~~Side lot line setbacks on property which abuts residential or agricultural districts shall be~~  
4590 ~~not less than twenty five (25) feet. [Relocated to Sec. 3-D-7.3.c. IA Development~~  
4591 ~~Standards] If said lot is a corner lot, then setbacks should be the same as the front~~  
4592 ~~setback. [Relocated to Sec. 3-D-7.3.c. IA Development Standards, Footnote 2]~~  
4593 (2) ~~Rear lot line setbacks shall be twenty (20) feet. [Deleted and portions relocated to Sec.~~  
4594 ~~3-D-10.2.b.(3)(c) Minimum rear lot line] If the rear yard does not abut a public street,~~  
4595 ~~then access to the rear of the lot shall be not less than twenty (20) feet in width and shall~~  
4596 ~~be unobstructed at all times. [Relocated to Sec. 3-D-10.2.b.(2).(b).]~~  
4597 (3) ~~Front lot line setbacks shall in no case be less than twenty five (25) feet. [Deleted and~~  
4598 ~~portions relocated to Sec. 3-D-10.2.b.(3) Setbacks]~~  
4599 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
4600 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
4601 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4602 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
4603 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
4604 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
4605 ~~Outstanding Florida Waters]~~  
4606 (5) ~~Where a district is adjacent to a lot line of property of a residential or agricultural~~  
4607 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than~~  
4608 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~  
4609 ~~screened so as not to be readily visible. [Deleted and replaced with new text in Sec. 3-~~  
4610 ~~D-10.2.b.(4)(a) Waste Disposal and/or Material Storage]~~

### 4611 **Sec. 3-D-7.4. Heavy Industrial (IB) Zoning District**

#### 4612 **3-D-7.4.a. IB Intent**

4613 All land designated as IB is subject to the standards of this Section. Such areas are established in order to  
4614 provide adequate areas for activities of a Heavy industrial nature. [Relocated from Sec. 3-30.(a)]

#### 4615 **3-D-7.4.b. IB Intensity**

4616 The maximum intensity/density for development on land with the IB Zoning District shall correspond to a  
4617 Floor Area Ratio (FAR) of 50 percent. [Relocated from Sec. 3-30.(f) Density Requirements]

#### 4618 **3-D-7.4.c. IB Development Standards**

#### **Notes/Legend:**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4619 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 4620 *following minimum standards:* **[Relocated from Sec. 3-30.(g)]**

<b>(1)</b>	<b><u>Minimum Lot Dimensions:</u></b>		
	<b><u>(a)</u></b>	<b><u>Lot Width:</u></b>	<b><u>200 feet</u></b>
	<b><u>(b)</u></b>	<b><u>Lot Depth:</u></b>	<b><u>200 feet</u></b>
<b>(2)</b>	<b><u>Minimum Setbacks<sup>1</sup>:</u></b>		
	<b><u>(a)</u></b>	<b><u>Front:</u></b>	<b><u>From building line when adjacent to any zoning district: 25 feet [From Sec. 3-30.(g)(3)]</u></b>
	<b><u>(b)</u></b>	<b><u>Side<sup>2</sup>:</u></b>	<b><u>From property line when adjacent to a Residential or Agricultural zoning district: 40 feet [From Sec. 3-30.(g)(1)]</u></b>
			<b><u>From property line when adjacent to any zoning district: 20 feet</u></b>
	<b><u>(c)</u></b>	<b><u>Rear:</u></b>	<b><u>From property line when adjacent to any zoning district: 20 feet [From Sec. 3-30.(g)(2)]</u></b>

**Footnotes:**

- 1** **Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.**
- 2** **If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-30.(g)(1)]**

4621 **3-D-7.4.d. IB Additional Standards**

- 4622 **(1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a**  
 4623 **lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of**  
 4624 **refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback**  
 4625 **and Sec. 3-F.8.3. Waste Storage Area.**
- 4626 **(2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20**  
 4627 **feet in width and shall be unobstructed at all times. [From Sec. 3-30.(g)(2)]**

4628 **3-D-7.4.e. IB Uses**

<b>(1)</b>	<b><u>Permitted and Conditional uses:</u></b>	<b><u>Refer to Part E Use Types and Standards</u></b>
<b>(2)</b>	<b><u>Accessory:</u></b>	<b><u>Refer to Sec. 3-E-9. Accessory Use and Structure</u></b>
		<b><u>Refer to Sec. 3-F-8. Accessory Structures</u></b>
<b>(3)</b>	<b><u>Temporary:</u></b>	<b><u>Refer to Sec. 3-E-10. Temporary Use and Structure</u></b>

4629 **Sec. 3-30. Heavy Industrial (Zone IB)**

- 4630 **(a) ~~Area. All land designated as Zone IB is subject to the regulations of this Section and Sec. 20-3-10.~~**  
 4631 **~~Such areas are established in order to provide adequate areas for activities of a heavy industrial~~**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4632 ~~nature.~~ **[Relocated to sec. 3-D-7.4.a. IB Intent]** ~~site plan conforming to the requirements of this~~  
4633 ~~chapter shall be submitted to the Planning and Zoning Department for administrative review and~~  
4634 ~~approval prior to obtaining a building permit for all uses within this District.~~
- 4635 ~~(f) **Density Requirements.** The maximum density of development for land with the IB zoning~~  
4636 ~~classification shall correspond to a floor area ratio (FAR) of fifty (50) percent.~~ **[Relocated to Sec.**  
4637 **3-D-7.4.b IB Intensity]**
- 4638 ~~(g) **Lot and Building Requirements.** The principal building(s), accessory structures and other uses shall~~  
4639 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~ **[Relocated to**  
4640 **sec. 3-D-7.4.c. IB Development Standards]**
- 4641 ~~(1) **Side lot setbacks on property which abuts residential or agricultural districts shall be not**~~  
4642 ~~**less than 20 feet.** [Relocated to Sec. 3-D-7.4.c. IB Development Standards] **If said lot is**~~  
4643 ~~**a corner lot, then setbacks should be the same as the front setback.** [Relocated to Sec.  
4644 **3-D-7.4.c. IB Development Standards, Footnote 2]**~~
- 4645 ~~(2) **Rear lot line setbacks shall be twenty (20) feet.** [Relocated to Sec. 3-D-7.4.c. IB~~  
4646 ~~**Development Standards] **If the rear yard does not abut a public street, then access shall****~~  
4647 ~~**be not less than twenty (20) feet in width and shall be unobstructed at all times.** [Relocated~~  
4648 ~~**to Sec. 3-D-7.4.d. IB Additional Standards]**~~
- 4649 ~~(3) **Front lot line setbacks shall in no case be less than twenty five (25) feet.** [Relocated to~~  
4650 ~~**Sec. 3-D-7.4.c. IB Development Standards]**~~
- 4651 ~~(4) **All structures shall be set back a minimum of 50 feet landward from the ordinary high water**~~  
4652 ~~**line or mean high water line, whichever is applicable; for waters designated as Aquatic**~~  
4653 ~~**Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks**~~  
4654 ~~**shall not apply to structures on lots or parcels located landward of existing bulkheads**~~  
4655 ~~**permitted by the St. Johns River Water Management District or Florida Department of**~~  
4656 ~~**Environmental Protection.** [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
4657 ~~**Outstanding Florida Waters]**~~
- 4658 ~~(5) **Where a district is adjacent to a lot line of property of a residential or agricultural**~~  
4659 ~~**classification, no materials, garbage containers, or refuse shall be allowed nearer than**~~  
4660 ~~**fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be**~~  
4661 ~~**screened so as not to be readily visible.** [Deleted and replaced with new text in Sec. 3-~~  
4662 ~~**D-7.6.d.(1) Waste Disposal and/or Material Storage]**~~

### **Sec. 3-D-7.5. Business Park Zoning District (BP)**

#### **3-D-7.5.a. BP Intent**

This district is intended for locations that are not feasible for some Light or Heavy Industrial development because of proximity to Residential areas. The standards for this District are intended to encourage development of high intensity Commercial type uses to be compatible with surrounding or abutting Residential districts, with suitable Open Space, landscaping, and parking areas that can be carried out in a relatively unobtrusive manner. **[Relocated from Sec. 3-30.1.(a) Intent]**

#### **3-D-7.5.b. BP Intensity**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4671 The maximum intensity/density for development on land with the BP Zoning District shall correspond to a  
 4672 Floor Area Ratio (FAR) of 50 percent. [Relocated from Sec. 3-30.1.(g) Density Requirements]

4673 **3-D-7.5.c. BP Development Standards**

4674 The principal buildings, accessory structure(s), and other uses shall be located so as to comply with the  
 4675 following minimum standards. [Relocated from Sec. 3-30.1.(h) Lot and Building Requirements]

<u>(1) Minimum Lot Dimensions:</u>			
<u>(a)</u>	<u>Lot Width:</u>		<u>200 feet</u>
<u>(b)</u>	<u>Lot Depth:</u>		<u>200 feet</u>
<u>(2) Minimum Setbacks<sup>1</sup>:</u>			
<u>(a)</u>	<u>Front:</u>	<u>From building line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-30.1.(h)(1)(i)]</u>
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>30 feet [From Sec. 3-30.1.(h)(1)(ii)a.]</u>
		<u>From property line when adjacent to any zoning district:</u>	<u>15 feet<sup>3</sup> [From Sec. 3-30.1.(h)(1)(ii)b.]</u>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>30 feet [From Sec. 3-30.1.(h)(1)(iv)a.]</u>
		<u>From property line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-30.1.(h)(1)(iv)b.]</u>
<u>(3) Maximum Height:</u>			
<u>(a)</u>	<u>Development in BP Zoning District:</u>	<u>Setback ≥ 325 feet from property line when adjacent to a Residential use:</u>	<u>100 feet<sup>4</sup> [From Sec. 3-30.1.(h)(3)]</u>
<u>(b)</u>	<u>Development in BP Zoning District:</u>	<u>Setback &lt; 325 feet from property line when adjacent to a Residential zoning district or FLU category:</u>	<u>An additional 5 feet of building setback for every 1 foot of building height &gt; 35 feet [From Sec. 3-30.1.(h)(3)]</u>

Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side property line setback shall be the same as the front building line setback.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 
- 3     The minimum side lot line setback may be reduced to 0 feet if the structure meets the Building Code's Fire Resistance Standards in Table 600. [Relocated from Sec. 3-30.1.(h)(1)(ii)b.]
  - 4     Refer to Sec. 3-D-7.5.d.(3) Additional Height.
- 

4676

### 3-D-7.5.d. BP Additional Standards

- 4677    (1)     Rear Access. If the rear yard does not abut a public street, then alternate access to the rear yard  
4678             from the front shall be provided. Access shall not be less than 20 feet in width and shall be  
4679             unobstructed at all times. [Relocated from Sec. 3-30.1.(h)(2)]
- 4680    (2)     Off-Street Parking. Parking shall be located at the side or rear of buildings, although no more than  
4681             2 rows of parking and 1 driveway shall be allowed in front of buildings. [Relocated from Sec. 3-  
4682             30.1.(h)(5)]
- 4683    (3)     Additional Height. The Board through a Special Exception shall have the authority to approve  
4684             building heights over 100 feet in certain cases if it is determined that visual impacts will not  
4685             negatively affect nearby properties. Increased construction standards shall apply for the additional  
4686             height over 35 feet. Refer to Chapter 5 Building Heights and Areas of the Florida Building Code.  
4687             [Relocated from Sec. 3-30.1.(h)(3)]
- 4688    (4)     Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
4689             lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of  
4690             refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
4691             and Sec. 3-F.8.3. Waste Storage Area.

4692

### 3-D-7.5.e. BP Uses

- 
- (1)     Permitted and Conditional uses:             Refer to Part E Use Types and Standards
  - (2)     Accessory:                                     Refer to Sec. 3-E-9. Accessory Use and Structure  
   Refer to Sec. 3-F-8. Accessory Structures
  - (3)     Temporary:                                     Refer to Sec. 3-E-10. Temporary Use and Structure
- 

4693

### Sec. 3-30.1 Business Park (Zone BP)

- ~~(a)     ~~Intent. This district is intended for locations that are not feasible for some light or heavy industrial~~~~  
~~development because of proximity to residential areas. The regulations for this district are intended~~  
~~to encourage development compatible with surrounding or abutting residential districts, with~~  
~~suitable open space, landscaping and parking areas. Consequently, development is limited to those~~  
~~administrative, wholesaling and manufacturing activities that can be carried on in a relatively~~  
~~unobtrusive manner. [Relocated to Sec. 3-D-7.5.a. BP Intent]~~
- ~~(g)     ~~Density Requirements. All developments for land with the BP shall have a maximum floor area~~~~  
~~ratio (FAR) of fifty percent. [Relocated to Sec. 3-D-7.5.b BP Intensity]~~
- ~~(h)     ~~Lot and Building Requirements. The principal buildings, accessory structures, and other uses shall~~~~  
~~be located so as to comply with the following minimum requirements. [Relocated to Sec. 3-D-~~  
~~7.5.c. BP Development Standards]~~
  - ~~(1)     ~~Setbacks. All setbacks shall be measured from the lot line.~~~~
    - ~~(i)     ~~Front: 20 feet~~~~
    - ~~(ii)    ~~Side:~~~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4708 a. ~~Abutting a residential or agricultural district:~~ 30 feet
- 4709 b. ~~All others:~~ 0 feet if structure meets the building code's fire
- 4710 ~~resistance standards in Table 600; 15 feet if not~~
- 4711 ~~constructed to the building code's fire resistance~~
- 4712 ~~standards~~
- 4713 [Deleted and portions relocated to Sec. 3-D-7.5.c. BP Development
- 4714 Standards, Footnote 3]
- 4715 (iii) ~~Corner lots: On corner lots, the setback from any street shall be the same as the~~
- 4716 ~~setback from the street serving as the front street.~~
- 4717 (iv) ~~Rear:~~
- 4718 a. ~~Abutting a residential or agricultural district:~~ 30 feet
- 4719 b. ~~All others:~~ 20 feet
- 4720 [Relocated to Sec. 3-D-7.5.c. BP Development Standards]
- 4721 (v) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary~~
- 4722 ~~high water line or mean high water line, whichever is applicable; for waters~~
- 4723 ~~designated as Aquatic Preserves or Outstanding Florida Waters, the setback will~~
- 4724 ~~be 100 feet. These setbacks shall not apply to structures on lots or parcels located~~
- 4725 ~~landward of existing bulkheads permitted by the St. Johns River Water~~
- 4726 ~~Management District or Florida Department of Environmental Protection.~~
- 4727 [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida
- 4728 Waters]
- 4729 (2) ~~Rear yard access. If the rear yard does not abut a public street, then alternate access to~~
- 4730 ~~the rear yard from the front shall be provided. Access shall not be less than twenty feet in~~
- 4731 ~~width and shall be unobstructed at all times.~~ [Relocated to Sec. 3-D-7.5.d. BP Additional
- 4732 Standards]
- 4733 (3) ~~Height limitation. The maximum height within the BP District is one hundred feet provided~~
- 4734 ~~the development is no closer than 325 feet to any property line of land with a single family~~
- 4735 ~~zoning or land use designation. Where the proposed development is less than 325 feet~~
- 4736 ~~from land having a single family zoning or land use designation, an additional five feet of~~
- 4737 ~~building setback for every one foot of building height over thirty five feet shall be required.~~
- 4738 [Relocated to Sec. 3-D-7.5.c. BP Development Standards] ~~The Board shall have the~~
- 4739 ~~authority to approve building height over one hundred feet in certain cases if it is~~
- 4740 ~~determined that visual impacts will not negatively affect nearby properties. Increased~~
- 4741 ~~construction standards shall apply for the additional height over thirty five feet. Consult~~
- 4742 ~~Table 500 of the building code.~~ [Relocated to Sec. 3-D-7.5.d.(3) BP Additional Standard]
- 4743 (5) ~~Off street parking. Parking shall be at the side or rear of buildings, although no more than~~
- 4744 ~~two rows of parking and one driveway shall be allowed in front of buildings.~~ [Relocated to
- 4745 Sec. 3-D-7.5.d.(2) BP Additional Standards]
- 4746 (i) ~~Waste Disposal and/or Material Storage. Where land zoned BP is adjacent to property of~~
- 4747 ~~a residential or agricultural zoning or land use designation, no material storage, garbage~~
- 4748 ~~containers or refuse shall be allowed nearer than twenty five feet to such property. All~~
- 4749 ~~waste storage and collection areas, refuse and recycling receptacles and similar uses shall~~
- 4750 ~~be screened on three sides with a minimum six foot high opaque fence or wall.~~ [Deleted
- 4751 and replaced with new text in Sec. 3-D-11.2.b.(4)(d) Waste Disposal and/or Material
- 4752 Storage]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4753 **Sec. 3-D-7.6. Planned Industrial Development (PID) Zoning District**

4754 **3-D-7.6.a. PID Intent**

4755 *It is the intent of this District to the development of land as planned Industrial sites and accomplish a more*  
 4756 *desirable environment than would be possible through the strict application of the minimum standards of*  
 4757 *conventional Industrial zoning districts; and to provide a stable environment and use which is compatible*  
 4758 *with the character of surrounding areas. **[Relocated from Sec. 3-32.(a).]***

4759 **3-D-7.6.b. Applicability**

4760 *This Section applies to properties rezoned to a PID, modifications to an approved PID, or unless stated*  
 4761 *otherwise in the Code.*

4762 **3-D-7.6.c. Design and Mix of Land Uses**

4763 *The design intent of a PID is to encourage flexible and creative concepts of site planning **[Relocated from***  
 4764 ***Sec. 3-32.(a).]**, predominantly consisting of Industrial uses with support services, such as Office, Retail,*  
 4765 *and Recreational, for the population and/or workforce of the planned development. It is encouraged to*  
 4766 *collocate related industrial uses when master planning a site.*

4767 *A minimum of 2 primary land use types, as indicated in the Table below, shall be provided in each PID.*

4768 (1) Mix of Land Uses:

<u>Land Use Types</u>	<u>Minimum Percentage of Land Area</u>	<u>Maximum Percentage of Land Area</u>
<u>Industrial:</u>	<u>50</u>	<u>75</u>
<u>Commercial:</u>	<u>15</u>	<u>30</u>
<u>Residential:</u>	<u>15</u>	<u>30</u>
<u>Recreational/Open Space<sup>1</sup>:</u>	<u>10</u>	<u>20</u>

Footnote:

1 *Protected environmental lands such as upland preserves or wetlands found within a PID site are excluded from the maximum percentage of gross land area dedicated to that land use type.*

4769 **3-D-7.6.d. PID Development Standards**

4770 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 4771 *following minimum standards.*

(1) Minimum Site Size:

(a) Acreage: 5 acres

(2) Minimum Lot Dimensions:

(a) Lot Width: Per the approved PID

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

(b)	<u>Lot Depth:</u>	<u>Per the approved PID</u>
(3)	<u>Minimum Setbacks<sup>1</sup>:</u>	
(a)	<u>Front Lot Line:</u>	<u>Per the approved PID</u>
(b)	<u>Side Lot Line:</u>	<u>Per the approved PID</u>
(c)	<u>Rear Lot Line:</u>	<u>Per the approved PID</u>

Footnotes:

1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

4772 (4) Density and Intensity. The proposed density and intensity shall be determined based on the FLU  
4773 category of which the development is located. The proposed density and intensity shall be  
4774 approved at the rezoning process.

### 3-D-7.6.e. Rezoning to a PID

4776 *The procedure for a rezoning to a PID shall be pursuant to Sec. 12-9. Rezonings and Amendments to the*  
4777 *Code, and Part F, Division 11, Application Submission Requirements. Approval for a PID is obtained*  
4778 *through a two-step process, as follows:*

4779 (1) *Preliminary Site Plan, including use or uses of the site, and rezoning of the land.*

4780 (2) *Final Site Plan approval along with the Developer's Commitment Agreement.*

4781 **[Relocated from Sec. 3-32.(d) Planned Industrial Development approval procedure]**

### 3-D-7.6.f. Modifications to a PID

4783 *Any major or substantial change in the approved PID, which affects the intent and character of the*  
4784 *development or permitted uses shall be reviewed and approved by the Board of County Commissioners.*

4785 (1) Minor Modifications. *Minor changes that do not affect the intent or character of the development*  
4786 *may be approved by the Planning and Zoning Director.*

4787 (2) Major Modifications. *If the requested changes are deemed to have a substantial effect on adjacent*  
4788 *property owners, the Board of County Commissioners shall cause a public hearing to be held prior*  
4789 *to official action on said requested change.*

4790 **[Relocated from Sec. 3-32.(g) Revisions of Planned Industrial Development final site plan]**

### 3-D-7.6.g. PID Time Limitations

4792 The following time limitations shall apply to all PID Zoning Districts:

4793 (1) *If substantial construction, as determined by the Planning and Zoning Director has not begun within*  
4794 *4 years after approval of the PID, the approval of the PID shall lapse.*

4795 (2) *At its discretion and for good cause, the Board of County Commission may extend for 1 additional*  
4796 *year the period for beginning construction. If the approved PID lapses under this provision, the*  
4797 *Planning and Zoning Director shall cause the PID District to be removed from the Official Zoning*  
4798 *Map, mail a notice by registered mail of revocation to the owner, and reinstate the zoning district*  
4799 *which was in effect prior to the approval of the PID. [Relocated from Sec. 3-32.(h)Planned*  
4800 *Industrial Development Time Limitations]*

### 3-D-7.6.h. Deviation from the PID Development Plan

#### **Notes/Legend:**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

4802 Any unapproved deviation from the accepted Development Plan shall institute a breach of agreement  
4803 between the applicant and the County. Such deviation may cause the Board of County Commissioners to  
4804 immediately revoke the Development Plan until such time as the deviations are corrected or become a part  
4805 of the accepted Development Plan. **[Relocated from Sec. 3-32.(i) Deviation from the Development Plan]**

### **3-D-7.6.i. Phase Development**

- 4807 (1) In the event the applicant desires to develop a PID in phases for other than development within a  
4808 DRI, the applicant shall submit a Schedule of Phases with the application for rezoning. The  
4809 Schedule of Phases shall contain the following:
- 4810 (a) The number of phases;
  - 4811 (b) The date of commencement for each phase;
  - 4812 (c) The approximate number of acres contained in each phase of development;
  - 4813 (d) A map indicating with reasonable certainty the location of each phase of development.
- 4814 (2) The Final Development Plans for the first phase shall be submitted within 12 months of the approval  
4815 of the PID. Final Development Plans for each subsequent phase shall be submitted not later than  
4816 6 months prior to the date of commencement of each phase for the approval by the Board of County  
4817 Commissioners.
- 4818 (3) Multi-County PID. The requirement that substantial construction begin within 2 years of approval  
4819 of the PID shall be satisfied by commencing substantial construction in either county.
- 4820 (4) Developments of Regional Impact. The requirements of this Section shall be supplemented or  
4821 superseded by any contrary provisions of a County Development Order for a Development of  
4822 Regional Impact (DRI), if the County, DRI developer, Florida Department of Community Affairs and  
4823 appropriate Regional Planning Council have entered a development agreement pursuant to  
4824 Section 380.032(3) Florida Statutes, modifying this Section. **[Relocated from Sec. 3-32.(j) Phase  
4825 Development]**

### **3-D-7.6.j. PID Uses**

- |   |   |
|---|---|
| 4826 (1) <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) <u>Accessory:</u>                           | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) <u>Temporary:</u>                           | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### **Sec. 3-32. Planned Industrial Development District (Zone PID)**

- 4827 ~~(a) **Intent and purpose.** It is the intent of this district to permit Planned Industrial Developments which~~  
4828 ~~are intended to encourage the development of land as planned industrial sites; [Relocated to Sec.~~  
4829 ~~3-D-7.6.a. PID Intent] encourage flexible and creative concepts of site planning; [Relocated to~~  
4830 ~~Sec. 3-D-7.6.b. Applicability] accomplish a more desirable environment than would be possible~~  
4831 ~~through the strict application of the minimum requirements of conventional industrial zoning districts~~  
4832 ~~and to provide a stable environment and use which is compatible with the character of surrounding~~  
4833 ~~areas. [Relocated to Sec. 3-D-7.6.a. PID Intent]~~
- 4834 ~~(b) **Permitted Uses.** All uses included in the Industrial Select (IS), the Light Industrial (IA), and the~~  
4835 ~~Heavy Industrial (IB) Zoning Districts, one residential dwelling per parcel as an accessory use to~~  
4836

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4837 the permitted industrial use for the purpose of providing security for the industrial use, and enclosed  
4838 storage for recreational vehicles, boats and automobiles, including sale of propane and vehicle gas  
4839 facilities associated with said use. The use of any storage areas shall be limited to dead storage  
4840 whether interior to the buildings or outdoor. No activities shall occur within a storage use which the  
4841 average person could construe to include the manufacture, repair or sale of goods or services or  
4842 occupancy for living, whether permanent or temporary. Any of these uses proposed for the site  
4843 must be approved by the Board of County Commissioners at the time of zoning approval. (Rev.  
4844 04/24/18) **[Deleted and created new Sec. 3-D-7.6.j. PID Uses to reference the appropriate use**  
4845 **sections]**
- 4846 ~~(c) *Minimum Waterfront Setback.* All structures shall be set back a minimum of 50 feet landward from~~  
4847 ~~the ordinary high water line or mean high water line, whichever is applicable; for waters designated~~  
4848 ~~as Aquatic Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
4849 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by~~  
4850 ~~the St. Johns River Water Management District or Florida Department of Environmental Protection.~~  
4851 **[Relocated to 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]**
- 4852 ~~(d) Planned Industrial Development approval procedure. Approval for a Planned Industrial~~  
4853 ~~Development is obtained through a two-step process. The first step is an approval of the~~  
4854 ~~Preliminary Site Plan, including use or uses of the site, and rezoning of the land. The second step~~  
4855 ~~consists of Final Site Plan approval along with the Developer's Commitment Agreement.~~  
4856 **[Relocated to Sec. 3-D.7.6.e. Rezoning to a PID]**
- 4857 ~~(e) Planned Industrial Development zoning and preliminary site plan approval. The applicant shall~~  
4858 ~~submit to the Planning and Zoning Department a request for Planned Industrial Development~~  
4859 ~~Zoning Classification and a Preliminary Site Plan containing the following exhibits:~~
- 4860 ~~(1) A vicinity map showing the location of the proposed development and the relationship to~~  
4861 ~~surrounding streets and driveways.~~
- 4862 ~~(2) A site plan indicating location of all buffer areas, wetlands, parking areas, driveway~~  
4863 ~~locations and landscaping concepts.~~
- 4864 ~~(3) Detailed explanation of the proposed use of the property.~~  
4865 ~~The Planning Commission will hold a public hearing on the request and forward their~~  
4866 ~~recommendations to the Board of County Commissioners.~~  
4867 ~~The Board of County Commissioners, in approving any Planned Industrial Development~~  
4868 ~~rezoning, may impose special conditions or safeguards so as to insure the proposed~~  
4869 ~~development will not have an adverse impact on the public interest.~~
- 4870 ~~(f) Final site plan approval. The applicant shall submit the final site plan for approval within thirty (30)~~  
4871 ~~months from the date of Preliminary Site Plan approval.~~
- 4872 ~~(1) A Final Site Plan containing all the required submittals in accordance with Sec. 20.333(d)~~  
4873 ~~of this Article.~~
- 4874 ~~(2) A completed Developer's Commitment Agreement containing all conditions imposed~~  
4875 ~~during Preliminary Site Plan approval.~~  
4876 ~~The Final Site Plan and the Developer's Commitment Agreement will be reviewed by the~~  
4877 ~~Development Review Committee prior to the issuance of any building permit. **[Deleted**~~  
4878 ~~and referred to Part F, Division 11, Application Submission Requirements]~~
- 4879 ~~(g) Revisions of Planned Industrial Development final site plan. Any major or substantial change in~~  
4880 ~~the approved PID, which affects the intent and character of the development or permitted uses~~  
4881 ~~shall be reviewed and approved by the Board of County Commissioners. If the requested changes~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 4882 ~~are deemed to have a substantial effect on adjacent property owners, the Board of County~~  
4883 ~~Commissioners shall cause a public hearing to be held prior to official action on said requested~~  
4884 ~~change.~~ [Relocated to Sec. 3-D.7.6.f. Modifications to a PID]
- 4885 (h) ~~Planned Industrial Development Time Limitations.~~
- 4886 (1) ~~If substantial construction, as determined by the Planning and Zoning Director has not~~  
4887 ~~begun within four (4) years after approval of the Planned Industrial Development under this~~  
4888 ~~Section, the approval of the Planned Industrial Development will lapse.~~
- 4889 (2) ~~At its discretion and for good cause, the Board of County Commission may extend for one~~  
4890 ~~(1) additional year the period for beginning construction. If the approved Planned Industrial~~  
4891 ~~Development lapses under this provision, the Planning and Zoning Director shall cause~~  
4892 ~~the Planned Industrial Development District to be removed from the Official Zoning Map;~~  
4893 ~~mail a notice by registered mail of revocation to the owner, and reinstate the zoning district~~  
4894 ~~which was in effect prior to the approval of the Planned Industrial Development.~~  
4895 [Relocated to Sec. 3-D.7.6.g. PID Time Limitations]
- 4896 (i) ~~Deviation from the Development Plan. Any unapproved deviation from the accepted Development~~  
4897 ~~Plan shall institute a breach of agreement between the applicant and the County.~~  
4898 ~~Such deviation may cause the Board of County Commissioners to immediately revoke the~~  
4899 ~~Development Plan until such time as the deviations are corrected or become a part of the accepted~~  
4900 ~~Development Plan.~~ [Relocated to Sec. 3-D.7.6.h. Deviation from the PID Development Plan]
- 4901 (j) ~~Phase Development.~~
- 4902 (1) ~~A Planned Industrial Development as defined herein may be developed in phases with the~~  
4903 ~~approval of the Board of County Commissioners. In the event the applicant desires to~~  
4904 ~~develop a Planned Industrial Development in phases for other than development within a~~  
4905 ~~DRI, the applicant shall submit a Schedule of Phases in addition to those items required in~~  
4906 ~~Paragraph (c) above with the application for zoning. The Schedule of Phases shall contain~~  
4907 ~~the following:~~
- 4908 (i) ~~The number of phases;~~  
4909 (ii) ~~The date of commencement for each phase;~~  
4910 (iii) ~~The approximate number of acres contained in each phase of development;~~  
4911 (iv) ~~A map indicating with reasonable certainty the location of each phase of~~  
4912 ~~development.~~
- 4913 (2) ~~The Final Development Plans for the first phase shall be submitted within 12 months of the~~  
4914 ~~approval of the Planned Industrial Development. Final Development Plans for each~~  
4915 ~~subsequent phase shall be submitted not later than six months prior to the date of~~  
4916 ~~commencement of each phase for the approval by the Board of County Commissioners.~~
- 4917 (3) ~~Multi-County Planned Industrial Development. The requirement that substantial~~  
4918 ~~construction begin within two years of approval of the Planned Industrial Development shall~~  
4919 ~~be satisfied by commencing substantial construction in either county.~~
- 4920 (4) ~~Developments of Regional Impact. The requirements of this Section shall be~~  
4921 ~~supplemented or superseded by any contrary provisions of a County Development Order~~  
4922 ~~for a Development of Regional Impact (DRI), if the County, DRI developer, Florida~~  
4923 ~~Department of Community Affairs and appropriate Regional Planning Council have entered~~  
4924 ~~a development agreement pursuant to Section 380.032(3) Florida Statutes, modifying this~~  
4925 ~~Section.~~ [Relocated to Sec. 3-D.7.6.i. Phase Development]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 4926 ~~(f) Conditional Uses The following uses are permitted in the PID Zoning District, subject to the~~  
4927 ~~conditions provided in Section 20.3-5. A PID zoning application may request the following~~  
4928 ~~conditional uses in addition to the conditional uses permitted in Industrial Select (IS), the Light~~  
4929 ~~Industrial District (IA) and the Heavy Industrial District (IB) Zoning Districts, subject to applicable~~  
4930 ~~conditions of Section 3-5 of the Article III of the Land Development Code, providing that any~~  
4931 ~~conditional use proposed for the site must be approved by the Board of County Commissioners at~~  
4932 ~~the time of zoning approval.~~  
4933 ~~(1) Land Clearing Debris Disposal Facility (Amended 6/98 Ord. 98-27)~~  
4934 ~~(2) Mini-warehouse, except locations may be approved on a major collector.~~  
4935 ~~(3) Multi-story mini-warehouses, except location may be approved on a major collector.~~  
4936 ~~(4) Recreational vehicle and boat storage which is not enclosed shall be located in that area~~  
4937 ~~of the PID established for said use, provided that at least twenty (20) percent of the site~~  
4938 ~~shall be in open space. Landscape buffers and other vegetative areas located within the~~  
4939 ~~area of the PID designated for said use may be used to achieve the twenty (20) percent~~  
4940 ~~requirement.~~  
4941 ~~(5) One residential dwelling per parcel as an accessory use to a permitted conditional use for~~  
4942 ~~the purpose of providing security for the use. [Deleted and created new Sec. 3-D-7.6.j.~~  
4943 ~~PID Uses to reference the appropriate use sections]~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

4944 **DIVISION 8 PUBLIC OWNERSHIP AND PRIVATE SERVICES**  
 4945 **ZONING DISTRICTS**

4946 **Sec. 3-D-8.1. Intent of Public Ownership (PO) Zoning Districts**

4947 The Public Ownership (PO-1, PO 2, PO-3, and PO-4) and Private Services (PS-1, PS-2, PS-3, PS-4 and  
 4948 PS-5) Zoning Districts provide community infrastructure and shall be consistent with all FLU categories in  
 4949 the County, except Conservation and Mining. The intent of these districts encourages and provides a  
 4950 coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of  
 4951 publicly, semi-publicly or privately owned or operated lands.

4952 These Districts are classified based on their level and type of services , which generally including buildings,  
 4953 facilities, and yards. The types of use provide services primarily to the surrounding Residential communities  
 4954 or to serve a public infrastructure purpose such as Major or Minor Utilities, or serve a recreational or  
 4955 institutional purposes such as a Park, museums, clubs, etc.

4956 **Sec. 3-D-8.2. Public Ownership (PO-1) Zoning District**

4957 **3-D-8.2.a. PO-1 Intent**

4958 *All land designated as PO-1 is subject to the standards of this Section. This District is primarily concerned*  
 4959 *with, although not limited to, the planning of public buildings and facilities. [From Sec. 3-34.(a)]*

4960 **3-D-8.2.b. PO-1 Intensity**

4961 *The maximum intensity/density for development on land with the PO-1 Zoning District shall correspond to*  
 4962 *a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-34.(f) Density Requirements]*

4963 **3-D-8.2.c. PO-1 Development Standards**

4964 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 4965 *following minimum requirements:*

(1) Minimum Setbacks<sup>1</sup>:

	<u>(a) Front:</u>	<u>From building line when adjacent to any zoning district:</u>	<i>25 feet [From Sec. 3-34.(g)(5)]</i>
	<u>(b) Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<i>25 feet [From Sec. 3-34.(g)(3)(i)]</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>From property line when adjacent to Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-34.(g)(3)(ii)]</u>
	<u>All other construction:</u>	<u>15 feet [From Sec. 3-34.(g)(3)(ii)]</u>
<u>(c) Rear:</u>	<u>From property line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-34.(g)(4)]</u>

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side property line setback shall be the same as the front building line setback. **[From Sec. 3-24.(g)(3)(i)]**
- 3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code. **[From Sec. 3-34.4.(g)(3)(i)]**

4966 **3-D-8.2.d. PO-1 Additional Standards**

- 4967 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a
- 4968 lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor storage of
- 4969 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback
- 4970 and Sec. 3-F.8.3. Waste Storage Area.
- 4971 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 25
- 4972 feet in width and shall be unobstructed at all times. [From Sec. 3-34.(g)(4)]
- 4973 (3) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within
- 4974 the Residential FLU categories. For all development commenced on or after January 28, 2003, the
- 4975 provisions of this Subsubsection shall not apply. For developments that commence after this date,
- 4976 the provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall apply.
- 4977 **[From Sec. 3-34.(g)(8)]**

4978 **3-D-8.2.e. PO-1 Uses**

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- (2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure  
Refer to Sec. 3-F-8. Accessory Structures
- (3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure

**3-D-8.2.f. Location and Access of Uses in Residential Land Use**

4979 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*

4980 *functional classifications and intensity of site development, which is combined square footage of all*

4981 *buildings:*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

(1)	Government Office Buildings and Annex Buildings:	Local - not permitted
		Minor Collector and above - no limit
(2)	Police Stations:	Institutional Map Series
(3)	Fire Stations:	Institutional Map Series
(4)	Libraries:	Institutional Map Series
(5)	Post Offices:	Institutional Map Series
(6)	Elementary, Middle, and High Schools:	Institutional Map Series
(7)	Colleges and Universities:	Institutional Map Series
(8)	Vocational Schools and Training Centers:	Institutional Map Series
(9)	Public Owned or Operated Hospitals:	Institutional Map Series
(10)	Transit Stations:	Institutional Map Series

4982 [From Sec. 3-34.(h)]

4983 **Sec. 3-34. PUBLIC OWNERSHIP (ZONE PO-1)**

4984 ~~(a) Area. All land designated as Zone PO-1 is subject to the regulations of this Section. Such areas~~  
 4985 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~  
 4986 ~~management, or alteration of publicly owned or operated property. This district is primarily~~  
 4987 ~~concerned with, although not limited to planning of public buildings and facilities. [Deleted and~~  
 4988 ~~portions relocated to Sec. 3-D-8.2.a. PO-1 Intent]~~

4989 ~~(f) Density Requirements. The maximum density of development for land in this zoning district shall~~  
 4990 ~~not exceed a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec. 3-D-8.2.b. PO-1~~  
 4991 ~~Intensity]~~

4992 ~~(g) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
 4993 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4994 ~~(3) Side Lot Line Setbacks.~~

4995 ~~(i) Side lot line setbacks on property which abuts residential or agricultural districts~~  
 4996 ~~shall not be less than twenty five (25) feet. If said lot is a corner lot, then the side~~  
 4997 ~~setback shall be the same as the front setback. (amended 2/94 - Ord. 94-03)~~

4998 ~~(ii) Where the adjoining lot is also zoned for business, the building may be placed up~~  
 4999 ~~to the side lot line, provided the building is constructed in accordance with the~~  
 5000 ~~regulations of the applicable Building Code; in all other construction, the minimum~~  
 5001 ~~side yard setback shall be fifteen (15) feet. (amended 2/94 - Ord. 94-03)~~

5002 [Relocated to Sec. 3-D-8.2.c. PO-1 Development Standards and Footnote 3]

5003 ~~(4) Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-8.2.c. PO-~~  
 5004 ~~Development Standards] If the rear yard does not abut a public street, then access over~~  
 5005 ~~private property shall be provided. Access shall not be less than twenty five (25) feet in~~  
 5006 ~~width, and shall be unobstructed at all times. [Relocated to Sec. 3-D-8.2.d. PO-1~~  
 5007 ~~Additional Standards]~~

5008 ~~(5) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
 5009 ~~amended, and shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-~~  
 5010 ~~8.2.c. PO-1 Development Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5011 ~~(6) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5012 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5013 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5014 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5015 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5016 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
5017 ~~Outstanding Florida Waters]~~
- 5018 ~~(7) — Where a non-residential district is adjacent to a lot line of property of a residential or~~  
5019 ~~agricultural classification, no materials, garbage containers, or refuse shall be allowed~~  
5020 ~~nearer than fifteen (15) feet to such a residential or agricultural district. Garbage or refuse~~  
5021 ~~shall be containerized and such containers shall be enclosed or screened so as not to be~~  
5022 ~~readily visible from said residential or agricultural district. [Deleted and replaced with new~~  
5023 ~~text in Sec. 3-D-8.2.d. PO-1 Additional Standards]~~
- 5024 ~~(8) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~  
5025 ~~within the residential land use categories identified in Section 20.3.8 with a ten (10) foot~~  
5026 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5027 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5028 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5029 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5030 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5031 ~~[Deleted and portions relocated to Sec. 3-D-8.2.d. PO-1 Additional Standards]~~
- 5032 ~~(h) — Roadway and size limitations within the Residential Land Use Categories the following minimum~~  
5033 ~~road functional classifications and intensity of site development, which is combined square footage~~  
5034 ~~of all buildings, shall be met:~~
- 5035 ~~(1) — Government Office Buildings and Annex Buildings~~  
5036 ~~Local — not permitted~~  
5037 ~~Minor Collector and above — no limit (amended 12/2/98 — Ord. 98-65)~~
- 5038 ~~(2) — Police Stations — Institutional Map Series~~  
5039 ~~(3) — Fire Stations — Institutional Map Series~~  
5040 ~~(4) — Libraries — Institutional Map Series~~  
5041 ~~(5) — Post Offices — Institutional Map Series~~  
5042 ~~(6) — Elementary, Middle, and High Schools — Institutional Map Series~~  
5043 ~~(7) — Colleges and Universities — Institutional Map Series~~  
5044 ~~(8) — Vocational Schools and Training Centers — Institutional Map Series~~  
5045 ~~(9) — Public Owned or Operated Hospitals — Institutional Map Series (Amended 6/98 — Ord. 98-~~  
5046 ~~27)~~
- 5047 ~~(10) — Transit Stations — Institutional Map Series (amended 1/05 — Ord. 05-3)~~  
5048 ~~[Deleted and portions relocated to Sec. 3-D-8.2.f. Location and Access of Uses in Residential~~  
5049 ~~Land Use]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5050 **Sec. 3-D-8.3. Public Ownership (PO-2) Zoning District**

5051 **3-D-8.3.a. PO-2 Intent**

5052 All land designated as PO-2 is subject to the standards of this Section. This District is primarily concerned  
5053 with, although not limited to, Parks and Recreation areas. [From Sec. 3-35.(a)]

5054 **3-D-8.3.b. Intensity**

5055 The maximum intensity/density for development on land with the PO-2 Zoning District shall correspond to  
5056 a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-35.(f) Density Requirements]

5057 **3-D-8.3.c. PO-2 Development Standards**

5058 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
5059 following minimum standards:

<u>(1)</u>	<u>Minimum Lot Size:</u>	
	<u>(a)</u> Boat ramps, playgrounds, athletic fields and courts:	1 acre [From Sec. 3-35.(g)(1)]
	<u>(b)</u> Parks, campgrounds, marinas, and golf courses:	5 acres [From Sec. 3-35.(g)(1)]
<u>(2)</u>	<u>Minimum Setbacks<sup>1</sup>:</u>	
	<u>(a)</u> <u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u> 25 feet [From Sec. 3-26.(f)(3)]
	<u>(b)</u> <u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u> 25 feet [From Sec. 3-26.(f)(1)(i)]
		<u>From property line when adjacent to a Commercial zoning district:</u> 0 feet <sup>3</sup> [From Sec. 3-26.(f)(1)(ii)]
		<u>From property line when adjacent to all other zoning districts:</u> 15 feet [From Sec. 3-26.(f)(1)(ii)]
	<u>(c)</u> <u>Rear:</u>	<u>From property line when adjacent to a Multi-Family or Single-Family use:</u> 25 feet [From Sec. 3-26.(f)(2)]
		<u>From property line when adjacent to all other zoning districts:</u> 20 feet [From Sec. 3-26.(f)(2)]
	<u>(d)</u> <u>Other Structures:</u>	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>i.</u>	<i>Tennis court:</i>	<u>From all property lines:</u>	25 feet [From Sec. 3-35.(g)(8)]
<u>ii.</u>	<i>Athletic field:</i>	<u>From all property lines:</u>	50 feet [From Sec. 3-35.(g)(8)]
<u>iii.</u>	<i>Playground:</i>	<u>From all property lines:</u>	50 feet [From Sec. 3-35.(g)(8)]
<u>iv.</u>	<i>Campground:</i>	<u>From all property lines:</u>	100 feet [From Sec. 3-35.(g)(8)]
<u>v.</u>	<i>Outdoor attraction:</i>	<u>From all property lines:</u>	150 feet [From Sec. 3-35.(g)(8)]
<u>vi.</u>	<i>All other:</i>	<u>From all property lines:</u>	25 feet [From Sec. 3-35.(g)(8)]

Footnotes:

- |          |   |
|----------|---|
| <u>1</u> | <u>Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>   |
| <u>2</u> | <u>If it is a corner lot, then the side property line setback shall be the same as the front building line setback.</u>   |
| <u>3</u> | <u>Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code.</u> |

5060 **3-D-8.3.d. PO-2 Additional Standards**

- 5061 (1) Access. Facilities shall be accessed from a hard surfaced public road directly to the entrance of the  
5062 facility. The minimum required frontage on a public street to be used for the primary point of access  
5063 shall be 100 feet. [From Sec. 3-35.(g)(4) and (2)]
- 5064 (2) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within  
5065 the Residential FLU categories. For all development commenced on or after January 28, 2003, the  
5066 provisions of this Subsubsection shall not apply. For developments that commence after this date,  
5067 the provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall apply.  
5068 **[From Sec. 3-35.(g)(11)]**
- 5069 (3) Fencing and Screening. Refer to Sec. 6-8 Perimeter Buffers.
- 5070 (4) Performance Standards. The operation of these facilities shall conform to all rules and standards  
5071 of all governmental agencies having appropriate jurisdiction and to the performance standards of  
5072 this Code. [From Sec. 3-35.(g)(6)]

5073 **3-D-8.3.e. PO-2 Uses**

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
|-----|--|--|

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

5074

### **3-D-8.3.f. Location and Access of Uses in Residential Land Use**

5075 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*  
 5076 *functional classifications and intensity of site development, which is combined square footage of all*  
 5077 *buildings.*

		<i>Local - 2,500 square feet.</i>
(1)	<i>Boat ramps:</i>	<i>Minor Collector and above - no limit.</i>
(2)	<i>Campgrounds:</i>	<i>Local - 2,500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(3)	<i>Parks:</i>	<i>Local - 2,500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(4)	<i>Playgrounds:</i>	<i>Local- 2500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(5)	<i>Athletic Fields and Courts:</i>	<i>Local- 2500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(6)	<i>Marinas:</i>	<i>Minor Collector - not permitted</i> <i>Major Collector - 5,000 square feet.</i> <i>Minor Arterial and above - no limit.</i>
(7)	<i>Golf Courses:</i>	<i>Local - not permitted</i> <i>Minor Collector - not permitted</i> <i>Major Collector - 5,000 square feet.</i> <i>Minor Arterial and above - no limit.</i>
(8)	<i>Fairgrounds:</i>	<i>Institutional Map Series.</i>
(9)	<i>Auditoriums and Arenas:</i>	<i>Institutional Map Series.</i>
(10)	<i>Outdoor Attractions:</i>	<i>Institutional Map Series.</i>

5078

**[From Sec. 3-35.(h)]**

5079

### **Sec. 3-35. PUBLIC OWNERSHIP (ZONE PO-2)**

5080 ~~(a) — **Area.** All land designated as **Zone PO-2** is subject to the regulations of this Section. Such areas~~  
 5081 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~  
 5082 ~~management, or alteration of publicly owned or operated property. This district is primarily~~  
 5083 ~~concerned with, although not limited to parks and recreation areas. [Deleted and portions~~  
 5084 ~~relocated to Sec. 3-D-8.3.a. PO-2 Intent]~~

5085 ~~(f) — **Density Requirements.** The maximum density of development for land in this zoning district shall~~  
 5086 ~~not exceed a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec. 3-D-8.3.b. PO-2~~  
 5087 ~~Intensity]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5088 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
5089 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~  
5090 (1) ~~Minimum Lot Area:~~  
5091 (i) ~~Boat ramps, playgrounds, athletic fields and courts. One (1) acre.~~  
5092 (ii) ~~Parks, campgrounds, marinas, and golf courses. Five (5) acres.~~  
5093 (2) ~~Frontage. The minimum required frontage on a public street to be used for the primary~~  
5094 ~~point of access shall be one hundred (100) feet.~~  
5095 (3) ~~Property Development Regulations. The building height, setbacks, and total floor area shall~~  
5096 ~~be in accordance with Sec. 20.3-26. [Deleted and added the BB-1 development~~  
5097 ~~standards in Sec. 3-D-6.3.c. to the PO-2 Development Standards in Sec. 3-D-8.3.c.]~~  
5098 (4) ~~Access. Access to said facilities shall be from a hard surfaced public road directly to the~~  
5099 ~~entrance of the facility. [Relocated to Sec. 3-D-8.3.d. PO-2 Additional Standards]~~  
5100 (5) ~~Lighting. Lighting to illuminate buildings, area, or advertisement shall be so designed so as~~  
5101 ~~to shine only on the subject use and directed away from public street. [Deleted]~~  
5102 (6) ~~Performance Standards. The operation of these facilities shall conform to all rules and~~  
5103 ~~regulations of all governmental agencies having appropriate jurisdiction and to the~~  
5104 ~~performance standards of this Ordinance. [Relocated to Sec. 3-D-8.3.d. PO-2 Additional~~  
5105 ~~Standards]~~  
5106 (7) ~~Fencing and Screening. Where deemed necessary by the Board of County Commission to~~  
5107 ~~protect the general public, safety fences up to a height of ten (10) feet may be required.~~  
5108 ~~The Commission may also require a landscape screen of at least seventy five (75) percent~~  
5109 ~~opaqueness to protect neighboring property from potential loss of use or diminishment of~~  
5110 ~~land value or use. [Deleted]~~  
5111 (8) ~~Setbacks. No structures or facilities shall be located closer to the property line than as~~  
5112 ~~follows:~~  
5113 (i) ~~Tennis Courts 25 feet~~  
5114 (ii) ~~Athletic Fields 50 feet~~  
5115 (iii) ~~Playgrounds 50 feet~~  
5116 (iv) ~~Campgrounds 100 feet~~  
5117 (v) ~~Outdoor Attraction 150 feet~~  
5118 (vi) ~~Other Structures 25 feet~~  
5119 ~~[Relocated to Sec. 3-D-8.3.c. PO-2 Development Standards]~~  
5120 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5121 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5122 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5123 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5124 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5125 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
5126 ~~Outstanding Florida Waters]~~  
5127 (11) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~  
5128 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
5129 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5130 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5131 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5132 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5133 Code ~~(the Tree Protection and Landscaping Standards)~~ will apply. ~~(Rev. 02/08/11)~~  
5134 [Relocated to Sec. 3-D-8.3.d. PO-2 Additional Standards]  
5135 ~~(h) Roadway and size limitations within the Residential Land Use Categories the following~~  
5136 ~~minimum road functional classifications and intensity of site development, which is~~  
5137 ~~combined square footage of all buildings, shall be met.~~  
5138 ~~(1) Boatramps~~  
5139 ~~Local – 2,500 square feet.~~  
5140 ~~Minor Collector and above – no limit.~~  
5141 ~~(2) Campgrounds~~  
5142 ~~Local – 2,500 square feet.~~  
5143 ~~Minor Collector and above – no limit.~~  
5144 ~~(3) Parks~~  
5145 ~~Local – 2,500 square feet.~~  
5146 ~~Minor Collector and above – no limit.~~  
5147 ~~(4) Playgrounds~~  
5148 ~~Local – 2500 square feet.~~  
5149 ~~Minor Collector and above – no limit.~~  
5150 ~~(5) Athletic Fields and Courts~~  
5151 ~~Local – 2500 square feet.~~  
5152 ~~Minor Collector and above – no limit.~~  
5153 ~~(6) Marinas~~  
5154 ~~Local – not permitted~~  
5155 ~~Minor Collector – not permitted~~  
5156 ~~Major Collector – 5,000 square feet.~~  
5157 ~~Minor Arterial and above – no limit.~~  
5158 ~~(7) Golf Courses~~  
5159 ~~Local – not permitted~~  
5160 ~~Minor Collector – not permitted~~  
5161 ~~Major Collector – 5,000 square feet.~~  
5162 ~~Minor Arterial and above – no limit.~~  
5163 ~~(8) Fairgrounds – Institutional Map Series.~~  
5164 ~~(9) Auditoriums and Arenas – Institutional Map Series.~~  
5165 ~~(10) Outdoor Attractions – Institutional Map Series.~~  
5166 ~~(11) Amphitheaters – Institutional Map Series. (Amended 6/98 – Ord. 98-27)~~  
5167 [Deleted and portions relocated to Sec. 3-D-8.3.f. Location and Access of Uses in Residential  
5168 Land Use]

### 5169 **Sec. 3-D-8.4. Public Ownership (PO-3) Zoning District**

#### 5170 **3-D-8.4.a. PO-3 Intent**

5171 All land designated as PO-3 is subject to the standards of this Section. This District is primarily concerned  
5172 with, although not limited to, capital improvements of a distinctly significant nature. [From Sec. 3-36.(a)]

#### 5173 **3-D-8.4.b. PO-3 Development Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5174 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 5175 following minimum standards:

<b>(1) <u>Minimum Setbacks</u><sup>1</sup>:</b>		
<b>(a)</b>	<b><u>Front:</u></b>	From building line when adjacent to all zoning districts: <span style="float: right;">25 feet [From Sec. 3-36.(e)(3)]</span>
	<b>(b) <u>Side</u><sup>2</sup>:</b>	From property line when adjacent to a Residential or Agricultural zoning district: <span style="float: right;">25 feet [From Sec. 3-36.(e)(1)(i)]</span>
		From property line when adjacent to a Business zoning district: <span style="float: right;">0 feet<sup>3</sup> [From Sec. 3-36.(e)(1)(ii)]</span>
		From property line when adjacent to all other zoning districts: <span style="float: right;">15 feet</span>
	<b>(c) <u>Rear:</u></b>	From property line when adjacent to all zoning districts: <span style="float: right;">20 feet [From Sec. 3-36.(e)(2)]</span>

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side property line setback shall be the same as the front building line setback. [From Sec. 3-36.(e)(1)(i)]
- 3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code; in all other construction, the minimum side setback shall be 15 feet. [From Sec. 3-36.(e)(1)(ii)]

5176 **3-D-8.4.c. PO-3 Additional Standards**

- 5177 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a
- 5178 lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of
- 5179 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback
- 5180 and Sec. 3-F.8.3. Waste Storage Area.
- 5181 [From Sec. 3-36.(e)(5)]
- 5182 (2) Rear Access. If the rear yard does not abut a public street, then access over private property shall
- 5183 be provided. Access shall not be less than 25 feet in width and shall be unobstructed at all times.
- 5184 [From Sec. 3-36.(e)(2)]
- 5185 (3) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within
- 5186 the Residential FLU categories. For all development commenced on or after January 28, 2003, the
- 5187 provisions of this subsection shall not apply. For developments that commence after this date,

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

5188 the provisions of Article 6 of the Clay County Land Development Code (the Tree Protection and  
5189 Landscaping Standards) will apply. [From Sec. 3-36.(e)(7)]  
5190 (4) Performance Standards. The development and operation of military installations, public airports,  
5191 and heliports shall conform to all rules and standards of all governmental agencies having  
5192 appropriate jurisdiction and to the performance standards of this Article. [From Sec. 3-36.(e)(6)]

### 5193 3-D-8.4.d. PO-3 Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 5194 **Sec. 3-36. PUBLIC OWNERSHIP (ZONE PO-3)**

- 5195 ~~(a) Area. All land designated as Zone PO-3 is subject to the regulations of this Section. Such areas~~  
5196 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~  
5197 ~~management, or alteration of publicly owned or operated property. This district is primarily~~  
5198 ~~concerned with, although not limited to, capital improvements of a distinctly significant nature.~~  
5199 **[Deleted and portions relocated to Sec. 3-D-8.4.a. PO-3 Intent]**
- 5200 ~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
5201 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
- 5202 ~~(1) Side Lot Line Setbacks.~~
- 5203 ~~(i) Side lot line setbacks on property which abuts residential or agricultural districts~~  
5204 ~~shall be not less than twenty five (25) feet. If said lot is a corner lot, then the side~~  
5205 ~~setback shall be the same as the front setback. [Relocated to Sec. 3-D-8.4.b. PO-~~  
5206 ~~3 Development Standards]~~
- 5207 ~~(ii) Where the adjoining lot is zoned for business, the building may be placed up to the~~  
5208 ~~side lot line, providing the building is constructed with four (4) hour party walls as~~  
5209 ~~defined by the applicable Building Code; in all other construction, the minimum~~  
5210 ~~side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-8.4.b. PO-3~~  
5211 ~~Development Standards, Footnote 3]~~
- 5212 ~~(2) Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-8.4.b. PO-3~~  
5213 ~~Development Standards] If the rear yard does not abut a public street, then access over~~  
5214 ~~private property shall be provided. Access shall not be less than twenty five (25) feet in~~  
5215 ~~width, and shall be unobstructed at all times. [Relocated to Sec. 3-D-8.4.c.(2) PO-3~~  
5216 ~~Additional Standards]~~
- 5217 ~~/(3) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~  
5218 ~~amended, and shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-~~  
5219 ~~8.4.b. PO-3 Development Standards]~~
- 5220 ~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5221 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5222 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5223 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5224 ~~permitted by the St. Johns River Water Management District or Florida Department of~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5225 ~~Environmental Protection.~~ [Relocated to Sec. 3-D-1.3.a.(1). Aquatic Preserves or  
5226 Outstanding Florida Waters]
- 5227 (5) ~~Where a non-residential district is adjacent to a lot line of property of a residential or~~  
5228 ~~agricultural classification, no materials, garbage containers, or refuse shall be allowed~~  
5229 ~~nearer than fifteen (15) feet to such a residential or agricultural district. Garbage or refuse~~  
5230 ~~shall be containerized and such containers shall be enclosed or screened so as not to be~~  
5231 ~~readily visible from said residential or agricultural district.~~ [Relocated to Sec. 3-D-8.4.c.  
5232 Additional Standards]
- 5233 (6) ~~The development and operation of military installations, public airports, and heliports shall~~  
5234 ~~conform to all rules and regulations of all governmental agencies having appropriate~~  
5235 ~~jurisdiction and to the performance standards of this Article.~~ [Relocated to Sec. 3-D-8.4.c.  
5236 PO-3 Additional Standards]
- 5237 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~  
5238 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
5239 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5240 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5241 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5242 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5243 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5244 [Deleted and portions relocated to Sec. 3-D-8.4.c. PO-3 Additional Standards]

### 5245 **Sec. 3-D-8.5. Public Ownership (PO-4) Zoning District**

#### 5246 **3-D-8.5.a. PO-4 Intent**

5247 All land designated as PO-4 is subject to the standards of this Section. This District is primarily concerned  
5248 with, although not limited to, coordination with other public agencies in their future land planning effort.  
5249 [From Sec. 3-37.(a)]

#### 5250 **3-D-8.5.b. PO-4 Intensity**

5251 The maximum intensity/density for development on land with the PO-2 Zoning District shall correspond to  
5252 a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-37.(f) Density Requirements]

#### 5253 **3-D-8.5.c. PO-4 Development Standards**

5254 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
5255 minimum standards of each type of use, refer to Part E, Division 7 Institutional and Private and Public  
5256 Facilities.

5257 (1) Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

#### 5258 **3-D-8.5.d. PO-4 Uses**

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>          |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> |

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Refer to Sec. 3-F-8. Accessory Structures

(3) Temporary:

Refer to Sec. 3-E-10. Temporary Use and Structure

### 5259 **3-D-8.5.e. Location and Access of Uses in Residential Land Use**

5260 *Roadway and size limitations within the Residential FLU categories, the following minimum road functional*  
5261 *classifications and intensity of site development, which is combined square footage of all buildings, shall*  
5262 *be met.*

(1) Transfer Stations: *Institutional Map Series*

(2) Recycling Centers: *Institutional Map Series.*

(3) Sanitary Landfill: *Institutional Map Series.*

(4) Correctional Facilities: *Institutional Map Series*

5263 **[From Sec. 3-37.(g)]**

### 5264 **Sec. 3-37. PUBLIC OWNERSHIP (ZONE PO-4)**

5265 ~~(a) — Area. All land designated as Zone PO-4 is subject to the regulations of this Section. Such areas~~  
5266 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~  
5267 ~~management, or alteration of publicly owned or operated property. This district is primarily~~  
5268 ~~concerned with, although not limited to coordination with other public agencies in their future land~~  
5269 ~~planning effort. **[Deleted and portions relocated to Sec. 3-D-8.5.a. PO-4 Intent]**~~

5270 ~~(f) — Density Requirements. The maximum density of development for land in this zoning district shall~~  
5271 ~~not exceed a floor area ratio (FAR) of forty (40) percent. **[Relocated to Sec. 3-D-8.5.b. PO-4**~~  
5272 ~~**Intensity]**~~

5273 ~~(g) — Roadway and size limitations within the Residential Land Use Categories the following minimum~~  
5274 ~~road functional classifications and intensity of site development, which is combined square footage~~  
5275 ~~of all buildings, shall be met.~~

5276 ~~(1) — Transfer Stations — Institutional Map Series~~

5277 ~~(2) — Recycling Centers — Institutional Map Series~~

5278 ~~(3) — Sanitary Landfill — Institutional Map Series~~

5279 ~~(4) — Correctional Facilities — Institutional Map Series (Amended 6/98 — Ord. 98-27)~~

5280 **[Deleted and portions relocated to Sec. 3-D-8.5.e. Location and Access of Uses in**  
5281 **Residential Land Use]**

### 5282 **Sec. 3-D-8.6. Private Services (PS-1) Zoning District**

#### 5283 **3-D-8.6.a. PS-1 Intent**

5284 *All land described as PS-1 is subject to the standards of this Section. Such areas are established to provide*  
5285 *adequate land for the private sector providing religious services and educational facilities. **[From Sec. 3-***  
5286 ***38.(a)]***

#### 5287 **3-D-8.6.b. PS-1 Intensity**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5288 The maximum intensity/density for development on land with the PS-1 Zoning District shall correspond to  
 5289 a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-38.(e) Density Requirements]

5290 **3-D-8.6.c. PS-1 Development Standards**

5291 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 5292 following minimum standards: [Relocated from Sec. 3-38.(f)]

(1) Minimum Setbacks<sup>1</sup>:

<u>(a)</u>	<u>Front</u> :	<u>From building line when adjacent to any zoning district:</u>	<u>25 feet [From Sec. 3-38.(f)(3)]</u>
<u>(b)</u>	<u>Side</u> <sup>2</sup> :	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-38.(f)(1)]</u>
		<u>From property line when adjacent to Business zoning district:</u>	<u>Constructed in accordance with applicable Florida Building Code standards:</u> <u>0 feet [From Sec. 3-38.(f)(1)]</u>
			<u>All other construction:</u> <u>15 feet [From Sec. 3-38.(f)(1)]</u>
		<u>From property line when adjacent to Agricultural zoning district that is used for Business purposes:</u>	<u>Accessory structures not exceeding 50 percent coverage of the side yard and constructed in accordance with applicable Florida Building Code standards:</u> <u>5 feet [From Sec. 3-38.(f)(1)]</u>
<u>(c)</u>	<u>Rear</u> :	<u>From property line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-38.(f)(2)]</u>

(2) Maximum Height:

<u>(a)</u>	<u>Building</u> :	<u>2 stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Florida Building Code [From Sec. 3-38.(f)(6)]</u>
------------	-------------------	---

Footnotes:

1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

2 If it is a corner lot, then the side property line setback shall be the same as the front building line setback. [From Sec. 3-38.(f)(1)]

5293 **3-D-8.6.d. PS-1 Additional Standards**

- 5294 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
 5295 lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of  
 5296 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
 5297 and Sec. 3-F.8.3. Waste Storage Area. [From Sec. 3-38.(f)(5)]
- 5298 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20  
 5299 feet in width and shall be unobstructed at all times. [From Sec. 3-38.(f)(2)]
- 5300 (3) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within  
 5301 the Residential land use categories with a 10-foot landscaped area, minimum 6-foot-high opaque  
 5302 barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced  
 5303 on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For  
 5304 developments that commence after this date, the provisions of Article 6 of the Clay County Land  
 5305 Development Code (Tree Ordinance) shall apply. [From Sec. 3-38.(f)(8)]
- 5306 (4) Lighting. Artificial lighting used to illuminate the premises and/or advertising copy shall be directed  
 5307 away from adjacent Residential or Agricultural districts. [From Sec. 3-38.(g)]

5308 **3-D-8.6.e. PS-1 Uses**

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>           |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>  |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-F-8. Accessory Structures</u>         |
|     |  | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u> |

5309 **3-D-8.6.f. Location and Access of Uses in Residential Land Use**

5310 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*  
 5311 *functional classifications and intensity of site development, which is combined square footage of all*  
 5312 *buildings:*

(1)	<i>Churches, Synagogues and Temples; together with educational, daycare and recreational facilities:</i>	<i>Local and above - no limit</i>
(2)	<i>Preschools:</i>	<i>Local - not permitted.</i> <i>Minor Collector - 3,500 square feet</i> <i>Major Collector and above - no limit</i>
(3)	<i>Private Schools:</i>	<i>Local - not permitted</i> <i>Minor Collector - 3,500 square feet</i> <i>Major Collector and above - no limit</i>
(4)	<i>Daycares:</i>	<i>Local - not permitted.</i> <i>Minor Collector - 3,500 square feet</i> <i>Major Collector and above - no limit</i>
(5)	<i>Seminaries:</i>	<i>Local - not permitted</i>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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Minor Collector - not permitted  
Major Collector - 20,000 square feet  
Minor Arterial and above - no limit

---

5313 [From Sec. 3-38.(h)]

5314 **Sec. 3-38. PRIVATE SERVICES (ZONE PS-1)**

- 5315 (a) ~~Area. All land described as Zone PS-1 is subject to the regulations of this Section. Such areas are~~  
5316 ~~established to provide adequate land for the private sector providing religious services and~~  
5317 ~~educational facilities. A site plan conforming to the requirements of Section 6, Part 12, Ordinance~~  
5318 ~~82-45, as amended, is required and shall be submitted to the Planning and Zoning Department for~~  
5319 ~~administrative review and approval prior to obtaining a building permit. [Deleted and portions~~  
5320 ~~relocated to Sec. 3-D-8.7.a. PS-2 Intent]~~
- 5321 (e) ~~Density Requirements. The maximum density of development for land in this zoning district shall~~  
5322 ~~not exceed a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec. 3-D-8.7.b. PS-1~~  
5323 ~~Intensity]~~
- 5324 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
5325 ~~be located so as to comply with the following minimum requirements.~~
- 5326 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~  
5327 ~~less than twenty-five (25) feet. [Relocated to Sec. 3-D-8.6.c PS-2 Development~~  
5328 ~~Standards] If said lot is a corner lot, the setback shall be the same as for a front lot line.~~  
5329 ~~[Relocated to Sec. 3-D-8.7.c. PS-2 Development Standards, Footnote 2] Where the~~  
5330 ~~adjoining lot is also zoned for business, the building may be placed up to the side lot line,~~  
5331 ~~providing the building is constructed in accordance with the regulations of the applicable~~  
5332 ~~Building Codes; [Relocated to Sec. 3-D-8.7.c. PS-2 Development Standards, Footnote~~  
5333 ~~3] where the adjoining lot is an agricultural district that is used for business purposes,~~  
5334 ~~accessory structures not exceeding 50% coverage of the side yard area, coverage being~~  
5335 ~~calculated as the total area under roof, may be placed within five (5) feet of the side lot line,~~  
5336 ~~providing the structures are constructed in accordance with the regulations of the~~  
5337 ~~applicable Building Codes; in all other construction, the minimum side setback shall be~~  
5338 ~~fifteen (15) feet. [Relocated to Sec. 3-D-8.6.c. PS-1 Development Standards]~~
- 5339 (2) ~~Rear lot line setbacks shall be twenty (20) feet.~~  
5340 ~~Access shall be not less than twenty (20) feet in width and shall be unobstructed at all~~  
5341 ~~times.~~
- 5342 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~  
5343 ~~shall in no case be less than twenty-five (25) feet. [Relocated to Sec. 3-D-8.6.c. PS-1~~  
5344 ~~Development Standards]~~
- 5345 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5346 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5347 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5348 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5349 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5350 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
5351 ~~Outstanding Florida Waters]~~
- 5352 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~  
5353 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5354 ~~containers shall be enclosed or screened so as not to be readily visible from offsite.~~  
5355 [Relocated/rephrased to Sec. 3-D-8.6.d. PS-1 Additional Standards]
- 5356 (6) ~~Height and Size Limitations:~~  
5357 (i) ~~No structure shall exceed two stories or thirty five (35) feet, whichever is more~~  
5358 ~~restrictive, unless of fire resistance construction as specified by the applicable~~  
5359 ~~Building Code.~~  
5360 (ii) ~~Parking requirements shall comply with this chapter.~~  
5361 [Relocated to Sec. 3-D-8.6.c. PS-1 Development Standards]
- 5362 (7) ~~Special Requirements. A six foot high solid fence or wall shall surround the play area of~~  
5363 ~~preschool and day care centers. (Chain link, wood, brick for the purpose of retaining~~  
5364 ~~children; shrubbery is not permitted as a substitute for a fence.) [Relocated to Sec. 3-E-~~  
5365 ~~7.11.b.(2)(b)(iii)]~~  
5366 (8) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~  
5367 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
5368 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5369 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5370 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5371 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5372 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5373 [Relocated to Sec. 3-D-8.6.d. PS-1 Additional Standards]
- 5374 (g) ~~Lighting. Artificial lighting used to illuminate the premises and/or advertising copy shall be directed~~  
5375 ~~away from adjacent residential or agricultural districts. [Deleted and portions relocated to Sec.~~  
5376 ~~3-D-8.6.d. PS-1 Additional Standards]~~
- 5377 (h) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~  
5378 ~~road functional classifications and intensity of site development, which is combined square footage~~  
5379 ~~of all buildings, shall be met.~~
- 5380 (1) ~~Churches, Synagogues and Temples; together with educational, daycare and recreational~~  
5381 ~~facilities.~~  
5382 *Local and above – no limit*
- 5383 (2) ~~Preschools~~  
5384 *Local – not permitted.*  
5385 *Minor Collector – 3,500 square feet.*  
5386 *Major Collector and above – no limit.*
- 5387 (3) ~~Private Schools~~  
5388 *Local – not permitted.*  
5389 *Minor Collector – 3,500 square feet.*  
5390 *Major Collector and above – no limit.*
- 5391 (4) ~~Daycares~~  
5392 *Local – not permitted.*  
5393 *Minor Collector – 3,500 square feet.*  
5394 *Major Collector and above – no limit.*
- 5395 (5) ~~Seminaries~~  
5396 *Local – not permitted.*  
5397 *Minor Collector – not permitted.*  
5398 *Major Collector – 20,000 square feet.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5399 *Minor Arterial and above – no limit. (Amended 6/98 – Ord. 98-27)*  
 5400 [Deleted and portions relocated to Sec. 3-D-8.6.f. Location and Access of Uses in Residential Land  
 5401 Use]

5402 **Sec. 3-D-8.7. Private Services (PS-2) Zoning District**

5403 **3-D-8.7.a. PS-2 Intent**

5404 All land described as PS-2 is subject to the standards of this Section. Such areas are established to provide  
 5405 adequate land for the private sector providing social services and non-profit retreat facilities in open space  
 5406 areas with an emphasis on the enjoyment and preservation of the natural environmental amenities of the  
 5407 land. [From Sec. 3-39.(a)]

5408 **3-D-8.7.b. PS-2 Intensity**

5409 The maximum intensity/density for development on land with the PS-2 Zoning District shall correspond to  
 5410 a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-39.(f) Density Requirements]

5411 **3-D-8.7.c. PS-2 Development Standards**

5412 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 5413 following minimum standards: [Relocated from Sec. 3-39.(g)]

<u>(1) Minimum Setbacks<sup>1</sup>:</u>			
	<u>(a) Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-39.(g)(3)]</u>
	<u>(b) Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<u>20 feet [From Sec. 3-39.(g)(1)]</u>
		<u>From property line when adjacent to a Commercial zoning district:</u>	<u>0 feet<sup>3</sup> [From Sec. 3-39.(g)(1)]</u>
		<u>From property line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-39.(g)(1)]</u>
	<u>(c) Rear:</u>	<u>From property line when adjacent to all zoning districts:</u>	<u>20 feet [From Sec. 3-39.(g)(2)]</u>
<u>(2) Maximum Height:</u>			
	<u>(a) Building:</u>	<u>2 stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable</u>	

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Florida Building Code [From Sec. 3-39.(g)(7)]

### Footnotes:

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 *If it is a corner lot, then the side property line setback shall be the same as the front building line setback.*
- 3 *Where the adjoining lot is also zoned for Commercial the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-39.(g)(1)]*

### 5414 3-D-8.7.d. PS-2 Additional Standards

- 5415 (1) Waste Disposal and/or Material Storage. *Where a Non-Residential zoning district is adjacent to a*  
5416 *lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of*  
5417 *refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback*  
5418 *and Sec. 3-F.8.3. Waste Storage Area. [From Sec. 3-39.(g)(6)]*
- 5419 (2) Rear Access. *If the rear yard does not abut a public street, then access shall be not less than 20*  
5420 *feet in width and shall be unobstructed at all times. [From Sec. 3-39.(g)(2)]*
- 5421 (3) Visual Barrier. *Proposed Non-Residential development shall be buffered from adjacent land within*  
5422 *the Residential FLU categories with a 10-foot landscaped area, minimum 6-foot-high opaque*  
5423 *barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced*  
5424 *on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For*  
5425 *developments that commence after this date, the provisions of Article 6 of the Clay County Land*  
5426 *Development Code (Tree Ordinance) shall apply. [From Sec. 3-39.(g)(8)]*
- 5427 (4) Exemption. *The provisions of Sec. 3-D-14.3.b.(2) shall not apply to the existing development on*  
5428 *parcels numbered 42-04-25-008814-002-01, 42-04-25-008814-226-00 or 42-04-25-008814-225-*  
5429 *00. For these parcels, the side lot line setback which abuts a Residential district shall not be less*  
5430 *than 5 feet. [From Sec. 3-39.(g)(9)]*

### 5431 3-D-8.7.e. PS-2 Uses

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>           |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>  |
|     |  | <u>Refer to Sec. 3-F-8. Accessory Structures</u>         |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u> |

### 5432 3-D-8.7.f. Location and Access of Uses in Residential Land Use

5433 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*  
5434 *functional classifications and intensity of site development, which is combined square footage of all*  
5435 *buildings.*

- |     |                          |  |
|-----|--------------------------|--|
| (1) | <u>Clubs and Lodges:</u> | <u>Local - not permitted.</u>                |
|     |                          | <u>Minor Collector and above - no limit.</u> |

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

		<i>Local- not permitted.</i>
(2)	<i>Golf Courses- with or without driving ranges:</i>	<i>Minor Collector- 5,000 square feet.</i> <i>Major Collector and above- no limit.</i>
(3)	<i>Campgrounds/Recreational Parks:</i>	<i>Local – not allowed.</i> <i>Residential and Minor Collector – 50,000</i> <i>Major Collector and above – no limit.</i>
(4)	<i>Private Passive Parks:</i>	<i>Local- 2,500 square feet.</i> <i>Minor Collector and above- no limit.</i>
(5)	<i>Public and Private Water, Sewer, or Electric Facilities:</i>	<i>Local- 5,000 square feet.</i> <i>Minor Collector and above- no limit.</i>
(6)	<i>Outdoor Shooting Range - Shotguns only:</i>	<i>Local- not permitted.</i> <i>Minor Collector- 3,500 square feet.</i> <i>Major Collector and above- no limit.</i>
(7)	<i>Retreat Center:</i>	<i>Local- not permitted.</i> <i>Minor Collector- 5,000 square feet.</i> <i>Major Collector and above- no limit.</i>
(8)	<i>Recreational Facilities:</i>	<i>Local- not permitted.</i> <i>Minor Collector- 5,000 square feet.</i> <i>Major Collector and above- no limit.</i>
(9)	<i>Dog Park:</i>	<i>Local – 2,500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(10)	<i>Youth Camps:</i>	<i>Local and above – no limit.</i>

5436 **[From Sec. 3-39.(i)]**

5437 **~~Sec. 3-39. PRIVATE SERVICES (ZONE PS-2)~~**

- 5438 ~~(a) **Area.** All land described as **Zone PS-2** is subject to the **regulations** of this Section. Such areas are~~  
 5439 ~~established to provide adequate land for the private sector providing social services and non-profit~~  
 5440 ~~retreat facilities in open space areas with an emphasis on the enjoyment and preservation of the~~  
 5441 ~~natural environmental amenities of the land. A site plan conforming to the requirements of Section~~  
 5442 ~~27, Ordinance 82-45, as amended, is required and shall be submitted to the Planning and Zoning~~  
 5443 ~~Department for administrative review and approval prior to obtaining a building permit. [Deleted~~  
 5444 ~~and portions relocated to Sec. 3-D-8.7.a. PS-2 Intent]~~  
 5445 ~~(f) **Density Requirements.** The maximum density of development for land in this zoning district shall~~  
 5446 ~~not exceed a floor area ratio (FAR) of forty (40) percent. [Relocated to Sec. 3-D-8.7.b. PS-2~~  
 5447 ~~Intensity]~~  
 5448 ~~(g) **Lot and Building Requirements.** The principal building(s), accessory structures and other uses shall~~  
 5449 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

**Notes/Legend:**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5450 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~  
5451 ~~less than twenty (20) feet. Where the adjoining lot is also zoned for business, the building~~  
5452 ~~may be placed up to the side lot line, providing the building is constructed with four (4) hour~~  
5453 ~~party walls as defined by the applicable Building Code; in all other construction, the~~  
5454 ~~minimum side setback shall be fifteen (15) feet.~~  
5455 (2) ~~Rear lot line setbacks shall be twenty (20) feet. Access shall be not less than twenty (20)~~  
5456 ~~feet in width and shall be unobstructed at all times.~~  
5457 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~  
5458 ~~shall be twenty-five (25) feet. [Relocated to Sec. 3-D-8.7.c. PS-2 Development~~  
5459 ~~Standards]~~  
5460 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5461 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5462 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5463 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5464 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5465 ~~Environmental Protection. [Relocated to Sec. 3-1-A.3.a.(1) Aquatic Preserves or~~  
5466 ~~Outstanding Florida Waters]~~  
5467 (5) ~~Corner lots. No structure erected on a corner lot shall be closer than thirty (30) feet to any~~  
5468 ~~road. [Deleted]~~  
5469 (6) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~  
5470 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~  
5471 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~  
5472 ~~[Relocated to Sec. 3-D-8.7.d. PS-2 Additional Standards]~~  
5473 (7) ~~Height and Size Limitations:~~  
5474 (i) ~~No structure shall exceed two stories or thirty five (35) feet, whichever is more~~  
5475 ~~restrictive, unless of fire resistance construction as specified by the applicable~~  
5476 ~~Building Code.~~  
5477 (ii) ~~Parking requirements shall comply with this chapter.~~  
5478 ~~[Relocated to Sec. 3-D-8.7.c. PS-2 Development Standards]~~  
5479 (8) ~~Visual Barrier: Proposed non residential development shall be buffered from adjacent land~~  
5480 ~~within the residential land use categories identified in Section 20.3.8 with a ten (10) foot~~  
5481 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5482 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5483 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5484 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5485 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5486 ~~[Deleted and portions relocated to Sec. 3-D-8.7.d. PS-2 Additional Standards]~~  
5487 (9) ~~The provisions of Section 3-39(g)(1) and (g)(8) shall not apply to the existing development~~  
5488 ~~on parcels numbered 42-04-25-008814-002-01, 42-04-25-008814-226-00 or 42-04-25-~~  
5489 ~~008814-225-00. For these parcels, the side line setback which abuts a residential district~~  
5490 ~~shall not be less than five (5) feet. (Rev. 02/08/11) [Relocated to Sec. 3-D-8.7.d. PS-2~~  
5491 ~~Additional Standards]~~  
5492 (i) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~  
5493 ~~road functional classifications and intensity of site development, which is combined square feet of~~  
5494 ~~all buildings, shall be met.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5495 (1) ~~Clubs and Lodges~~  
5496 ~~Local not permitted~~  
5497 ~~Minor Collector and above no limit (amended 12/2/98—Ord. 98-65)~~  
5498 (2) ~~Golf Courses with or without driving ranges.~~  
5499 ~~Local not permitted.~~  
5500 ~~Minor Collector 5,000 square feet.~~  
5501 ~~Major Collector and above no limit.~~  
5502 (3) ~~Campgrounds/Recreational Parks~~  
5503 ~~Local not allowed~~  
5504 ~~Residential and Minor Collector 50,000~~  
5505 ~~Major Collector and above no limit (Amended 8/04—Ord. 04-55)~~  
5506 (4) ~~Private Passive Parks~~  
5507 ~~Local 2,500 square feet.~~  
5508 ~~Minor Collector and above no limit.~~  
5509 (5) ~~Public and Private Water, Sewer, or Electric Facilities~~  
5510 ~~Local 5,000 square feet.~~  
5511 ~~Minor Collector and above no limit.~~  
5512 (6) ~~Outdoor Shooting Range Shotguns only~~  
5513 ~~Local not permitted.~~  
5514 ~~Minor Collector 3,500 square feet.~~  
5515 ~~Major Collector and above no limit.~~  
5516 (7) ~~Retreat Center~~  
5517 ~~Local not permitted.~~  
5518 ~~Minor Collector 5,000 square feet.~~  
5519 ~~Major Collector and above no limit.~~  
5520 (8) ~~Recreational Facilities~~  
5521 ~~Local not permitted.~~  
5522 ~~Minor Collector 5,000 square feet.~~  
5523 ~~Major Collector and above no limit. (Amended 6/98—Ord. 98-27)~~  
5524 (9) ~~Dog Park~~  
5525 ~~Local 2,500 square feet.~~  
5526 ~~Minor Collector and above no limit (Ord.03-16)~~  
5527 (10) ~~Youth Camps~~  
5528 ~~Local and above no limit (Amended 8/04—Ord. 04-55)~~  
5529 [Deleted and portions relocated to Sec. 3-D-8.7.f. Location and Access of Uses in Residential  
5530 Land Use]

### 5531 **Sec. 3-D-8.8. Private Services (PS-3) Zoning District**

#### 5532 **3-D-8.8.a. PS-3 Intent**

5533 All land described as PS-3 is subject to the standards of this Section. Such areas are established to provide  
5534 adequate land for the private sector providing health care services. [From Sec. 3-40.(a)]

#### 5535 **3-D-8.8.b. PS-3 Intensity**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5536 *The maximum intensity/density for development on land with the PS-2 Zoning District shall correspond to*  
 5537 *a Floor Area Ratio (FAR) of 40 percent, with the exception of lands proposed for hospital use. Hospitals*  
 5538 *shall not exceed a maximum of FAR of 80 percent. [Relocated from Sec. 3-40.(f) Density Requirements]*

### **3-D-8.8.c. PS-3 Development Standards**

5540 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 5541 *following minimum standards: [Relocated from 3-40.(g)]*

<b>(1) <u>Minimum Setbacks</u><sup>1</sup>:</b>			
<b>(a)</b>	<b><u>Front</u>:</b>	<u>From building line when adjacent to all zoning districts:</u>	<b>25 feet [From Sec. 3-40.(g)(3)]</b>
<b>(b)</b>	<b><u>Side</u><sup>2</sup>:</b>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<b>25 feet [From Sec. 3-40.(g)(1)]</b>
		<u>From property line when adjacent to a Business zoning district:</u>	<b>0 feet<sup>3</sup> [From Sec. 3-40.(g)(1)]</b>
		<u>From property line when adjacent to all other zoning districts:</u>	<b>15 feet [From Sec. 3-40.(g)(1)]</b>
<b>(c)</b>	<b><u>Rear</u>:</b>	<u>From property line when adjacent to a Residential use or zoning district:</u>	<b>25 feet [From Sec. 3-40.(g)(2)]</b>
		<u>From property line when adjacent to all other zoning districts:</u>	<b>20 feet [From Sec. 3-40.(g)(2)]</b>
<b>(2) <u>Maximum Height</u>:</b>			
<b>(a)</b>	<b><u>Building</u>:</b>	<u>2 stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Florida Building Code [From Sec. 3-40.(g)(6)]</u>	

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 If it is a corner lot, then the side lot line setback shall be the same as the front building line setback. [From Sec. 3-40.(g)(1)]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

3 Where the adjoining lot is also zoned for Commercial, the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code. **[From Sec. 3-40.(g)(1)]**

5542 **3-D-8.8.d. PS-3 Additional Standards**

- 5543 (1) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is adjacent to a  
 5544 lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of  
 5545 refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback  
 5546 and Sec. 3-F.8.3. Waste Storage Area. [From Sec. 3-40.(g)(5)]
- 5547 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 20  
 5548 feet in width and shall be unobstructed at all times. **[From Sec. 3-39.(g)(2)]**
- 5549 (3) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within  
 5550 the Residential FLU categories with a 10-foot landscaped area, minimum 6-foot-high opaque  
 5551 barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced  
 5552 on or after January 28, 2003, the provisions of this subsection shall not apply. For developments  
 5553 that commence after this date, the provisions of Article 6 of the Clay County Land Development  
 5554 Code (Tree Ordinance) shall apply. **[From Sec. 3-40.(g)(7)]**

5555 **3-D-8.8.e. PS-3 Uses**

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

5556 **3-D-8.8.f. Location and Access of Uses in Residential Land Use**

5557 Roadway and size limitations within the Residential FLU categories shall meet the following minimum road  
 5558 functional classifications and intensity of site development, which is combined square footage of all  
 5559 buildings.

(1)	<u>Hospitals and Related Adjacent Offices and Medical Facilities:</u>	<i>Institutional Map Series</i> <i>Local - not permitted.</i>
(2)	<u>Community Residential Homes:</u>	<i>Minor Collector - not permitted.</i> <i>Major Collector - 25,000 square feet.</i> <i>Minor Arterial and above - no limit.</i> <i>Local - not permitted.</i>
(3)	<u>Nursing Facility 2:</u>	<i>Minor Collector - not permitted.</i> <i>Major Collector - not permitted.</i> <i>Minor Arterial - 50,000 square feet.</i> <i>Major Arterial and above- no limit.</i>
(4)	<u>Animal Hospital or Veterinary Clinic:</u>	<i>Local - not permitted.</i> <i>Minor Collector - 5,000 square feet.</i>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Major Collector and above - no limit.

5560 [From Sec. 3-40.(i)]

5561 **Sec. 3-40. PRIVATE SERVICES (ZONE PS-3)**

5562 (a) ~~Area. All land described as Zone PS-3 is subject to the regulations of this Section. Such areas are~~  
5563 ~~established to provide adequate land for the private sector providing health care services. A site~~  
5564 ~~plan conforming to the requirements of this chapter is required and shall be submitted to the~~  
5565 ~~Planning and Zoning Department for administrative review and approval prior to obtaining a building~~  
5566 ~~permit. [Deleted and portions relocated to Sec. 3-D-8.8.a. PS-3 Intent]~~

5567 (f) ~~The maximum density of development for land in this zoning district shall not exceed an F.A.R. of~~  
5568 ~~forty (40) percent, with the exception of lands proposed for hospital use. Hospitals shall not exceed~~  
5569 ~~a maximum of FAR of eighty (80) percent. (Rev. 03/23/10). [Relocated to Sec. 3-D-8.8.b. PS-3~~  
5570 ~~Intensity]~~

5571 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
5572 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

5573 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~  
5574 ~~less than twenty five (25) feet. If said lot is a corner lot, then setbacks shall be the same~~  
5575 ~~as for front yards. Where the adjoining lot is also zoned for business, the building may be~~  
5576 ~~placed up to the side lot line, providing the building is constructed with four (4) hour party~~  
5577 ~~walls as defined by the applicable Building Code; in all other construction, the minimum~~  
5578 ~~side setback shall be fifteen (15) feet.~~

5579 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet if adjacent to a~~  
5580 ~~residence. Access shall be not less than twenty (20) feet in width and shall be unobstructed~~  
5581 ~~at all times.~~

5582 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~  
5583 ~~shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-8.8.c. PS-3~~  
5584 ~~Development Standards]~~

5585 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5586 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5587 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5588 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5589 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5590 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
5591 ~~Outstanding Florida Waters]~~

5592 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~  
5593 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~  
5594 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~  
5595 ~~[Relocated to Sec. 3-D-8-8.d. PS-3 Additional Standards]~~

5596 (6) ~~Height and Size Limitations. No structure shall exceed two stories or thirty five (35) feet,~~  
5597 ~~whichever is more restrictive, unless of fire resistance construction as specified by the~~  
5598 ~~applicable Building Code. [Relocated to Sec. 3-D-8.8.c. PS-3 Development Standards]~~

5599 (7) ~~Visual Barrier: Proposed non residential development shall be buffered from adjacent land~~  
5600 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
5601 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5602 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

5603 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5604 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5605 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5606 ~~[Deleted and portions relocated to Sec. 3-D-8.8.d. PS-3 Additional Standards]~~  
5607 ~~(i) Roadway and size limitations within the Residential Land Use Categories the following minimum~~  
5608 ~~road functional classifications and intensity of site development, which is combined square footage~~  
5609 ~~of all buildings, shall be met.~~  
5610 ~~(1) Hospitals and Related Adjacent Offices and Medical Facilities~~  
5611 ~~Institutional Map Series~~  
5612 ~~(2) Group Homes~~  
5613 ~~Local not permitted.~~  
5614 ~~Minor Collector not permitted.~~  
5615 ~~Major Collector 25,000 square feet.~~  
5616 ~~Minor Arterial and above no limit.~~  
5617 ~~(3) Institutions for the Insane~~  
5618 ~~Local not permitted.~~  
5619 ~~Minor Collector not permitted.~~  
5620 ~~Major Collector not permitted.~~  
5621 ~~Minor Arterial 50,000 square feet.~~  
5622 ~~Major Arterial and above no limit.~~  
5623 ~~(4) Animal Clinics~~  
5624 ~~Local not permitted.~~  
5625 ~~Minor Collector 5,000 square feet.~~  
5626 ~~Major Collector and above no limit. (Amended 6/98 Ord. 98-27)~~  
5627 ~~[Deleted and portions relocated to Sec. 3-D-8.8.f. Location and Access of Uses in Residential~~  
5628 ~~Land Use]~~

### **Sec. 3-D-8.9. Private Services (PS-4) Zoning District**

#### **3-D-8.9.a. PS-4 Intent**

5631 All land described as PS-4 is subject to the standards of this Section. Such areas are established to provide  
5632 adequate land for the private sector providing burial services. [Relocated from Sec. 3-41.(a)]

#### **3-D-8.9.b. PS-4 Intensity**

5634 The maximum intensity/density for development on land with the PS-4 Zoning District shall correspond to  
5635 a Floor Area Ratio (FAR) of 40 percent. [Relocated from Sec. 3-41.(f) Density Requirements]

#### **3-D-8.9.c. PS-4 Development Standards**

5637 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
5638 following minimum standards: [Relocated from Sec. 3-41.(g)]

(1) Minimum Setbacks<sup>1</sup>:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(a)</u>	<u>Front:</u>	<u>From building line when adjacent to all zoning districts:</u>	<b>25 feet [From Sec. 3-41.(g)(3)]</b>
<u>(b)</u>	<u>Side<sup>2</sup>:</u>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<b>25 feet [From Sec. 3-41.(g)(1)]</b>
		<u>From property line when adjacent to a Business zoning district:</u>	<b>0 feet<sup>3</sup> [From Sec. 3-41.(g)(1)]</b>
		<u>From property line when adjacent to all other zoning districts:</u>	<b>15 feet [From Sec. 3-41.(g)(1)]</b>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to a Residential use or zoning district:</u>	<b>25 feet [From Sec. 3-41.(g)(2)]</b>
		<u>From property line when adjacent to all other zoning districts:</u>	<b>20 feet [From Sec. 3-41.(g)(2)]</b>
<u>(2)</u>	<u>Maximum Height:</u>		<b>2 stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Florida Building Code [From Sec. 3-41.(g)(6)]</b>
	<u>(a)</u>	<u>Building:</u>	

**Footnotes:**

- 1 Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.
- 2 *If it is a corner lot, then the side property line setback shall be the same as the front building line setback. [From Sec. 3-41.(g)(1)]*
- 3 *Where the adjoining lot is also zoned for Business, the building may be placed up to the side property line, providing the building is constructed in accordance with the standards of the applicable Building Code. [From Sec. 3-41.(g)(1)]*

**5639 3-D-8.9.d. PS-4 Additional Standards**

- 5640 (1) Waste Disposal and/or Material Storage. *Where a Non-Residential zoning district is adjacent to a lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback and Sec. 3-F.8.3. Waste Storage Area. [From Sec. 3-41.(g)(5)]*
- 5641
- 5642
- 5643

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5644 (2) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 15  
 5645 feet in width and shall be unobstructed at all times. [From Sec. 3-41.(g)(2)]  
 5646 (3) Visual Barrier. Proposed ~~Non-Residential~~ development shall be buffered from adjacent land within  
 5647 the Residential FLU categories with a 10-foot landscaped area, minimum 6-foot-high opaque  
 5648 barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced  
 5649 on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For  
 5650 developments that commence after this date, the provisions of Article 6 of the Clay County Land  
 5651 Development Code (Tree Ordinance) shall apply. [From Sec. 3-41.(g)(7)]

### 3-D-8.9.e. PS-4 Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 3-D-8.9.f. Location and Access of Uses in Residential Land Use

5653 *Roadway and size limitations within the Residential land use categories shall meet the following minimum*  
 5654 *road functional classifications and intensity of site development, which is combined square footage of all*  
 5655 *buildings.*

(1)	<u>Funeral Homes:</u>	<i>Local - not permitted</i> <i>Minor Collector and above - no limit</i>
(2)	<u>Cemeteries:</u>	<i>Local - 2,500 square feet.</i> <i>Minor Collector and above - no limit.</i>
(3)	<u>Correctional Facilities:</u>	<i>Institutional Map Series.</i>

5657 **[From Sec. 3-41.(i)]**

### **Sec. 3-41. PRIVATE SERVICES (ZONE PS-4)**

- 5658 ~~(a) Area. All land described as Zone PS-4 is subject to the regulations of this Section. Such areas are~~  
 5659 ~~established to provide adequate land for the private sector providing burial services. A site plan~~  
 5660 ~~conforming to the requirements of this chapter is required and shall be submitted to the Planning~~  
 5661 ~~and Zoning Department for administrative review and approval prior to obtaining a building permit.~~  
 5662 ~~[Deleted and portions relocated to Sec. 3-D-8.9.a. Intent of PS-4 Zoning District]~~  
 5663 ~~(f) Density Requirements. The maximum density of development for land in this zoning district shall~~  
 5664 ~~not exceed a floor area ratio (FAR) of forty (40) percent. (Amended 6/98 Ord. 98-27) [Relocated~~  
 5665 ~~to Sec. 3-D-8.9.b. PS-4 Intensity]~~  
 5666 ~~(g) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
 5667 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~  
 5668 ~~(1) Side lot line setback on property which abuts residential or agricultural districts shall not be~~  
 5669 ~~less than twenty five (25) feet. If said lot is a corner lot, then setbacks shall be the same~~  
 5670 ~~as for the front yard. Where the adjoining lot is also zoned for business, the building may~~  
 5671 ~~as for the front yard. Where the adjoining lot is also zoned for business, the building may~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5672 ~~be placed up to the side lot line, providing the building is constructed with four (4) hour~~  
5673 ~~party walls as defined by the applicable Building Code; in all other construction, the~~  
5674 ~~minimum side setback shall be fifteen (15) feet.~~  
5675 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet if adjacent to a~~  
5676 ~~residence. Access shall be not less than fifteen (15) feet in width and shall be unobstructed~~  
5677 ~~at all times.~~  
5678 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~  
5679 ~~shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-8.9.c. PS-4~~  
5680 ~~Development Standards]~~  
5681 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
5682 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
5683 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
5684 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
5685 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
5686 ~~Environmental Protection. [Relocated to Sec. 3-D-1.3.a.(1) Aquatic Preserves or~~  
5687 ~~Outstanding Florida Waters]~~  
5688 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~  
5689 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~  
5690 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~  
5691 ~~[Relocated to Sec. 3-D-8.9.d. PS-4 Additional Standards]~~  
5692 (6) ~~Height and Size Limitations. No structure shall exceed two stories or thirty five (35) feet,~~  
5693 ~~whichever is more restrictive, unless of fire resistance construction as specified by the~~  
5694 ~~applicable Building Code. [Relocated to Sec. 3-D-8.9.c. PS-4 Development Standards]~~  
5695 (7) ~~Visual Barrier: Proposed non residential development shall be buffered from adjacent land~~  
5696 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~  
5697 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~  
5698 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~  
5699 ~~2003, the provisions of this subsection shall not apply. For developments that~~  
5700 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~  
5701 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~  
5702 ~~[Relocated to Sec. 3-D-8.9.d. PS-4 Additional Standards]~~  
5703 (i) ~~Roadway and size limitations within the Residential Land Use Categories the following~~  
5704 ~~minimum road functional classifications and intensity of development, which is combined~~  
5705 ~~square footage of all buildings, shall be met.~~  
5706 (1) ~~Funeral Homes~~  
5707 ~~Local not permitted.~~  
5708 ~~Minor Collector and above no limit. Rev. 04/22/08~~  
5709 (2) ~~Cemeteries~~  
5710 ~~Local 2,500 square feet.~~  
5711 ~~Minor Collector and above no limit.~~  
5712 (3) ~~Correctional Facilities~~  
5713 ~~Institutional Map Series. (Amended 6/98 Ord. 98-27)~~  
5714 [Deleted and portions relocated to Sec. 3-D-8.9.f. Location and Access of Uses in Residential Land  
5715 Use]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5716 **Sec. 3-D-8.10. Private Services (PS-5) Zoning District**

5717 **3-D.8.10.a. PS-5 Intent**

5718 *All land described as PS-5 is subject to the standards of this Section. Such areas are established to provide*  
 5719 *adequate land for the private sector to provide elderly care facilities. The purpose of this District is to help*  
 5720 *meet the needs of an aging population while protecting other uses from potentially adverse impacts.*  
 5721 **[Relocated from Sec. 3-41.1.(a)]**

5722 **3-D-8.10.b. PS-5 Intensity**

5723 *The maximum intensity/density for development on land with the PS-5 Zoning District shall correspond to*  
 5724 *a Floor Area Ratio (FAR) of 40 percent. **[Relocated from Sec. 3-41.1.(f) Density Requirements]***

5725 **3-D-8.10.c. PS-5 Development Standards**

5726 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*  
 5727 *following minimum standards: **[Relocated from Sec. 3-41.1.(g)]***

<b>(1) <u>Minimum Setbacks</u><sup>1</sup>:</b>			
<b>(a)</b>	<b><u>Front</u>:</b>	<u>From building line when adjacent to all zoning districts:</u>	<b>50 feet [From Sec. 3-41.1.(i)(3)]</b>
<b>(b)</b>	<b><u>Side</u><sup>2</sup>:</b>	<u>From property line when adjacent to a Residential or Agricultural zoning district:</u>	<b>50 feet [From Sec. 3-41.1.(i)(1)]</b>
		<u>From property line when adjacent to a Business zoning district:</u>	<b>0 feet<sup>3</sup> [From Sec. 3-41.1.(i)(1)]</b>
		<u>From property line when adjacent to all other zoning districts:</u>	<b>15 feet [From Sec. 3-41.1.(i)(1)]</b>
<b>(c)</b>	<b><u>Rear</u>:</b>	<u>From property line when adjacent to all zoning districts:</u>	<b>50 feet [From Sec. 3-41.1.(i)(2)]</b>
<b>(2) <u>Maximum Height</u>:</b>			
<b>(a)</b>	<b><u>Building</u>:</b>		<b>3 stories or 35 feet, whichever is more restrictive, <u>unless of fire resistance construction as specified by the applicable Florida Building Code</u> [From Sec. 3-41.1.(i)(6)]</b>

**Footnotes:**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>1</u>	<u>Refer to Sec. 3-D-1.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>
<u>2</u>	<i>If it is a corner lot, then <u>the side property line</u> setback shall be the same as the front <u>building line</u> setback. <b>[From Sec. 3-41.1.(i)(1)]</b></i>
<u>3</u>	<i>Where the adjoining lot is also zoned for <u>Business</u>, the building may be placed up to the side lot line, providing the building is constructed in accordance with the <u>standards</u> of the applicable Building Code. <b>[From Sec. 3-41.1.(i)(1)]</b></i>

5728 **3-D-8.10.d. PS-5 Additional Standards**

- 5729 (1) Waste Disposal and/or Material Storage. *Where a Non-Residential zoning district is adjacent to a*  
 5730 *lot with a Residential or an Agricultural zoning district, garbage containers, or outdoor storage of*  
 5731 *refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurement of Setback*  
 5732 *and Sec. 3-F.8.3. Waste Storage Area. **[From Sec. 3-41.1.(i)(5)]***
- 5733 (2) Rear Access. *If the rear yard does not abut a public street, then access shall be not less than 15*  
 5734 *feet in width and shall be unobstructed at all times. **[From Sec. 3-41.1.(i)(2)]***
- 5735 (3) Visual Barrier. *Proposed development shall be buffered from adjacent land within the Residential*  
 5736 *FLU categories with a 50-foot building setback. There shall be a minimum 6-foot fence adjacent to*  
 5737 *Residential land use categories. Within the 50-foot setback there shall be a minimum of:*
- 5738 (a) *Natural buffer, provided there are sufficient trees to create a visual barrier from the adjacent*  
 5739 *residential lands; or*
- 5740 (b) *A combination natural buffer as described above, with landscaping that would serve as a*  
 5741 *visual barrier from adjacent residential land uses.*
- 5742 *For all development commenced on or after January 28, 2003, the provisions of this*  
 5743 *subsubsection shall not apply. For developments that commence after this date, the*  
 5744 *provisions of Article 6 of the Clay County Land Development Code (the Tree Protection*  
 5745 *and Landscaping Standards) shall apply. **[From Sec. 3-41.1.(i)(7)]***

5746 **3-D-8.10.e. PS-5 Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

5747 **3-D-8.10.f. Location and Access of Uses in Residential Land Use**

5748 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*  
 5749 *functional classifications and intensity of site development, which is combined square footage of all*  
 5750 *buildings.*

	<i>Local - not permitted.</i>
<u>(1)</u>	<u>Multi-Family:</u>
	<i>Minor Collector - not permitted.</i>
	<i>Major Collector - 50,000 square feet.</i>
	<i>Minor Arterial and above - no limit.</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

		<i>Local - not permitted.</i>
(2)	<u>Nursing Facility 1:</u>	<i>Minor Collector - not permitted.</i>
		<i>Major Collector - 50,000 square feet.</i>
		<i>Minor Arterial and above - no limit.</i>
(3)	<u>Nursing Facility 2:</u>	<i>Local - not permitted.</i>
		<i>Minor Collector - not permitted.</i>
		<i>Major Collector - 50,000 square feet.</i>
		<i>Minor Arterial and above - no limit.</i>

5751 **[From Sec. 3-41.1.(k)]**

5752 **Sec. 3-41.1 PRIVATE SERVICES (PS-5)**

- 5753 (a) ~~Area. All land described as Zone PS-5 is subject to the regulations of this Section. Such areas are~~  
 5754 ~~established to provide adequate land for the private sector to provide elderly care facilities. The~~  
 5755 ~~purpose of this district is to help meet the needs of an aging population while protecting other uses~~  
 5756 ~~from potentially adverse impacts. [Relocated to Sec. 3-D-8.10.a. PS-5 Intent]~~
- 5757 (h) ~~Density Requirements. The maximum density of development for land in this zoning district shall~~  
 5758 ~~not exceed a floor area ratio (FAR) of forty (40) percent. (Amended 6/98 Ord. 98-27) [Relocated~~  
 5759 ~~to Sec. 3-D-8.10.b. PS-5 Intensity]~~
- 5760 (i) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~  
 5761 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
- 5762 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~  
 5763 ~~less than fifty (50) feet. [Relocated to Sec. 3-D-8.10.c. PS-5 Development Standards] If~~  
 5764 ~~said lot is a corner lot, then setbacks shall be the same as for the front yard. [Relocated~~  
 5765 ~~to Sec. 3-D-8.10.c. PS-5 Development Standards, Footnote 2] Where the adjoining lot~~  
 5766 ~~is also zoned for business, the building may be placed up to the side lot line, providing the~~  
 5767 ~~building is constructed in accordance with the regulations of the applicable Building Code;~~  
 5768 ~~[Relocated to Sec. 3-D-8.10.c. PS-5 Development Standards, Footnote 2] in all other~~  
 5769 ~~construction, the minimum setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-~~  
 5770 ~~8.10.c. PS-5 Development Standards]~~
- 5771 (2) ~~Rear lot line setbacks shall be fifty (50) feet. Access shall be unobstructed at all times.~~  
 5772 ~~[Partially relocated to Sec. 3-D-8.10.d. PS-5 Additional Standards]~~
- 5773 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~  
 5774 ~~shall in no case be less than fifty (50) feet. [Relocated to Sec. 3-D-8.10.c. PS-5~~  
 5775 ~~Development Standards]~~
- 5776 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~  
 5777 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~  
 5778 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~  
 5779 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~  
 5780 ~~permitted by the St. Johns River Water Management District or Florida Department of~~  
 5781 ~~Environmental Protection. [Relocated to 3-D-1.3.a.(1) Aquatic Preserves or~~  
 5782 ~~Outstanding Florida Waters]~~
- 5783 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifty (50) feet to a~~  
 5784 ~~residential or agricultural district. Garbage or refuse shall be containerized and such~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

5785 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~  
5786 **[Relocated to Sec. 3-D-8.10.d. PS-5 Additional Standards]**  
5787 ~~(6) Height and Size Limitations. No structure shall exceed three stories or thirty five (35) feet,~~  
5788 ~~whichever is more restrictive. [Relocated to Sec. 3-D-8.10.c. PS-5 Development~~  
5789 ~~Standards]~~  
5790 ~~(7) Visual Barrier. Proposed development shall be buffered from adjacent land within the~~  
5791 ~~residential land use categories identified in Section 20.3-8 with a fifty (50) foot building~~  
5792 ~~setback. There shall be a minimum six (6) foot fence adjacent to residential land use~~  
5793 ~~categories. Within the fifty (50) foot setback there shall be a minimum of:~~  
5794 ~~(i) Natural buffer, provided there are sufficient trees to create a visual barrier from the~~  
5795 ~~adjacent residential lands; or~~  
5796 ~~(ii) A combination natural buffer as described above, with landscaping that would~~  
5797 ~~serve as a visual barrier from adjacent residential land uses.~~  
5798 ~~For all development commenced on or after January 28, 2003, the provisions of this~~  
5799 ~~subsubsection shall not apply. For developments that commence after this date, the~~  
5800 ~~provisions of Article VI of the Clay County Land Development Code (the Tree Protection~~  
5801 ~~and Landscaping Standards) will apply. (Rev. 02/08/11) [Relocated to Sec. 3-D-8.10.d.~~  
5802 ~~PS-5 Additional Standards]~~  
5803 ~~(k) Roadway and size limitations within the Residential land use Categories the following minimum~~  
5804 ~~road functional classifications and intensity of development, which is combined square footage of~~  
5805 ~~all buildings, shall be met.~~  
5806 ~~(1) Independent Living Facility~~  
5807 ~~Local not permitted.~~  
5808 ~~Minor Collector not permitted.~~  
5809 ~~Major Collector 50,000 square feet.~~  
5810 ~~Minor Arterial and above no limit.~~  
5811 ~~(2) Assisted Living Facility~~  
5812 ~~Local not permitted.~~  
5813 ~~Minor Collector not permitted.~~  
5814 ~~Major Collector 50,000 square feet.~~  
5815 ~~Minor Arterial and above no limit.~~  
5816 ~~(3) Skilled Nursing Care Facility~~  
5817 ~~Local not permitted.~~  
5818 ~~Minor Collector not permitted.~~  
5819 ~~Major Collector 50,000 square feet.~~  
5820 ~~Minor Arterial and above no limit.~~  
5821 ~~(4) Continuing Care Facility~~  
5822 ~~Local not permitted.~~  
5823 ~~Minor Collector not permitted.~~  
5824 ~~Major Collector 50,000 square feet.~~  
5825 ~~Minor Arterial and above no limit. (Amended 6/98 Ord. 98-27)~~  
5826 **[Deleted and portions relocated to Sec. 3-D-8.6.f. Location and Access of Uses in Residential**  
5827 **Land Use]**  
5828

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

**DIVISION 9 EXCAVATION AND INCINERATORS ZONING DISTRICT**

**Sec. 3-D-9.1. Excavation (EX) Zoning District**

**3-D-9.1.a. EX Intent**

*The Excavation Zoning District provides areas suitable to further the clearly articulated, affirmatively expressed and actively supervised state police as expressed in Chapter 211, Florida Statutes. The criteria within this District are declared to be the minimum necessary to protect the health, safety, and welfare of the citizens of Clay County. It is the intent of this District to provide for the control of excavation activities within Clay County in order to protect the natural resources of the County. [From Sec. 3-42.(a)]*

**3-D-9.1.b. EX Development Standards**

*The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards:*

*(1) Minimum Lot Size: 3 acres [From Sec. 3-42.(f)(1)]*

**3-D-9.1.c. EX Additional Standards**

*(1) Access. Property shall have access to a paved public right-of-way. [From Sec. 3-42.(f)(2)]*

*(2) Location. Property shall be located outside an identified floodplain, floodway, or wetland. [From Sec. 3-42.(f)(3)]*

*(3) Buffer. Refer to Sec. 3-F-9.4. Excavation.*

*(4) Environmentally Sensitive Areas. Shall be left undisturbed to the greatest extent possible and shall only be impacted if avoidance would substantively reduce the ability of the applicant to mine the site. If such areas are impacted, the applicant will demonstrate how such areas will be restored and will also demonstrate through the phasing plan and site plan that travel corridors will exist to allow for wildlife movement across or around impacted areas throughout the mining process.*

**3-D-9.1.d. EX Uses**

*(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards*

*(2) Accessory: Refer to Sec. 3-E-9. Accessory Use and Structure  
Refer to Sec. 3-F-8. Accessory Structures*

*(3) Temporary: Refer to Sec. 3-E-10. Temporary Use and Structure*

**Sec. 3-42. EXCAVATION (ZONE EX)**

~~*(a) Intent. It is the intent of this district to provide for the control of excavation activities within Clay County in order to protect the natural resources of the County. It is the further intent of this district to further the clearly articulated, affirmatively expressed and actively supervised state police as expressed in Chapter 211, Florida Statutes. The criteria within this district are declared to be the*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5857 *minimum necessary to protect the health, safety and welfare of the citizens of Clay County.*  
5858 **[Relocated to Sec. 3-D-9.1.a. Intent EX Zoning District]**
- 5859 ~~(f) Minimum Size and Other Criteria. (Amended 2/03 Ord. 03-20)~~  
5860 ~~(1) Minimum lot size is three (3) acres. [Relocated to Sec. 3-D-9.1.b. EX Development~~  
5861 ~~Standards]~~  
5862 ~~(2) Access to a paved public right of way.~~  
5863 ~~(3) Located outside an identified floodplain, floodway, or wetland. [Relocated to Sec. 3-D-~~  
5864 ~~9.1.3. EX Additional Standards]~~  
5865 ~~(4) The following buffers shall be required where active mining operations are less than 2,000~~  
5866 ~~feet from affected properties:~~  
5867 ~~(i) A 200 foot perimeter buffer shall be required where any active mining location is~~  
5868 ~~adjacent to residential land uses. The buffer shall include at a minimum:~~  
5869 ~~a. A row of evergreen canopy trees which are not less than ten feet high at~~  
5870 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~  
5871 ~~thirty feet apart, and planted within ten feet of the property line; and,~~  
5872 ~~b. A privacy fence or masonry wall, architecturally finished on all sides, a~~  
5873 ~~minimum height of six feet, and if a block wall, painted on all sides; and,~~  
5874 ~~c. Turf grass, low growing evergreen plants or evergreen ground cover~~  
5875 ~~planted over the balance of the buffer. [Relocated to Sec. 3-F-9.3.b.~~  
5876 ~~Buffer Standards]~~  
5877 ~~d. In lieu of the requirements of A, B, and C above, a naturally vegetative~~  
5878 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~  
5879 ~~maintain an 85% opacity during all seasons and a minimum width of one~~  
5880 ~~hundred feet, and may be permitted with the Zoning Director's approval.~~  
5881 ~~Sections lacking opacity can be planted to achieve a continuous visual~~  
5882 ~~screen, or a landscaped berm of at least six feet in height that obscures~~  
5883 ~~the view from adjacent property at the time of planting. [Relocated to Sec.~~  
5884 ~~3-F-9.3.c.(1) Alternate Buffer 1]~~  
5885 ~~e. If D, above is not a feasible option due to the lack of wooded areas along~~  
5886 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~  
5887 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~  
5888 ~~foot buffer along the property line with an additional zone that is at least~~  
5889 ~~75 feet in width provided landward of the buffer area. This additional zone~~  
5890 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~  
5891 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~  
5892 ~~construction or they will be seeded and mulched. An erosion preventive~~  
5893 ~~vegetative cover must be established within 3 months of seeding, be~~  
5894 ~~adequately vegetated with grass or some other form of ground cover and~~  
5895 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~  
5896 ~~fifty foot buffer meet. [Relocated to Sec. 3-F.9.4.d. Alternate Buffer 2]~~  
5897 ~~(ii) A one hundred foot perimeter buffer shall be required where any active mining~~  
5898 ~~location is adjacent to commercial and agricultural (excluding silviculture) land~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5899 ~~uses. The buffer shall include at a minimum:~~ [Relocated to Sec. 3-F-9.4.a. Width  
5900 ~~of Buffer]~~  
5901 a. ~~— A row of evergreen canopy trees which are not less than ten feet high at~~  
5902 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~  
5903 ~~thirty feet apart, and planted within ten feet of the property line; and,~~  
5904 b. ~~— A privacy fence or masonry wall, architecturally finished on all sides, a~~  
5905 ~~minimum height of six feet, and if a block wall, painted on all sides; and,~~  
5906 c. ~~— Turf grass, low growing evergreen plants or evergreen ground cover~~  
5907 ~~planted over the balance of the buffer.~~ [Relocated to Sec. 3-F-9.3.b.  
5908 ~~Excavation]~~  
5909 d. ~~— In lieu of the requirements of A, B, and C above, a naturally vegetative~~  
5910 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~  
5911 ~~maintain an 85% opacity during all seasons and a minimum width of~~  
5912 ~~seventy five feet, and may be permitted with the Zoning Director's~~  
5913 ~~approval. Sections lacking opacity can be planted to achieve a continuous~~  
5914 ~~visual screen.~~ [Relocated to Sec. 3-F-9.3.c. Alternate Buffer 1]  
5915 d. ~~— If D, above is not a feasible option due to the lack of wooded areas along~~  
5916 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~  
5917 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~  
5918 ~~foot buffer along the property line with an additional zone that is at least~~  
5919 ~~75 feet in width provided landward of the buffer area. This additional zone~~  
5920 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~  
5921 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~  
5922 ~~construction or they will be seeded and mulched. An erosion preventive~~  
5923 ~~vegetative cover must be established within 3 months of seeding, be~~  
5924 ~~adequately vegetated with grass or some other form of ground cover and~~  
5925 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~  
5926 ~~fifty foot buffer meet.~~ [Relocated to Sec. 3-F.9.4.d. Alternate Buffer 2]  
5927 (iii) ~~— A 200 foot buffer shall be required between any active mining location and~~  
5928 ~~any jurisdictional wetland. A 50 foot buffer may be permitted if an~~  
5929 ~~additional zone that is at least 75 feet in width is provided landward of the~~  
5930 ~~buffer area. This additional zone shall include a topsoil pile that will direct~~  
5931 ~~drainage away from wetlands. The topsoil pile shall be naturally~~  
5932 ~~revegetated within 30 days of their construction or they will be seeded and~~  
5933 ~~mulched. An erosion preventive vegetative cover must be established~~  
5934 ~~within 3 months of seeding, be adequately vegetated with grass or some~~  
5935 ~~other form of ground cover and the topsoil pile zone shall include a silt~~  
5936 ~~screen placed where the zone and fifty foot buffer meet.~~ [Relocated to  
5937 ~~Sec. 3-F.9.4.d. Alternate Buffer 2]~~  
5938 (iv) ~~— A 100 foot buffer shall be required where any active mining location is adjacent to~~  
5939 ~~a public road. The buffer shall include at a minimum:~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 5940 A. ~~A row of evergreen canopy trees which are not less than ten feet high at~~  
5941 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~  
5942 ~~thirty feet apart, and planted within ten feet of the property line; and,~~  
5943 B. ~~A wood privacy fence, chain link fence with slats and/or screen cloth, or~~  
5944 ~~masonry wall, architecturally finished to the outside, a minimum height of~~  
5945 ~~six feet.~~  
5946 [Relocated to Sec. 3-F-9.3.b. Buffer Standards]  
5947 C. ~~In lieu of the requirements of A, B, and C above, a naturally vegetative~~  
5948 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~  
5949 ~~maintain an 85% opacity during all seasons and a minimum width of fifty~~  
5950 ~~feet, and may be permitted with the Zoning Director's approval. Sections~~  
5951 ~~lacking opacity can be planted to achieve a continuous visual screen.~~  
5952 [Relocated to Sec. 3-F-9.3.c. Alternate Buffer 1]  
5953 D. ~~If D, above is not a feasible option due to the lack of wooded areas along~~  
5954 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~  
5955 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~  
5956 ~~foot buffer along the property line with an additional zone that is at least~~  
5957 ~~75 feet in width provided landward of the buffer area. This additional zone~~  
5958 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~  
5959 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~  
5960 ~~construction or they will be seeded and mulched. An erosion preventive~~  
5961 ~~vegetative cover must be established within 3 months of seeding, be~~  
5962 ~~adequately vegetated with grass or some other form of ground cover and~~  
5963 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~  
5964 ~~fifty foot buffer meet. (Amended 2/03 — Ord. 03-20) [Relocated to Sec.~~  
5965 ~~3-F.9.4.d. Alternate Buffer 2]~~  
5966 (5) ~~Environmentally Sensitive Areas shall be left undisturbed to the greatest extent possible, and~~  
5967 ~~shall only be impacted if avoidance would substantively reduce the ability of the applicant to mine~~  
5968 ~~the site. If such areas are impacted, the applicant will demonstrate how such areas will be~~  
5969 ~~restored, and will also demonstrate through the phasing plan and site plan that travel corridors~~  
5970 ~~will exist to allow for wildlife movement across or around impacted areas throughout the mining~~  
5971 ~~process. (Amended 2/03 — Ord. 03-20) [Relocated to Sec. 3-D-9.1.c. EX Additional Standards]~~

### 5972 **Sec. 3-D-9.2. Incinerators (IN) Zoning District**

#### 5973 **3-D-9.2.a. IN Intent**

5974 The Incinerators zoning district provides areas suitable based on reasonable locational, design, and  
5975 operational criteria for incinerators in order that they be operated safely and that the impact thereof be  
5976 limited to those areas set aside for Industrial development. Such criteria are declared hereby to be the  
5977 minimum necessary to protect the health, safety, and welfare of the citizens of Clay County.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

5978 *All land designated as IN is subject to the standards of this Section. It is the intent of this Section to control*  
 5979 *the location of incinerators within Clay County with a primary emphasis on areas set aside for Industrial*  
 5980 *development.*

5981 *No lands shall be rezoned to the district classification provided in this Section except within areas within*  
 5982 *which Industrial uses or sanitary landfills may be operated consistent with the Clay County Comprehensive*  
 5983 *Plan. **[From Sec. 3-44.(f)(1)]***

### **3-D-9.2.b. IN Development Standards**

5985 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 5986 following minimum standards:

(1) Minimum Setback:

<u>(a)</u>	<u>Incinerator:</u>	<u>From property line when adjacent to lands not used or zoned for <u>I</u>ndustrial or sanitary landfill purposes:</u>
		<u>500 feet <b>[From Sec. 3-44.(f)(4)]</b></u>

### **3-D-9.2.c. IN Additional Standards**

5987  
 5988 (1) Access. *Each incinerator shall have direct paved road access to a paved public road.*  
 5989 **[Relocated from Sec. 3-44.(f)(2)]**

5990 (2) Location. *No incinerator may be located within any identified floodplain, floodway, or wetland.*  
 5991 **[Relocated from Sec. 3-44.(f)(3)]**

5992 (3) Buffer. *A visual buffer shall be established and maintained between the incinerator and any existing*  
 5993 *Residential, Commercial, or other Non-Industrial use immediately adjacent thereto. **[Relocated***  
 5994 *from Sec. 3-44.(f)(4)]*

5995 (4) Design Criteria.  
 5996 (a) *Each incinerator shall be designed so that it meets and continues to meet all applicable*  
 5997 *rule, standards of the applicable state and federal regulatory agencies. Each incinerator*  
 5998 *shall be fully permitted by each such agency prior to construction and/or continued*  
 5999 *operation. **[Relocated from Sec. 3-44.(h)(1)]***

6000 (b) *Each incinerator shall be designed with adequate on-site controls and facilities to prevent*  
 6001 *and contain fires. **[Relocated from Sec. 3-44.(h)(2)]***

6002 (5) Rezoning and Site Plan Approval  
 6003 (a) *No rezoning shall be granted without the simultaneous approval by the Board of a site plan,*  
 6004 *which shall thereafter be deemed a part and condition of the zoning. In the approval of the*  
 6005 *site plan, specific parameters regarding size, capacity, burn rate, and other relevant*  
 6006 *matters may be established, and the materials to be incinerated shall be specified and*  
 6007 *limited. Any modification to the approved site plan may be considered by the Board only*  
 6008 *as a rezoning. **[Relocated from Sec. 3-44.(i)]***

### **3-D-9.2.d. IN Uses**

(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

---

6010 **3-D-9.2.e. IN Application Requirements**

6011 Refer to Sec. 3-F-11. Application Submission Standards.

6012 **Sec. 3-44. INCINERATORS (ZONE IN)**

6013 ~~(a) — Intent. All land designated as Zone IN on the Zoning Atlas pursuant to this Article is subject to the~~  
6014 ~~regulations of this Section. It is the intent of this Section to control the location of incinerators within~~  
6015 ~~Clay County with a primary emphasis on areas set aside for industrial development. It is further the~~  
6016 ~~intent of this Section to provide for reasonable locational, design and operational criteria for~~  
6017 ~~incinerators in order that incinerators be operated safely and that the impact thereof be limited to~~  
6018 ~~those areas set aside for industrial development. Such criteria are declared hereby to be the~~  
6019 ~~minimum necessary to protect the health, safety and welfare of the citizens of Clay County.~~  
6020 **[Relocated to Sec. 3-D-9.2.a. IN Intent]**

6021 ~~(f) — Locational Criteria.~~

6022 ~~(1) — No lands shall be rezoned to the district classification provided in this Section except within~~  
6023 ~~areas within which industrial uses or sanitary landfills may be operated consistent with the~~  
6024 ~~Clay County Comprehensive Plan. [Relocated to Sec. 3-D-9.2.a. Intent of IN Zoning~~  
6025 ~~District]~~

6026 ~~(2) — Each incinerator must have direct paved road access to a paved public road. [Relocated~~  
6027 ~~to Sec. 3-D-9.2.b.(3)]~~

6028 ~~(3) — No incinerator may be located within any identified floodplain, floodway, or wetland.~~  
6029 ~~[Relocated to Sec. 3-D-9.2.c. IN Additional Standards]~~

6030 ~~(4) — Each incinerator must be set back a minimum of five hundred (500) feet from each property~~  
6031 ~~line not adjacent to lands used or zoned for industrial or sanitary landfill purposes.~~  
6032 ~~[Relocated to Sec. 3-D-9.2.b. IN Development Standards] A visual buffer must be~~  
6033 ~~established and maintained between the incinerator and any existing residential,~~  
6034 ~~commercial, or other non industrial land use immediately adjacent thereto. [Relocated to~~  
6035 ~~Sec. 3-D-9.2.c. IN Additional Standards]~~

6036 ~~(g) — Application Requirements.~~

6037 ~~(1) — The applicant shall be required to attend a pre-application conference with the Planning~~  
6038 ~~and Zoning Director or his designee, who shall invite, as a minimum, representatives~~  
6039 ~~from the Florida Department of Environmental Regulation and the United States~~  
6040 ~~Environmental Protection Agency to attend the conference.~~

6041 ~~(2) — The applicant shall complete and submit the appropriate application forms as provided by~~  
6042 ~~the Planning and Zoning Director or his designee.~~

6043 ~~(3) — The applicant shall complete and submit a site plan substantially in conformance with the~~  
6044 ~~requirements, as applicable, of Section 6, subsection 42, Ordinance 82-45. The specific~~  
6045 ~~requirements will be determined at the pre-application conference. The site plan shall~~  
6046 ~~also depict any site or locational requirements established under this Section.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6047           (4) ~~The applicant shall submit a professionally prepared environmental assessment report~~  
6048           ~~demonstrating that the operation of the incinerator will not result in any measurable~~  
6049           ~~degradation of air quality or of ground or surface water quality beyond any property line of~~  
6050           ~~the property upon which the incinerator is located.~~
- 6051           (5) ~~The applicant shall submit proof of receipt of at least conceptual or preliminary approval~~  
6052           ~~from all state and federal regulatory agencies having jurisdiction.~~
- 6053           (6) ~~The applicant shall submit the basic design of the incinerator and fire control facilities as~~  
6054           ~~a part of the site plan.~~
- 6055           (7) ~~If the incinerator is to be located within two (2) statute miles of the territorial~~  
6056           ~~boundaries of Clay County, Florida, the applicant must notify the adjacent local~~  
6057           ~~governments and the Northeast Florida Regional Council in the manner required by the~~  
6058           ~~Planning and Zoning Director or his designee, inviting their representatives to attend the~~  
6059           ~~pre-application conference. [Relocated to Sec. 3-F.11.]~~
- 6060   (h) ~~Design Criteria~~
- 6061           (1) ~~Each incinerator must be designed so that it meets and continues to meet all applicable~~  
6062           ~~rules, regulations and requirements of the applicable state and federal regulatory agencies.~~  
6063           ~~Each incinerator must be fully permitted by each such agency prior to construction and/or~~  
6064           ~~continued operation.~~
- 6065           (2) ~~Each incinerator must be designed with adequate on-site controls and facilities to prevent~~  
6066           ~~and contain fires. [Relocated to Sec. 3-D-9.2.c.(4). Design Criteria, IN Additional~~  
6067           ~~Standards]~~
- 6068   (i) ~~Rezoning and Site Plan Approval~~
- 6069           (1) ~~No rezoning shall be granted without the simultaneous approval by the Board of a site~~  
6070           ~~plan, which shall thereafter be deemed a part and condition of the zoning. In the~~  
6071           ~~approval of the site plan, specific parameters regarding size, capacity, burn rate, and~~  
6072           ~~other relevant matters may be established, and the materials to be incinerated shall be~~  
6073           ~~specified and limited. Any modification to the approved site plan may be considered by~~  
6074           ~~the Board only as a rezoning. [Relocated to Sec. 3- D-9.2.c.(5). Rezoning and Site~~  
6075           ~~Plan Approval, IN Additional Standards]~~
- 6076
- 6077   (j) ~~Moratorium. The Board hereby declares its intention to establish by ordinance a permitting process~~  
6078           ~~for incinerators subject to the provisions of this Section. The Board intends that said permit process~~  
6079           ~~shall function integrally with the zoning process. Therefore, the Board hereby declares and imposes~~  
6080           ~~a moratorium on rezoning under this Section until July 1, 1992, during which time said permitting~~  
6081           ~~ordinance may be developed and adopted. During the period of moratorium, no application for~~  
6082           ~~rezoning under this Section may be considered or submitted or considered by the staff, the~~  
6083           ~~Planning Commission, or the Board. [Deleted as the Moratorium period is expired]~~  
6084

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 6085 DIVISION 10 OVERLAYS AND SPECIAL STANDARDS

#### 6086 Sec. 3-D-10.1. Intent of Overlays and Special Standards

6087 The Independent Community Overlay (ICO), Conservation Overlay (CO) and Clay Hill Overlay provide  
6088 defined zoned areas that do not eliminate the underlying primary zoning, but expressly modify the standards  
6089 of the underlying zoning only as indicated. [Relocated from Sec. 3-43.(a)] Where provisions of the Overlay  
6090 and underlying district conflict, the Overlay shall have precedence. [Relocated from Sec. 3-45.(a)]

6091 The Wells Road Special Standards provide standards intended to preserve and promote the peace,  
6092 security, and economic success of a specific area. Where standards of the Special Standards conflict with  
6093 those of a particular zoning designation, the standards of the Special Standards will have precedence.  
6094 [Relocated from Sec. 3-47.(a)]

#### 6095 Sec. 3-D-10.2. Independent Community Overlay District (ICO)

##### 6096 3-D-10.2.a. ICO Intent

6097 All land designated as ICO is subject to the standards of this Section. Such areas may be established in  
6098 order to protect and encourage the improvement of owner-occupied, low-income housing areas that have  
6099 existed as independent communities historically in accordance with FLU Policy 1.8.5 of the Clay County  
6100 Comprehensive Plan. [Relocated from Sec. 3-43.(a)]

##### 6101 3-D-10.2.b. Criteria for ICO

- 6102 (1) Boundary. The community requesting Overlay approval shall be well defined and demonstrably  
6103 homogenous and distinct or independent of surrounding land uses or neighborhoods, and  
6104 predominantly Residential in nature. It shall possess a "community" character and community  
6105 attributes, such as a focal center, Commercial, social, recreational and/or Place of Worship uses.  
6106 (2) Dwelling Units. At least 30 percent of the dwelling units shall be substandard, as shown by a survey  
6107 of building conditions.  
6108 (3) Household Incomes. At least 30 percent of the households shall have incomes under 50 percent  
6109 of the median income of Clay County, or at least 50 percent of the households shall have incomes  
6110 under 80 percent of the median income of Clay County.  
6111 (4) Funding and Incentives. The community shall be eligible for Community Development Block Grant  
6112 (CDBG) or other funding, tax abatement, or other incentives which would enable rehabilitation and  
6113 upgrade of structures and/or infrastructure.  
6114 [Relocated from Sec. 3-43.(b)]

##### 6115 3-D-10.2.c. ICO Application Standards

6116 The procedure for obtaining approval of an ICO shall refer to Sec. 3-F-11. Application Submission  
6117 Standards.

##### 6118 3-D-10.2.d. ICO Uses and Conditions

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

6119 (1) *Lots of Record*  
 6120 (a) Lot of Record. For the purposes of the ICO, a lot of record shall mean a platted or non-  
 6121 platted piece, parcel, plot, or tract of land described by metes and bounds or other similar  
 6122 means in a legally recorded deed as of 12:01 a.m., July 1, 1991; provided, that with respect  
 6123 to any such lot, the recording of a deed subsequent to said date only for the purpose of  
 6124 correcting an error in the legal description or curing a defect in the chain of title shall not  
 6125 operate to divest it of its status as a lot of record.

### **3-D-10.2.e. ICO Development Standards**

<u>(1)</u>	<u>Lots of Record Created Prior to October 23, 1973<sup>1</sup>:</u>	
	<u>(a) Minimum Lot Dimensions:</u>	
	<u>(i) Lot width:</u>	50 feet [From Sec. 3-43.(d)(1)(ii)(a)]
	<u>(ii) Lot depth:</u>	75 feet [From Sec. 3-43.(d)(1)(ii)(a)]
	<u>(iii) Lot size:</u>	5,000 square feet [From Sec. 3-43.(d)(1)(ii)(a)]
	<u>(b) Minimum Setbacks:</u>	
	<u>(i) Front:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
	<u>(ii) Side:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
	<u>(iii) Rear:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
<u>(2)</u>	<u>Lots of Record Created Between October 23, 1973, and June 30, 1991<sup>1</sup>:</u>	
	<u>(a) Minimum Lot Dimensions:</u>	
	<u>(i) Lot size:</u>	<u>Shall be consistent with the underlying zoning district standards in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]</u>
	<u>(b) Minimum Setbacks:</u>	
	<u>(i) Front:</u>	<u>Shall be consistent with the underlying zoning district standards in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]</u>
	<u>(ii) Side:</u>	<u>Shall be consistent with the underlying zoning district standards in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>(iii)</u>	<u>Rear:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time <b>[From Sec. 3-43.(d)(1)(ii)(b)]</b>
<u>(3)</u>	<u>Lots of Record Created</u> on or after July 1, 1991:		
	<u>(a)</u>	<u>Minimum Setbacks:</u>	
	<u>(i)</u>	<u>Front:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time <b>[From Sec. 3-43.(d)(1)(ii)(b)]</b>
	<u>(ii)</u>	<u>Side:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time <b>[From Sec. 3-43.(d)(1)(ii)(b)]</b>
	<u>(iii)</u>	<u>Rear:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time <b>[From Sec. 3-43.(d)(1)(ii)(b)]</b>

**Footnotes:**

1 One dwelling unit may be constructed on unimproved lots of record provided the applicable land development standards are met.

6127 **3-D-10.2.f. ICO Permitted Use Standards**

6128 *All Permitted Uses shall be consistent with the underlying zoning district. However, Non-Commercial*  
 6129 *Agricultural uses, such as the keeping of horses, pigs, chickens, and the like, shall be permitted only in*  
 6130 *communities where they have historically been kept and are currently being kept as common practice*  
 6131 *acceptable to community members, and shall conform to the following:*

	<u>(1)</u>	<u>Minimum setbacks:</u>	
	<u>(a)</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's underlying zoning district, if applicable</u>
	<u>(b)</u>	<u>Animal enclosure or insect hive:</u>	<u>From any adjacent Residential dwelling under separate ownership or occupancy:</u> 100 feet <sup>2</sup> <b>[From Sec. 3-43.(d)(1)(iii)]</b>
		<u>From any Residential dwelling under separate ownership or occupancy when separated by an existing street or roadway:</u>	150 feet <sup>2</sup> <b>[From Sec. 3-43.(d)(1)(iii)(b)]</b>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>(2)</u> <u>Maximum number of animals</u> <sup>1,3</sup> .	
	<u>(a)</u> Per 1/2 acre of land:	1 insect hive or 1 adult customary farm animal [From Sec. 3-43.(d)(1)(iii)]
	<u>(b)</u> Per 1/5 acre of land:	1 domestic animal [From Sec. 3-43.(d)(1)(iii)]

**Footnotes:**

<u>1</u>	<u>Non-Commercial</u> breeding, raising, grazing, and keeping of animals, fowl, and insects including, but not limited to, customary farm animals similar to horses, cattle, goats, pigs, rabbits, insects, or poultry and domestic animals similar to dogs, cats, or birds 6 months of age or older shall be permitted to be raised, grazed, kept or maintained. [Relocated from Sec. 3-43.(1)(iii)]
<u>2</u>	If said <u>Residential</u> dwelling is constructed subsequent to any of the aforementioned animal enclosures or hives, which may be located on an abutting lot or parcel, then the 100-foot separation shall be deemed non-applicable and the appropriate property setbacks as established herein, shall apply. [From Sec. 3-43.(d)(1)(iii)]
<u>3</u>	The farm or domestic animals or hives referenced herein shall be raised, grazed, kept, or otherwise maintained upon the same parcel upon which the main residence is located, or may be upon another parcel which lies immediately abutting the parcel upon which the main residence is located. [From Sec. 3-43.(d)(1)(iii)]

6132 **3-D-10.2.g. ICO Additional Use Standards**

- 6133 (1) Fencing. A fenced enclosure for any permitted customary farm animal shall be erected not less than 5 feet from adjoining properties, except as otherwise provided in this Article. [From Sec. 3-43.(d)(1)(iii)(a)]
- 6134
- 6135
- 6136 (2) Licensure. The keeping and maintenance of all animals as set forth herein shall conform with all State, County and Local standards and requirements affecting such concerns as, but not limited to, health, safety, drainage, and environmental protection. [From Sec. 3-43.(d)(1)(iii)(c)]
- 6137
- 6138
- 6139 (3) Non-Conformities.
- 6140 (a) Primary dwelling units and customary accessory buildings existing as of July 1, 1991, which are located on lots of size and dimension consistent with 3-D-Q.2.d.(1)(b)iii. above may be replaced if destroyed or damaged. Mobile homes are allowed. Alteration or expansion of such a dwelling unit is permitted. [From Sec. 3-43.(d)(3)]
- 6141
- 6142
- 6143
- 6144 (b) Additional dwelling units existing on Non-Conforming lots may not be expanded or replaced. No additional dwelling units may be constructed or moved on a lot where a dwelling unit already exists unless the existing lot can be divided to create a separately
- 6145
- 6146

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6147                    *deeded conforming lot or an heirs or homestead exemption lot of a size meeting the*  
6148                    *requirements set forth in item e below. [From Sec. 3-43.(d)(4)]*  
6149    (4)    Water and Sewer. *New dwelling units must connect to existing water and sewer service, if available,*  
6150                    *or must be able to secure a septic tank permit. [From Sec. 3-43.(d)(5)]*  
6151    (5)    Heirs Exemptions. *Refer to Sec. 3-C-4.1. Heirs Exemption. Permits in the RR and AR FLU*  
6152                    *Categories, which are allowed as a result of the policy, shall be included in the Countywide cap of*  
6153                    *250 Single-Family permits for Agriculture/Residential areas. [From Sec. 3-10.(h)(5)]*

### 6154    **Sec. 3-43. INDEPENDENT COMMUNITY OVERLAY (ZONE ICO)**

- 6155    (a)    ~~Intent. All land designated as Zone ICO is subject to the regulations of this Section as well as Sec.~~  
6156                    ~~20.3-10. Such areas may be established in order to protect and encourage the improvement of~~  
6157                    ~~owner-occupied, low-income housing areas that have existed as independent communities~~  
6158                    ~~historically in accordance with Future Land Use Policy 1.8.5 of the Clay County Comprehensive~~  
6159                    ~~Plan. This overlay zone does not eliminate the underlying primary zoning, but expressly modifies~~  
6160                    ~~the requirements of the underlying zoning only as indicated. [Deleted and portions relocated to~~  
6161                    ~~Sec. 3-D-10.1. Intent of Overlays and Special Standards and Sec. 3-D-10.2.a. ICO Intent]~~  
6162    (b)    ~~Criteria For Overlay Zone.~~  
6163                    (1)    ~~The community requesting overlay approval must be well defined and demonstrably~~  
6164                    ~~homogenous and distinct or independent of surrounding land uses or neighborhoods, and~~  
6165                    ~~predominantly residential in nature. It must possess a "community" character and~~  
6166                    ~~community attributes, such as a focal center, commercial, social, recreational and/or~~  
6167                    ~~church uses.~~  
6168                    (2)    ~~At least thirty (30) percent of the dwelling units must be substandard, as shown by a survey~~  
6169                    ~~of building conditions.~~  
6170                    (3)    ~~At least thirty (30) percent of the households must have incomes under 50 percent of the~~  
6171                    ~~median income of Clay County, or at least fifty (50) percent of the households must have~~  
6172                    ~~incomes under eighty (80) percent of the median income of Clay County.~~  
6173                    (4)    ~~The community must be eligible for CDBG or other funding, tax abatement or other~~  
6174                    ~~incentives which would enable rehabilitation and upgrade of structures and/or~~  
6175                    ~~infrastructure.~~  
6176                    **[Relocated to Sec. 3-D-10.2.b. Criteria for ICO]**  
6177    (c)    ~~Procedure for Approval of Independent Community Overlay. The procedure for obtaining approval~~  
6178                    ~~of an Independent Community Overlay shall be as follows:~~  
6179                    (1)    ~~The applicant shall submit the request for approval of an Independent Community Overlay~~  
6180                    ~~with the following exhibits:~~  
6181                    (i)    ~~A vicinity map(s) showing the Independent Community Overlay, relationship to~~  
6182                    ~~surrounding streets and thoroughfares, existing zoning on the site and surrounding~~  
6183                    ~~areas, and existing land uses on the site and surrounding areas.~~  
6184                    (ii)    ~~A boundary survey map indicating with reasonable certainty the location of the~~  
6185                    ~~proposed overlay.~~  
6186                    (iii)    ~~A list showing the parcel identification numbers of all parcels which would be~~  
6187                    ~~included in the overlay zone.~~  
6188                    (iv)    ~~A survey of existing building conditions showing the number and locations,~~  
6189                    ~~addresses and ownership of substandard dwelling units, and their potential for~~  
6190                    ~~rehabilitation according to the definitions in Housing Policy 1.2.2 of the Clay County~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6191 *Comprehensive Plan. A location map showing parcel boundaries and location of*  
6192 *substandard units shall be included. The criteria for determining whether a dwelling*  
6193 *unit is substandard based on external structural conditions are found in Table 14*  
6194 *of the Housing Element of the Clay County Comprehensive Plan. The survey*  
6195 *results may be verified by Clay County staff using the criteria in the Standard*  
6196 *Existing Buildings Code (SBCCT) after the application for ICO status is received*  
6197 *and/or approved.*
- 6198 (v) ~~A survey or other documentation which indicates the number and percent of~~  
6199 ~~households within the proposed overlay boundaries with incomes under fifty (50)~~  
6200 ~~percent of the median income of Clay County, and the number and percent of~~  
6201 ~~households with incomes under eighty (80) percent of the median income of Clay~~  
6202 ~~County.~~
- 6203 (vi) ~~Such other documents or statistical information deemed necessary or pertinent to~~  
6204 ~~the application by the applicant or County officials.~~
- 6205 (2) ~~Thereafter, the application shall be processed as any other zoning application in~~  
6206 ~~accordance with the provisions of these Regulations. The County may request further~~  
6207 ~~information as necessary to enable informed consideration of the request, and may~~  
6208 ~~approve, disapprove, or modify and approve the proposed Independent Community~~  
6209 ~~Overlay.~~
- 6210 **[Relocated to Sec. 3-F-11. Application Submission Standards]**
- 6211 (d) ~~Permitted Uses and Conditions.~~
- 6212 (1) ~~Lots of Record~~
- 6213 (i) ~~For the purposes of the independent community overlay, a lot of record shall mean~~  
6214 ~~a platted or non-platted piece, parcel, plot, or tract of land described by metes and~~  
6215 ~~bounds or other similar means in a legally recorded deed as of 12:01 a.m., July 1,~~  
6216 ~~1991; provided, that with respect to any such lot, the recording of a deed~~  
6217 ~~subsequent to said date only for the purpose of correcting an error in the legal~~  
6218 ~~description or curing a defect in the chain of title shall not operate to divest it of its~~  
6219 ~~status as a lot of record. [Deleted and portions relocated to Sec. 3-D-10.2.d.~~  
6220 ~~ICO Uses and Conditions]~~
- 6221 (ii) ~~One dwelling unit may be constructed on unimproved lots of record provided the~~  
6222 ~~following criteria are met: [Deleted and portions relocated to Footnote 1]~~
- 6223 a. ~~For lots of record created prior to October 23, 1973, lot size must be no less than~~  
6224 ~~five thousand (5,000) square feet, lot width must be no less than~~  
6225 ~~fifty (50) feet, and lot depth must be no less than seventy-five (75) feet.~~  
6226 ~~Front building lines and setbacks from side and rear property lines shall~~  
6227 ~~conform to the requirements of Sec. 20.3-7 and other applicable sections~~  
6228 ~~of this Article.~~
- 6229 b. ~~For lots of record created between October 23, 1973, and June 30, 1991,~~  
6230 ~~lot size must be consistent with the minimums applicable to the property~~  
6231 ~~on June 30, 1991. Front building lines and setbacks must be consistent~~  
6232 ~~with the underlying zoning district regulations in effect at that time (see~~  
6233 ~~Sec. 20.3-11). [Deleted and portions Relocated to Sec. 3-D-10.2.e. ICO~~  
6234 ~~Development Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6235 (iii) ~~Permitted uses must be consistent with the underlying zoning district. However,~~  
6236 ~~non-commercial agricultural uses, such as the keeping of horses, pigs, chickens~~  
6237 ~~and the like, shall be permitted only in communities where they have historically~~  
6238 ~~been kept and are currently being kept as common practice acceptable to~~  
6239 ~~community members, and shall conform to the following: [Relocated to Sec. 3-D-~~  
6240 ~~10.2.f. ICO Permitted Use Standards]~~  
6241 ~~The breeding, raising, grazing, and keeping of animals, fowl, and insects including,~~  
6242 ~~but not limited to, customary farm animals similar to horses, cattle, goats, pigs,~~  
6243 ~~rabbits, insects, or poultry and domestic animals similar to dogs, cats, or birds.~~  
6244 ~~[Relocated to Sec. 3-D-10.2.f. ICO Permitted Use Standards, Footnote 1]~~  
6245 ~~Provided, however, that no more than one (1) insect hive or one (1) adult~~  
6246 ~~customary farm animal [Relocated to Sec. 3-D-10.2.f. ICO Permitted Use~~  
6247 ~~Standards] six (6) months of age or older [Relocated to Sec. 3-D-10.2. ICO~~  
6248 ~~Permitted Use Standards, Footnote 1], per each onehalf (1/2) acre (21,780 sq.~~  
6249 ~~ft.) of land, and no more than one (1) domestic animal [Relocated to Sec. 3-D-~~  
6250 ~~10.2.f. ICO Permitted Use Standards] six (6) months of age or older [Relocated~~  
6251 ~~to Sec. 3-D-10.2. ICO Permitted Use Standards, Footnote 1] per each one fifth~~  
6252 ~~(1/5) acre (8,712 sq. ft.) [Relocated to Sec. 3-D-10.2.f. ICO Permitted Use~~  
6253 ~~Standards] shall be raised, grazed, kept, or maintained, and provided further, that~~  
6254 ~~no animal pen, stall, stable, cage, kennel, or other similar animal enclosure, nor~~  
6255 ~~insect hive shall be nearer than one hundred (100) feet from any residential~~  
6256 ~~dwelling under different ownership or occupancy. [Relocated to Sec. 3-D-10.2.f.~~  
6257 ~~ICO Permitted Use Standards] If said residential dwelling is constructed~~  
6258 ~~subsequent to any of the aforementioned animal enclosures or hives, which may~~  
6259 ~~be located on an abutting lot or parcel, then the one hundred (100) foot separation~~  
6260 ~~shall be deemed non-applicable and the appropriate property setbacks as~~  
6261 ~~established herein, shall apply. [Relocated to Sec. 3-D-10.2.f. ICO Permitted~~  
6262 ~~Use Standards, Footnote 2] The farm or domestic animals or hives referenced~~  
6263 ~~herein shall be raised, grazed, kept, or otherwise maintained upon the same parcel~~  
6264 ~~upon which the main residence is located, or may be upon another parcel which~~  
6265 ~~lies immediately abutting the parcel upon which the main residence is located.~~  
6266 ~~[Relocated to Sec. 3-D-10.2. ICO Permitted Use Standards, Footnote 3]~~
- 6267 ~~The keeping of animals as set forth herein shall be subject to the following~~  
6268 ~~restrictions:~~
- 6269 a. ~~A fenced enclosure for any permitted customary farm animal shall be~~  
6270 ~~erected not less than five (5) feet from adjoining properties, except as~~  
6271 ~~otherwise provided for below. [Relocated to Sec. 3-D-10.2.g. ICO~~  
6272 ~~Additional Use Standards]~~
- 6273 b. ~~No animal shelter, stall, stable, kennel, cage, hive, or other similar~~  
6274 ~~enclosure shall be less than one hundred fifty (150) feet from the~~  
6275 ~~residential dwelling of a different property owner when such dwelling is~~  
6276 ~~separated by an existing street or roadway. [Relocated to Sec. 3-D-~~  
6277 ~~10.2.f. ICO Permitted Use Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6278 ~~e. The keeping and maintenance of all animals as set forth herein shall~~  
6279 ~~conform with all State, County and Local regulations and requirements~~  
6280 ~~affecting such concerns as, but not limited to, health, safety, drainage and~~  
6281 ~~environmental protection. [Relocated to Sec. 3-D-10.2.g. ICO Additional~~  
6282 ~~Use Standards]~~
- 6283 ~~(2) Lots recorded on or after July 1, 1991.~~  
6284 ~~(i) Lot size and dimensions must be consistent with the underlying zoning district.~~  
6285 ~~Front building lines and setbacks must be consistent with the underlying zoning~~  
6286 ~~district. [Deleted and portions relocated to Sec. 3-D-10.2.e. ICO Development~~  
6287 ~~Standards]~~
- 6288 ~~(ii) Permitted uses must be consistent with the underlying zoning district. [Relocated~~  
6289 ~~to Sec. 3-D-10.2.f. ICO Permitted Use Standards]~~
- 6290 ~~(3) Primary dwelling units and customary accessory buildings existing as of July 1, 1991, which~~  
6291 ~~are located on lots of size and dimension consistent with (c)(1)(ii)(a) or (c)(1)(ii)(b) above~~  
6292 ~~may be replaced if destroyed or damaged. Mobile homes are allowed. Alteration or~~  
6293 ~~expansion of such a dwelling unit is permitted.~~
- 6294 ~~(4) Additional dwelling units existing on non-conforming lots may not be expanded or replaced.~~  
6295 ~~No additional dwelling units may be constructed or moved on a lot where a dwelling unit~~  
6296 ~~already exists unless the existing lot can be divided to create a separately deeded~~  
6297 ~~conforming lot or an heirs or homestead exemption lot of a size meeting the requirements~~  
6298 ~~set forth in item (6) below.~~
- 6299 ~~(5) New dwelling units must connect to existing water and sewer service, if available, or must~~  
6300 ~~be able to secure a septic tank permit. [Relocated to Sec. 3-D-10.2.g. ICO Additional~~  
6301 ~~Use Standards]~~
- 6302 ~~(6) Future Land Use Element Policies 1.9.6 (heirs exemption) and 1.9.7 (homestead exemption) of the~~  
6303 ~~Clay County 2040 Comprehensive Plan will be applicable to the lots within the overlay zone. Within~~  
6304 ~~the overlay zone heirs lots must be at least one (1) acre in size, and homestead lots must be at~~  
6305 ~~least two and one-half (2 1/2) acres in size. No more than two (2) such lots may be sold or~~  
6306 ~~transferred within a single calendar year without conformance to subdivision requirements.~~  
6307 ~~[Deleted]~~

### **Sec. 3-D-10.3. Conservation Overlay (CO)**

#### **3-D-10.3.a. CO Intent**

6310 All land designated as CO is subject to the standards of this Section. Such areas have been established in  
6311 order to protect wetland areas from the adverse effects of development in accordance with FLU Policy 1.1.6  
6312 and Conservation Policy 1.5.13 of the Clay County Comprehensive Plan. [Relocated from Sec. 3-45.(a)]

#### **3-D-10.3.b. Boundary Determination of CO**

6314 (1) The CO District consists of those areas underlain by hydric soils as defined by the Soil Conservation  
6315 Service (SCS) and as referenced by Rule 40C-4 of the St. Johns River Water Management District  
6316 (SJRWMD) for Clay County listed below:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<b>Soil #</b>	<b>Soil Name</b>
11	<i>Allanton and Rutledge mucky fine sands</i>
12	<i>Surrency fine sand, depressional</i>
25	<i>Maurepas muck, frequently flooded</i>
27	<i>Santee fine sandy loam, frequently flooded</i>
28	<i>Rutledge-Osier complex, frequently flooded</i>
29	<i>Surrency fine sand, frequently flooded</i>
38	<i>Meadowbrook fine sand, frequently flooded</i>
39	<i>Osier fine sand, occasionally flooded</i>
42	<i>Plummer fine sand, depressional</i>
46	<i>Sapelo-Meadowbrook complex, frequently flooded</i>
49	<i>Meggett fine sandy loam, frequently flooded</i>
52	<i>Allanton fine sand, frequently flooded</i>
58	<i>Wesconnett fine sand, frequently flooded</i>
61	<i>Santee fine sandy loam, frequently flooded</i>

- 6317 (2) The depiction of the Conservation Land Use Category on the adopted FLUM is intended as a  
 6318 generalized locator only. To better determine the extent of the CO District, a property owner or  
 6319 authorized agent may rely upon the limits as depicted in the SCS County Soil Survey Atlas or the  
 6320 owner or agent may request a field determination of hydric soil boundaries from the Soil  
 6321 Conservation Service either by hand delivery or certified mail. If the SCS Soil Survey Atlas is not  
 6322 utilized, the following information shall be submitted to the Planning and Zoning Department:  
 6323 (a) A survey or proposed plat of the parcel with accompanying legal description and parcel  
 6324 identification number from the property appraiser's office.  
 6325 (b) The delineation of hydric soils on the survey as approved by the SCS.  
 6326 **[Relocated from Sec. 3-45.(b)]**

### **3-D-10.3.c. CO Development Standards**

6328 Development Standards. Lot and building requirements shall be consistent with the underlying zoning  
 6329 district.

### **3-D-10.3.d. CO Uses**

6331 Use of the lands within the CO District shall be consistent with the underlying zoning provided the underlying  
 6332 zoning is an AR or other Residential zoning district, or a Residential component of a PUD as defined in  
 6333 Sec. 1-15.P.(18). All applicable regulatory permits shall be obtained prior to any use within the CO District.

6334 (1) Permitted Uses.

<u>Residential development:</u>	<u>1 unit per 100 acres<sup>1</sup></u>
<u>Boardwalks and nature trails</u> <b>[From Sec. 3-45.(c)]</b>	<b>[From Sec. 3-45.(c)]</b>
<u>Silvicultural activities utilizing <u>Best Management Practices (BMP)</u></u>	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

[From Sec. 3-45.(c)]

Use as a stormwater “treatment wetland” pursuant to applicable state permits [From Sec. 3-45.(c)]

Passive recreation [From Sec. 3-45.(d)]

Footnotes:

1 Subject to obtaining permits from DER, COE, and/or SJRWMD. [Relocated from Sec. 3-45.(c)(1)]

(2) Conditional Uses.

<u>Home Occupations</u>	<u>Refer to Sec. 3-E-9.6.</u>
<u>Mobile Home for Medical Hardship</u>	<u>Refer to Sec. 3-E-9.8.</u>
<u>Swimming Pool and Spa (Residential)</u>	<u>Refer to Sec. 3-F.8.5.</u>

6335 **Sec. 3-45. CONSERVATION OVERLAY (ZONE CO)**

6336 ~~(a) Intent. All land with a Conservation Overlay zoning designation is subject to the regulations of this~~  
 6337 ~~Section as well as Sec. 20.3-10. Such areas have been established in order to protect wetland~~  
 6338 ~~areas from the adverse effects of development in accordance with Future Land Use Policy 1.1.6~~  
 6339 ~~and Conservation Policy 1.5.13 of the Clay County Comprehensive Plan. The Conservation~~  
 6340 ~~Overlay will add regulations to those already in place for said land pursuant to the underlying zoning~~  
 6341 ~~district. Where provisions of the Overlay and underlying district conflict, the Overlay will have~~  
 6342 ~~precedence. [Deleted and portions relocated to Sec. 3-D-10.1. Intent of Overlays and Special~~  
 6343 ~~Standards and Sec. 3-D-10.3.a. CO Intent]~~

6344 ~~(b) Determination of Conservation Boundaries.~~

6345 ~~(1) The Conservation Overlay Zone consists of those areas underlain by hydric soils as~~  
 6346 ~~defined by the Soil Conservation Service (SCS) and as referenced by Rule 40C-4 of the~~  
 6347 ~~St. Johns River Water Management District for Clay County listed below:~~

6348	<u>Soil #</u>	<u>Soil Name</u>
6349	<u>11</u>	<u>Allanton and Rutledge mucky fine sands</u>
6350	<u>12</u>	<u>Surrency fine sand, depressional</u>
6351	<u>25</u>	<u>Maurepas muck, frequently flooded</u>
6352	<u>27</u>	<u>Pamlico muck</u>
6353	<u>28</u>	<u>Santee fine sandy loam, frequently flooded</u>
6354	<u>29</u>	<u>Rutledge Osier complex, frequently flooded</u>
6355	<u>38</u>	<u>Surrency fine sand, frequently flooded</u>
6356	<u>39</u>	<u>Meadowbrook fine sand, frequently flooded</u>
6357	<u>42</u>	<u>Osier fine sand, occasionally flooded</u>
6358	<u>46</u>	<u>Plummer fine sand, depressional</u>
6359	<u>49</u>	<u>Sapelo-Meadowbrook complex, frequently flooded</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6360 52 ~~\_\_\_\_\_~~ *Meggett fine sandy loam, frequently flooded*
- 6361 58 ~~\_\_\_\_\_~~ *Allanton fine sand, frequently flooded*
- 6362 61 ~~\_\_\_\_\_~~ *Wesconnott fine sand, frequently flooded*
- 6363 (2) ~~The depiction of the Conservation Land Use Category on the adopted Future Land Use~~
- 6364 ~~Map is intended as a generalized locator only. To better determine the extent of the~~
- 6365 ~~Conservation Overlay Zone, a property owner or authorized agent may rely upon the limits~~
- 6366 ~~as depicted in the SCS County Soil Survey Atlas or the owner or agent may request a field~~
- 6367 ~~determination of hydric soil boundaries from the Soil Conservation Service either by hand~~
- 6368 ~~delivery or certified mail. If the SCS Soil Survey Atlas is not utilized, the following~~
- 6369 ~~information shall be submitted to the Planning and Zoning Department:~~
- 6370 (i) ~~A survey or proposed plat of the parcel with accompanying legal description and~~
- 6371 ~~parcel identification number from the property appraiser's office.~~
- 6372 (ii) ~~The delineation of hydric soils on the survey as approved by the SCS.~~
- 6373 **[Deleted and portions relocated to Sec. 3-D-10.3.b. Boundary Determination of CO]**
- 6374 (e) ~~Uses Permitted by Right:~~
- 6375 (1) ~~Residential development at a density of one unit per one hundred (100) acres will be~~
- 6376 ~~allowed subject to obtaining permits from DER, COE, and/or SJRWMD.~~
- 6377 (2) ~~Boardwalks and nature trails.~~
- 6378 (3) ~~Silvicultural activities utilizing BMP's.~~
- 6379 (4) ~~Use as a stormwater "treatment wetland" pursuant to applicable state permits.~~
- 6380 **[Relocated to Sec. 3-D-10.3.d. CO Uses]**
- 6381 (d) ~~Consistency with Underlying Districts. Use of the lands within the Conservation Overlay shall be~~
- 6382 ~~consistent with the underlying zoning provided the underlying zoning is an Agricultural/Residential~~
- 6383 ~~or other residential zoning district, or a residential component of a PUD as defined in Sec. 20.3-33.~~
- 6384 ~~In addition, passive recreation shall be allowed. All applicable regulatory permits must be obtained~~
- 6385 ~~prior to any use within the Conservation Overlay. [Relocated to Sec. 3-D-10.3.d. CO Uses]~~
- 6386 (e) ~~Conditional Uses. The following uses are permitted in the Conservation Overlay subject to the~~
- 6387 ~~conditions in Sec. 20.3-5. All applicable regulatory permits must be obtained prior to use.~~
- 6388 (1) ~~Home Occupations~~
- 6389 (2) ~~Mobile Home for Medical Hardship~~
- 6390 (3) ~~Swimming Pools (residential)~~
- 6391 **[Relocated to Sec. 3-D-10.3.d. CO Uses]**
- 6392 (f) ~~Prohibited Uses. Any use not specifically permitted in paragraphs (c), (d), and (e) above. [Deleted]~~
- 6393 (g) ~~Lot and Building Requirements. These requirements shall be consistent with the underlying zoning~~
- 6394 ~~district. [Relocated to Sec. 3-D-10.3.d. CO Uses]~~

### **Sec. 3-D-10.4. Wells Road Special Standards**

#### **3-D-10.4.a. Intent of Wells Road Special Standards**

6397 The standards of this Section are intended to preserve and promote the peace, security, and economic

6398 success of the densely populated lands adjacent to portions of Wells Road as well as the intensive

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

6399 Commercial activities and high employment therein. These standards are in addition to those already in  
6400 place for such lands based upon their respective zoning district. [Relocated from Sec. 3-47.(a)]

### 6401 3-D-10.4.b. Applicability

6402 The standards of this Section shall apply to any parcel of land that lies in whole or in part within 500 feet of  
6403 any portion of the right-of-way of the section of Wells Road extending from the municipal limits of the Town  
6404 of Orange Park west to a line across the width of said right-of-way that is perpendicular to the centerline  
6405 thereof and passes through the point on said centerline that lies 750 feet west of the intersection of the  
6406 centerlines of Wells Road and State Road 21, all as now established. [Relocated from Sec. 3-47.(b)]

### 6407 3-D-10.4.c. Wells Road Uses and Conditions

6408 (1) Uses. Large lounges are prohibited on any parcel of land to which this Section is applicable under  
6409 Sec. 3-D-10.4.b. Applicability.

6410 (2) Sunset. Any other provisions of this Article to the contrary notwithstanding, any large lounge in  
6411 active operation on any parcel of land to which this Section is applicable under Sec. 3-D-10.4.b.  
6412 Applicability as of the effective date of this Section shall be deemed to be a Non-Conforming use  
6413 of land until the date that is 5 calendar years following the effective date of this Section, whereupon  
6414 it shall become unlawful and must cease operations. During the 5-year period of non-conformity,  
6415 such use may lawfully continue, subject to the provisions and limitations set forth in Part B Non-  
6416 Conformities hereof.

### 6417 Sec. 3-47 SPECIAL REGULATIONS FOR WELLS ROAD

6418 (a) ~~Intent. The regulations of this Section 3-47 are intended to preserve and promote the peace,~~  
6419 ~~security and economic success of the densely populated lands adjacent to portions of Wells Road~~  
6420 ~~as well as the intensive commercial activities and high employment therein. These regulations are~~  
6421 ~~in addition to those already in place for such lands based upon their respective zoning designations.~~  
6422 ~~Where regulations of this Section 3-47 conflict with those of a particular zoning designation, the~~  
6423 ~~regulations of this Section 3-47 will have precedence. [Relocated to Sec. 3-D-10.1. Intent of~~  
6424 ~~Overlays and Special Standards and Sec. 3-D-10.4.a. Intent of Wells Road Special~~  
6425 ~~Standards]~~

6426 (b) ~~Applicability. The regulations of this Section 3-47 apply to any parcel of land that lies in whole or in~~  
6427 ~~part within 500 feet of any portion of the right of way of the section of Wells Road extending from~~  
6428 ~~the municipal limits of the Town of Orange Park west to a line across the width of said right of way~~  
6429 ~~that is perpendicular to the centerline thereof and passes through the point on said centerline that~~  
6430 ~~lies 750 feet west of the intersection of the centerlines of Wells Road and State Road 21, all as now~~  
6431 ~~established. [Deleted and portions relocated to Sec. 3-D-10.4.b. Applicability]~~

6432 (c) ~~Definitions. As used in subsections (d) and (e), the following terms and phrases shall have the~~  
6433 ~~meanings herein ascribed:~~

6434 (1) ~~Alcoholic beverage establishment means a place, business or other establishment selling~~  
6435 ~~and serving alcoholic beverages for consumption on premises. [Relocated to Sec. 1-~~  
6436 ~~15.A.(19)]~~

6437 (2) ~~Alcoholic beverages means distilled spirits and all beverages containing one half of 1~~  
6438 ~~percent or more alcohol by volume. [Relocated to Sec. 1-15.A.(18)]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6439            ~~(3) Large lounge means any alcoholic beverage establishment to both of the following criteria~~  
6440            ~~apply:~~  
6441            ~~(i) it is operating under a 4COP quota license issued by the Florida Division of~~  
6442            ~~Alcoholic Beverages and Tobacco or its successor in function; and,~~  
6443            ~~(ii) the area of its licensed premises is greater than 4,750 square feet.~~  
6444            **[Relocated to Sec. 1-15.L.(7)]**  
6445            ~~(4) Licensed premises means the licensed premises of an alcoholic beverage establishment~~  
6446            ~~within the meaning of Section 561.01(11), Florida Statutes, or its successor in function.~~  
6447            **[Relocated to Sec. 1-15.L.(9)]**  
6448            ~~(d) Prohibited Use. Large lounges are prohibited on any parcel of land to which this Section 3-47 is~~  
6449            ~~applicable under subsection (b). [Deleted and portions relocated to Sec. 3-D-10.4.c. Wells Road~~  
6450            ~~Uses and Conditions]~~  
6451            ~~(e) Sunset. Any other provisions of this Article III to the contrary notwithstanding, any large lounge in~~  
6452            ~~active operation on any parcel of land to which this Section 3-47 is applicable under subsection (b)~~  
6453            ~~as of the effective date of this Section 3-47 shall be deemed to be a nonconforming use of land~~  
6454            ~~until the date that is five calendar years following the effective date of this Section 3-47, whereupon~~  
6455            ~~it shall become unlawful and must cease operations. During the five year period of nonconformity,~~  
6456            ~~such use may lawfully continue, subject to the provisions and limitations set forth in Section 3-11~~  
6457            ~~hereof. [Relocated Sec. 3-D-10.4.c. Wells Road Uses and Conditions]~~

### **Sec. 3-D-10.5. Clay Hill Overlay**

#### **3-D-10.5.a. Subject Area**

6460            *The Subject Area is County Road 218 from Carter Spencer Road to US 301 and CR 217 from CR 218 to*  
6461            *the Duval County line, as shown below. The portion of all parcels, within 600 feet of these rights-of-way, is*  
6462            *proposed for application of the overlay district. Properties within Residential, Agriculture and the Public*  
6463            *Ownership zoning districts are not subject to following design guidelines. However, developers of any*  
6464            *publicly held property are encouraged to provide a courtesy review to the Clay Hill Community Association*  
6465            *as early in the design process as possible.*

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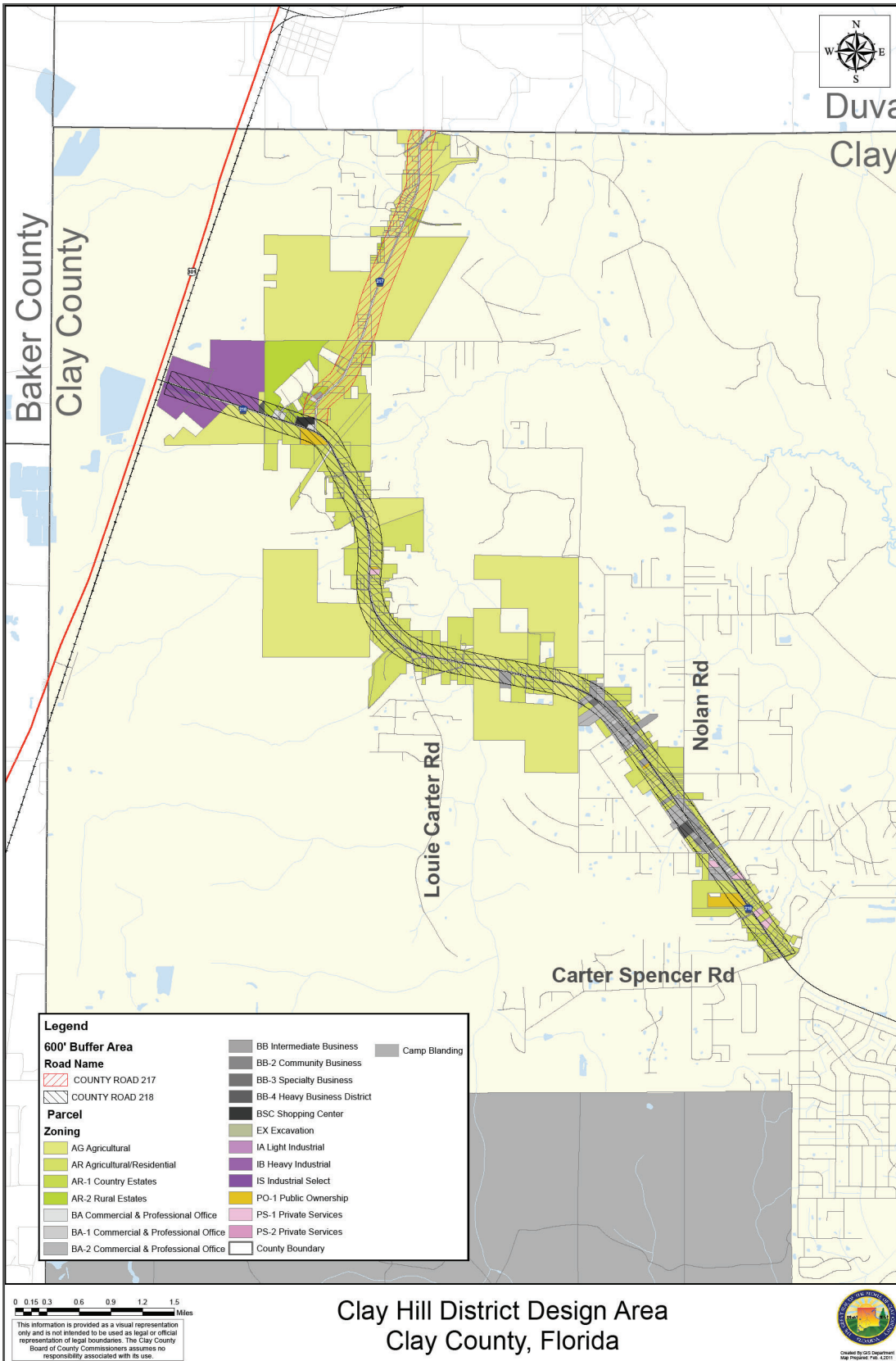
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

### **3-D-10.5.b. Purpose**

6467  
6468 *To establish design standards for the visual and functional development of non-residential zoned property*  
6469 *within the Clay Hill unincorporated area of Clay County, Florida.*

### **3-D-10.5.c. Intent**

6471 *The Clay Hill Community Association has expressed the desire that the commercial areas in the*  
6472 *unincorporated community of Clay Hill, located in northwestern Clay County, retain the rural character by*  
6473 *encouraging a “rustic, Florida vernacular or cracker theme” in the design of new construction and expansion*  
6474 *of retail, office, industrial and other non-residential developments in the overlay district. These architectural*  
6475 *design standards are intended to maintain the character of the Clay Hill Community by addressing issues*  
6476 *of style, scale, massing, building articulation, roof pitch, doors, windows and building orientation. They are*  
6477 *intended to strengthen the identity of the Clay Hill neighborhood by reinforcing the rustic, rural character of*  
6478 *the Clay Hill Community utilizing the Florida Vernacular Wooden Cracker Style and its successors, Key*  
6479 *West and Greek Revival as the dominant style of the community. Additional strategies include standards*  
6480 *for lighting, and signage. The adoption of such standards will improve the health, safety and welfare of the*  
6481 *Clay Hill Neighborhood by providing a cohesive neighborhood design and streetscape.*

### **3-D-10.5.d. Status Review**

6482  
6483 *Clay Hill is comprised of two rural areas, Clay Hill, located between Long Horn Road and US 301 and Duck*  
6484 *Pond located between Carter Spencer Road and Long Horn Road. Jennings National Forest provides a*  
6485 *natural break between the two communities. In both areas the primary historic activity has been lumber and*  
6486 *turpentine. Wilkinson Elementary and Junior High Schools and Clay Hill Elementary School are located*  
6487 *along CR 218 within the study area. Currently property along CR 218 is generally divided into smaller*  
6488 *parcels. Neither area historically had a town center but there were at least two grocery store/gas stations,*  
6489 *such as the Jim-Budd Store shown on the cover. This history suggests that a rustic/cracker/Florida*  
6490 *vernacular style would be appropriate for infill commercial development and redevelopment in order to*  
6491 *provide a more unified look to the community.*

6492 *There has been increasing non-residential development of the area extending from unincorporated*  
6493 *Middleburg. The character of the newer development has included warehouses and industrial uses, large*  
6494 *gas station/convenience stores. The newer development has not enhanced the “rural community character”*  
6495 *of Clay Hill. Some commercial sites are vacant and in disrepair, whereas others include scattered outdoor*  
6496 *storage uses. This pattern is not consistent with a community that is generally formed around its three*  
6497 *schools and places of religious assembly. Continued development along this pattern may result in typical*  
6498 *“strip” development, with each independent parcel adopting a different design pattern and site layout, with*  
6499 *out-of-scale signage and lighting. Such strip development does not give visual clues that the area is a rural*  
6500 *residential community and often results in dangerous visual clutter to the driver, making the area unsafe for*  
6501 *the residents and school children. CR 218 is currently a 2-lane major collector, linking the eastern part of*  
6502 *the County to US 301. Within ten years, CR 218 is expected to become a 4-lane facility, including sidewalks.*  
6503 *This is the appropriate time to address the additional pressures on the Clay Hill neighborhood in order to*  
6504 *encourage the needed growth in employment opportunities and the availability of goods and services, while*  
6505 *preserving the health, safety and welfare and the rural community character of the neighborhood.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 6506 **3-D-10.5.e. Definitions**

6507 *For the purpose of these guidelines the definitions of the Clay County Land Development Code shall apply*  
6508 *and additionally the following words and terms are defined as follows:*

- 6509 (1) *Cornice—a horizontal molded projection that crowns or completes a building or wall. The cornice*  
6510 *is the uppermost part of an entablature.*
- 6511 (2) *Dog-trot—the separation of additional rooms by an open-air corridor providing access to additions*  
6512 *in the rear or to the side.*
- 6513 (3) *Double Pen—is two room cracker building.*
- 6514 (4) *Entablature—assemblage of horizontal moldings and bands supported by the columns of classical*  
6515 *buildings. The entablature is usually divided into three main sections: the lowest band, or*  
6516 *architrave, which originally took the form of a beam running from support to support; the central*  
6517 *band, or frieze, consisting of an unmolded strip with or without ornament; and the top band, or*  
6518 *cornice, constructed from a series of moldings, that project from the edge of the frieze. Most*  
6519 *entablatures correspond to or are derived from the Doric, Ionic or Corinthian order.*
- 6520 (5) *Espalier—fruit tree or shrub that is trimmed to grow flat against a wall or on a trellis.*
- 6521 (6) *Expression line—a horizontal linear element extending across a façade evidenced as a noticeable*  
6522 *difference of projection or recess, change of color or material, or identified as a clear architectural*  
6523 *feature of ornamentation such as a cornice. The line is objective, its expression may vary*  
6524 *significantly from building to building and in accordance with different architectural styles.*
- 6525 (7) *Pilaster—is a rectangular support that resembles a flat column. The pilaster projects only slightly*  
6526 *from the wall, and has a base, a shaft, and a capital. Greek Revival buildings often have pilasters.*
- 6527 (8) *Saddlebag—additional rooms at the rear of the building with a side orientation for the porch.*
- 6528 (9) *String course—a projecting horizontal band on the exterior of a building marking the separation*  
6529 *between floors or levels, also called belt course or horizontal course.*
- 6530 (10) *Snipe sign (bandit sign)—means any sign tacked, nailed, posted, pasted, glued or otherwise*  
6531 *attached to trees, poles, stakes, or fences, with the message appearing thereon not applicable to*  
6532 *the present use of the premises upon which the sign is located.*
- 6533 (11) *Transom—a shallow, rectangular window sash (fixed or hinged at top or bottom) located*  
6534 *immediately above a door.*

### 6535 **3-D-10.5.f. Implementation**

6536 *Developers within the Clay Hill Overlay District shall seek a pre-application conference with the Clay Hill*  
6537 *Community Association for comment on proposed building elevations and design schemes as early in the*  
6538 *process as possible. This review will provide the Community Association and residents the opportunity to*  
6539 *ask questions and resolve issues with the developer prior to final design of the project. It will also allow the*  
6540 *Clay Hill Neighborhood Association to be knowledgeable about the implementation of these design*  
6541 *guidelines and enable evaluation and assessment. The proposed building elevations and design schemes*  
6542 *shall also be submitted to the County Department of Development Services.*

6543 *The design review shall be incorporated into the Clay County Development Review Process. A copy of the*  
6544 *application shall be forwarded to the Clay Hill Community for comment and Planning Staff shall consider*  
6545 *CHCA's review comments. Elevations addressing and identifying the requirements of these guidelines,*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

6546 *(front, rear and sides) shall be required for concept, preliminary and final plan review. Applications shall*  
6547 *include building elevations drawn to scale and labeled. Sign elevations and placement shall also be*  
6548 *included. For all development plans providing exterior lighting, the plan shall be certified by a registered*  
6549 *architect or engineer, or lighting professional holding a current LC (lighting certification) from the National*  
6550 *Council on Qualifications for the Lighting Profession (NCQLP). Plans shall indicate the location, height and*  
6551 *types of lights (manufacturer's catalog cut, including make and model numbers and glare reduction/control*  
6552 *devices), footcandle grid to illustrate light levels required, uniformity ratio, lamp wattage, shades, deflectors,*  
6553 *beam direction, luminous area for each source of light and a statement of the proposed hours when the*  
6554 *luminaries will be on and when they will be extinguished.*

6555 *Existing developed uses within the overlay district shall comply with the requirements of the overlay district*  
6556 *when the structure is expanded, or remodeled or renovated in excess of 50% of the structure's tax-*  
6557 *assessed value. Any new building and site expansion areas involving non-residential use of new buildings,*  
6558 *exterior lighting or signage shall be subject to these regulations and other applicable standards of the land*  
6559 *development code.*

6560 *To the extent this overlay district may conflict or may not be consistent with other applicable County laws,*  
6561 *ordinances, rules or regulations, this overlay district shall govern and control. When the overlay district is*  
6562 *silent on an issue that would otherwise be governed by other codes of the County, those codes shall prevail.*  
6563 *To the extent that there is internal conflict, the stricter provisions shall prevail.*

6564 *Questions of interpretation which do not involve specific and measurable standards may be appealed to*  
6565 *the Planning Commission and Board of County Commissioners. Such an appeal may be filed within 45*  
6566 *days of the written issuance of interpretation by the Director of Planning and Zoning. The Director of*  
6567 *Planning must schedule a public hearing within 21 days from receipt of the appeal. The appeal hearing*  
6568 *shall be a quasi-judicial, de novo hearing and shall allow expert testimony. Public notice shall be no less*  
6569 *than two columns by ten inches (1/8) page in size and shall be advertised in a newspaper of general*  
6570 *circulation at least seven days prior to the hearing.*

6571 *Any proposed major or substantial change in the approved project which affects the intent of the*  
6572 *development or the application of these guidelines shall be reviewed by the staff consistent with the*  
6573 *submittal requirements of the land development code and this overlay district. Minor changes in the building*  
6574 *elevations consistent with the guidelines may be approved by the Director of Planning and Zoning.*

6575 *A landowner may apply to the Board of Adjustment for a variance in accordance with the procedures and*  
6576 *standards provided generally for variances under the Zoning Code. This procedure shall be allowed only*  
6577 *for specific and measurable standards that the applicant contends to cause a hardship due to unique site*  
6578 *characteristics.*

### **3-D-10.5.g. Florida Vernacular Architectural Style**

6580 *Florida Vernacular architectural style is an unpretentious style found on farms and in rural communities,*  
6581 *generally of wood construction. Commercial structures of the same era also included stone, brick and*  
6582 *masonry. These buildings have a simple grace and beauty, and are particularly suited to the Florida climate.*  
6583 *There are four vernacular styles that stand out in Florida: wooden Cracker; wooden Caribbean; masonry*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

6584 *and stucco Mediterranean Revival; and masonry and stucco Modern. Among the four, the wooden Cracker*  
6585 *style is the dominant in Clay Hill and is also chosen by the Clay Hill Community Association as a main style*  
6586 *for the community characteristics.*

6587 *A Cracker house is a wooden shelter built by the early Florida and Georgia settlers. Abundant supplies of*  
6588 *cedar and cypress caused those usages as major building materials. Rocks or bricks made of oyster shell*  
6589 *and lime served as pilings to keep the shelters off the ground. A wide shade porch, which is often wrapping*  
6590 *around the entire house, provided relief from the Florida sun. Metal roofs were utilized. Since Georgian*  
6591 *settlers started, the 'Cracker' style may include some of 'Georgian' and 'Greek Revival' style, which*  
6592 *Georgian borrowed from the North. Later, the 'Cracker' style influenced Florida 'Key West' style. The*  
6593 *Cracker, Key West and Greek Revival styles lacks arches, and is characterized by an uninterrupted eave*  
6594 *line.*

6595 *Modern interpretation of the Vernacular Style will therefore include Cracker style and a few altered materials*  
6596 *of 'Georgian', 'Greek Revival', and 'Key West' styles.*

### 6597 **3-D-10.5.h. Non-residential Architectural Design Standards**

6598 *All non-residential buildings and those accessory buildings shall meet the following architectural styles and*  
6599 *requirements. Architectural elevations shall be submitted with minor and major development plans clearly*  
6600 *depicting and labeling the architectural features required herein.*

6601 (1) *Architectural Style:*

6602 (a) *Cracker Style shall be utilized for Non-Residential Buildings under 5,000 square feet.*

6603 i. *Cracker Style is characterized by high pitch roofs, raised floors, and large porch*  
6604 *areas and it is required to meet the basic characteristics. If steps are not included,*  
6605 *the first floor elevation should be raised 6 to 24 inches relative to public sidewalk*  
6606 *elevation by site grading.*



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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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- ii. *Building mass shall be generally symmetrical. Of particular concern is the massing of the building as it presents to the public street.*
  - A. *When buildings are larger than fifty (50) feet in width, they shall be indented or projected from the plane of the building at each increment of fifty feet by a minimum of twelve (12) inches. Double Pen, Saddlebag or those combinations shall be utilized.*

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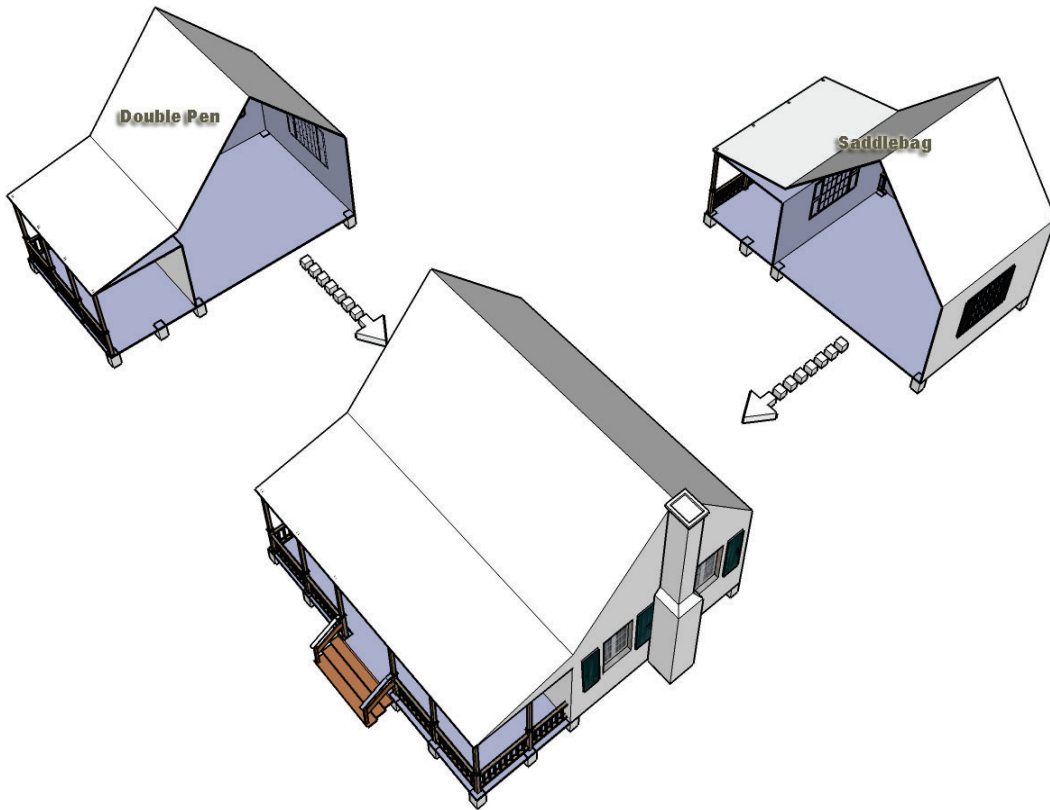
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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**



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- B.** *When buildings are larger than one-hundred (100) feet in width, they shall have a plane of the building interrupted by a dog-trot or an indented doorway feature that mimics a dog-trot.*

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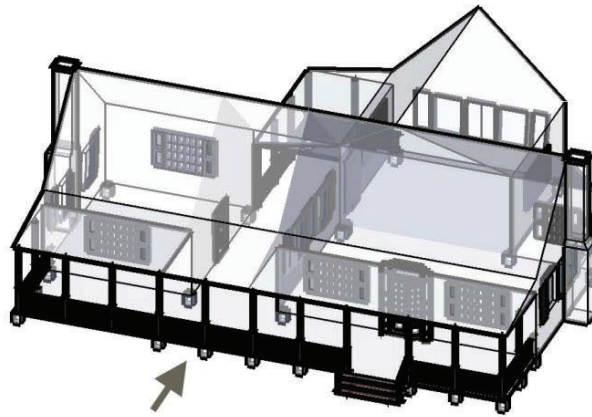
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



Dog-Trot



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- C. *Blank wall areas shall not exceed ten (10) feet in vertical direction nor ten (10) feet in horizontal directions of any building façade, unless the County approves the use of landscaping as an alternative to the inclusion of wall area*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

6623 *architectural design elements. The use of vines (whether espalier or on*  
6624 *trellis/lattice), and hanging potted flowers or other ornamental plants is strongly*  
6625 *encouraged for this purpose.*



6626



6627

6628

*Interpretation of Dog-Trot*

- 6629 *iii.* *Required Articulation:*
- 6630 *A. Porch balustrade of wooden spindles or board or similar materials in*
  - 6631 *quality and durability to the materials previously mentioned; or*
  - 6632 *B. Covered porch with wood, stucco, brick or stone supports or similar*
  - 6633 *materials in quality and durability to the materials previously mentioned;*
  - 6634 *and*
  - 6635 *C. Artistic shutter design: louvered, stencils, or cut-outs; or*

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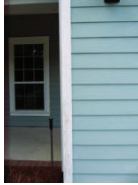


## Part D Zoning Districts and Development Standards

6636 D. *Painted window and corner trim, when accompanied by clapboard, board*  
 6637 *and batten or wood shingle exterior.*

6638 *Articulation as applied to each building shall be consistent with the Florida Vernacular Style.*

		
<b><i>Porch Balustrade of Wooden Spindles</i></b>	<b><i>Covered Porch</i></b>	<b><i>Louvered Shutters</i></b>
		
<b><i>Raised Floor</i></b>	<b><i>Shutters with Cut-out Design</i></b>	<b><i>Painted Window and Corner Trim</i></b>

6639 iv. *Exterior Siding Materials: Exterior materials shall be horizontal clapboard, vertical*  
 6640 *board and batten wood siding, brick, stucco, stone or similar materials in*  
 6641 *appearance and durability to the materials previously named. Glass walls,*  
 6642 *unfinished concrete block, split face block, untextured tilt-up concrete panels and*  
 6643 *metal siding shall not be permitted.*

		
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS




## Part D Zoning Districts and Development Standards

<i>Horizontal Clapboard</i>	<i>Shake Materials</i>	<i>Board and Batten</i>
		
<b>Brick</b>	<b>Stucco</b>	<b>Stone (example)</b>

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- v. *Roof Design and Materials:*
- A. *Roof style shall be primarily gable or hip, with a minimum slope of 4:12.*
  - B. *Pitched roof materials shall be Shingles (architectural style,) shake, or metal. If metal roof is utilized, metal (painted or galvalume) 5 V or 16 inch pattern narrow standing seam, or shake materials shall be incorporated. Roof colors shall be consistent with these district regulations.*



<i>Hip Roof</i>	<i>Pitched Roof</i>	<i>Gable</i>
		
<b>Architectural Shingles</b>	<b>Standing Seam</b>	<b>Shake Materials</b>

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## Part D Zoning Districts and Development Standards

- 6650 vi. *Gutters: Gutters and downspouts shall have a metal finish or painted finish to be*  
6651 *compatible with the roof or building.*
- 6652 vii. *Doors and Entrances: Doors, entrances, and windows shall be proportioned to*  
6653 *reflect the height of an average person and to encourage interest at the street level.*  
6654 *Entrances shall feature ground floor covered entries with roof overhangs. Doors*  
6655 *and entrances shall be consistent and symmetrical with gables above. Door and*  
6656 *railing systems around porches shall not have a metal appearance or color. The*  
6657 *porches shall be supported by wooden posts or brick or stone columns, or a good*  
6658 *simulation of natural materials. Doors shall face the street, or be located at street-*  
6659 *front corner of buildings, when coupled with a wrap-around porch.*



- 6660
- 6661 viii. *Windows:*
- 6662 A. *Windows shall appear as double hung or single-hung and vertically*  
6663 *proportioned, with a minimum of 1.5 feet of vertical height for every one*  
6664 *foot of horizontal width. Secondary windows situated on the sides or rear*  
6665 *of the building or in a clerestory, gables or dormers may be square.*  
6666 *Windows should be separated from corners by one-window width.*  
6667 *Windows shall have shutters that shall be appropriately scaled to the*  
6668 *window so as to appear operable. Windows shall be framed with wood or*  
6669 *good quality materials simulating wood. Windows shall not be reflective*  
6670 *nor have dark tinting and aluminum or anodized aluminum metal framing.*
- 6671 B. *Store-front windows:*
- 6672 1. *Storefronts shall have a bulk-head of wood, brick, stucco, stone*  
6673 *or good simulation of natural materials and shall have a minimum*  
6674 *height of 2 feet. No glass shall be butt-joined. Window systems*  
6675 *shall not appear aluminum. No commercial frontage shall be*  
6676 *entirely glass.*
- 6677 2. *The street level of each commercial façade shall provide windows*  
6678 *between the height of 2 feet and 8 feet in height from the raised*  
6679 *porch. Retail uses shall have no less than 50% of the horizontal*  
6680 *length of the building façade for each store as window area.*

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**



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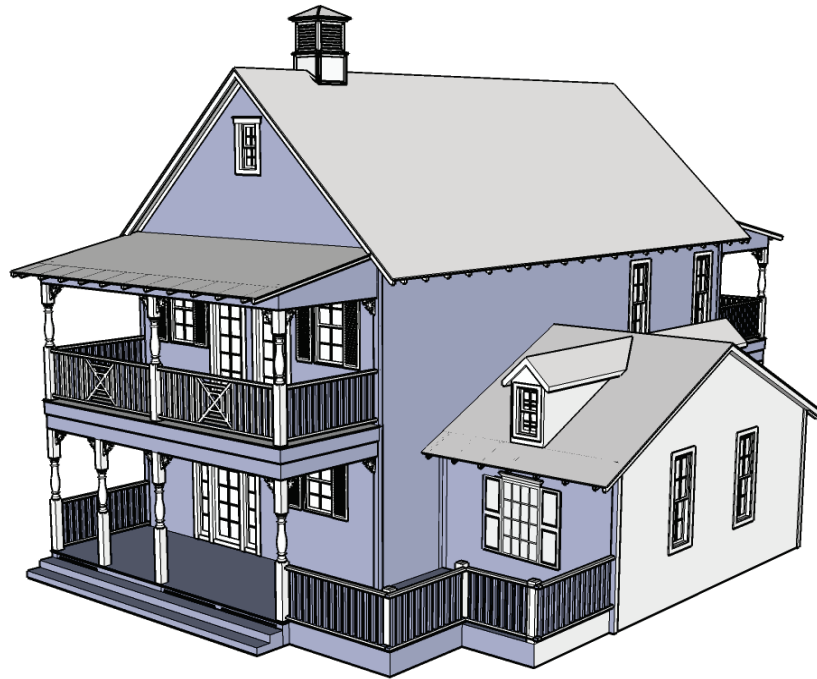
- ix. *Building Height:*  
*Maximum building height shall be 35 feet, measured to the highest eave. The first floor elevation may be 16 feet, floor to ceiling. The Cracker building type is typically a one-story structure. Multiple stories will include Key West or Greek Revival features, described below.*
- x. *Colors:*  
*Natural earth-tone, neutral, muted colors and traditional colors such as white, light blues, browns, tans and grays shall be used. Prohibited colors include black as a predominance exterior building color and no monochromatic color schemes. Building trim and detail colors must be harmonious. Exterior painting not reflect non-architectural patterns such as, but not limited to, camouflage, animals, or sports teams.*
- (b) *Cracker and Key West styles shall be utilized for Commercial and Office Buildings over 5,000 square feet and under 40,000 square feet.*
  - i. *All requirements for 'Non-Residential Buildings under 5,000 square feet' shall be met except the first-floor porch balustrades and raised floors.*
  - ii. *Additional Requirements in Building Articulation:*
    - A. *Additional architectural treatments from the Key West style, especially dormers and cupolas shall be provided where gable/hip roof or a simulated gable/hip roof is utilized.*

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**



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- B.** *Options to replace dormers or cupolas include a roof, with louvered “clipped gables”; fish-scale wooden siding or cedar shake siding, particularly on roof gables; and a wrap-around porch area. Dormer proportions shall be 2 to 2-1/2 times taller than they are wide. Dormers shall have symmetrical gables, hips or shed roofs. Dormers generally have more informal eave detail. Dormers may be setback within the roof mass or partially engaged with an exterior wall. Dormers should only be as big as the openings they allow.*
- C.** *Articulation as applied to each building shall be consistent with the Florida Vernacular Style.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

		
<i>Dormers</i>	<i>Cupola</i>	<i>Clipped Gable</i>
		
<i>Fish Scale Shingles</i>	<i>Cedar Shake Siding</i>	<i>Wrap-Around Porch</i>
		
<i>Colonnade</i>	<i>Bracket supported balcony</i>	<i>Key West Style Kiosk</i>

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- iii. *Flat roofs may be permitted with the following requirements:*
- A. *All facades which are clearly visible from areas within the property accessible to the public, from adjacent properties, and from public rights of way shall appear to have pitched roof elements that simulate a hip roof. Pitched roof elements shall have a minimum depth of 10 percent of the building depth.*

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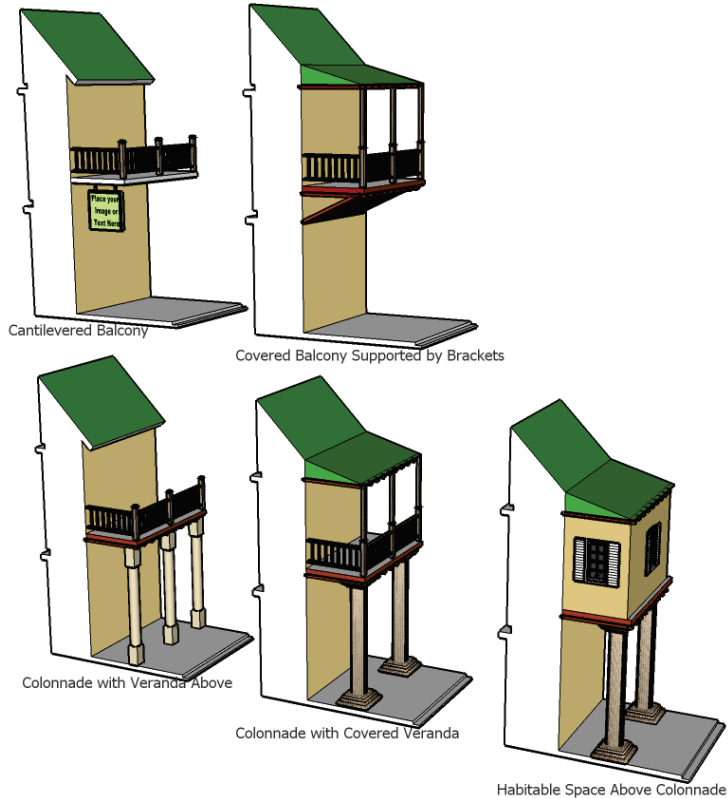
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6720 **B.** *Combination of pitched and flat roofs as needed to enclose roof-top equipment.*
- 6721
- 6722 **C.** *Minimum 6 inch high cornice treatments or exposed functional or non-functional rafters with overhangs are required.*
- 6723
- 6724 *iv.* *Colonnades and balconies are encouraged on multistory buildings. They can provide both visual rhythm on the front of buildings and protection from the weather for windows and doors below. Balconies shall not be enclosed with screening, but may be roofed. Balconies shall have the following minimum proportions:*
- 6725 *Depth: 6 ft. minimum for 2<sup>nd</sup> floor balcony above colonnade.*
- 6726 *Depth: 3 ft. minimum for bracket-supported or cantilevered balcony.*
- 6727 *Height: 10 ft. minimum clear from the first floor elevation to the balcony.*
- 6728 *Length: 50% to 100 % of Building Front, or 25% if corner balcony provided.*
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6734 v. *Building Height: Maximum building height shall be 35 feet, measured to the highest*  
 6735 *eave. The first floor elevation may be 16 feet, floor to ceiling. An expression line or*  
 6736 *string course shall be used to differentiate each floor, except where awnings,*  
 6737 *balconies or colonnades provide that articulation. The expression lines shall be a*  
 6738 *molding or jog in the surface of the plane of the building wall greater than 4 inches.*  
 6739 vi. *Colors: In addition to natural earth-tone, neutral, muted colors and traditional colors*  
 6740 *such as white, light blues, browns, tans, and grays are to be used. No bright,*  
 6741 *electric or florescent colors shall be used. Prohibited colors include black as a*  
 6742 *predominant exterior building color and monochromatic color schemes. Building*  
 6743 *trim and detail colors must be harmonious. Exterior painting shall not reflect non-*  
 6744 *architectural patterns such as, but not limited to, camouflage, animals, or sports*  
 6745 *teams.*  
 6746 (c) *Cracker, Key West, and Greek Revival styles shall be utilized for Commercial and Office*  
 6747 *Buildings over 40,000 square feet.*  
 6748 i. *Structures over 40,000 square feet in size, regardless of the number of tenants or*  
 6749 *users, shall be designed to maintain a human scale.*  
 6750 ii. *All requirements for Commercial and Office Buildings over 5,000 square feet and*  
 6751 *under 40,000 square feet shall be met.*  
 6752 iii. *Additional Requirements in Building Articulation:*  
 6753 *Additional architectural treatments from the Greek Revival style shall be added:*  
 6754 *classical entablature; pilasters or paneled trim at the building corners; flat-roofed*  
 6755 *entry porches supported by round or square columns; and door surrounds that*  
 6756 *include a rectangular transom and sidelights shall be added.*



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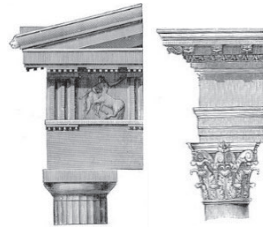
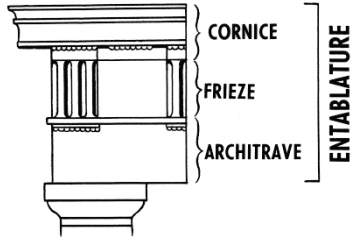
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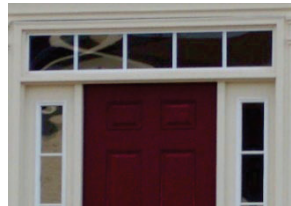
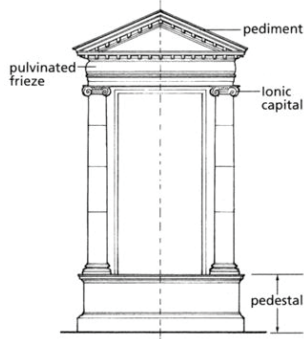
## Part D Zoning Districts and Development Standards

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Greek Revival, Green Cove Springs



*Classical Entablature*      *Entablature (examples)*      *Building Corner Trim*



*Roofed-Entry Porch*      *Rectangular Transom*      *Modest Greek Revival*



*Bracket Supported Roofed Entry*      *Pediment with Cornice and Cornice Molding*      *Flat Roof and Pitched Roof Combination*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



<b>Greek Revival</b>	<b>Key West Interpretation</b>	<b>Greek Revival Interpretation (with Solar Panels)</b>
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- 6758                    *iv.*      **Required Building Mass:**
- 6759                    **A.**      *Building mass shall vary by height and width so that it appears to be*
- 6760                    *divided into distinct massing elements, as follows:*
- 6761                    1.      *Building shall have a minimum of one indentation or projection in*
- 6762                    *the plane of building per façade length that is visible from areas*
- 6763                    *within the property accessible by the public, from adjacent*
- 6764                    *properties, and from the public rights-of-way.*
- 6765                    2.      *The average length between indentions or projections shall be 75*
- 6766                    *feet, or 100 feet along arcaded facades.*
- 6767                    3.      *Indentions or projections shall have a minimum depth of five*
- 6768                    *percent of the façade length. For example, a structure that is 100*
- 6769                    *ft. long shall have offsets that are a minimum of 5 feet in depth.*
- 6770                    4.      *Pilasters, columns and enclosed downspouts shall not be*
- 6771                    *considered offsets for the purposes of this subsection unless they*
- 6772                    *meet the minimum depth requirements as listed above.*
- 6773                    **B.**      *All customer entrances shall have awnings, covered porches or arcades*
- 6774                    *to protect customers entering and exiting from inclement weather. Multi-*
- 6775                    *tenant buildings or buildings with more than one entrance shall have a*
- 6776                    *continuous arcade or colonnade connecting each entrance. The arcade*
- 6777                    *shall be functional, without interruptions, and shall have a minimum depth*
- 6778                    *of 10 feet. Canopies and awnings shall be rectangular in shape and attain*
- 6779                    *a slope consistent with the roof structure. Barrel or rounded canopies or*
- 6780                    *awnings shall not be permitted. Awnings and canopies shall be a minimum*
- 6781                    *of 10 feet above the sidewalk.*
- 6782                    **C.**      *Exterior features shall be used which create the impression of a pedestrian*
- 6783                    *friendly streetscape. Such features shall serve to keep the focus of the*
- 6784                    *pedestrian more or less at eye level by creating a human-scale visual*
- 6785                    *frame. This shall be accomplished by visually separating the ground*
- 6786                    *floor/story from the upper portions of the building, regardless of the actual*
- 6787                    *number of stories. Such features may include a combination of awnings,*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

6788                               *colonnades or arcades, and a change in material, color, and/or window*  
6789                               *placement between the ground floor and upper floors, separated by an*  
6790                               *expression line or string course. The building wall shall be completed with*  
6791                               *a cornice of significant three-dimensional relief.*

6792                               D.     *Developments of this size shall have Liner Buildings or out parcel*  
6793                               *development along the frontage along US 301, CR 218 and CR 217 at the*  
6794                               *front setback line. These smaller buildings are intended to obscure the*  
6795                               *parking requirements and size of the dominant use. Such liner buildings*  
6796                               *or out parcels shall be developed as part of the 40,000 square ft.*  
6797                               *development, but maintain the massing dimensions in paragraphs A.*  
6798                               *through C. of this section, as well as the other requirements of this overlay*  
6799                               *district, so that the street frontage is consistent with the smaller*  
6800                               *development pattern of the neighborhood.*

6801                               (d)     Industrial Building Structures over 5,000 square feet:

6802                               i.     Metal building design for industrial buildings can be attractive and fit in within the  
6803                               context of its surroundings if building form is well articulated and surfaces are  
6804                               judiciously mixed in with other materials, or textures, and colors.

6805                               A.     For buildings that are visible from ROWs, building features such as  
6806                               columns, intentional deep reveals at construction joints or other details  
6807                               shall be incorporated into building design to add interest into the  
6808                               architectural design.

6809                               B.     Windows shall particularly be incorporated along the street front  
6810                               elevation(s), which is visible from, to help metal buildings incorporate  
6811                               human scale design elements that address the building to the street.  
6812                               Windows shall incorporate changes in building plane by either recessing  
6813                               or projecting them as integral parts of the overall design. Details required  
6814                               around windows including change in relief, color, pattern, and/or materials.

6815                               C.     Unless downspouts are a legitimate part of the architectural design and  
6816                               details, they shall be concealed, or if they are part of the design, they shall  
6817                               be coated to be compatible with the wall color. Freestanding outbuildings  
6818                               shall use forms, shapes and materials that are consistent with the main  
6819                               structure.

6820                               D.     Entries shall incorporate overhangs, recessed openings, canopies or other  
6821                               features to emphasize the entrance area. Utility doors, fire system  
6822                               standpipes and valves, loading docks, etc. shall be concealed or blended  
6823                               in with the architectural design. Canopies and awnings shall be  
6824                               rectangular in shape and attain a slope consistent with the roof structure.  
6825                               Barrel or rounded canopies or awnings shall not be permitted. Awnings  
6826                               and canopies shall be a minimum of 10 feet above the sidewalk.

6827                               E.     Overall the design shall appreciate Florida Vernacular Style.

6828                               ii.    Exterior Siding Materials:

6829                               A.     In industrial zoning districts, however, structures may have exposed metal  
6830                               for 100 percent of side and rear elevations and 25 percent of the front  
6831                               elevation.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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1. Long, stark, and uninterrupted panels used for metal buildings or use of panels with continuous vertical seams shall be avoided.
  2. Other building materials or metals that simulate other materials shall be incorporated into structural design to add contrast, variety, and visual interest in building form.
  3. Wall systems shall use techniques that hide or disguise wall fastening systems and seams.
- 6839 (2) General Requirements:
- 6840 (a) All storage shall be located within fully enclosed structures. In those zoning districts that allow outdoor storage or display, such outdoor storage and display shall be screened. (See Landscape Requirements in the LDR)
- 6841
- 6842 (b) The following shall be located in rear or side yards, not facing streets, and shall be screened by landscaping from view from any street:
- 6843 i. Window and wall air conditioners
- 6844 ii. Electric Utility Meters
- 6845 iii. Air Conditioning Compressors, and
- 6846 iv. Irrigation pumps, pool pumps, back-flow preventers
- 6847 (c) The following shall be located in rear yards only:
- 6848 i. Antennas
- 6849 ii. Permanent Barbeques
- 6850 (d) The following shall not be permitted:
- 6851 i. Vending machine visible from any property line;
- 6852 ii. Reflective or bronze tinted glass;
- 6853 iii. Backlit or glossy finished awnings.
- 6854 (e) Where handicapped ramps are necessary they should be of the same materials and colors of other porch features, and placed on the site in a manner to compliment porches and principal entrance stairways.
- 6855 (f) Dumpsters and recycling bins shall be screened by a 6 foot opaque fence or wall, and landscaped with shrubbery, having a minimum height of 25 inches at installation. Dumpster enclosures and any other accessory buildings shall be painted to match the principal structure. Dumpster enclosures shall be oriented on the site so that the open side does not face CR 218 or CR 217 or any pedestrian traffic. If gates are provided, they shall be kept closed. Dumpsters shall be screened from any adjacent residential use.
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- 6865 (3) Additional Requirements:
- 6866 Motor Fuel and Service Station Canopies
- 6867 (a) This paragraph is intended to ensure that canopies associated with convenience stores and motor fuel service stations are designed in a manner that does not visually dominate the site as compared to the principal structure. Such canopies shall meet the following design criteria:
- 6868
- 6869
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- 6871 i. Architectural design shall be consistent with the principal structure in terms of style, roofline, colors, materials and finishes.
- 6872
- 6873 ii. The columns must be of sufficient width so as to appear structural in proportion to the canopy, as consistent with the design of the principal structure.
- 6874
- 6875 iii. Bollards must be painted to match or be compatible with the color of the canopy and the principal structure.
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6877                    *iv.*        *Signage on the pump island canopy shall be prohibited, including striping with*  
6878                    *corporate brand colors. In addition, panels removed from signs on existing*  
6879                    *canopies cannot be replaced.*
- 6880                    *v.*         *The maximum clearance between the pavement and the canopy ceiling shall be*  
6881                    *14.5 feet.*
- 6882                    *vi.*        *The maximum height of the canopy shall be no greater than that of the principal*  
6883                    *structure.*
- 6884                    *vii.*       *The maximum total canopy area shall not be more than 25% greater than that of*  
6885                    *the principal structure.*
- 6886                    **(b)**       *Open Bays or Outside Service Area: Structures that feature open bays or service areas,*  
6887                    *such as car washes, motor vehicle service stations, and office/warehouses, shall be*  
6888                    *oriented on a site in such a fashion that the open bays do not face US 301, CR 218 or CR*  
6889                    *217. Facility site design shall utilize landscaping to help screen open bays from local public*  
6890                    *rights-of-way. Service areas that are not inside an enclosed building shall be screened*  
6891                    *through similar means.*
- 6892                    **(c)**       *Drive-through facilities:*
- 6893                    *i.*         *Drive-through facilities shall be defined to include banking facilities, payment*  
6894                    *windows, car-service restaurants, food pick up windows, dry cleaning, express*  
6895                    *mail services and other services that are extended mechanically or personally to*  
6896                    *customers who do not exit their vehicles. The following uses are not considered*  
6897                    *drive-throughs: auto fuel pumps and depositories which involve no immediate*  
6898                    *exchange or dispersal to the customer, such as mail boxes, library book*  
6899                    *depositories, and recycling facilities.*
- 6900                    *ii.*        *The following review standards shall apply to drive-throughs:*
- 6901                    **A.**       *Maximization of pedestrian and bicycle safety and convenience;*
- 6902                    **B.**       *Adequate queuing space for vehicles such that there is no back-up of*  
6903                    *traffic onto adjacent roadways;*
- 6904                    **C.**       *Provision of by-pass lane or sufficient driveway area around the drive-*  
6905                    *thought lanes to assist internal vehicular circulation;*
- 6906                    **D.**       *Minimization of the visibility of the drive-through lanes on street frontage*  
6907                    *areas.*
- 6908                    **E.**       *Design of access points and ingress/egress directional flows to minimize*  
6909                    *impacts on the roadway and non-motorized traffic.*

6910                    **3-D-10.5.i. Illumination**

- 6911                    **(1)**       *All exterior lights and illuminated signs shall be designed, located, installed and directed in such a*  
6912                    *manner as to prevent objectionable light trespass and glare across the property lines and/or*  
6913                    *disability glare at any location on or off the property. The “maintained horizontal luminance*  
6914                    *recommendation” set by the Illuminating Engineers Society of North America (IESNA) shall be*  
6915                    *observed. See “Lighting Table” below:*

**General Parking Lot and Pedestrian Lighting**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<b>Levels of Activity</b>	<b>Average Light Level--not to exceed Foot-candles)</b>	<b>Minimum Light Level (foot-candles)</b>	<b>Uniformity Ratio</b>
<i>High</i>	3.6	0.9	4:1
<i>Medium</i>	2.4	0.6	4:1
<i>Low</i>	0.8	0.2	4:1

**Legend:**

<i>Low</i>	<i>Industrial Employee Parking, Storage Parking</i>
<i>Medium</i>	<i>Shopping Centers, Office Parks, Hospital Parking, Transportation Parking, Residential Complex Parking</i>
<i>High</i>	<i>Civic/Recreational Fields, Fast Food, Gas/Convenience Stores</i>

- 6916 (2) *Foot-candle Intensities: Foot-candle (f.c.) intensities specified in this article shall be maintained*  
6917 *values calculated using a maintenance factor (m.f.) not lower than 72% of the original intensity.*  
6918 (3) *Light Fixture Types: All light fixtures, including security lighting, shall be full cut-off fixtures, and*  
6919 *shall be incorporated as an integral design element that complements the design of the building or*  
6920 *project through style, material or color.*  
6921 (4) *Building Lighting: Lighting of or on buildings shall be limited to wall-washer type fixtures, which do*  
6922 *not produce spill light or glare. A cut-off fixture shall not have more than one percent (1%) of lamp*  
6923 *lumens above horizontal. Sag lenses, convex lenses, drop lenses shall be prohibited. Lighting at a*  
6924 *building or project shall not be comprised in whole or part by of any floodlights, except floodlights*  
6925 *may be permitted with a non-commercial industrial use, provided the floodlights are shielded to*  
6926 *meet cut-off standards.*  
6927 (5) *Illumination Levels: Illumination levels at the property line of the building or project is located next*  
6928 *to any residential use, and shall not be more than 0.5 f.c. at any point on the lot line when the*  
6929 *building or project is located next to any residential use, and shall not be more than 1.0 f.c. when*  
6930 *located next to any other use. To avoid glare or spill light from encroaching onto adjacent properties,*  
6931 *illumination shall be installed with house side shields and reflectors, and shall be maintained in*  
6932 *such a manner as to confine light rays to the premises of the building or project.*  
6933 (6) *Time Controls: Non-residential lighting shall be installed with time controls so that light levels are*  
6934 *reduced not later than one hour after the close of operations to the minimum levels needed under*  
6935 *the IESNA to ensure safety and security (approximately a 50% reduction).*  
6936 (7) *Upgrade or Replacement: When fifty percent (50%) or more of any component (e.g.) luminaries,*  
6937 *poles) of the exterior lighting system at a building or project is upgraded or changed or replaced*  
6938 *(not including regular maintenance), such component for the remainder of the exterior lighting shall*  
6939 *be brought into substantial compliance with the requirements of this article.*  
6940 (8) *Height: Light fixtures shall not exceed 30 feet in height in parking areas and other parts of the site.*  
6941 *Along sidewalks and parking lot pedestrian corridors light fixtures may not exceed 12 feet in height,*  
6942 *unless otherwise required by FDOT.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 6943 (9) *Lighting of Gas Station/Convenience Store Aprons and Canopies: All of the above standards shall*  
6944 *apply for gas stations/convenience stores, as well as the following standards:*
- 6945 (a) *Lighting levels on gas station/convenience store aprons and under canopies shall be*  
6946 *adequate to facilitate the activities taking place in such locations. Lighting of such areas*  
6947 *shall not be used to attract attention to the businesses;*
- 6948 (b) *Areas on the apron away from the gasoline pump islands used for parking or vehicle*  
6949 *storage shall be illuminated in accordance with the requirements for parking areas set forth*  
6950 *elsewhere in this section. If no gasoline pumps are provided, the entire apron shall be*  
6951 *treated as a parking area;*
- 6952 (c) *Areas around the pump islands and under canopies shall be illuminated in accordance with*  
6953 *the lighting table; and*
- 6954 (d) *Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or*  
6955 *flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the*  
6956 *edge of the canopy so that light is restrained to no more than 85 degrees from vertical.*
- 6957 (10) *Temporary Lighting. Temporary (3 months) Holiday lighting during the months of November,*  
6958 *December and January shall be exempt from the provisions of this section, provided that such*  
6959 *lighting does not create dangerous glare on adjacent streets or properties.*

### 6960 **3-D-10.5.j. Signs**

- 6961 (1) *Shopping Center Signs: Monument signs shall be allowed at each entrance to shopping centers.*  
6962 *Allowable sign size shall be 50 square feet, exceeding this figure when a calculation of one square*  
6963 *feet per 1,000 square feet of building area allows. Sign size shall not exceed 150 square feet, and*  
6964 *sign height shall not exceed 8 feet, with architectural features of the sign not to exceed 12 feet in*  
6965 *height. Pole and pylon signs are prohibited. Monument signs may be externally illuminated and*  
6966 *shall be designed such that all means of support are concealed. Street numbers shall be placed*  
6967 *on signs at a minimum letter height of 3 ½ inches or 10% of sign face height.*
- 6968 (2) *Awning Signs: One awning sign per occupancy may be permitted subject to the following:*
- 6969 (a) *The area of copy shall not exceed one square foot per linear foot of, awning front and sides*  
6970 *or a maximum of 75 square feet, front and sides.*
- 6971 (b) *No awning sign shall be less than nine feet above the ground immediately below it.*
- 6972 (c) *Copy may be installed above or on the face of the awning, provided that the copy area of*  
6973 *a sign installed above or on the awning be computed on the total of the sign face and*  
6974 *awning apron.*
- 6975 (d) *Signs attached to the underside of an awning shall have a copy area no greater than six*  
6976 *square feet.*
- 6977 (3) *Projecting signs: Retail uses may also have projecting signs on buildings. Such signs shall not*  
6978 *project more than four feet from the wall and shall not be more than three feet high. Such signs*  
6979 *shall be mounted on second floor facades, or if there is no second floor, at least 10 feet above the*  
6980 *sidewalk, located above awnings.*
- 6981 (4) *Freestanding Retail, Office and Industrial Signs: Monument signs are allowed. Allowable sign size*  
6982 *is fifty (50) square feet, exceeding this figure when a calculation of one square foot per five linear*  
6983 *feet of lot frontage allows. Such signs shall be a maximum of seventy-five (75) square feet and a*  
6984 *maximum height of ten (10) feet. Signs shall be located in an area that is between five (5) and*  
6985 *twenty (20) feet from the right-of-way. One freestanding sign per parcel is allowed for the primary*  
6986 *street frontage, as indicated by the orientation of the main entrance of the building.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 6987 (5) *Office/Industrial Park/Complex Uses: Freestanding monument signs are allowed. Size of signs is*  
6988 *calculated at a rate of one square foot per 1,000 square feet of building area, beyond a base of 50*  
6989 *square feet. Maximum sign size is 150 feet and maximum sign size is 150 feet and maximum height*  
6990 *is 15 feet.*
- 6991 (6) *Sign Illumination: Any external above-ground light source shall be located and hidden within a*  
6992 *planter bed. Light sources located outside the planter bed shall be in a burial fixture. Sign lights*  
6993 *shall focused, directed and so arranged as to prevent glare or direct illumination or traffic hazard*  
6994 *from said lights onto residential districts or onto the abutting roadways. No flashing or pulsating or*  
6995 *electronic message lights shall be permitted on any sign.*
- 6996 (7) *Wall Signs: Wall signs are allowed for commercial, office and industrial buildings. Maximum sign*  
6997 *area shall be determined by multiplying the occupancy front foot (linear footage) by 1.5 feet. The*  
6998 *maximum sign vertical dimension shall not exceed twenty (20) percent of the building height. In the*  
6999 *case of multi-use buildings with individual frontages, these standards shall apply to each portion of*  
7000 *the building occupied by a use. Total wall sign size may not exceed 325 square feet.*
- 7001 (8) *Prohibited Signs:*
- 7002 (a) *Pole or Pylon signs*
- 7003 (b) *Billboards and off-premises signs.*
- 7004 (c) *Flashing or revolving signs, except for barber poles;*
- 7005 (d) *Roof signs;*
- 7006 (e) *Snipe signs (bandit signs);*
- 7007 (f) *Any sign suspended between poles and illuminated by a series of lights. Any sign erected*  
7008 *on a tree or utility pole, or painted or drawn on a rock or other natural feature,*
- 7009 (g) *Any sign suspended between poles which is either a pennant or a spinner;*
- 7010 (h) *Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light*  
7011 *or lights except for those giving public service information such as time, date, temperature,*  
7012 *weather or similar information.*
- 7013 (9) *Sign landscaping: All monument signs shall include a minimum 36 inch wide landscape strip around*  
7014 *the base (foundation) of the sign. The landscape strip shall be planted with materials that attain a*  
7015 *minimum height of 15 inches and maximum height of 30 inches above the finished grade.*

### **3-D-10.5.k. Screening and Fencing**

- 7017 (1) *If chain-link fencing or stockade fencing or concrete block wall is used along a street edge, a*  
7018 *continuous hedge, attaining the same height and minimum 75% opacity, shall also be planted on*  
7019 *the outside of the fence.*
- 7020 (2) *When a screening is required, a hedge or landscaped berm shall be a minimum 3 ft. in height at*  
7021 *the time of planting and shall attain a height of 6 feet within 3 years. Hedge and berm plant material*  
7022 *shall have opacity of minimum 85%.*

### **3-D-10.5.l. Outdoor Storage, Display and Activity**

- 7024 *Large objects such as utility sheds, boats, large equipment, building and construction materials, rock, sand,*  
7025 *stone and mulch shall be screened from adjacent rights-of-way and properties using the following*  
7026 *standards:*
- 7027 (1) *The landscaped buffer area shall be at least 15 feet wide.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7028 (2) *Three (3) canopy trees and three (3) understory trees shall be planted to achieve tree canopy along*  
7029 *streets for each 100 linear feet of fraction thereof, and arranged so that the trees are distributed*  
7030 *along the distance. Tree size and species shall be consistent with the Landscape and Tree*  
7031 *Protection Ordinance, Article VI. Where canopy trees would conflict with overhead utilities, two*  
7032 *understory trees shall be required in lieu of each required canopy tree, and shall be distributed*  
7033 *along the distance.*
- 7034 (3) *A 6 foot hedge that is maintained between 30-48 inches in height above grade shall be planted.*  
7035 *Hedge material shall be a minimum of 24 inches in height at the time of planting, and spaced no*  
7036 *more than 36 inches on center and maintained so as to form a continuous visual screen.*
- 7037 **3-D-10.5.m. Utilities**
- 7038 *New development shall place utilities underground.*

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND**  
**DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

7039 ~~Sec. 8-25.~~ ~~*CLAY HILL OVERLAY GUIDELINES*~~

7040 See Appendix B.

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

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**CLAY HILL NEIGHBORHOOD OVERLAY DISTRICT  
DESIGN GUIDELINES**  
Clay County Board of County Commissioners

**2011**



7044  
7045

~~Adopted May 10, 2011~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7064 ***Subject Area***

7065 *The Subject Area is County Road 218 from Carter Spencer Road to US 301 and CR 217 from CR*  
7066 *218 to the Duval County line, as shown below. The portion of all parcels, within 600 feet of*  
7067 *these rights-of-way, is proposed for application of the overlay district. Properties within*  
7068 *Residential, Agriculture and the Public Ownership zoning districts are not subject to following*  
7069 *design guidelines. However, developers of any **publically** held property are encouraged to*  
7070 *provide a courtesy review to the Clay Hill Community Association as early in the design*  
7071 *process as possible.*

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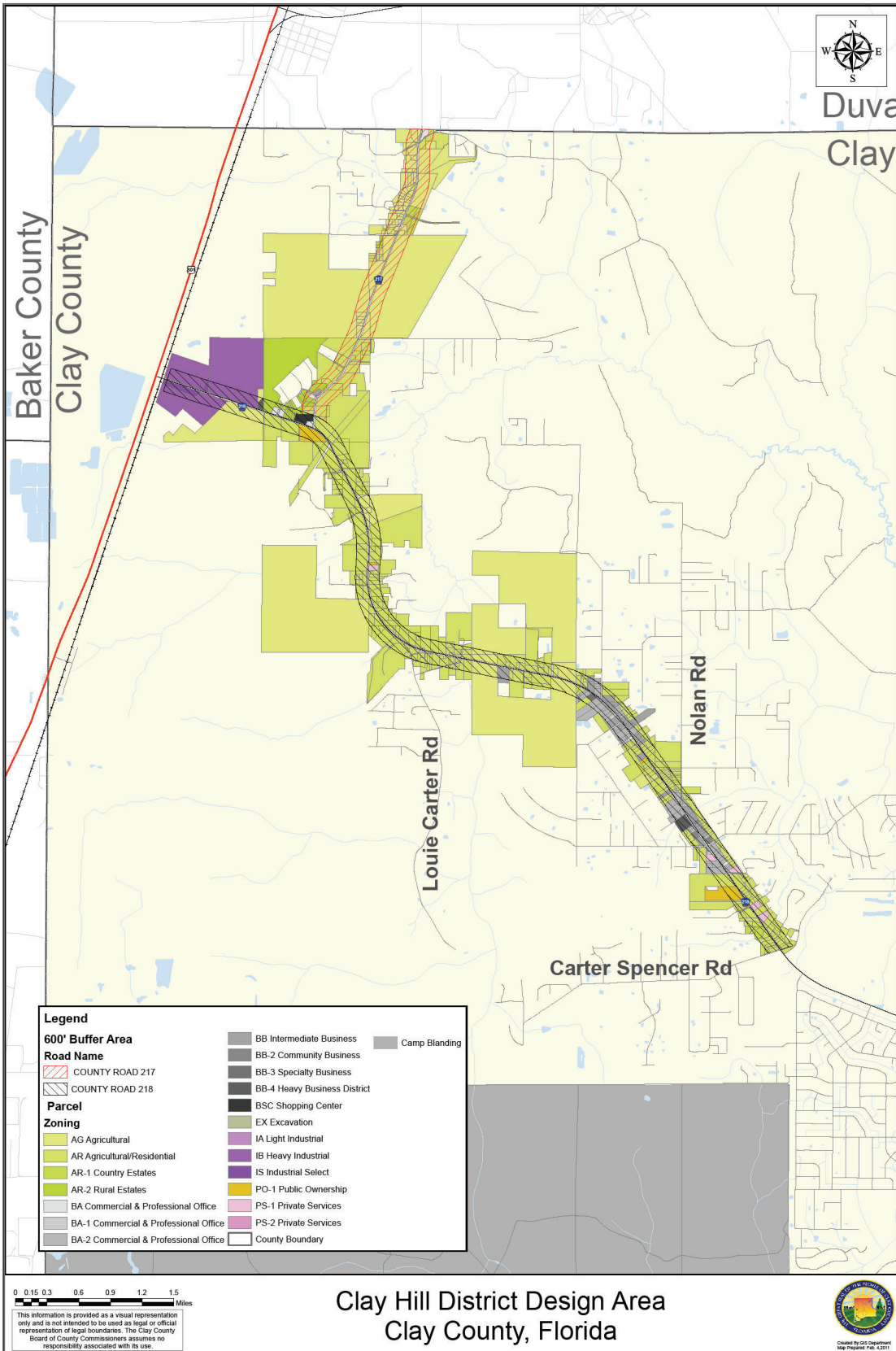
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards





# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7073 ***Purpose***

7074 ~~To establish design standards for the visual and functional development of non-residential zoned~~  
7075 ~~property within the Clay Hill unincorporated area of Clay County, Florida.~~

7076 ***Intent***

7077 ~~The Clay Hill Community Association has expressed the desire that the commercial areas in the~~  
7078 ~~unincorporated community of Clay Hill, located in northwestern Clay County, retain the rural~~  
7079 ~~character by encouraging a “rustic, Florida vernacular or cracker theme” in the design of new~~  
7080 ~~construction and expansion of retail, office, industrial and other non-residential developments in~~  
7081 ~~the overlay district. These architectural design standards are intended to maintain the character~~  
7082 ~~of the Clay Hill Community by addressing issues of style, scale, massing, building articulation,~~  
7083 ~~roof pitch, doors, windows and building orientation. They are intended to strengthen the identity~~  
7084 ~~of the Clay Hill neighborhood by reinforcing the rustic, rural character of the Clay Hill~~  
7085 ~~Community utilizing the Florida Vernacular Wooden Cracker Style and its successors, Key West~~  
7086 ~~and Greek Revival as the dominant style of the community. Additional strategies include~~  
7087 ~~standards for lighting, and signage. The adoption of such standards will improve the health,~~  
7088 ~~safety and welfare of the Clay Hill Neighborhood by providing a cohesive neighborhood design~~  
7089 ~~and streetscape.~~

7090 ***Status Review***

7091 ~~Clay Hill is comprised of two rural areas, Clay Hill, located between Long Horn Road and US~~  
7092 ~~301 and Duck Pond located between Carter Spencer Road and Long Horn Road. Jennings~~  
7093 ~~National Forest provides a natural break between the two communities. In both areas the~~  
7094 ~~primary historic activity has been lumber and turpentine. Wilkinson Elementary and Junior~~  
7095 ~~High Schools and Clay Hill Elementary School are located along CR 218 within the study area.~~  
7096 ~~Currently property along CR 218 is generally divided into smaller parcels. Neither area~~  
7097 ~~historically had a town center but there were at least two grocery store/gas stations, such as the~~  
7098 ~~Jim Budd Store shown on the cover. This history suggests that a rustic/cracker/Florida~~  
7099 ~~vernacular style would be appropriate for infill commercial development and redevelopment in~~  
7100 ~~order to provide a more unified look to the community.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7101 ~~There has been increasing non-residential development of the area extending from~~  
7102 ~~unincorporated Middleburg. The character of the newer development has included warehouses~~  
7103 ~~and industrial uses, large gas station/convenience stores. The newer development has not~~  
7104 ~~enhanced the “rural community character” of Clay Hill. Some commercial sites are vacant and~~  
7105 ~~in disrepair, whereas others include scattered outdoor storage uses. This pattern is not~~  
7106 ~~consistent with a community that is generally formed around its three schools and places of~~  
7107 ~~religious assembly. Continued development along this pattern may result in typical “strip”~~  
7108 ~~development, with each independent parcel adopting a different design pattern and site layout,~~  
7109 ~~with out-of-scale signage and lighting. Such strip development does not give visual clues that~~  
7110 ~~the area is a rural residential community and often results in dangerous visual clutter to the~~  
7111 ~~driver, making the area unsafe for the residents and school children. CR 218 is currently a 2-~~  
7112 ~~lane major collector, linking the eastern part of the County to US 301. Within ten years, CR 218~~  
7113 ~~is expected to become a 4-lane facility, including sidewalks. This is the appropriate time to~~  
7114 ~~address the additional pressures on the Clay Hill neighborhood in order to encourage the~~  
7115 ~~needed growth in employment opportunities and the availability of goods and services, while~~  
7116 ~~preserving the health, safety and welfare and the rural community character of the~~  
7117 ~~neighborhood.~~

### 7118 ***Definitions***

7119 ~~For the purpose of these guidelines the definitions of the Clay County Land Development Code~~  
7120 ~~shall apply and additionally the following words and terms are defined as follows:~~

- 7121 ~~(a) — Cornice — a horizontal molded projection that crowns or completes a building or wall.~~  
7122 ~~The cornice is the uppermost part of an entablature.~~
- 7123 ~~(b) — Dog-trot — the separation of additional rooms by an open-air corridor providing access~~  
7124 ~~to additions in the rear or to the side.~~
- 7125 ~~(c) — Double Pen — is two room cracker building.~~
- 7126 ~~(d) — Entablature — assemblage of horizontal moldings and bands supported by the columns of~~  
7127 ~~classical buildings. The entablature is usually divided into three main sections: the~~  
7128 ~~lowest band, or architrave, which originally took the form of a beam running from~~  
7129 ~~support to support; the central band, or frieze, consisting of an unmolded strip with or~~  
7130 ~~without ornament; and the top band, or cornice, constructed from a series of moldings,~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7131 *that project from the edge of the frieze. Most entablatures correspond to or are derived*  
7132 *from the Doric, Ionic or Corinthian order.*
- 7133 ~~(e) — Espalier — fruit tree or shrub that is trimmed to grow flat against a wall or on a trellis.~~
- 7134 ~~(e) — Expression line — a horizontal linear element extending across a façade evidenced as a~~  
7135 ~~noticeable difference of projection or recess, change of color or material, or identified as~~  
7136 ~~a clear architectural feature of ornamentation such as a cornice. The line is objective, its~~  
7137 ~~expression may vary significantly from building to building and in accordance with~~  
7138 ~~different architectural styles.~~
- 7139 ~~(f) — Pilaster — is a rectangular support that resembles a flat column. The pilaster projects~~  
7140 ~~only slightly from the wall, and has a base, a shaft, and a capital. Greek Revival~~  
7141 ~~buildings often have pilasters.~~
- 7142 ~~(g) — Saddlebag — additional rooms at the rear of the building with a side orientation for the~~  
7143 ~~porch.~~
- 7144 ~~(h) — String course — a projecting horizontal band on the exterior of a building marking the~~  
7145 ~~separation between floors or levels, also called belt course or horizontal course.~~
- 7146 ~~(i) — Snipe sign (bandit sign) — means any sign tacked, nailed, posted, pasted, glued or~~  
7147 ~~otherwise attached to trees, poles, stakes, or fences, with the message appearing thereon~~  
7148 ~~not applicable to the present use of the premises upon which the sign is located.~~
- 7149 ~~(j) — Transom — a shallow, rectangular window sash (fixed or hinged at top or bottom) located~~  
7150 ~~immediately above a door.~~

### 7151 ***Implementation***

- 7152 ~~Developers within the Clay Hill Overlay District shall seek a pre-application conference with the~~  
7153 ~~Clay Hill Community Association for comment on proposed building elevations and design~~  
7154 ~~schemes as early in the process as possible. This review will provide the Community Association~~  
7155 ~~and residents the opportunity to ask questions and resolve issues with the developer prior to final~~  
7156 ~~design of the project. It will also allow the Clay Hill Neighborhood Association to be~~  
7157 ~~knowledgeable about the implementation of these design guidelines and enable evaluation and~~

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## **Part D Zoning Districts and Development Standards**

7158 ~~assessment. The proposed building elevations and design schemes, shall also be submitted to the~~  
7159 ~~County Department of Development Services.~~

7160 ~~The design review shall be incorporated into the Clay County Development Review Process. A~~  
7161 ~~copy of the application shall be forwarded to the Clay Hill Community for comment and~~  
7162 ~~Planning Staff shall consider CHCA's review comments. Elevations addressing and identifying~~  
7163 ~~the requirements of these guidelines, (front, rear and sides) shall be required for concept,~~  
7164 ~~preliminary and final plan review. Applications shall include building elevations drawn to scale~~  
7165 ~~and labeled. Sign elevations and placement shall also be included. For all development plans~~  
7166 ~~providing exterior lighting, the plan shall be certified by a registered architect or engineer, or~~  
7167 ~~lighting professional holding a current LC (lighting certification) from the National Council on~~  
7168 ~~Qualifications for the Lighting Profession (NCQLP). Plans shall indicate the location, height~~  
7169 ~~and types of lights (manufacturer's catalog cut, including make and model numbers and glare~~  
7170 ~~reduction/control devices), footcandle grid to illustrate light levels required, uniformity ratio,~~  
7171 ~~lamp wattage, shades, deflectors, beam direction, luminous area for each source of light and a~~  
7172 ~~statement of the proposed hours when the luminaries will be on and when they will be~~  
7173 ~~extinguished.~~

7174 ~~Existing developed uses within the overlay district shall comply with the requirements of the~~  
7175 ~~overlay district when the structure is expanded, or remodeled or renovated in excess of 50% of~~  
7176 ~~the structure's tax-assessed value. Any new building and site expansion areas involving non-~~  
7177 ~~residential use of new buildings, exterior lighting or signage shall be subject to these regulations~~  
7178 ~~and other applicable standards of the land development code.~~

7179 ~~To the extent this overlay district may conflict or may not be consistent with other applicable~~  
7180 ~~County laws, ordinances, rules or regulations, this overlay district shall govern and control.~~  
7181 ~~When the overlay district is silent on an issue that would otherwise be governed by other codes~~  
7182 ~~of the County, those codes shall prevail. To the extent that there is internal conflict, the stricter~~  
7183 ~~provisions shall prevail.~~

7184 ~~Questions of interpretation which do not involve specific and measurable standards may be~~  
7185 ~~appealed to the Planning Commission and Board of County Commissioners. Such an appeal~~  
7186 ~~may be filed within 45 days of the written issuance of interpretation by the Director of Planning~~  
7187 ~~and Zoning. The Director of Planning must schedule a public hearing within 21 days from~~  
7188 ~~receipt of the appeal. The appeal hearing shall be a quasi-judicial, de novo hearing and shall~~  
7189 ~~allow expert testimony. Public notice shall be no less than two columns by ten inches (1/8) page~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7190 ~~in size and shall be advertized in a newspaper of general circulation at least seven days prior to~~  
7191 ~~the hearing.~~

7192 ~~Any proposed major or substantial change in the approved project which affects the intent of the~~  
7193 ~~development or the application of these guidelines shall be reviewed by the staff consistent with~~  
7194 ~~the submittal requirements of the land development code and this overlay district. Minor~~  
7195 ~~changes in the building elevations consistent with the guidelines may be approved by the~~  
7196 ~~Director of Planning and Zoning.~~

7197 ~~A landowner may apply to the Board of Adjustment for a variance in accordance with the~~  
7198 ~~procedures and standards provided generally for variances under the Zoning Code. This~~  
7199 ~~procedure shall be allowed only for specific and measurable standards that the applicant~~  
7200 ~~contends to cause a hardship due to unique site characteristics.~~

### 7201 ~~**Florida Vernacular Architectural Style**~~

7202 ~~Florida Vernacular architectural style is an unpretentious style found on farms and in rural~~  
7203 ~~communities, generally of wood construction. Commercial structures of the same era also~~  
7204 ~~included stone, brick and masonry. These buildings have a simple grace and beauty, and are~~  
7205 ~~particularly suited to the Florida climate. There are four vernacular styles that stand out in~~  
7206 ~~Florida: wooden Cracker; wooden Caribbean; masonry and stucco Mediterranean Revival; and~~  
7207 ~~masonry and stucco Modern. Among the four, the wooden Cracker style is the dominant in Clay~~  
7208 ~~Hill and is also chosen by the Clay Hill Community Association as a main style for the~~  
7209 ~~community characteristics.~~

7210 ~~A Cracker house is a wooden shelter built by the early Florida and Georgia settlers. Abundant~~  
7211 ~~supplies of cedar and cypress caused those usages as major building materials. Rocks or bricks~~  
7212 ~~made of oyster shell and lime served as pilings to keep the shelters off the ground. A wide shade~~  
7213 ~~porch, which is often wrapping around the entire house, provided relief from the Florida sun.~~  
7214 ~~Metal roofs were utilized. Since Georgian settlers started, the 'Cracker' style may include some~~  
7215 ~~of 'Georgian' and 'Greek Revival' style, which Georgian borrowed from the North. Later, the~~  
7216 ~~'Cracker' style influenced Florida 'Key West' style. The Cracker, Key West and Greek Revival~~  
7217 ~~styles lacks arches, and is characterized by an uninterrupted eave line.~~

7218 ~~Modern interpretation of the Vernacular Style will therefore include Cracker style and a few~~  
7219 ~~altered materials of 'Georgian', 'Greek Revival', and 'Key West' styles.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

7220 *Non-residential Architectural Design Standards*

7221 *All non-residential buildings and those accessory buildings shall meet the following*  
7222 *architectural styles and requirements. Architectural elevations shall be submitted with minor*  
7223 *and major development plans clearly depicting and labeling the architectural features required*  
7224 *herein.*

7225 ~~(a)~~ Architectural Style:

7226 ~~(1)~~ *Cracker Style shall be utilized for Non-Residential Buildings under 5,000 square*  
7227 *feet.*

7228 ~~(i)~~ *Cracker Style is characterized by high pitch roofs, raised floors, and large*  
7229 *porch areas and it is required to meet the basic characteristics. If steps*  
7230 *are not included, the first floor elevation should be raised 6 to 24 inches*  
7231 *relative to public sidewalk elevation by site grading.*



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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

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7236

~~(ii) Building mass shall be generally symmetrical. Of particular concern is the massing of the building as it presents to the public street.~~

7237

7238

~~a. When buildings are larger than fifty (50) feet in width, they shall be indented or projected from the plane of the building at each increment of fifty feet by a minimum of twelve (12) inches. Double Pen, Saddlebag or those combinations shall be utilized.~~

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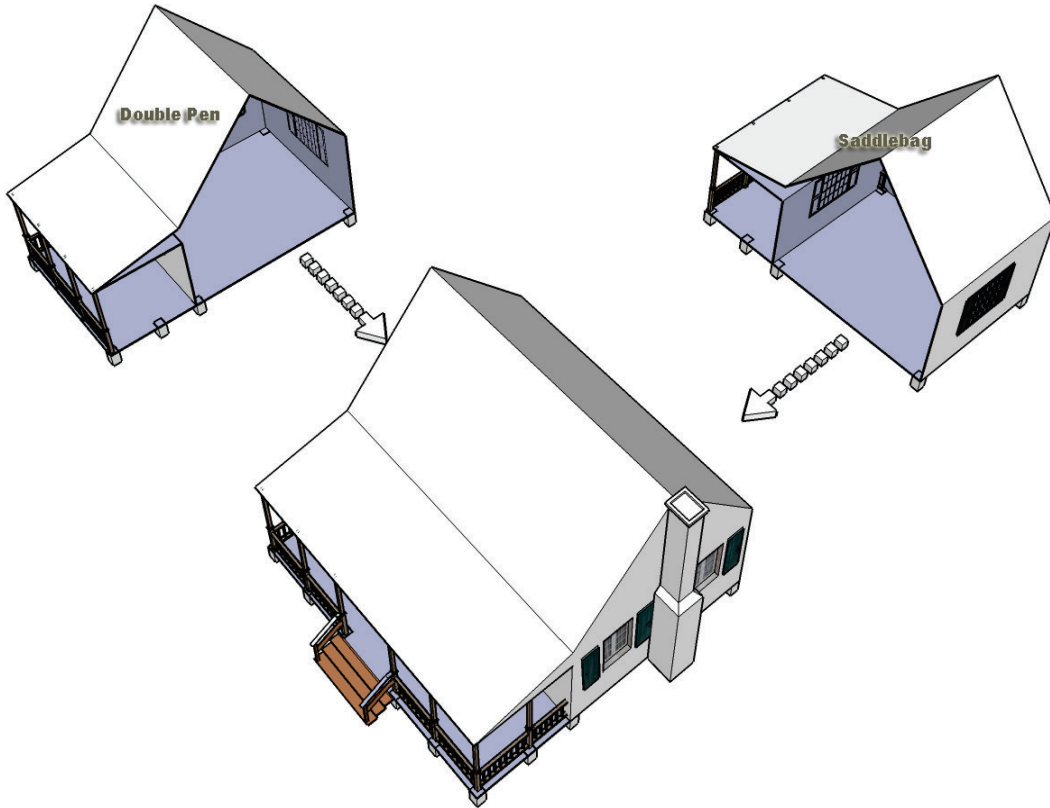
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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**



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~~b.~~ *When buildings are larger than one hundred (100) feet in width, they shall have a plane of the building interrupted by a dog-trot or an indented doorway feature that mimics a dog-trot.*

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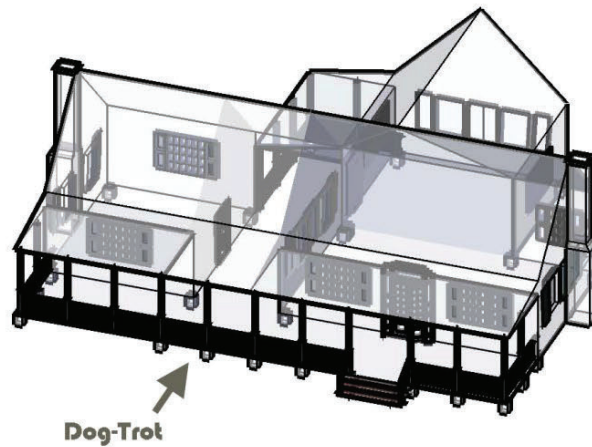
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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**



### **Notes/Lc**

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

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~~e. Blank wall areas shall not exceed ten (10) feet in vertical direction nor ten (10) feet in horizontal directions of any building façade, unless the County approves the use of landscaping as an alternative to the inclusion of wall area architectural design elements. The use of vines (whether espalier or on trellis/lattice), and hanging potted flowers or other ornamental plants is strongly encouraged for this purpose.~~



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*Interpretation of Dog Trot*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7256                    ~~(iii) Required Articulation:~~
- 7257                    ~~a. Porch balustrade of wooden spindles or board or similar materials~~
- 7258                    ~~in quality and durability to the materials previously mentioned; or~~
- 7259                    ~~b. Covered porch with wood, stucco, brick or stone supports or~~
- 7260                    ~~similar materials in quality and durability to the materials~~
- 7261                    ~~previously mentioned; and~~
- 7262                    ~~c. Artistic shutter design: louvered, stencils, or cut-outs; or~~
- 7263                    ~~d. painted window and corner trim, when accompanied by clapboard,~~
- 7264                    ~~board and batten or wood shingle exterior.~~
- 7265                    *Articulation as applied to each building shall be consistent with the Florida*
- 7266                    *Vernacular Style.*

		
<i>Porch Balustrade of Wooden Spindles</i>	<i>Covered Porch</i>	<i>Louvered Shutters</i>
		
<i>Raised Floor</i>	<i>Shutters with Cut-out Design</i>	<i>Painted Window and Corner Trim</i>

- 7267                    ~~(iv) Exterior Siding Materials:~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

7268 *Exterior materials shall be horizontal clapboard, vertical board and*  
 7269 *batten wood siding, brick, stucco, stone or similar materials in*  
 7270 *appearance and durability to the materials previously named. Glass*  
 7271 *walls, unfinished concrete block, split face block, untextured tilt-up*  
 7272 *concrete panels and metal siding shall not be permitted.*  
 7273

		
<i>Horizontal Clapboard</i>	<i>Shake Materials</i>	<i>Board and Batten</i>
		
<i>Brick</i>	<i>Stucco</i>	<i>Stone (example)</i>

7274 ~~(v) Roof Design and Materials:~~  
 7275 ~~a. Roof style shall be primarily gable or hip, with a minimum slope of~~  
 7276 ~~4:12.~~  
 7277 ~~b. Pitched roof materials shall be Shingles (architectural style,~~  
 7278 ~~shake, or metal. If metal roof is utilized, metal (painted or~~  
 7279 ~~galvalume) 5 V or 16 inch pattern narrow standing seam, or shake~~  
 7280 ~~materials shall be incorporated. Roof colors shall be consistent~~  
 7281 ~~with these district regulations.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

		
<i><u>Hip Roof</u></i>	<i><u>Pitched Roof</u></i>	<i><u>Gable</u></i>
		
<i><u>Architectural Shingles</u></i>	<i><u>Standing Seam</u></i>	<i><u>Shake Materials</u></i>

- 7282 ~~(vi)~~ Gutters:
- 7283 *Gutters and downspouts shall have a metal finish or painted finish to be*
- 7284 *compatible with the roof or building.*
- 7285 ~~(vii)~~ Doors and Entrances:
- 7286 *Doors, entrances, and windows shall be proportioned to reflect the height*
- 7287 *of an average person and to encourage interest at the street level.*
- 7288 *Entrances shall feature ground floor covered entries with roof overhangs.*
- 7289 *Doors and entrances shall be consistent and symmetrical with gables*
- 7290 *above. Door and railing systems around porches shall not have a metal*
- 7291 *appearance or color. The porches shall be supported by wooden posts or*
- 7292 *brick or stone columns, or a good simulation of natural materials. Doors*
- 7293 *shall face the street, or be located at street-front corner of buildings, when*
- 7294 *coupled with a wrap-around porch.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



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7296

~~(viii) Windows:~~

7297

~~b. Windows shall appear as double hung or single hung and vertically proportioned, with a minimum of 1.5 feet of vertical height for every one foot of horizontal width. Secondary windows situated on the sides or rear of the building or in a clerestory, gables or dormers may be square. Windows should be separated from corners by one window width. Windows shall have shutters that shall be appropriately sealed to the window so as to appear operable. Windows shall be framed with wood or good quality materials simulating wood. Windows shall not be reflective nor have dark tinting and aluminum or anodized aluminum metal framing.~~

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~~e. Store front windows:~~

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~~1. Storefronts shall have a bulk head of wood, brick, stucco, stone or good simulation of natural materials and shall have a minimum height of 2 feet. No glass shall be butt joined. Window systems shall not appear aluminum. No commercial frontage shall be entirely glass.~~

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~~2. The street level of each commercial façade shall provide windows between the height of 2 feet and 8 feet in height from the raised porch. Retail uses shall have no less than 50% of the horizontal length of the building façade for each store as window area.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



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~~(ix)~~ Building Height

7322

~~Maximum building height shall be 35 feet, measured to the highest eave.~~

7323

~~The first floor elevation may be 16 feet, floor to ceiling. The Cracker~~

7324

~~building type is typically a one story structure. Multiple stories will~~

7325

~~include Key West or Greek Revival features, described below.~~

7326

~~(x)~~ Colors

7327

~~Natural earth tone, neutral, muted colors and traditional colors such as~~

7328

~~white, light blues, browns, tans and grays shall be used. Prohibited colors~~

7329

~~include black as a predominance exterior building color and no~~

7330

~~monochromatic color schemes. Building trim and detail colors must be~~

7331

~~harmonious. Exterior painting not reflect non-architectural patterns such~~

7332

~~as, but not limited to, camouflage, animals, or sports teams.~~

7333

~~(2)~~ Cracker and Key West styles shall be utilized for Commercial and Office

7334

Buildings over 5,000 square feet and under 40,000 square feet.

7335

~~(i)~~ All requirements for 'Non-Residential Buildings under 5,000 square feet'

7336

~~shall be met except the first floor porch balustrades and raised floors.~~

7337

~~(ii)~~ Additional Requirements in Building Articulation:

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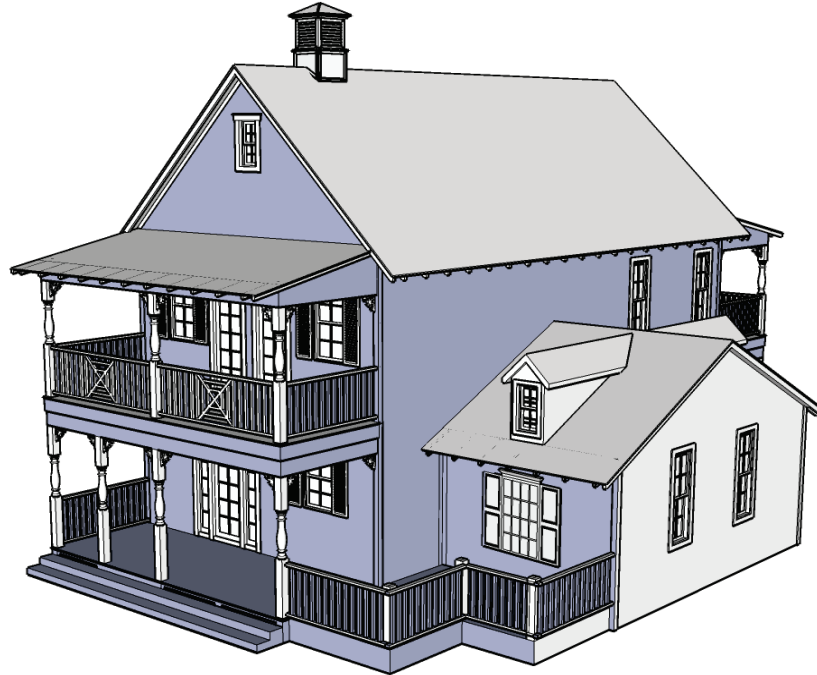


# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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~~a. Additional architectural treatments from the Key West style, especially dormers and cupolas shall be provided where gable/hip roof or a simulated gable/hip roof is utilized.~~



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~~b. Options to replace dormers or cupolas include a roof, with lowered “clipped gables”; fish scale wooden siding or cedar shake siding, particularly on roof gables; and a wrap-around porch area. Dormer proportions shall be 2 to 2-1/2 times taller than they are wide. Dormers shall have symmetrical gables, hips or shed roofs. Dormers generally have more informal eave detail. Dormers may be setback within the roof mass or partially engaged with an exterior wall. Dormers should only be as big as the openings they allow.~~

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~~e. Articulation as applied to each building shall be consistent with the Florida Vernacular Style.~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

		
<i>Dormers</i>	<i>Cupola</i>	<i>Clipped Gable</i>
		
<i>Fish Scale Shingles</i>	<i>Cedar Shake Siding</i>	<i>Wrap-Around Porch</i>
		
<i>Colonnade</i>	<i>Bracket supported balcony</i>	<i>Key West Style Kiosk</i>

- 7354 ~~(iii) Flat roofs may be permitted with the following requirements:~~
- 7355 ~~a. All facades which are clearly visible from areas within the~~
- 7356 ~~property accessible to the public, from adjacent properties, and~~
- 7357 ~~from public rights of way shall appear to have pitched roof~~
- 7358 ~~elements that simulate a hip roof. Pitched roof elements shall have~~
- 7359 ~~a minimum depth of 10 percent of the building depth.~~

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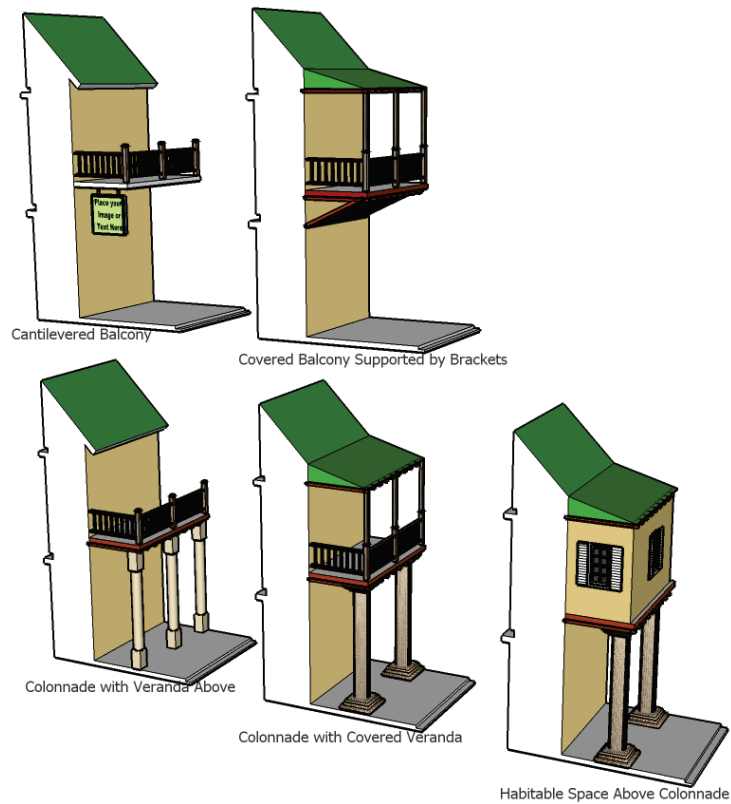
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



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(v) *Building Height*

7378

*Maximum building height shall be 35 feet, measured to the highest eave.*

7379

*The first floor elevation may be 16 feet, floor to ceiling. An expression*

7380

*line or string course shall be used to differentiate each floor, except where*

7381

*awnings, balconies or colonnades provide that articulation. The*

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*expression lines shall be a molding or jog in the surface of the plane of the*

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*building wall greater than 4 inches.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 7384 ~~(vi)~~ ~~Colors~~  
7385 ~~*In addition to natural earth-tone, neutral, muted colors and traditional*~~  
7386 ~~*colors such as white, light blues, browns, tans, and grays are to be used.*~~  
7387 ~~*No bright, electric or florescent colors shall be used. Prohibited colors*~~  
7388 ~~*include black as a predominant exterior building color and*~~  
7389 ~~*monochromatic color schemes. Building trim and detail colors must be*~~  
7390 ~~*harmonious. Exterior painting shall not reflect non-architectural*~~  
7391 ~~*patterns such as, but not limited to, camouflage, animals, or sports teams.*~~
- 7392 ~~(3)~~ ~~*Cracker, Key West, and Greek Revival styles shall be utilized for Commercial and*~~  
7393 ~~*Office Buildings over 40,000 square feet.*~~
- 7394 ~~(i)~~ ~~*Structures over 40,000 square feet in size, regardless of the number of*~~  
7395 ~~*tenants or users, shall be designed to maintain a human scale.*~~
- 7396 ~~(ii)~~ ~~*All requirements for Commercial and Office Buildings over 5,000 square*~~  
7397 ~~*feet and under 40,000 square feet shall be met.*~~
- 7398 ~~(iii)~~ ~~Additional Requirements in Building Articulation:~~  
7399 ~~*Additional architectural treatments from the Greek Revival style shall be*~~  
7400 ~~*added: classical entablature; pilasters or paneled trim at the building*~~  
7401 ~~*corners; flat-roofed entry porches supported by round or square columns;*~~  
7402 ~~*and door surrounds that include a rectangular transom and sidelights*~~  
7403 ~~*shall be added.*~~



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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards



*Greek Revival, Green Cove Springs*

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<p>Classical Entablature</p>	<p>Entablature (examples)</p>	<p>Building Corner Trim</p>
<p>Roofed-Entry Porch</p>	<p>Rectangular Transom</p>	<p>Modest Greek Revival</p>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

		
Bracket Supported Roofed Entry	Pediment with Cornice and Cornice Molding	Flat Roof and Pitched Roof Combination
		
Greek Revival	Key West Interpretation	Greek Revival Interpretation (with Solar Panels)

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~~(iv) Required Building Mass:~~

~~a. Building mass shall vary by height and width so that it appears to be divided into distinct massing elements, as follows:~~

- ~~1. Building shall have a minimum of one indention or projection in the plane of building per façade length that is visible from areas within the property accessible by the public, from adjacent properties, and from the public rights of way.~~
- ~~2. The average length between indentions or projections shall be 75 feet, or 100 feet along arcaded facades.~~
- ~~3. Indentions or projections shall have a minimum depth of five percent of the façade length. For example, a structure~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7423 *that is 100 ft. long shall have offsets that are a minimum of*  
7424 *5 feet in depth.*
- 7425
- 7426 ~~4. Pilasters, columns and enclosed downspouts shall not be~~  
7427 ~~considered offsets for the purposes of this subsection unless~~  
7428 ~~they meet the minimum depth requirements as listed above.~~
- 7429
- 7430 ~~b. All customer entrances shall have awnings, covered porches or~~  
7431 ~~arcades to protect customers entering and exiting from inclement~~  
7432 ~~weather. Multi tenant buildings or buildings with more than one~~  
7433 ~~entrance shall have a continuous arcade or colonnade connecting~~  
7434 ~~each entrance. The arcade shall be functional, without~~  
7435 ~~interruptions, and shall have a minimum depth of 10 feet. Canopies~~  
7436 ~~and awnings shall be rectangular in shape and attain a slope~~  
7437 ~~consistent with the roof structure. Barrel or rounded canopies or~~  
7438 ~~awnings shall not be permitted. Awnings and canopies shall be a~~  
7439 ~~minimum of 10 feet above the sidewalk.~~
- 7440 ~~e. Exterior features shall be used which create the impression of a~~  
7441 ~~pedestrian friendly streetscape. Such features shall serve to keep~~  
7442 ~~the focus of the pedestrian more or less at eye level by creating a~~  
7443 ~~human scale visual frame. This shall be accomplished by visually~~  
7444 ~~separating the ground floor/story from the upper portions of the~~  
7445 ~~building, regardless of the actual number of stories. Such features~~  
7446 ~~may include a combination of awnings, colonnades or arcades,~~  
7447 ~~and a change in material, color, and/or window placement~~  
7448 ~~between the ground floor and upper floors, separated by an~~  
7449 ~~expression line or string course. The building wall shall be~~  
7450 ~~completed with a cornice of significant three-dimensional relief.~~
- 7451
- 7452 ~~d. Developments of this size shall have Liner Buildings or out parcel~~  
7453 ~~development along the frontage along US 301, CR 218 and CR 217~~  
7454 ~~at the front setback line. These smaller buildings are intended to~~  
7455 ~~obscure the parking requirements and size of the dominant use.~~  
7456 ~~Such liner buildings or out parcels shall be developed as part of~~  
7457 ~~the 40,000 square ft. development, but maintain the massing~~  
7458 ~~dimensions in paragraph (1) a through e of this section, as well~~  
7459 ~~as the other requirements of this overlay district, so that the street~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 7460 *frontage is consistent with the smaller development pattern of the*  
7461 *neighborhood.*
- 7462
- 7463 ~~(4)~~ *Industrial Building Structures over 5,000 square feet*
- 7464
- 7465 ~~(ii)~~ *Metal building design for industrial buildings can be attractive and fit in*  
7466 *within the context of its surroundings if building form is well articulated*  
7467 *and surfaces are judiciously mixed in with other materials, or textures,*  
7468 *and colors.*
- 7469 ~~a.~~ *For buildings that are visible from ROWs, building features such*  
7470 *as columns, intentional deep reveals at construction joints or other*  
7471 *details shall be incorporated into building design to add interest*  
7472 *into the architectural design.*
- 7473 ~~b.~~ *Windows shall particularly be incorporated along the street front*  
7474 *elevation(s), which is visible from, to help metal buildings*  
7475 *incorporate human scale design elements that address the building*  
7476 *to the street. Windows shall incorporate changes in building plane*  
7477 *by either recessing or projecting them as integral parts of the*  
7478 *overall design. Details required around windows including change*  
7479 *in relief, color, pattern, and/or materials.*
- 7480 ~~c.~~ *Unless downspouts are a legitimate part of the architectural*  
7481 *design and details, they shall be concealed, or if they are part of*  
7482 *the design, they shall be coated to be compatible with the wall*  
7483 *color. Freestanding outbuildings shall use forms, shapes and*  
7484 *materials that are consistent with the main structure.*
- 7485 ~~d.~~ *Entries shall incorporate overhangs, recessed openings, canopies*  
7486 *or other features to emphasize the entrance area. Utility doors, fire*  
7487 *system standpipes and valves, loading docks, etc. shall be*  
7488 *concealed or blended in with the architectural design. Canopies*  
7489 *and awnings shall be rectangular in shape and attain a slope*  
7490 *consistent with the roof structure. Barrel or rounded canopies or*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 7491 *awnings shall not be permitted. Awnings and canopies shall be a*  
7492 *minimum of 10 feet above the sidewalk.*
- 7493 ~~e.~~ *Overall the design shall appreciate Florida Vernacular Style.*
- 7494 ~~(iii)~~ *Exterior Siding Materials:*
- 7495 ~~a.~~ *In industrial zoning districts, however, structures may have*  
7496 *exposed metal for 100 percent of side and rear elevations and 25*  
7497 *percent of the front elevation.*
- 7498 1. ~~Long, stark, and uninterrupted panels used for metal~~  
7499 ~~buildings or use of panels with continuous vertical seams~~  
7500 ~~shall be avoided.~~
- 7501 2. ~~Other building materials or metals that simulate other~~  
7502 ~~materials shall be incorporated into structural design to~~  
7503 ~~add contrast, variety, and visual interest in building form.~~
- 7504 3. ~~Wall systems shall use techniques that hide or disguise wall~~  
7505 ~~fastening systems and seams.~~
- 7506 ~~(b)~~ *General Requirements*
- 7507 ~~(1)~~ *All storage shall be located within fully enclosed structures. In those zoning*  
7508 *districts that allow outdoor storage or display, such outdoor storage and display*  
7509 *shall be screened. (See Landscape Requirements in the LDR)*
- 7510 ~~(2)~~ *The following shall be located in rear or side yards, not facing streets, and shall*  
7511 *be screened by landscaping from view from any street:*
- 7512 ~~(i)~~ *Window and wall air conditioners*  
7513 ~~(ii)~~ *Electric Utility Meters*  
7514 ~~(iii)~~ *Air Conditioning Compressors, and*  
7515 ~~(iv)~~ *Irrigation pumps, pool pumps, back flow preventers*
- 7516 ~~(3)~~ *The following shall be located in rear yards only:*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7517                    ~~(i) — Antennas~~
- 7518                    ~~(ii) — Permanent Barbeques~~
- 7519                    ~~(4) — The following shall not be permitted:~~
- 7520                    ~~(i) — Vending machine visible from any property line;~~
- 7521                    ~~(ii) — Reflective or bronze tinted glass;~~
- 7522                    ~~(iii) — Backlit or glossy finished awnings.~~
- 7523                    ~~(5) — Where handicapped ramps are necessary they should be of the same materials~~
- 7524                    ~~and colors of other porch features, and placed on the site in a manner to~~
- 7525                    ~~compliment porches and principal entrance stairways.~~
- 7526                    ~~(6) — Dumpsters and recycling bins shall be screened by a 6 foot opaque fence or wall,~~
- 7527                    ~~and landscaped with shrubbery, having a minimum height of 25 inches at~~
- 7528                    ~~installation. Dumpster enclosures and any other accessory buildings shall be~~
- 7529                    ~~painted to match the principal structure. Dumpster enclosures shall be oriented~~
- 7530                    ~~on the site so that the open side does not face CR 218 or CR 217 or any~~
- 7531                    ~~pedestrian traffic. If gates are provided, they shall be kept closed. Dumpsters~~
- 7532                    ~~shall be screened from any adjacent residential use.~~
- 7533                    ~~(e) — Additional Requirements~~
- 7534                    ~~Motor Fuel and Service Station Canopies~~
- 7535                    ~~(1) — This paragraph is intended to insure that canopies associated with convenience~~
- 7536                    ~~stores and motor fuel service stations are designed in a manner that does not~~
- 7537                    ~~visually dominate the site as compared to the principal structure. Such canopies~~
- 7538                    ~~shall meet the following design criteria:~~
- 7539                    ~~(i) — Architectural design shall be consistent with the principal structure in~~
- 7540                    ~~terms of style, roofline, colors, materials and finishes.~~
- 7541                    ~~(ii) — The columns must be of sufficient width so as to appear structural in~~
- 7542                    ~~proportion to the canopy, as consistent with the design of the principal~~
- 7543                    ~~structure.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7544 ~~(iii) — Bollards must be painted to match or be compatible with the color of the~~  
7545 ~~canopy and the principal structure.~~
- 7546 ~~(iv) — Signage on the pump island canopy shall be prohibited, including striping~~  
7547 ~~with corporate brand colors. In addition, panels removed from signs on~~  
7548 ~~existing canopies cannot be replaced.~~
- 7549 ~~(v) — The maximum clearance between the pavement and the canopy ceiling~~  
7550 ~~shall be 14.5 feet.~~
- 7551 ~~(vi) — The maximum height of the canopy shall be no greater than that of the~~  
7552 ~~principal structure.~~
- 7553 ~~(vii) — The maximum total canopy area shall not be more than 25% greater than~~  
7554 ~~that of the principal structure.~~
- 7555 ~~(2) — Open Bays or Outside Service Area:~~
- 7556 ~~Structures that feature open bays or service areas, such as car washes, motor~~  
7557 ~~vehicle service stations, and office/warehouses, shall be oriented on a site in such~~  
7558 ~~a fashion that the open bays do not face US 301, CR 218 or CR 217. Facility site~~  
7559 ~~design shall utilize landscaping to help screen open bays from local public rights-~~  
7560 ~~of-way. Service areas that are not inside an enclosed building shall be screened~~  
7561 ~~through similar means.~~
- 7562 ~~(3) — Drive-through facilities:~~
- 7563 ~~(i) — Drive-through facilities shall be defined to include banking facilities,~~  
7564 ~~payment windows, car-service restaurants, food pick up windows, dry~~  
7565 ~~cleaning, express mail services and other services that are extended~~  
7566 ~~mechanically or personally to customers who do not exit their vehicles.~~  
7567 ~~The following uses are not considered drive-throughs: auto fuel pumps~~  
7568 ~~and depositories which involve no immediate exchange or dispersal to the~~  
7569 ~~customer, such as mail boxes, library book depositories, and recycling~~  
7570 ~~facilities.~~
- 7571 ~~(ii) — The following review standards shall apply to drive-throughs:~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

- 7572 ~~a. Maximization of pedestrian and bicycle safety and convenience;~~
- 7573 ~~b. Adequate queuing space for vehicles such that there is no back-up~~
- 7574 ~~of traffic onto adjacent roadways;~~
- 7575 ~~c. Provision of by pass lane or sufficient driveway area around the~~
- 7576 ~~drive thought lanes to assist internal vehicular circulation;~~
- 7577 ~~d. Minimization of the visibility of the drive through lanes on street~~
- 7578 ~~frontage areas.~~
- 7579 ~~e. Design of access points and ingress/egress directional flows to~~
- 7580 ~~minimize impacts on the roadway and non-motorized traffic.~~

7581 ***Illumination***

7582 ~~(a) All exterior lights and illuminated signs shall be designed, located, installed and directed~~  
 7583 ~~in such a manner as to prevent objectionable light trespass and glare across the property~~  
 7584 ~~lines and/or disability glare at any location on or off the property. The “maintained~~  
 7585 ~~horizontal luminance recommendation” set by the Illuminating Engineers Society of~~  
 7586 ~~North America (IESNA) shall be observed. See “Lighting Table” below:~~

7587 *Lighting Tables*

<i>Levels of Activity</i>	<i>General Parking Lot and Pedestrian Lighting</i>		
	<i>Average Light Level—not to exceed Foot-candles)</i>	<i>Minimum Light Level (foot-candles)</i>	<i>Uniformity Ratio</i>
<i>High</i>	<i>3.6</i>	<i>0.9</i>	<i>4:1</i>
<i>Medium</i>	<i>2.4</i>	<i>0.6</i>	<i>4:1</i>
<i>Low</i>	<i>0.8</i>	<i>0.2</i>	<i>4:1</i>

7588 ~~High—Civic/Recreational Fields, Fast Food, Gas/Convenience Stores~~  
 7589 ~~Medium—Shopping Centers, Office Parks, Hospital Parking, Transportation Parking,~~  
 7590 ~~Residential Complex Parking~~  
 7591 ~~Low—Industrial Employee Parking, Storage Parking~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7592 ~~(b) — *Foot-candle Intensities: Foot-candle (f.c.) intensities specified in this article shall be*~~  
7593 ~~*maintained values calculated using a maintenance factor (m.f.) not lower than 72% of the*~~  
7594 ~~*original intensity.*~~
- 7595 ~~(e) — *Light Fixture Types: All light fixtures, including security lighting, shall be full cut-off*~~  
7596 ~~*fixtures, and shall be incorporated as an integral design element that complements the*~~  
7597 ~~*design of the building or project through style, material or color.*~~
- 7598 ~~(d) — *Building Lighting: Lighting of or on buildings shall be limited to wall-washer type*~~  
7599 ~~*fixtures, which do not produce spill light or glare. A cut-off fixture shall not have more*~~  
7600 ~~*than one percent (1%) of lamp lumens above horizontal. Sag lenses, convex lenses, drop*~~  
7601 ~~*lenses shall be prohibited. Lighting at a building or project shall not be comprised in*~~  
7602 ~~*whole or part by of any floodlights, except floodlights may be permitted with a non-*~~  
7603 ~~*commercial industrial use, provided the floodlights are shielded to meet cut-off*~~  
7604 ~~*standards.*~~
- 7605 ~~(e) — *Illumination Levels: Illumination levels at the property line of the building or project is*~~  
7606 ~~*located next to any residential use, and shall not be more than 0.5 f.c. at any point on the*~~  
7607 ~~*lot line when the building or project is located next to any residential use, and shall not*~~  
7608 ~~*be more than 1.0 f.c. when located next to any other use. To avoid glare or spill light*~~  
7609 ~~*from encroaching onto adjacent properties, illumination shall be installed with house*~~  
7610 ~~*side shields and reflectors, and shall be maintained in such a manner as to confine light*~~  
7611 ~~*rays to the premises of the building or project.*~~
- 7612 ~~(f) — *Time Controls: Non-residential lighting shall be installed with time controls so that light*~~  
7613 ~~*levels are reduced not later than one hour after the close of operations to the minimum*~~  
7614 ~~*levels needed under the IESNA to ensure safety and security (approximately a 50%*~~  
7615 ~~*reduction).*~~
- 7616 ~~(g) — *Upgrade or Replacement: When fifty percent (50%) or more of any component (e.g.)*~~  
7617 ~~*luminaries, poles) of the exterior lighting system at a building or project is upgraded or*~~  
7618 ~~*changed or replaced (not including regular maintenance), such component for the*~~  
7619 ~~*remainder of the exterior lighting shall be brought into substantial compliance with the*~~  
7620 ~~*requirements of this article.*~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7621 ~~(h) — Height: Light fixtures shall not exceed 30 feet in height in parking areas and other parts~~  
7622 ~~of the site. Along sidewalks and parking lot pedestrian corridors light fixtures may not~~  
7623 ~~exceed 12 feet in height, unless otherwise required by FDOT.~~

7624 ~~(i) — Lighting of Gas Station/Convenience Store Aprons and Canopies: All of the above~~  
7625 ~~standards shall apply for gas stations/convenience stores, as well as the following~~  
7626 ~~standards:~~

7627 ~~(1) — Lighting levels on gas station/convenience store aprons and under canopies shall~~  
7628 ~~be adequate to facilitate the activities taking place in such locations. Lighting of~~  
7629 ~~such areas shall not be used to attract attention to the businesses;~~

7630 ~~(2) — Areas on the apron away from the gasoline pump islands used for parking or~~  
7631 ~~vehicle storage shall be illuminated in accordance with the requirements for~~  
7632 ~~parking areas set forth elsewhere in this section. If no gasoline pumps are~~  
7633 ~~provided, the entire apron shall be treated as a parking area;~~

7634 ~~(3) — Areas around the pump islands and under canopies shall be illuminated in~~  
7635 ~~accordance with the lighting table; and~~

7637 ~~(4) — Light fixtures mounted on canopies shall be recessed so that the lens cover is~~  
7638 ~~recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded~~  
7639 ~~by the fixture or the edge of the canopy so that light is restrained to no more than~~  
7640 ~~85 degrees from vertical.~~

7641 ~~(j) — Temporary Lighting. Temporary (3 months) Holiday lighting during the months of~~  
7642 ~~November, December and January shall be exempt from the provisions of this section,~~  
7643 ~~provided that such lighting does not create dangerous glare on adjacent streets or~~  
7644 ~~properties.~~

### 7645 ***Signs***

7646 ~~(a) — Shopping Center Signs~~  
7647

7648 ~~Monument signs shall be allowed at each entrance to shopping centers. Allowable sign~~  
7649 ~~size shall be 50 square feet, exceeding this figure when a calculation of one square foot~~  
7650 ~~per 1,000 square feet of building area allows. Sign size shall not exceed 150 square feet,~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7651 *and sign height shall not exceed 8 feet, with architectural features of the sign not to*  
7652 *exceed 12 feet in height. Pole and pylon signs are prohibited. Monument signs may be*  
7653 *externally illuminated and shall be designed such that all means of support are*  
7654 *concealed. Street numbers shall be placed on signs at a minimum letter height of 3 ½*  
7655 *inches or 10% of sign face height.*

7656 ~~(b) — Awning Signs:~~

7657 *One awning sign per occupancy may be permitted subject to the following:*

7658 ~~(1) — The area of copy shall not exceed one square foot per linear foot of, awning front~~  
7659 ~~and sides or a maximum of 75 square feet, front and sides.~~

7660 ~~(2) — No awning sign shall be less than nine feet above the ground immediately below~~  
7661 ~~it.~~

7662 ~~(3) — Copy may be installed above or on the face of the awning, provided that the copy~~  
7663 ~~area of a sign installed above or on the awning be computed on the total of the~~  
7664 ~~sign face and awning apron.~~

7665 ~~(4) — Signs attached to the underside of an awning shall have a copy area no greater~~  
7666 ~~than six square feet.~~

7667 ~~(c) — Projecting signs: Retail uses may also have projecting signs on buildings. Such signs~~  
7668 ~~shall not project more than four feet from the wall and shall not be more than three feet~~  
7669 ~~high. Such signs shall be mounted on second floor facades, or if there is no second floor,~~  
7670 ~~at least 10 feet above the sidewalk, located above awnings.~~

7671 ~~(d) — Freestanding Retail, Office and Industrial Signs: Monument signs are allowed.~~  
7672 ~~Allowable sign size is fifty (50) square feet, exceeding this figure when a calculation of~~  
7673 ~~one square foot per five linear feet of lot frontage allows. Such signs shall be a maximum~~  
7674 ~~of seventy-five (75) square feet and a maximum height of ten (10) feet. Signs shall be~~  
7675 ~~located in an area that is between five (5) and twenty (20) feet from the right of way.~~  
7676 ~~One freestanding sign per parcel is allowed for the primary street frontage, as indicated~~  
7677 ~~by the orientation of the main entrance of the building.~~

7678 ~~(e) — Office/Industrial Park/Complex Uses: Freestanding monument signs are allowed. Size~~  
7679 ~~of signs is calculated at a rate of one square foot per 1,000 square feet of building area,~~  
7680 ~~beyond a base of 50 square feet. Maximum sign size is 150 feet and maximum sign size is~~  
7681 ~~150 feet and maximum height is 15 feet.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7682 ~~(f) — Sign Illumination: Any external above-ground light source shall be located and hidden~~  
7683 ~~within a planter bed. Light sources located outside the planter bed shall be in a burial~~  
7684 ~~fixture. Sign lights shall be focused, directed and so arranged as to prevent glare or direct~~  
7685 ~~illumination or traffic hazard from said lights onto residential districts or onto the~~  
7686 ~~abutting roadways. No flashing or pulsating or electronic message lights shall be~~  
7687 ~~permitted on any sign.~~

7688 ~~(g) — Wall Signs: Wall signs are allowed for commercial, office and industrial buildings.~~  
7689 ~~Maximum sign area shall be determined by multiplying the occupancy front foot (linear~~  
7690 ~~footage) by 1.5 feet. The maximum sign vertical dimension shall not exceed twenty (20)~~  
7691 ~~percent of the building height. In the case of multi-use buildings with individual~~  
7692 ~~frontages, these standards shall apply to each portion of the building occupied by a use.~~  
7693 ~~Total wall sign size may not exceed 325 square feet.~~

7694 ~~(h) — Prohibited Signs:~~

- 7695 ~~(1) — Pole or Pylon signs~~
- 7696 ~~(2) — Billboards and off-premises signs.~~
- 7697 ~~(3) — Flashing or revolving signs, except for barber poles;~~
- 7698 ~~(4) — Roof signs;~~
- 7699 ~~(5) — Snipe signs (bandit signs);~~
- 7700 ~~(6) — Any sign suspended between poles and illuminated by a series of lights. Any sign~~  
7701 ~~erected on a tree or utility pole, or painted or drawn on a rock or other natural~~  
7702 ~~feature,~~
- 7703 ~~(7) — Any sign suspended between poles which is either a pennant or a spinner;~~
- 7704 ~~(8) — Signs which contain, include, or are illuminated by any flashing, intermittent, or~~  
7705 ~~moving light or lights except for those giving public service information such as~~  
7706 ~~time, date, temperature, weather or similar information.~~

7707 ~~(i) — Sign landscaping:~~

7708 ~~All monument signs shall include a minimum 36 inch wide landscape strip around the~~  
7709 ~~base (foundation) of the sign. The landscape strip shall be planted with materials that~~  
7710 ~~attain a minimum height of 15 inches and maximum height of 30 inches above the~~  
7711 ~~finished grade.~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

### 7712 ***Screening and Fencing***

7713 *(a) — If chain-link fencing or stockade fencing or concrete block wall is used along a street*  
7714 *edge, a continuous hedge, attaining the same height and minimum 75% opacity, shall*  
7715 *also be planted on the outside of the fence.*

7716 *(b) — When a screening is required, a hedge or landscaped berm shall be a minimum 3 ft. in*  
7717 *height at the time of planting and shall attain a height of 6 feet within 3 years. Hedge*  
7718 *and berm plant material shall have opacity of minimum 85%.*

### 7719 ***Outdoor Storage, Display and Activity***

7720 *Large objects such as utility sheds, boats, large equipment, building and construction materials,*  
7721 *rock, sand, stone and mulch shall be screened from adjacent rights-of-way and properties using*  
7722 *the following standards:*

7723 *(a) — The landscaped buffer area shall be at least 15 feet wide.*

7724 *(b) — Three (3) canopy trees and three (3) understory trees shall be planted to achieve tree*  
7725 *canopy along streets for each 100 linear feet of fraction thereof, and arranged so that the*  
7726 *trees are distributed along the distance. Tree size and species shall be consistent with the*  
7727 *Landscape and Tree Protection Ordinance, Article VI. Where canopy trees would*  
7728 *conflict with overhead utilities, two understory trees shall be required in lieu of each*  
7729 *required canopy tree, and shall be distributed along the distance.*

7730 *(c) — A 6 foot hedge that is maintained between 30–48 inches in height above grade shall be*  
7731 *planted. Hedge material shall be a minimum of 24 inches in height at the time of*  
7732 *planting, and spaced no more than 36 inches on center and maintained so as to form a*  
7733 *continuous visual screen.*

### 7734 ***Utilities***

7735 *New development shall place utilities underground.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

7736

### DIVISION 11 MASTER PLANNED COMMUNITIES

7737

#### Sec. 3-D-11.1. General Provisions of the Master Planned Communities

7738

##### 3-D-11.1.a. Purpose and Intent

7739

The Clay County Comprehensive Plan establishes goals, objectives, and policies to guide implementation of the Branan Field (BF) and the Lake Asbury Master Planned Areas (LAMPAs) (hereby known as the Master Planned Communities), with the intent to:

7740

7741

7742

(1) protect natural resources, which include environmental sensitive and significant lands;

7743

(2) achieve desirable development patterns with variety of housing types;

7744

(3) encourage the utilization of green site development and building techniques;

7745

(4) establish good transportation planning principles with an efficient and safe roadway network; and

7746

(5) provide adequate public facilities to meet the needs of the communities.

7747

##### 3-D-11.1.b. Implementation of the Plan

7748

In order to implement the Master Planned Communities consistent with the Plan, Division 11 provides general development guidelines and standards which apply to these communities. Those specific district or zone standards, design features, and other development standards pertinent to each Master Planned Community can be found in Divisions 12 and 13.

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7750

7751

7752

#### Sec. 3-D-11.2. Applicability

7753

The provisions of this Division shall apply to all existing, new development, and/or redevelopment of existing uses within the boundaries of the Master Planned Communities.

7754

7755

#### Sec. 3-D-11.3. Conflict

7756

##### 3-D-11.3.a. Conflicting Standards

7757

Where there is a conflict between the text and graphics in this Division; the text is in conflict with other Divisions of the Land Development Code; or any State provisions, the standards in the applicable Master Planned Community Division shall govern and control. [Relocated from Sec. 3-33A.1.2.d.]

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7759

7760

##### 3-D-11.3.b. Silent Standards

7761

When the standards in Divisions 11, 12 and 13 are silent on an issue that would otherwise be governed by other codes of the County, those codes shall prevail. To the extent that there is internal conflict, the stricter provision shall prevail. [Relocated from Sec. 3-33A.1.2.d.]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

### **7764 Sec. 3-D-11.4. Application Requirements**

#### **7765 3-D-11.4.a. Application**

7766 In addition to the application submittal requirements in Article II Procedures for Development Review of this  
7767 Code, applications specific to the Planned Communities shall include, but are not limited to the following:

- 7768 (1) jurisdictional wetland delineation (a minimum of 200 feet in width or a minimum of 25 feet from the  
7769 jurisdictional wetland line, whichever is greater); and  
7770 (2) building elevations when applicable that specifically demonstrate how the project meets the  
7771 Architectural Design Guidelines in Part F Division 6. A design book may replace individual sheets  
7772 of building elevations. [Relocated from Sec. 3-33A.I.2.a. Application Requirements]

#### **7773 3-D-11.4.b. Procedures**

7774 Project review and approval shall be in compliance with Article II Procedures for Development Review of  
7775 this Code. Refer to Part F, Sec. 3-F-11. Application Submission Standards.

### **7776 Sec. 3-D-11.5. Modifications**

#### **7777 3-D-11.5.a. Determination of Modifications**

7778 Any proposed major or substantial change in the approved project which affects the intent of the  
7779 development, the density or land use pattern, the internal circulation, or similar substantial changes shall  
7780 be reviewed by the Planning and Zoning Director or his/her designee. Any modifications to an approved  
7781 development order and any addition to or expansion of an existing use shall require the same review and  
7782 approval process as the original approval of the use.

7783 (1) Major Change. A major change is defined as an increase in dwelling units which equates to a  
7784 change of 5 percent or 50 units, whichever is greater. For Non-Residential projects, a change  
7785 which results in an increase of 5 percent or 60,000 square feet, whichever is greater, is determined  
7786 to be substantial. [Relocated from Sec. 3-33A.I.2.f. Modifications]

7787 (2) Minor Change. Changes in areas of a previously approved site plan that are not major or substantial  
7788 may be approved by the Director of Planning and Zoning or his/her designee, subject to the  
7789 following:

7790 (a) Proposed changes shall be consistent with the standards and/or any conditions of  
7791 approval, and which do not result in additional external impacts,

7792 (b) Minor changes may include, but are not limited to: a minor shift in the location of a building  
7793 or structure, the realignment of parking spaces and aisles, and the relocation of a driveway,  
7794 [Relocated from Sec. 3-33A.I.2.f. Modifications]

#### **7795 3-D-11.5.b. Pre-application Meeting**

7796 A pre-application meeting with the Planning and Zoning Director or his/her designee is required to  
7797 determine the proposed changes are considered as major or minor.

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 7798 Sec. 3-D-11.6. Variance

7799 *A landowner may apply to the Board of Adjustment for a variance in accordance with the procedures and*  
7800 *standards provided generally for variances as set forth in Sec. 12-10 of Article XII, Administrative,*  
7801 *Amendment and Enforcement. This procedure shall be allowed only for specific and measurable standards*  
7802 *that the applicant contends to cause a hardship due to unique site characteristics. [Relocated from Sec.*  
7803 *3-33A.1.2.g. Variances]*

### 7804 Sec. 3-D-11.7. Appeal

#### 7805 3-D-11.7.a. Appeal

7806 *Questions of interpretation which do not involve specific and measurable standards may be appealed to*  
7807 *the Planning Commission and Board of County Commissioners subject to applicable requirements as set*  
7808 *forth in Sec. 12-12 of Article XII Administration, Amendment and Enforcement. [Relocated from Sec. 3-*  
7809 *33A.1.2.e. Appeal]*

#### 7810 3-D-11.7.b. Appeal procedures

7811 *Such an appeal may be filed within 45 days of the written issuance of interpretation by the Planning and*  
7812 *Zoning Director or his/her designee. The Director shall schedule a public hearing within 21 days from receipt*  
7813 *of the appeal. The appeal hearing shall follow the procedures and public notification of a quasi-judicial*  
7814 *hearing pursuant to Sec. 12-14 of Article XII Administration, Amendment and Enforcement. [Relocated*  
7815 *from Sec. 3-33A.1.2.e. Appeal]*

### 7816 Sec. 3-D-11.8. Homeowners' or Property Owners' Association

#### 7817 3-D-11.8.a. Homeowners' or Property Owners' Association

7818 *Homeowners' Associations (HOAs) or Property Owners' Associations (POAs) are required for all*  
7819 *Residential or Non-Residential developments.*

#### 7820 3-D-11.8.b. Formation

- 7821 (1) *Residential. HOAs shall be established prior to the construction of 50 percent of the lots within a*  
7822 *development. [Relocated from Sec. 3-33A.1.2.i.]*
- 7823 (2) *Non-Residential. A POA shall be established prior to the construction of 50 percent of the*  
7824 *development.*

#### 7825 3-D-11.8.c. Covenants and Restrictions

7826 *All properties within a development shall be subject to a declaration of covenants and restrictions, which*  
7827 *provide the formation of a single master association. The covenants and other relevant documents shall be*  
7828 *submitted to the Clay County Attorney's Office for review and approval prior to the recordation of the first*  
7829 *plat or pursuant to a condition or approval of a development order.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 7830 3-D-11.8.d. Responsibility of a Homeowners' or Property Owners' Association

- 7831 (1) Maintenance responsibilities shall be that of the developer until such time that such responsibilities  
7832 are turned over to a functional HOA or POA.
- 7833 (2) The HOA or POA shall formally assume maintenance responsibility, submitted to the County a fully  
7834 executed indemnification and maintenance guarantee regarding common areas and facilities, and  
7835 shall be invested with the power to levy recurring assessments on property within the development  
7836 sufficient to fund the cost of such maintenance, and to compel the payment of such assessments  
7837 through lien and foreclosure, whereupon such association shall bear such responsibility.
- 7838 (3) The HOA or POA shall be responsible for the maintenance in perpetuity of commonly owned  
7839 facilities including but not limited to those applicable site improvements such as: retention,  
7840 neighborhood parks, private alleys and streets, and buffers.
- 7841 (4) The HOA or POA shall levy assessments on property owners that are adequate to maintain  
7842 commonly owned facilities. The HOA or POA shall carry insurance covering common areas and  
7843 facilities. [From Sec. 3-33A.I.2.i. Homeowners Associations, some current texts are  
7844 reorganized in this Section, and deleted redundant text, where applicable.]

### 7845 Sec. 3-D-11.9. Interpretation Flexibility

#### 7846 3-D-11.9.a. Interpretation of Code

7847 The Planning and Zoning Director or his/her designee, in conference with other Department heads, may  
7848 consider and approve minor deviations from specific including use, building arrangement, street layout,  
7849 parking location, pedestrian corridor location, landscape buffer width, and tree type. [Relocated from Sec.  
7850 3-33A.I.2.j. Interpretation Flexibility]

#### 7851 3-D-11.9.b. Criteria

- 7852 In considering whether an administrative approval of a request for deviations of the Code, the Director shall  
7853 utilize the following criteria to make a decision for an approval or a denial of the applicant's request(s):
- 7854 (1) The request(s) will not create additional conflicts with other standards of this Article, and will be  
7855 consistent with the purpose and intent of the Master Planned community;
- 7856 (2) The request(s) will not create a detrimental effect on the overall design and will be consistent with  
7857 the general layout, development pattern, vehicular and/or pedestrian circulation; and
- 7858 (3) If the request(s) is/are granted, the improved outcome is apparent.

#### 7859 3-D-11.9.c. Through Street Criteria

- 7860 In addition to Subsection b. above, the following criteria shall apply to a request for deviation of a through  
7861 street:
- 7862 (1) The through street spacing requirement may be relaxed when the presence of an existing wetland  
7863 or an existing development (prior to plan adoption) would prevent the placement of the connection  
7864 at that location. In that event, the connection shall be placed outside the wetland boundary, or if  
7865 the configuration of the wetland area or existing development practically prohibits through streets,  
7866 then that connection may be eliminated. [Relocated from Sec. 3-33A.I.7.a.ii.A. Residential and  
7867 from Sec. 3-33B.C.I.13.a.ii.A. Residential, Street Pattern]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

### 7868 **Sec. 3-D-11.10. Adequate Public Facilities**

7869  
7870 All developments within the Master Planned Communities shall be subject to the standards as set forth in  
7871 Part F, Division 2, Adequate Public Facilities.

### 7872 **Sec. 3-D-11.11. Master Planned Community Design Standards**

#### 7873 **3-D-11.11.a. Description**

7874 These design standards emphasize the importance of the pedestrian, while allowing for conveniences  
7875 associated with the vehicular traffic circulation. Layout of buildings shall promote walkability and provide  
7876 amenities to create a human-scale, attractive built environment. Streets within the boundary of the Master  
7877 Planned Communities (MPC) serve a mix of Residential and Commercial uses, and should be designed  
7878 for slower speeds to encourage pedestrian safety. [Relocated from Sec. 3-33A.III.5.a. General, BF  
7879 Community and BF Activity Center Standards]

#### 7880 **3-D-11.11.b. Applicability**

7881 The design standards shall apply to the following FLU or Zoning categories: BF CC, BF AC, LA AC, LA VC,  
7882 LA IVC, and any FLU category that the Planning and Zoning or his/her designee may deem necessary to  
7883 improve the aesthetic appearance of the proposed development or redevelopment.

#### 7884 **3-D-11.11.c. Site Design Layout**

7885 Generally, there are 3 types of Commercial/Retail and Office development that may comprise of the  
7886 following site design layout:

- 7887 (1) Shopping Street. This type of layout focuses on the clustering of buildings in blocks with the front  
7888 side of the buildings oriented towards the internal shopping streets. The accumulated square  
7889 footage of multiple tenants is generally under 100,000 square feet. The majority of the required  
7890 parking is located at the rear of the buildings, with access to the buildings through pedestrian  
7891 walkways or a vehicular pass-through. A smaller percentage of parking can be located on the side  
7892 of the building, and/or in the front of the building internal to the shopping streets.
- 7893 (2) Conventional Shopping Center (aka Parks Center). This type of layout provides a strong pedestrian  
7894 emphasis, including pedestrian corridors within parking lots with a significant amount of landscaped  
7895 area. Parking is mainly provided at the rear of the Center. Pedestrian Corridors, which are wide  
7896 shaded walkways, are the main design feature of the Center connecting the parking lot to the main  
7897 entrance of the principal buildings. The accumulated square footage of a Park Center is usually  
7898 under 100,000 square feet.
- 7899 (3) Large-Scale Single Tenant (aka Big Box). This type of layout usually consists of an individual  
7900 building that is over 100,000 square feet with parking located at the front of the building. The  
7901 building is provided with wide landscaped sidewalks in the front connecting to pedestrian corridors  
7902 along with a significant landscaped area that link the parking lots to buildings and adjacent  
7903 shopping areas. Loading activities are located at the rear of the building.  
7904 **[Relocated from Sec. 3-33A.III.5.a. General, BF Community and BF Activity Center**  
7905 **Standards]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

7906 **3-D-11.11.d. Alternative Option**

7907 A development may have the option of combining a Shopping Street with a Single Tenant building that is  
 7908 less than 75,000 square feet, and shall comply with the following standards and applicable requirements  
 7909 of Sec. 3-D-11.11.e. Design Standards.

- 7910 (1) Location. One Single Tenant building may be located at any of the following:
- 7911 (a) Terminal of Shopping Street. Building shall have its main entrance fronting at the terminal  
 7912 of a Shopping Street; or
  - 7913 (b) Separate Lot. If such a building is located on a separate lot contiguous to the Shopping  
 7914 Street, then the lot shall be connected to a Pedestrian Corridor from the Shopping Street.
- 7915 (2) Access. In both options, the Single Tenant building may have a separate access from an arterial or  
 7916 collector street.
- 7917 (3) Limited Percentage. The Single Tenant building shall not exceed 40 percent of the total floor area  
 7918 of the development.

7919 **3-D-11.11.e. Design Standards**

7920 The following standards shall apply to all site design layouts, except stated otherwise herein.

<u>Design Components</u>	<u>Shopping Street Layout</u>	<u>Park Center Layout</u>	<u>Large-Scale Single Tenant Layout</u>
<u>Block Length</u>	✓	=	=
<u>Internal Shopping Street</u>	✓	✓	=
<u>Connectivity</u>	✓	✓	✓
<u>Building Arrangement</u>	✓	✓	✓
<u>Building Frontage and Entrance</u>	✓	✓	✓
<u>Height Limitation</u>	✓	✓	✓
<u>Building Design</u>	✓	✓	✓
<u>Parking</u>	✓	✓	✓
<u>Sidewalk</u>	✓	✓	✓

7921 (1) Block Lengths:

(a) Maximum Length:

- i. BF CC and BF AC:

*500 feet with a pedestrian walkway or vehicular cut-through<sup>1</sup>*

**[Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

ii. LAMPA Non-Residential districts:

800 feet with a pedestrian walkway or vehicular cut-through

[Relocated from LAMPA Sec. 3-33B.C.I.5.a.]

Footnote:

1 Not applicable to freestanding buildings.

- 7922 (b) Cut-Through Establishment. Shall be achieved by placing a Civic Space, walkway, or  
7923 driveway linking rear parking areas to internal streets.
- 7924 (c) Cut-Through Exemption.
- 7925 i. A parcel that is less than 500 feet may be exempt from a cut-through, however,  
7926 sidewalks shall be provided between the ends of buildings and the side lot lines.  
7927 [Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout and LAMPA Sec. 3-  
7928 33B.C.I.5.a. Street Layout, Shopping Street Standards]
- 7929 ii. Where an internal street is existing prior to the time of original Master Plan  
7930 adoption, and where the lot dimensions do not allow room for such an internal  
7931 street. In this case, development may be accessed by adjacent streets, with  
7932 shared and limited access points required whenever possible.
- 7933 iii. When freestanding buildings on separate lots linked by internal streets do not have  
7934 access to such internal streets from adjacent properties, temporary access may  
7935 be allowed from adjacent non-internal streets. [Relocated from BF Sec. 3-  
7936 33A.III.5.b.i. Street Layout and from LAMPA Sec. 3-33B.C.I.5.a.i. Shopping  
7937 Street Standards]
- 7938 (2) Internal Shopping Street.
- 7939 (a) Travel Lanes. There shall be 2 travel lanes with on-street parking at least on 1 side of the  
7940 street;
- 7941 (b) On-street Parking. Shall be allowed in front of buildings in the form of a single row of parallel  
7942 or diagonal parking spaces; and
- 7943 (c) Median. A landscape median may be included in the middle of the street.  
7944 [Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout and LAMPA Sec. 3-33B.C.I.5.a.i.  
7945 Street Layout, Shopping Street Standards]
- 7946 (3) Connectivity.
- 7947 (a) Access. Each street or building shall connect to adjacent parcels, where applicable. Any  
7948 necessary stub street shall be shown on the approved Site Plan for future connection.
- 7949 i. To implement the future connection between the subject lot and the adjacent lot,  
7950 an access easement for the portion of the stub street where it terminates at the lot  
7951 line, shall be recorded prior to the issuance of a Certificate of Occupancy of the  
7952 first building of the subject lot.
- 7953 (b) Large-Scale Single Tenant. An individual building, if located in a Shopping Street or Park  
7954 Center layout, shall be located pursuant to Sec. 3-D-11.11.d. Alternate Option.
- 7955 (4) Building Arrangement.
- 7956 (a) Clustering.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 7957                    i.        *Buildings shall be clustered on both sides of a shopping street with entrances oriented to that street; or*
- 7958
- 7959                    ii.       *clustered the buildings on 1 side of a street that face a Park or Civic Space on the other side of the street.*
- 7960
- 7961                    iii.       *There shall be a minimum of 75 percent of building frontage within a block.*
- 7962                    **[Relocated from BF Sec. 3-33A.III.5.b.ii. Building Arrangement and LAMPA Sec. 3-33B.C.I.5.a.ii. Building Arrangement]**
- 7963
- 7964                    **(5)**       Building Frontage and Entrance.
- 7965                    **(a)**       Shopping Street Layout. Front entrances of each building shall be oriented towards the internal street. There shall be a minimum of 75 percent of building frontage within a block.
- 7966                    **[Relocated from BF Sec. 3-33A.III.5.b.ii. Building Arrangement and LAMPA Sec. 3-33B.C.I.5.a.ii. Building Arrangement]**
- 7967
- 7968                    **(b)**       Large-Scale Single Tenant. Shall front on a public street right-of-way. If located as part of a Shopping Street or Park Center Layout, refer to Sec. 3-D-11.11.d. Alternate Option.
- 7969
- 7970                    **(c)**       All building entrances shall be designed according to Part F, Division 6 Architectural Design Guidelines.
- 7971
- 7972
- 7973                    **(6)**       Height Limitation. The following height standards shall apply:

<u>Residential FLU Category or Sub Zone</u>	<u>Maximum Height</u>
<i>BF Neighborhood Center, BF RAC, BF CC, BF AC and LAMPA VC and AC</i>	<u>3 stories or 45 feet, whichever is less</u>
<u>Non-Residential FLU Category (if adjacent to off-site Residential Uses)</u>	<u>Maximum Height</u>
150 feet	35 feet
>150 feet to 300 feet	52 feet
> 300 feet	<u>Increase of 1 foot setback for every 1-foot vertical height, not exceeding 75 feet</u>

- 7974                    **[Relocated from BF Sec. 3-33A.III.5.i. Height Limitations and LAMPA Sec. 3-33B.C.I.11. Height Limitations]**
- 7975
- 7976                    **(7)**       Building Design. Refer to Part F, Division 6 Architectural Design Guidelines.
- 7977                    **(8)**       Parking. In addition to the standards of Sec. 8-12. Parking Standards of this Code, the following standards shall apply to all site design layouts, unless noted otherwise.
- 7978
- 7979                    **(a)**       Shopping Street and Park Center. Parking shall comply with the following:

<u>i.</u> <u>Front.</u>	<u>A single row of parallel or diagonal on-street parking along internal streets. [Relocated from BF Sec. 3-33A.III.5.b.iii. Parking and LAMPA Sec. 3-33B.C.I.5.a.iii. Parking]</u>
<u>ii.</u> <u>Side:<sup>1</sup></u>	<u>A maximum of 25 percent of the required parking shall be located on 1 side of a building.</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

iii.	<u>Rear:</u>	<u>A minimum of 60 percent of the required parking shall be located at the rear of a building.</u>
------	--------------	--

<u>Footnote:</u>		
1		<u>Side parking areas shall have a street wall or a hedge, 42 inches in height, and installed adjacent to the internal street that will screen the parking area and continue the line of front building facades. [Relocated from Sec. 3-33A.III.5.b.iii. Parking and LAMPA Sec. 3-33B.C.I.5.a.iii. Parking]</u>

7980 (b) Large-Scale Single Tenant. Parking shall comply with Sec. 8-12. Parking Requirements of this Code.

7981 (9) Sidewalk.

7982 (a) Location. Shall be provided on both sides of internal streets. Sidewalks may be placed either against the building side with the Foundation Planting abutting the internal street, or on the other side of the Foundation Planting. [Relocated from BF Shopping Street Sec. 3-33A.III.5.b.iv., Park Center 3-33A.III.5.c.ii; Big Box 3-33A.III.5.e.iii. Sidewalks and LAMPA Sec. 3-33B.C.I.5.a.iv. Sidewalks]

7986 (b) Minimum Width:

i.	<u>Infront of Building:</u>	<u>All areas unless stated otherwise:</u>	<u>10 feet</u>
		<u>Large-Scale Single Tenant:</u>	<u>15 feet</u>
	ii.	<u>In Civic Space or Park:</u>	<u>8 feet</u>
	iii.	<u>All Other Areas:</u>	<u>6 feet</u>

7989 [Relocated from BF Shopping Street Sec. 3-33A.III.5.b.iv., Park Center 3-33A.III.5.c.ii; Big Box 3-33A.III.5.e.iii. Sidewalks and LAMPA Sec. 3-33B.C.I.5.a.iv. Sidewalks]

7991 (10) Pedestrian Corridor.

7992 (a) Shopping Street and Park Center. A Pedestrian Corridor shall be provided for all site design layouts and subject to the following:

i.	<u>Location and Dimensional Standards:</u>		
	A.	<u>Where the distance between parking spaces and storefront sidewalks exceeds 200 feet:</u>	<u>Every other double parking row or every 120 feet, whichever is less.</u>
	B.	<u>Minimum sidewalk within a Pedestrian Corridor:</u>	<u>5 feet</u>
		<u>Shopping Street:</u>	<u>6 feet</u>
		<u>Park Center:</u>	<u>5 feet</u>
		<u>LAMPA:</u>	<u>5 feet</u>
	C.	<u>Minimum landscape strip:</u>	<u>8 feet</u>
		<u>Shopping Street:</u>	<u>On either side of the sidewalk:</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

	<u>Park Center:</u>	<u>On both sides of the sidewalk:</u>	17 feet
	<u>LAMPA:</u>		12½ feet [Relocated from Sec. 3-33B.C.5.v. Pedestrian Corridor]
	<u>Shopping Street:</u>	<u>On either side of the sidewalk:</u>	8 feet
ii.	<u>Planting in Landscape Strip:</u>		
	<u>Shopping Street:</u>	<u>Palms at a maximum of 20 feet apart; or Shade Trees at a maximum of 35 feet apart</u> <sup>1</sup>	
	<u>Park Center:</u>	<u>Shade Trees at a maximum of 30 feet apart</u> <sup>1</sup>	
	<u>Footnote:</u>		
	<u>1</u>	<i>The spacing of <u>Shade Trees</u> may exceed the 30-foot standard no more than 150 percent, if the Landscape Reviewer finds that wider spacing is needed due to tree species.</i>	
7994	[Relocated from BF Shopping Street Sec. 3-33A.III.5.b.v. and Park Center 3-33A.III.5.c.iii. and Big Box 3-33A.III.5.e.iv, Pedestrian Corridors]		
7995			
7996	(b)	<u>Large-Scale Single Tenant Parking Area. A minimum of 3 landscape Pedestrian Corridors shall be required in the principal parking areas to link peripheral parking areas with the building entrances. One of these corridors shall be a central Pedestrian Corridor. The others shall be distributed to provide walking routes from all parking areas. [Relocated from BF Sec. 3-33A.III.5.e.iv. Big Boxes- Pedestrian Corridors]</u>	
7997			
7998			
7999			
8000			
	i.	<u>Dimensional Standards:</u>	
	A.	<u>Sidewalk within Pedestrian Corridor:</u>	<u>Minimum of 6 feet</u>
	B.	<u>Landscape Strip:</u>	<u>Both sides of the sidewalk a minimum of 10 feet</u>
	C.	<u>Planting in Landscape Strip:</u>	<u>Palm Trees at a maximum of 20 feet apart; or Shade Trees at a maximum of 35 feet apart</u>

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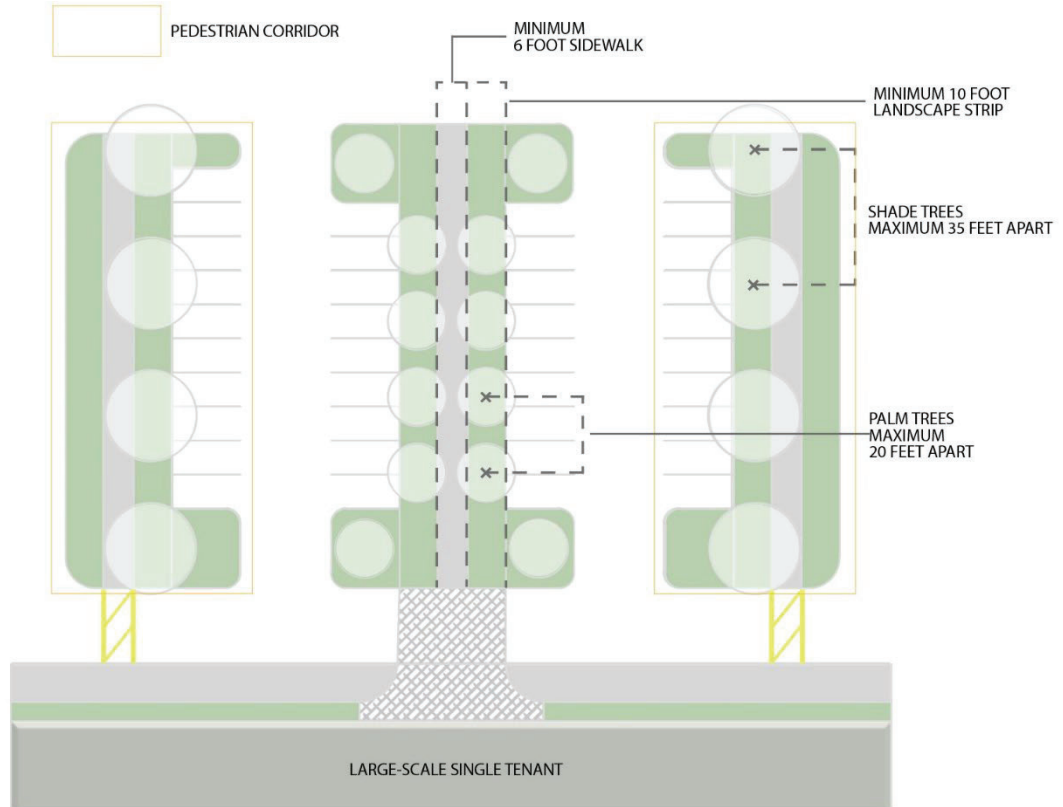
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8001  
8002

[Relocated from BF Shopping Street Sec. 3-33A.III.5.b.v. and Park Center 3-33A.III.5.c.iii. and Big Box 3-33A.III.5.e.iv, Pedestrian Corridors]



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(c) Identification. All parking areas, where pedestrian crossings are provided, shall be clearly identified through the use of raised speed humps, crosswalk striping, different pavement patterns, or similar techniques. [Relocated from BF Shopping Street Sec. 3-33A.III.5.b.v. and Park Center 3-33A.III.5.c.iii. and Big Box 3-33A.III.5.e.iv, Pedestrian Corridors]

(d) Deviation. The Planning and Zoning Director or his/her designee may increase or decrease the spacing of the trees based on the selection of tree species or preservation of existing trees or palms.

(11) Landscaping. In addition to the standards of Article 6 Tree Ordinance, landscaping for these FLU categories of the Master Planned Communities shall consist of Buffer, Foundation Planting, Street Trees, and Parking Area.

(a) Buffer.

i.	<u>Right-of-Way Buffer:</u>	<u>Shopping Street:</u>	<u>Not Applicable</u>
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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>Park Center and Large-Scale Single Tenant:</u>		<u>A minimum of 75 feet in width; Shade Tree<sup>1</sup> at a ratio of 1 tree per 1,000 square feet</u> <b>[Relocated from Sec. 3-33A.III.5.c.v. Buffers, Park Center]</b>
<u>ii.</u>	<u>Perimeter Buffer:</u>	<u>Shopping Street:</u>	<u>Not Applicable</u>
		<u>Park Center and Large-Scale Single Tenant:</u>	<u>A minimum of 30 feet in width; Shade Tree spacing at 30 feet apart</u>

Footnote:

1 The spacing of Shade Trees may exceed the 30-foot standard no more than 150 percent, if the County Landscape Reviewer finds that wider spacing is needed due to tree species.

- 8015 **[Relocated from BF Sec. 3-33A.III.5.c.v. Park Center Buffers and 5.e.vi. Big Box Buffers]**
- 8016
- 8017
- 8018 iii. At least 50 percent of the planted or preserved trees within the perimeter and right-of-way buffers shall be a minimum 4-inch caliper, with trees under 5 inches in caliper being counted as small for Tree Protection and Landscaping Standards calculation purposes. **[Relocated from BF Sec. 3-33A.III.5.c.v. Park Center Buffers and 5.e.vi. Big Box Buffers]**
- 8019
- 8020
- 8021
- 8022 (b) Building Facade Landscaping. Buildings shall be designed to incorporate landscaping by varying building setbacks to accommodate raised planters, sidewalk cutouts, or portable planters. **[Relocated from BF Sec. 3-33A.III.5.b.vi. Shopping Street Landscaping]**
- 8023
- 8024
- 8025 (c) Foundation Planting. A planting area with a minimum width of 10 feet may be provided as an alternative for planters and sidewalk cutouts.
- 8026
- 8027 i. Foundation Planting may be placed on the front and sides of the building.
- 8028 ii. The minimum length of Foundation Planting shall be 20 percent of the front of a building, and the side of a building, where applicable. One flowering tree or palm shall be planted for each 15 lineal feet of the length of the planting area.
- 8029
- 8030
- 8031 iii. Foundation planting may be located between the building and the sidewalk, or adjacent to the street when the sidewalk abuts the building. **[Relocated from BF Sec. 3-33A.III.5.b.vi. Landscaping]**
- 8032
- 8033
- 8034 (d) Street Trees. Street trees shall be placed in sidewalk cutouts along internal streets at a spacing that is at least an average of 40 feet on center. **[Relocated from BF Sec. 3-33A.III.5.b.vi. Landscaping]**
- 8035
- 8036

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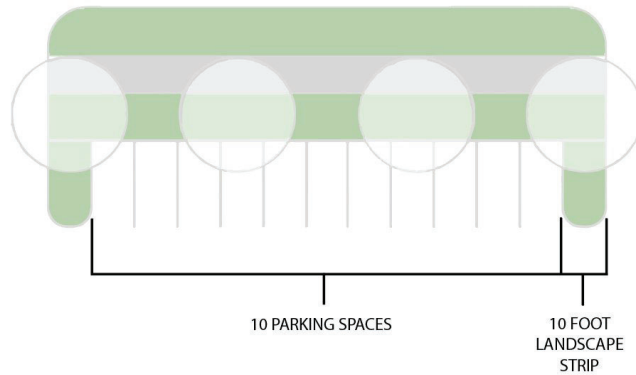
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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8037 (e) Parking Area Landscape.



- i. Minimum Percentage *15 percent of the parking lot shall be landscaped area*  
[Relocated from BF Sec. 3-33A.III.5.c.iv. Landscaping]
- ii. Landscape Island *1 landscape island at each end of a row of parking spaces, and at every 10 spaces.*
- iii. Landscape Median *Shall be provided along driveways and also in Parking Area pursuant to Sec. 3-D-11.10. Pedestrian Corridor.*
- iv. Deviation of Spacing Interval. *The required distance may be increased to 1 island per a maximum of 12 spaces if:*
  - A. *the width of each terminal island that is adjacent to the row of parking spaces is increased from the required minimum width to 1 additional foot; and/or*
  - B. *it is to allow a preserved tree to remain in its original location.*
- v. Landscape Island and Median Dimensional Standards.

8038  
8039  
8040  
8041  
8042  
8043  
8044

<u>Minimum Dimensions</u>	<u>Island</u>	<u>Median</u>	<u>Median with Pedestrian Corridor</u>
<u>Width</u>	<u>10 feet</u>	<u>15 feet</u>	<u>17 feet</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>Length</u>	<u>15 feet</u>	<u>Not Applicable</u>	<u>Not Applicable</u>
<u>Landscaping -Tree</u>	<u>1 per island</u>	<u>1 at 30 feet on center</u>	<u>1at 30 feet on center</u>
<u>Landscaping – Shrubs and groundcover</u>	<u>1 at 30 inches on center</u>	<u>1 at 30 inches on center</u>	<u>1 at 30 inches on center</u>

- 8045 (12) Park or Civic Space. *Park or Civic Spaces, which are utilized to replace the requirement of having*  
8046 *buildings on 1 side of a Shopping Street, shall have an average width of at least 75 feet and a*  
8047 *minimum width of 40 feet.*  
8048 (a) Shade Tree Planting. *Shall include Shade Trees at the ratio of 1 per 1,500 feet and include*  
8049 *a sidewalk traversing the area.*  
8050 (b) Exemption. *For freestanding buildings that are less than 7,500 square feet in size, the*  
8051 *minimum 40-foot width is required but the average 75-foot width is not required.*  
8052 **[Relocated from BF Sec. 3-33A.III.5.b.vi. Landscaping]**  
8053 (13) Retention Area.  
8054 (a) Location. *Retention areas, which may be a water body or detention area, when adjacent*  
8055 *to a street frontage, shall only occupy a maximum of 50 percent of the street.*  
8056 (b) Calculation. *At least 50 percent of retention areas shall be utilized for the calculation of*  
8057 *required trees within buffers. Such facilities shall visually and functionally complement the*  
8058 *Park/Civic Space through the use of pedestrian bridges, boardwalks, and docks; fountains*  
8059 *for aeration and improved appearance, and shall include Shade Trees and other planted*  
8060 *or preserved vegetation around the retention areas.*  
8061 (c) Encroachment. *Retention areas may encroach into a landscape buffer a maximum of 10*  
8062 *feet, and if planting is allowed to be placed in the slope of the retention areas, those plants*  
8063 *may be allowed to be counted towards the buffer planting requirement.* **[Relocated from**  
8064 **BF Sec. 3-33A.III.5.b.vi. Landscaping]**  
8065 (14) Lighting. *Refer to Part F, Division 7 Exterior Lighting of this Code.*

8066 **Sec. 3-33A.I. GENERAL STANDARDS Branan Field Current Code**  
8067 **I. GENERAL STANDARDS**

- 8068 ~~1. Definition. These land development regulations are the implementing mechanisms of the Branan~~  
8069 ~~Field Master Plan and will be applicable within the geographical boundaries of the Master Plan~~  
8070 ~~area as shown on the Future Land Use Map in the 2040 Comprehensive Plan. [Deleted as the~~  
8071 ~~current text is not a definition and replaced with new text under Purpose and Intent]~~  
8072 ~~2. Plan Administration.~~  
8073 ~~a. Application Requirements. Applications for development review shall include, at a~~  
8074 ~~minimum, a narrative, site plan, jurisdictional wetland/BF PCN delineation (the BF PCN~~  
8075 ~~being defined as a minimum of 200 feet in width or a minimum of 25 feet from the~~  
8076 ~~jurisdictional wetland line, whichever is greater), survey, and building elevations when~~  
8077 ~~applicable that specifically demonstrate how the project meets the LDRs. [Relocated to~~  
8078 ~~Sec. 3-D-11.4. Application Requirements]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 8079 b. ~~Project Review. All projects will undergo separate conceptual and final reviews by the~~  
8080 ~~County's staff Development Review Committee, with representatives of specific County~~  
8081 ~~departments reviewing items pertinent to their responsibilities. Applications shall be~~  
8082 ~~considered by the DRC no later than 22 days from the date of submittal.~~
- 8083 c. ~~Project Approval. Project approval shall be given by the Directors of Planning and Zoning,~~  
8084 ~~with written confirmation of compliance from other County department heads as required~~  
8085 ~~in these regulations. Conceptual approval is granted for a period of three years.~~  
8086 ~~Conceptual plans will be guided by the LDRs in effect at the time of approval. Final~~  
8087 ~~applications shall be considered by the DRC consistent with the DRC submittal schedule.~~  
8088 ~~Approval of specific plats, construction drawings, and other detailed submittals shall~~  
8089 ~~continue to be the responsibility of the relevant department head. For residential~~  
8090 ~~developments, a plan book showing how the homes will meet the standards set forth in~~  
8091 ~~this document will be required prior to final approval. [Deleted. Deferred to Article II]~~
- 8092 d. ~~Conflicts. To the extent that these LDRs may conflict with or may not be consistent with~~  
8093 ~~other applicable County laws, ordinances, rules or regulations, these LDRs shall govern~~  
8094 ~~and control. When the LDRs are silent on an issue that would otherwise be governed by~~  
8095 ~~other codes of the County, those codes shall prevail. To the extent that there is internal~~  
8096 ~~conflict, the stricter provision shall prevail. [Relocated to Sec. 3-D-11.3. Conflict]~~
- 8097 e. ~~Appeal. Questions of interpretation which do not involve specific and measurable~~  
8098 ~~standards may be appealed to the Planning Commission and Board of County~~  
8099 ~~Commissioners. Such an appeal may be filed within 45 days of the written issuance of~~  
8100 ~~interpretation by the Director of Planning. The Director of Planning must schedule a public~~  
8101 ~~hearing within 21 days from receipt of the appeal. The appeal hearing shall be a quasi-~~  
8102 ~~judicial, de novo hearing and shall allow expert testimony. Public notice shall be no less~~  
8103 ~~than two columns by ten inches (1/8 page) in size and shall be advertised in a newspaper~~  
8104 ~~of general circulation at least seven days prior to the hearing. [Relocated to Sec. 3-D-~~  
8105 ~~11.7. Appeal]~~
- 8106 f. ~~Modifications. Any proposed major or substantial change in the approved project which~~  
8107 ~~affects the intent of the development, the density or land use pattern, the internal~~  
8108 ~~circulation, or similar substantial changes shall be reviewed by the DRC consistent with~~  
8109 ~~section (a) above. A major change is defined as an increase in dwelling units which~~  
8110 ~~equates to a change of 5% or 50 units, whichever is greater. For non-residential projects,~~  
8111 ~~a change which results in an increase of 5% or 60,000 square feet, whichever is greater,~~  
8112 ~~is determined to be substantial. Changes in these areas that are not major or substantial~~  
8113 ~~may be approved by the Directors of Planning and Zoning. [Relocated to Sec. 3-D-11-5.~~  
8114 ~~Modifications]~~
- 8115 g. ~~Variances. A landowner may apply to the Board of Adjustment for a variance in accordance~~  
8116 ~~with the procedures and standards provided generally for variances under the Zoning~~  
8117 ~~Code. This procedure shall be allowed only for specific and measurable standards that~~  
8118 ~~the applicant contends to cause a hardship due to unique site characteristics. [Relocated~~  
8119 ~~to Sec. 3-D-11-6. Variance]~~
- 8120 h. ~~Land Uses. Land uses within Branan Field are limited to those designations on the Branan~~  
8121 ~~Field Future Land Use Map, but may also include the Planned Community designation~~  
8122 ~~which shall be subject to the development standards set forth in any such Planned~~  
8123 ~~Community DRI Development Order and Planned Unit Development zoning which shall~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8124 ~~take precedence over these land development regulations.~~ [Relocated to Sec. 3-D-  
8125 18.4.d. Branan Field Land Uses, Existing Developments]

8126 ~~i. Homeowners Associations. Homeowners Associations (HOAs) are required for all~~  
8127 ~~residential subdivisions. [Relocated to Sec. 3-D-11-8.a. Residential] HOAs shall formally~~  
8128 ~~assume maintenance responsibility, submitted to the county a fully executed~~  
8129 ~~indemnification and maintenance guarantee regarding common areas and facilities, and~~  
8130 ~~shall be invested with the power to levy recurring assessments on property within the~~  
8131 ~~development sufficient to fund the cost of such maintenance, and to compel the payment~~  
8132 ~~of such assessments through lien and foreclosure, whereupon such association shall bear~~  
8133 ~~such responsibility. HOAs shall be responsible for the maintenance in perpetuity of~~  
8134 ~~commonly owned facilities including but not limited to retention, neighborhood parks,~~  
8135 ~~private alleys and streets, and buffers. [Relocated to Sec. 3-D-11.8. Responsibility of a~~  
8136 ~~HOA] HOAs shall be established prior to the construction of 50% of the lots within a~~  
8137 ~~development. Maintenance responsibilities shall be that of the developer until such time~~  
8138 ~~that such responsibilities are turned over to a functional HOA. Covenants and restrictions~~  
8139 ~~on properties shall be required, and shall set forth participation and financial obligations~~  
8140 ~~pertaining to HOAs. HOAs shall levy assessments on property owners that are adequate~~  
8141 ~~to maintain commonly owned facilities. HOAs shall carry insurance covering common~~  
8142 ~~areas and facilities. [Relocated to Sec. 3-D-11.8. Homeowners and Property Owners~~  
8143 ~~Association]~~

8144 ~~j. Interpretation Flexibility. The Planning and Zoning Directors may consider and approve~~  
8145 ~~deviations from specific LDR requirements including use, building arrangement, street layout,~~  
8146 ~~parking location, pedestrian corridor location, landscape buffer width, and tree type. However~~  
8147 ~~such approval shall only be granted if a compelling need and an improved outcome are~~  
8148 ~~apparent, and if the intent of the regulations is upheld and in fact exceeded, particularly in~~  
8149 ~~regard to pedestrian orientation. [Relocated to Sec. 3-D-11.9.a. Interpretation of Code,~~  
8150 ~~Interpretation Flexibility]~~

8151 ~~Sec. 3-33B.C.13.a.ii.A. Residential Street Pattern.~~

8152 ~~A. Residential. The pattern of streets in new residential subdivisions shall provide for the continuation of~~  
8153 ~~existing collector and in some cases local streets from adjoining areas, or for their proper projection~~  
8154 ~~where adjoining land is not subdivided. All street stubs shall be provided with a cul-de-sac that reaches~~  
8155 ~~the adjoining property line and is constructed at the same time that the other roads are constructed for~~  
8156 ~~a particular project or phase of a project, and the restoration and extension of the street shall be the~~  
8157 ~~responsibility of any future developer of the abutting land unless physical constraints of the land prevent~~  
8158 ~~such connection. [Relocated to/consolidated under Sec. 3-F-C.2.a.(3) Street Stubs, Street Pattern]~~  
8159 ~~The design of a development shall allow for through streets at least every twenty five hundred feet~~  
8160 ~~along the periphery. As an alternative, developments shall allow for through streets at least every three~~  
8161 ~~thousand feet with a separate pedestrian connection midway between street connections. The Planning~~  
8162 ~~and Zoning Director may utilize averaging to provide flexibility in administering this standard.~~  
8163 ~~The through street spacing requirement shall be relaxed when the presence of an existing wetland or~~  
8164 ~~an existing development (prior to plan adoption) would prevent the placement of the connection at that~~  
8165 ~~location. In that event, the connection shall be placed outside the wetland boundary, or if the~~  
8166 ~~configuration of the wetland area or existing development practically prohibits through streets, then that~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8167 ~~connection may be eliminated.~~ [Relocated to/consolidated under Sec. 3-D-11-9.c. Through Street  
8168 Criteria Interpretation Flexibility]  
8169

### 8170 **5. ~~BF Community and BF Activity Center Standards.~~**

8171 The following standards shall apply within the ~~BF Community and BF Activity Center land uses:~~

8172 a. ~~General. Buildings and parking areas shall be arranged in a way that emphasizes the importance~~  
8173 ~~of the pedestrian, while allowing for conveniences associated with the automobile. Free standing~~  
8174 ~~stores and shopping centers will be arranged along pedestrian oriented “shopping streets,” instead~~  
8175 ~~of in the middle of parking lots. [Relocated to Sec. 3-D-11.11.a. Description] As an alternative,~~  
8176 ~~conventional shopping centers will have pedestrian corridors within parking lots along with a~~  
8177 ~~significant amount of landscaped area. These designs will encourage walking and also create a~~  
8178 ~~much more attractive appearance than a conventional strip shopping center. While individual~~  
8179 ~~stores over 100,000 square feet (“big boxes”) need not be arranged along internal streets in this~~  
8180 ~~manner, they shall have wide sidewalks in front of them, shall have pedestrian corridors that link~~  
8181 ~~parking areas to the store, shall have direct pedestrian links to adjacent shopping areas, and will~~  
8182 ~~also have a significant landscaped area component. [Relocated to/Consolidated in Sec. 3-D-~~  
8183 ~~11.11.c. Site Design Layout]~~

8184 b. ~~“Shopping Street” Standards (Freestanding commercial buildings under 100,000 square feet in size~~  
8185 ~~and shopping centers with multiple tenants). [Relocated to/Consolidated in Sec. 3-D-11.11.c.~~  
8186 ~~Site Design Layout]~~

8187 i. ~~Street Layout. Development shall be arranged along internal shopping streets within a~~  
8188 ~~development. Block length for such streets shall be a maximum of five hundred feet, with block~~  
8189 ~~limits defined as through side streets and pedestrian walkways or civic spaces (not applicable~~  
8190 ~~to freestanding buildings). For shopping streets on parcels less than 500 feet, driveways or~~  
8191 ~~pedestrian walkways linking rear parking areas to internal streets or sidewalks shall be~~  
8192 ~~provided between the ends of buildings and the side property lines. Shopping streets shall~~  
8193 ~~connect adjacent parcels in the case of freestanding buildings, and such connections must be~~  
8194 ~~shown on submitted site plans. Shopping streets shall include two travel lanes and on-street~~  
8195 ~~parking lane(s) on at least one side of the street. Streets may also include a landscape median.~~  
8196 ~~The only exception to the requirement of an internal street is if existing (at the time of original~~  
8197 ~~Master Plan adoption) property dimensions do not allow room for such an internal street. In~~  
8198 ~~this case, development may be accessed by adjacent streets, with shared and limited access~~  
8199 ~~points required whenever possible. When freestanding buildings on separate lots linked by~~  
8200 ~~internal streets do not have access to such internal streets from adjacent properties, temporary~~  
8201 ~~access may be allowed from adjacent non-internal streets. [Relocated to Sec. 3-D-11.11.e.~~  
8202 ~~Design Standards]~~

8203 ii. ~~Building Arrangement. When more than two buildings are proposed on a site, buildings shall~~  
8204 ~~be placed close to the shopping street, with entrances oriented to that street. Buildings shall~~  
8205 ~~be clustered on both sides of a shopping street, or clustered buildings on one side of a street~~  
8206 ~~shall face a linear park/civic space on the other side of the street. Clustering shall be achieved~~  
8207 ~~in the following manner. Freestanding buildings on separate and adjacent lots shall be placed~~  
8208 ~~as close together as possible and shall provide a shared access driveway on the non-clustered~~  
8209 ~~side. For shopping centers, buildings shall occupy at least 75 percent of linear frontage within~~  
8210 ~~a block. [Relocated to/tabularized under Sec. 3-D-11.11.e. Design Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 8211           iii. ~~Parking. Parking shall be located primarily to the rear of buildings, but will also be allowed on~~  
8212           ~~one side of a building (in the case of shopping centers, in conformance with the 75% frontage~~  
8213           ~~limitation set in item ii above). Parking will be allowed in front of buildings in the form of a single~~  
8214           ~~row of parallel or diagonal on-street parking along internal shopping streets. Side parking areas~~  
8215           ~~shall have a streetwall (wall or hedge at least 42" in height) adjacent to the internal street that~~  
8216           ~~will screen the parking area and continue the line of front building facades. [Relocated to Sec.~~  
8217           ~~3-D-11.11.e. Design Standards]~~  
8218           iv. ~~Sidewalks. A sidewalk is required on both sides of internal streets. This sidewalk shall be a~~  
8219           ~~minimum width of ten feet, except where sidewalks are not adjacent to building sides with an~~  
8220           ~~entrance, minimum width shall be six feet. Sidewalks within park/civic areas must be at least~~  
8221           ~~eight feet wide. Sidewalks shall be placed on the parking lot and street sides of freestanding~~  
8222           ~~buildings, and shall also connect to building entrances. Sidewalks may be placed either on the~~  
8223           ~~building side of the required landscape strip or on the other side of the landscape strip.~~  
8224           ~~[Relocated to Sec. 3-D-11.11.e.(9) Design Standards, Sidewalk]~~  
8225           v. ~~Pedestrian Corridors. For parking lots where the distance between parking spaces and~~  
8226           ~~storefront sidewalks exceeds 200 feet, pedestrian corridors are required. Pedestrian corridors~~  
8227           ~~should run with at least every other double parking row or every 120 feet, whichever is less.~~  
8228           ~~Pedestrian corridors shall be clearly identified when crossing driveways through the use of~~  
8229           ~~raised speed humps, crosswalk striping, different pavement patterns, or similar techniques.~~  
8230           ~~Sidewalks within pedestrian corridors shall be at least five feet in width, with a landscape strip~~  
8231           ~~on either side that is at least five feet wide. This landscape strip shall include planted palm~~  
8232           ~~trees no more than 15 feet apart, and/or parking lot shade trees no more than 30 feet apart,~~  
8233           ~~placed within landscape islands. The spacing of shade trees may exceed the 30 foot standard~~  
8234           ~~no more than 150%, if the Landscape Reviewer finds that wider spacing is needed due to tree~~  
8235           ~~species. [Relocated to Sec. 3-D-11.11.e.(10) Design Standards, Pedestrian Corridor]~~  
8236           vi. ~~Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~  
8237           ~~standards shall apply. Buildings should be designed to incorporate landscaping into store~~  
8238           ~~frontage. This can be done by means of raised planters, sidewalk cutouts, or portable planters,~~  
8239           ~~or by varying building setbacks that can easily accommodate landscape planters. Street trees~~  
8240           ~~shall be placed along internal shopping streets at a spacing that is at least an average of 40~~  
8241           ~~feet on center. Freestanding buildings must provide either a landscape strip with parking lot~~  
8242           ~~or street trees placed with a spacing that is no more than 30 feet on center that is at least ten~~  
8243           ~~feet in width on the front and sides of the building. A minimum five-foot wide sidewalk shall be~~  
8244           ~~placed on either side of the landscape strip facing any parking areas, entrances, and adjacent~~  
8245           ~~streets. As an alternative, the landscape strip may be eliminated from areas facing the parking~~  
8246           ~~lot, entrances, and adjacent streets if a minimum ten-foot wide sidewalk is provided with~~  
8247           ~~parking lot or street trees in cutouts or landscape islands spaced no more than 30 feet on~~  
8248           ~~center. [Relocated to Sec. 3-D-11.11.e.(11) Design Standards, Landscaping] The spacing~~  
8249           ~~of trees within the building landscape strip may exceed the 30 foot standard no more than~~  
8250           ~~150%, if the Landscape Reviewer finds that wider spacing is needed due to tree species. For~~  
8251           ~~shopping centers with multiple tenants, street trees shall be approved parking lot trees and~~  
8252           ~~may also include Washingtonian Palm trees, or similar tall palms. All landscape islands in~~  
8253           ~~parking lots shall have shade trees. [Relocated to Sec. 3-D-11.11.e.(11)(a) Design~~  
8254           ~~Standards, Landscaping, Buffer, Footnote 1] Park/civic areas utilized instead of buildings~~  
8255           ~~on one side of a shopping street must have an average width of at least 75 feet and a minimum~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8256 ~~width of 40 feet, include shade trees at the ratio of one per 1,500 feet, and include a sidewalk~~  
8257 ~~traversing the area. For freestanding buildings that are less than 7,500 square feet in size, the~~  
8258 ~~minimum 40-foot width is required but the average 75 foot width is not required. [Relocated to~~  
8259 ~~Sec. 3-D-11.11.e.(12) Design Standards, Park or Civic Space] At least 50% of retention~~  
8260 ~~lands shall be utilized for the calculation of required trees within buffers. Such facilities must~~  
8261 ~~shall be visually and functionally complement the park/civic space through the use of~~  
8262 ~~pedestrian bridges, boardwalks, and docks; provide fountains for aeration and improved~~  
8263 ~~appearance, like in appearance and provide visual screening of interior parking through the~~  
8264 ~~placement of shall include shade trees and other landscaping planted or preserved around the~~  
8265 ~~retention facility. [Relocated to Sec. 3-D-11.11.e.(13) Design Standards, Retention Area]~~  
8266  
8267 e. ~~“Park Center” for commercial buildings under 100,000 square feet in size and shopping centers~~  
8268 ~~with multiple tenants (not including freestanding buildings).~~  
8269 i. ~~Street Layout. Development shall front along an internal street within a development.~~  
8270 ~~[Deleted]~~  
8271 ii. ~~Sidewalks. A minimum ten-foot wide sidewalk is required along the building side of~~  
8272 ~~internal streets. [Deleted and consolidated in Sec. 3-D-11.11.e.(9) Design~~  
8273 ~~Standards, Sidewalk]~~  
8274 iii. ~~Pedestrian Corridors. For parking lots where the distance between parking spaces~~  
8275 ~~and storefront sidewalks exceeds 200 feet, landscaped pedestrian corridors shall be~~  
8276 ~~provided. Pedestrian corridors should run with at least every other double parking row~~  
8277 ~~or every 120 feet, whichever is less. Pedestrian corridors shall be clearly identified~~  
8278 ~~when crossing driveways through the use of raised speed humps, crosswalk striping,~~  
8279 ~~different pavement patterns or similar techniques. Sidewalks within landscaped~~  
8280 ~~pedestrian corridors shall be at least six feet in width, with a landscape strip on both~~  
8281 ~~sides that is at least 17 feet wide. Shade trees must be planted on both sides of the~~  
8282 ~~sidewalk at least 20 feet apart but no more than 35 feet apart. Pedestrian connections~~  
8283 ~~at the same spacing shall also be provided perpendicular to the main pedestrian~~  
8284 ~~corridors by enlarging landscape islands, however such perpendicular connections~~  
8285 ~~shall only require walkways and not additional landscaping. [Deleted. Consolidated~~  
8286 ~~under Sec. 3-D-11.11.e.(10) Design Standards, Pedestrian Corridor.]~~  
8287 iv. ~~Landscaping. In addition to the County’s Landscaping and Tree requirements, the~~  
8288 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~  
8289 ~~internal streets at a spacing that is at least an average of forty feet on center. Street~~  
8290 ~~trees shall be approved parking lot trees and may also include Washingtonian Palm~~  
8291 ~~trees, or similar tall palms. All landscape islands in parking lots shall have shade trees,~~  
8292 ~~planted or preserved at a minimum caliper of four inches. Trees less than five inches~~  
8293 ~~in caliper shall be counted as small trees for Tree Protection and Landscaping~~  
8294 ~~Standards calculation purposes. At least 15% of the parking lot shall be landscaped~~  
8295 ~~area (not including the perimeter and right of way buffers). [Deleted. Consolidated~~  
8296 ~~under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping.]~~  
8297 v. ~~Buffers. Perimeter buffers shall be at least 30 feet in width and include shade trees~~  
8298 ~~planted or preserved at least every 30 feet. The spacing of shade trees may exceed~~  
8299 ~~the 30 foot standard no more than 150%, if the Landscape Reviewer finds that wider~~  
8300 ~~spacing is needed due to tree species. Right of way buffers shall be at least 75 feet~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8301 ~~and include shade trees planted or preserved at a ratio of at least one tree per 1000~~  
 8302 ~~square feet. [Deleted, Consolidated under Sec. 3-D-11.11.e.(11)(a) Design~~  
 8303 ~~Standards, Landscaping, Buffer]~~  
 8304 ~~In addition, shade trees must be located between the sidewalk and the principal~~  
 8305 ~~thoroughfare, with a minimum spacing of 30 feet. The spacing of shade trees may~~  
 8306 ~~exceed the 30 foot standard no more than 150%, if the Landscape Reviewer finds that~~  
 8307 ~~wider spacing is needed due to tree species. [Deleted, Consolidated under Sec. 3-~~  
 8308 ~~D-11.11.e.(11)(b) Design Standards, Landscaping, Building Facade~~  
 8309 ~~Landscaping.] Retention facilities may occupy up to 30% of the park/civic space. At~~  
 8310 ~~least 50% of retention lands shall be utilized for the calculation of required trees within~~  
 8311 ~~buffers. Such facilities shall visually and functionally complement the park/civic space~~  
 8312 ~~through the use of pedestrian bridges, boardwalks, and docks; provide fountains for~~  
 8313 ~~aeration and improved appearance, and shall include shade trees and other~~  
 8314 ~~landscaping planted or preserved around the retention facility. At least 50 percent of~~  
 8315 ~~the planted or preserved trees within the perimeter and right of way buffers must be a~~  
 8316 ~~minimum four inch caliper, with trees under five inches in caliper being counted as~~  
 8317 ~~small for Tree Protection and Landscaping Standards calculation purposes.~~  
 8318 ~~[Deleted, Consolidated under Sec. 3-D-11.11.e.(13) Design Standards, Retention~~  
 8319 ~~Area.]~~  
 8320 ~~d. "Hybrid Alternative" for shopping centers with multiple tenants.~~  
 8321 ~~Such shopping centers may include components of both shopping streets and park centers. The~~  
 8322 ~~size of required landscaped areas is reduced as the hybrid achieves more of the shopping street~~  
 8323 ~~elements in accordance with the following table.~~

<b>Percentage of Building Space in Shopping Street Design</b>	<b>Right-of-Way Buffer Minimum Width</b>	<b>Perimeter Buffer Minimum Width</b>	<b>Pedestrian Corridor Minimum Width</b>	<b>Parking Lot Landscape Percentage</b>	<b>Parking Lot Island Minimum 4" Trees</b>
<del>0-25% (Park Center)</del>	<del>75'</del>	<del>30'</del>	<del>40'</del>	<del>15%</del>	<del>Yes</del>
<del>26-39%</del>	<del>50'</del>	<del>20'</del>	<del>30'</del>	<del>12%</del>	<del>Yes</del>
<del>40-59%</del>	<del>35'</del>	<del>40'</del>	<del>20'</del>	<del>N/A</del>	<del>No</del>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

60-100% (Shopping Street)	20'	0'	15'	N/A	No
------------------------------	-----	----	-----	-----	----

8324 **[Deleted Hybrid Option, no longer applicable]**

8325

8326 e. ~~“Big Boxes” (commercial buildings over 100,000 square feet in size).~~

8327 i. ~~Street Layout. “Big boxes” and grocery stores are not conducive to the human scale of a~~  
 8328 ~~walkable shopping street, and therefore these uses are not subject to the requirement of~~  
 8329 ~~locating on a street with buildings on both sides (although there are no prohibitions against~~  
 8330 ~~this). It is preferable that a shopping center terminates at an entrance to a larger building, so~~  
 8331 ~~that pedestrian traffic can help to support both the larger use and the smaller shopping center~~  
 8332 ~~uses. **[Deleted. Provided new text to address Big Box 3-D-11.11.(a) Description]**~~

8333 ii. ~~Building Arrangement. Big boxes shall generally be located in the rear of the site. Interior~~  
 8334 ~~parking shall be screened through the use of shopping street “liner” buildings along an internal~~  
 8335 ~~street located between the parking area and the principal thoroughfare(s) that provides access~~  
 8336 ~~to the big box. Retention facilities may occupy no more than half of the linear frontage along~~  
 8337 ~~the principal thoroughfare of access, provided that such facilities are park like in appearance~~  
 8338 ~~and provide visual screening of interior parking through the placement of shade trees and other~~  
 8339 ~~landscaping around the retention facility. **[Deleted. Provided new text to address Big Box**~~  
 8340 ~~**3-D-11.11.e.(4) Building Arrangement and (13) Retention Area]**~~

8341 iii. ~~Sidewalks. Storefront sidewalk areas shall have an overall average width of at least 15 feet.~~  
 8342 ~~The storefront shall be the area in front of the building and any other sides of the building where~~  
 8343 ~~entrances exist. Sidewalk width may be reduced to no less than ten feet provided that this~~  
 8344 ~~width is limited to no more than ten percent of the storefront. **[Deleted and consolidated**~~  
 8345 ~~**under 3-D-11.11.e.(9) Design Standards, Sidewalk]**~~

8346 iv. ~~Pedestrian Corridors. At least three landscaped pedestrian corridors are required in principal~~  
 8347 ~~parking areas to link peripheral parking areas with storefront entrances. One of these corridors~~  
 8348 ~~should be a central pedestrian mall. The others should in general be distributed to provide~~  
 8349 ~~walking routes from all parking areas. If the pedestrian corridor is located diagonally across~~  
 8350 ~~the parking area, the corridor should run through landscape islands on each parking row.~~  
 8351 ~~Pedestrian corridors shall be clearly identified when crossing driveways through the use of~~  
 8352 ~~raised speed humps, crosswalk striping, different pavement patterns or similar techniques.~~  
 8353 ~~Sidewalks within landscaped pedestrian corridors shall be at least six feet in width, with a~~  
 8354 ~~landscape strip on both sides that is an average of ten feet in width. Shade trees must be~~  
 8355 ~~planted on both sides of the sidewalk at least 20 feet apart but no more than 35 feet apart.~~  
 8356 ~~Alternatively, Washingtonian Palm trees, or similar tall palms, must be planted on both sides~~  
 8357 ~~of the sidewalk no more than 10 to 20 feet apart. Additionally, parking lot pedestrian corridors~~  
 8358 ~~must connect storefront sidewalks to adjacent properties to existing or future development.~~  
 8359 ~~**[Deleted and consolidated under Sec. 3-D-11.11.e.(10) Design Standards, Pedestrian**~~  
 8360 ~~**Corridor]**~~

8361 v. ~~Landscaping. In addition to the County’s Landscaping and Tree requirements, the following~~  
 8362 ~~standards shall apply. Trees shall be placed with a spacing averaging twenty feet on center~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8363 or less. The Tree Protection and Landscaping Standard requiring a landscape island for each  
8364 100 feet of parking row shall be relaxed when the following conditions are met.  
8365 A. In no case shall an unbroken row of parking exceed 150 feet.  
8366 B. For every landscape island not meeting the 100 foot spacing requirement, an additional  
8367 150 square feet must be added to an adjacent landscape island.  
8368 **[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards,**  
8369 **Landscaping]**  
8370 Cart corrals within the parking area shall be located adjacent to landscape islands. Planted or  
8371 preserved shade trees within the landscape islands must have a caliper of at least four inches.  
8372 For the purposes of the Tree Protection and Landscaping Standards, four inch trees shall be  
8373 considered "small" trees, and medium trees shall be at least six inches in caliper. At least 15%  
8374 of the parking lot shall be landscaped area (not including the perimeter or right-of-way buffers).  
8375 **[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping]**  
8376 As an alternative to the Tree Protection and Landscaping Standards requirement of shade  
8377 trees within landscape islands, the main storefront driveway shall be lined with  
8378 Washingtonian Palm trees, or similar tall palms, which shall be placed in endcap islands (the  
8379 end of parking rows in front of the storefront) and in sidewalk cutouts in front of the building.  
8380 **[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping]**  
8381 vi. Buffers. Perimeter buffers shall be at least 30 feet in width and include shade trees planted or  
8382 preserved at least every 30 feet. The spacing of shade trees may exceed the 30 foot standard  
8383 no more than 150%, if the Landscape Reviewer finds that wider spacing is needed due to tree  
8384 species. Right-of-way buffers shall be at least 75 feet and include shade trees planted or  
8385 preserved at a ratio of at least one tree per 1000 square feet. In addition, shade trees must be  
8386 located between the sidewalk and the internal street, with a minimum spacing of 30 feet. The  
8387 spacing of shade trees may exceed the 30 foot standard no more than 150%, if the Landscape  
8388 Reviewer finds that wider spacing is needed due to tree species. At least 50 percent of the  
8389 planted or preserved trees within the perimeter and right of way buffers must be a minimum  
8390 four inch caliper, with trees under five inches in caliper being counted as small for Tree  
8391 Protection and Landscaping Standards calculation purposes. Retention facilities may occupy  
8392 up to 30% of the required park/civic area. At least 50% of retention lands shall be utilized for  
8393 the calculation of required trees within buffers. Such facilities shall visually and functionally  
8394 complement the park/civic space through the use of pedestrian bridges, boards, docks, or  
8395 similar features; provide fountains for aeration and improved appearance; and shall include  
8396 shade trees and other landscaping planted and/or preserved around the retention facility.  
8397 **[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping]**  
8398 f. Office and Industrial freestanding buildings. Freestanding office and industrial buildings must  
8399 provide either a landscape strip that is at least ten feet in width on the front and sides of the building.  
8400 A minimum five foot wide sidewalk shall be placed on either side of this landscape strip. As an  
8401 alternative, the landscape strip may be eliminated from areas facing the parking lot, entrances, and  
8402 adjacent streets if a minimum ten foot wide sidewalk is provided with parking lot or street trees  
8403 within cut-outs or landscape islands spaced no more than 30 feet on center. The spacing of shade  
8404 trees within the landscape strip may exceed the 30 foot standard no more than 150%, if the  
8405 Landscape Reviewer finds that wider spacing is needed due to tree species. Buildings with bays  
8406 shall provide for landscape islands between bays that will include shade trees.  
8407 **[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8408 g. ~~Office and Industrial parks or complexes. Office and industrial buildings shall have a sidewalk and~~  
8409 ~~landscaped area between the building and the street that the buildings front on. Street trees shall~~  
8410 ~~be located between the sidewalk and the street, planted at a minimum of thirty feet on center.~~  
8411 ~~Parking areas shall be provided to the rear of buildings and on the side of the building, set back~~  
8412 ~~behind the front façade of the building. Side parking areas shall have a streetwall (wall or hedge~~  
8413 ~~of at least 42" in height) continuing the front façade line of surrounding buildings.~~

**[Deleted and consolidated under Sec. 3-D-11.11.e.(11) Design Standards, Landscaping]**

8415 h. ~~Convenience Stores and Service Stations. Driveway openings shall be limited to the maximum~~  
8416 ~~needed for safe egress in and out of the property. There shall be no more than 20 fueling stations~~  
8417 ~~(each fueling station serving one vehicle). All pump islands shall be contained under one canopy.~~  
8418 ~~Buildings must have pitched roofs. A minimum five-foot wide landscape strip shall be located~~  
8419 ~~adjacent to the building, with shrubs of at least four feet in height spaced less than five feet apart,~~  
8420 ~~and ground cover. Right-of-way buffers for these uses shall be ten feet in width. Landscaping~~  
8421 ~~within the buffer shall conform to Article VI, Section 6.6. **[Deleted. Relocate this use to Part E]**~~

8422 i. ~~**Height Limitations.** Height limits in residential categories and the BF Rural Activity Center shall be~~  
8423 ~~45 feet. ~~Thirty-five feet within 150 feet from residential land use boundary, and 52 feet between~~~~  
8424 ~~150 and 300 feet from residential land use boundary. Beyond 300 feet from a residential land use~~  
8425 ~~boundary, no structure shall protrude through a transitional height plane beginning 35 feet above~~  
8426 ~~the buildable area boundary nearest to a boundary of a residential land use and extending inward~~  
8427 ~~over the commercial district at an angle of 45 degrees. This standard protects areas within~~  
8428 ~~residential land use from the visual intrusion of tall buildings. **[Relocated to/tabularized in Sec. 3-**~~  
8429 ~~**D-11.11.e.(6) Height Limitation]**~~

### **Sec. 3-33B.C.I.4. LAMPA**

8431 4. ~~Block Length Limitations. To promote walkability in neighborhoods, block lengths shall be limited~~  
8432 ~~in the following manner. The base maximum block length is 1000 feet. This block length may be~~  
8433 ~~exceeded to a maximum block length that is fifteen times the average lot width of a development,~~  
8434 ~~not to exceed 1,500 feet. The maximum block length as set above may be exceeded by no more~~  
8435 ~~than one-half if a park or civic space is at the end of a block or if a midblock pedestrian and bicycle~~  
8436 ~~connection is provided. Block length limitations are not applicable where golf course links,~~  
8437 ~~greenways, or wetlands limit intersecting streets. In these instances, developments shall provide~~  
8438 ~~for definitive pedestrian ways and bicycle paths in place of intersecting streets. **[Deleted.**~~  
8439 ~~**Inconsistencies in block length Sec. 3-33B.C.I.4. states 1,000 feet, but Sec. 3-33.B.for**~~  
8440 ~~**Shopping Streets states 800 feet.]**~~

8441 5. ~~Commercial Standards. Buildings and parking areas shall be arranged in a way that *emphasizes*~~  
8442 ~~*the importance of the pedestrian, while allowing for conveniences associated with the automobile.*~~  
8443 ~~The preferable arrangement for free standing stores and shopping centers will be pedestrian~~  
8444 ~~oriented "*shopping streets*," instead of in the middle of parking lots. **[Relocated to Sec. 3-D-**~~  
8445 ~~**11.11.a. Description]- As an alternative, conventional shopping centers will be allowed with a**~~  
8446 ~~**strong pedestrian emphasis, including landscaped pedestrian corridors within parking lots, and also**~~  
8447 ~~**with a significant amount of landscaped area. **[Relocated to Sec. 3-D-11.11.c.(2) Site Design****~~  
8448 ~~**Layout, Conventional Shopping Center. (aka Park Center)]** These designs will encourage~~  
8449 ~~walking and also create a much more attractive appearance than a conventional strip shopping~~  
8450 ~~center. While *individual stores over 100,000 square feet ("big boxes") need not be arranged along*~~  
8451 ~~*internal streets in this manner, they shall have wide sidewalks in front of them, shall have pedestrian*~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 8452 corridors that link parking areas to the store, ~~shall have direct pedestrian links to adjacent shopping~~  
8453 ~~areas, and will also have a significant landscaped area component.~~ [Relocated to Sec. 3-D-  
8454 11.11.c.(3)( Site Design Layout, Large-Scaled Single-Tenant (Big Box)]
- 8455 a. ~~“Shopping Street” Standards (Freestanding commercial buildings under 100,000 square feet~~  
8456 ~~in size and shopping centers with multiple tenants).~~
- 8457 i. ~~Street Layout. Development shall be arranged along internal shopping streets within a~~  
8458 ~~development. Block length for such streets shall be a maximum of 800 feet, with block~~  
8459 ~~limits defined as through side streets and pedestrian walkways or civic spaces (not~~  
8460 ~~applicable to freestanding buildings). For shopping streets on parcels less than 500 feet,~~  
8461 ~~driveways or pedestrian walkways linking rear parking areas to internal streets or sidewalks~~  
8462 ~~shall be provided between the ends of buildings and the side property lines. Shopping~~  
8463 ~~streets shall connect adjacent parcels in the case of freestanding buildings, and such~~  
8464 ~~connections must be shown on submitted site plans. Shopping streets shall include two~~  
8465 ~~travel lanes and on street parking lane(s) on at least one side of the street. Streets may~~  
8466 ~~also include a landscape median. The only exception to the requirement of an internal~~  
8467 ~~street is if existing (at the time of original Master Plan adoption) property dimensions do~~  
8468 ~~not allow room for such an internal street. In this case, development may be accessed by~~  
8469 ~~adjacent streets, with shared and limited access points required whenever possible. When~~  
8470 ~~freestanding buildings on separate lots linked by internal streets do not have access to~~  
8471 ~~such internal streets from adjacent properties, temporary access may be allowed from~~  
8472 ~~adjacent non-internal streets.~~ [Relocated to/tabularized under Sec. 3-D-11.11.e.(1)  
8473 **Block Lengths and Shopping Streets]**
- 8474 ii. ~~Building Arrangement. When more than two buildings are proposed on a site, buildings~~  
8475 ~~shall be placed close to the shopping street, with entrances oriented to that street.~~  
8476 ~~Buildings shall be clustered on both sides of a shopping street, or clustered buildings on~~  
8477 ~~one side of a street shall face a linear park/civic space on the other side of the street.~~  
8478 ~~Clustering shall be achieved in the following manner. Freestanding buildings on separate~~  
8479 ~~and adjacent lots shall be placed as close together as possible and shall provide a shared~~  
8480 ~~access driveway on the non-clustered side. For shopping centers, buildings shall occupy~~  
8481 ~~at least 75 percent of linear frontage within a block.~~ [Relocated to/tabularized under  
8482 **Sec. 3-D-11.11.e.(4) Building Arrangement]**
- 8483 iii. ~~Parking. Parking shall be located primarily to the rear of buildings, but will also be allowed~~  
8484 ~~on one side of a building (in the case of shopping centers, in conformance with the 75%~~  
8485 ~~frontage limitation set in item ii above). Parking will be allowed in front of buildings in the~~  
8486 ~~form of a single row of parallel or diagonal on street parking along internal shopping~~  
8487 ~~streets. Side parking areas shall have a streetwall (wall or hedge at least 42” in height)~~  
8488 ~~adjacent to the internal street that will screen the parking area and continue the line of front~~  
8489 ~~building facades.~~ [Relocated to Sec. 3-D-11.11.e.(8) Design Standards, Parking]
- 8490 iv. ~~Sidewalks. A sidewalk is required on both sides of internal streets. This sidewalk shall be~~  
8491 ~~a minimum width of ten feet, except where sidewalks are not adjacent to building sides~~  
8492 ~~with an entrance, minimum width shall be six feet. Sidewalks within park/civic areas must~~  
8493 ~~be at least eight feet wide. Sidewalks shall be placed on the parking lot and street sides~~  
8494 ~~of freestanding buildings, and shall also connect to building entrances. Sidewalks may be~~  
8495 ~~placed either on the building side of the required landscape strip or on the other side of the~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8496 ~~landscape strip.~~ [Relocated to/Consolidated under Sec. 3-D-11.11.e.(9) Design  
8497 Standards, Sidewalk]  
8498 v. ~~Pedestrian Corridors. For parking lots where the distance between parking spaces and~~  
8499 ~~storefront sidewalks exceeds 200 feet, pedestrian corridors are required. Pedestrian~~  
8500 ~~corridors should run with at least every other double parking row or every 120 feet,~~  
8501 ~~whichever is less. Pedestrian corridors shall be clearly identified when crossing driveways~~  
8502 ~~through the use of raised speed humps, crosswalk striping, different pavement patterns,~~  
8503 ~~or similar techniques. Sidewalks within pedestrian corridors shall be at least five feet in~~  
8504 ~~width, with a landscape strip on either side that is at least five feet wide. This landscape~~  
8505 ~~strip shall include planted palm trees no more than 15 feet apart, and/or parking lot shade~~  
8506 ~~trees no more than 30 feet apart, placed within landscape islands. The spacing of shade~~  
8507 ~~trees may exceed the 30 foot standard no more than 150%, if the Landscape Reviewer~~  
8508 ~~finds that wider spacing is needed due to tree species. [Consolidated in 3-D-11.11.e.(10)~~  
8509 ~~Design Standards, Pedestrian Corridor]~~  
8510 vi. ~~Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~  
8511 ~~standards shall apply. Buildings should be designed to incorporate landscaping into store~~  
8512 ~~frontage. This can be done by means of raised planters, sidewalk cutouts, or portable~~  
8513 ~~planters, or by varying building setbacks that can easily accommodate landscape planters.~~  
8514 [Relocated to/consolidated in Sec. 3-D-R.11.c.(11)(b) Building Facade Landscaping]  
8515 ~~Street trees shall be placed along internal shopping streets at a spacing that is at least an~~  
8516 ~~average of 40 feet on center. [Relocated to/consolidated in Sec. 3-D-R.11.c.(11)(d)~~  
8517 ~~Street Tree] Freestanding buildings must provide either a landscape strip with parking lot~~  
8518 ~~or street trees placed with a spacing that is no more than 30 feet on center that is at least~~  
8519 ~~ten feet in width on the front and sides of the building. A minimum five-foot wide sidewalk~~  
8520 ~~shall be placed on either side of the landscape strip facing any parking areas, entrances,~~  
8521 ~~and adjacent streets. As an alternative, the landscape strip may be eliminated from areas~~  
8522 ~~facing the parking lot, entrances, and adjacent streets if a minimum ten-foot wide sidewalk~~  
8523 ~~is provided with parking lot or street trees in cut-outs or landscape islands spaced no more~~  
8524 ~~than 30 feet on center. The spacing of trees within the building landscape strip may exceed~~  
8525 ~~the 30-foot standard no more than 150%, if the Landscape Reviewer finds that wider~~  
8526 ~~spacing is needed due to tree species. [Deleted, as they are consolidated in Sidewalk~~  
8527 ~~and Foundation Planting in Sec. 3-D-R.11.c.(9) and (11)] For shopping centers with~~  
8528 ~~multiple tenants, street trees shall be approved parking lot trees and may also include~~  
8529 ~~Washingtonian Palm trees, or similar tall palms. All landscape islands in parking lots shall~~  
8530 ~~have shade trees. Park/civic areas utilized instead of buildings on one side of a shopping~~  
8531 ~~street must have an average width of at least 75 feet and a minimum width of 40 feet,~~  
8532 ~~include shade trees at the ratio of one per 1,500 feet, and include a sidewalk traversing~~  
8533 ~~the area. [Relocated to Sec. 3-D-11.11.e.(12) Design Standards, Park and Civic Space]~~  
8534 ~~For freestanding buildings that are less than 7,500 square feet in size, the minimum 40-~~  
8535 ~~foot width is required but the average 75 foot width is not required. [Relocated to Sec. 3-~~  
8536 ~~D-11.11.e.(12) Design Standards, Park and Civic Space] Retention facilities may~~  
8537 ~~occupy no more than half of the linear frontage along the shopping street, and shall not~~  
8538 ~~encroach on more than half of the depth of that buffer. At least 50% of retention lands~~  
8539 ~~shall be utilized for the calculation of required trees within buffers. Such facilities shall be~~  
8540 ~~visually and functionally designed to complement the park/civic space through the use of~~

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## Part D Zoning Districts and Development Standards

- 8541 *pedestrian bridges, boardwalks, and docks; provide fountains for aeration and improved*  
8542 *appearance, and provide visual screening of interior parking through the placement of*  
8543 *shade trees and other landscaping planted or preserved around the retention facility.*  
8544 **[Consolidated in Sec. 3-D-11.11.3.(13) Retention Area]**
- 8545 ~~b. "Park Center" for commercial buildings under 100,000 square feet in size and shopping centers~~  
8546 ~~with multiple tenants (not including freestanding buildings).~~
- 8547 ~~i. Street Layout. Development shall front along an internal street within a development.~~  
8548 ~~ii. Sidewalks. An average 15-foot wide, minimum ten-foot wide sidewalk is required along~~  
8549 ~~the building side of internal streets. [Deleted and consolidated under Sec. 3-D-~~  
8550 ~~11.11.e.(9) to keep widths of sidewalk consistent]~~
- 8551 ~~iii. Pedestrian Corridors. For parking lots where the distance between parking spaces and~~  
8552 ~~storefront sidewalks exceeds 200 feet, landscaped pedestrian corridors shall be provided.~~  
8553 ~~Pedestrian corridors should run with at least every other double parking row or every 120~~  
8554 ~~feet, whichever is less. Pedestrian corridors shall be clearly identified when crossing~~  
8555 ~~driveways through the use of raised speed humps, crosswalk striping, different pavement~~  
8556 ~~patterns or similar techniques. Sidewalks within landscaped pedestrian corridors shall be~~  
8557 ~~at least five feet in width, with a landscape strip on each side that is at least 12 ½ feet~~  
8558 ~~wide. Shade trees must be planted on both sides of the sidewalk at least 20 feet apart but~~  
8559 ~~no more than 35 feet apart. Pedestrian connections at the same spacing shall also be~~  
8560 ~~provided perpendicular to the main pedestrian corridors by enlarging landscape islands;~~  
8561 ~~however such perpendicular connections shall only require walkways and not additional~~  
8562 ~~landscaping. [Relocated to Sec. 3-D-11.11.e.(10) Design Standards, Pedestrian~~  
8563 ~~Corridor] The pedestrian corridor sidewalk shall have regularly spaced, sloped stub~~  
8564 ~~sidewalks that will allow shoppers to wheel carts from the sidewalk into the parking lot.~~  
8565 ~~Cart corrals within the parking area shall be located adjacent to landscape islands and~~  
8566 ~~landscape corridors.~~
- 8567 ~~vi. Landscaping. In addition to the County's Landscaping and Tree requirements, the~~  
8568 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~  
8569 ~~internal streets at a spacing that is at least an average of forty feet on center. Street trees~~  
8570 ~~shall be approved parking lot trees and may also include Washingtonian Palm trees, or~~  
8571 ~~similar tall palms. All landscape islands in parking lots shall have shade trees, planted or~~  
8572 ~~preserved at a minimum caliper of four inches. Trees less than five inches in caliper shall~~  
8573 ~~be counted as small trees for Tree Protection and Landscaping Standards calculation~~  
8574 ~~purposes. At least 15% of the parking lot shall be landscaped area (not including the~~  
8575 ~~perimeter and right-of-way buffers). [Relocated to/consolidated in Sec. 3-D-~~  
8576 ~~11.11.e.(11)(d) Design Standards, Street Trees]~~
- 8577 ~~iv. Landscaping. In addition to the County's Landscaping and Tree requirements, the~~  
8578 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~  
8579 ~~internal streets at a spacing that is at least an average of forty feet on center. Street trees~~  
8580 ~~shall be approved parking lot trees and may also include Washingtonian Palm trees, or~~  
8581 ~~similar tall palms. All landscape islands in parking lots shall have shade trees, planted or~~  
8582 ~~preserved at a minimum caliper of four inches. Trees less than five inches in caliper shall~~  
8583 ~~be counted as small trees for Tree Protection and Landscaping Standards calculation~~  
8584 ~~purposes. At least 15% of the parking lot shall be landscaped area (not including the~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8585 ~~perimeter and right-of-way buffers).~~ [Relocated to/consolidated in Sec. 3-D-  
8586 ~~11.11.e.(11)(d) Design Standards, Street Trees]~~  
8587 ~~vi. *Buffers.* Perimeter buffers shall be at least 30 feet in width and include shade trees planted~~  
8588 ~~or preserved at least every 30 feet. The spacing of shade trees may exceed the 30 foot~~  
8589 ~~standard no more than 150%, if the Landscape Reviewer finds that wider spacing is~~  
8590 ~~needed due to tree species. Right of way buffers shall be at least 75 feet and include~~  
8591 ~~shade trees planted or preserved at a ratio of at least one tree per 1000 square feet. In~~  
8592 ~~addition, shade trees must be located between the sidewalk and the principal thoroughfare,~~  
8593 ~~with a minimum spacing of 30 feet. The spacing of shade trees may exceed the 30 foot~~  
8594 ~~standard no more than 150%, if the Landscape Reviewer finds that wider spacing is~~  
8595 ~~needed due to tree species. Retention facilities may occupy up to 30% of the park/civic~~  
8596 ~~space. At least 50% of retention lands shall be utilized for the calculation of required trees~~  
8597 ~~within buffers. Such facilities shall visually and functionally complement the park/civic~~  
8598 ~~space through the use of pedestrian bridges, on boardwalks, on docks; provide fountains~~  
8599 ~~for aeration and improved appearance, and shall include shade trees and other~~  
8600 ~~landscaping planted or preserved around the retention facility. At least 50 percent of the~~  
8601 ~~planted or preserved trees within the perimeter and right-ofway buffers must be a minimum~~  
8602 ~~four inch caliper, with trees under five inches in caliper being counted as small for Tree~~  
8603 ~~Protection and Landscaping Standards calculation purposes.~~ [Relocated to Sec. 3-D-  
8604 ~~11.11.e.(11)(a) Design Standards, Buffer]~~

### 8605 Sec. 3-D-11.12. Green Building and Site Design

#### 8606 3-D-11.12.a. Purpose and Intent

8607 In order to promote sustainable building(s) and site components in Clay County, the LDC allows deviations  
8608 of required development standards and provides alternative design solutions to a proposed green  
8609 development.

8610 Reserved for Pending amendments on Green Building and Site Design

8611

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

8612 **DIVISION 12 BRANAN FIELD MASTER PLAN COMMUNITY**

8613 **Sec. 3-D-12.1. Applicability**

8614 The boundary of the Branan Field Master Plan with allocation of the FLU categories is identified on the  
8615 FLUM Current 2040 BF FLUM Map-1.pdf (claycountygov.com). All the standards of this Division shall  
8616 apply to the lands located within this geographical boundary.

8617 **Sec. 3-D-12.2. Future Land Use**

8618 **3-D-12.2.a. FLU Categories and Zoning Districts**

8619 Within the Branan Field (BF) Master Plan, there are 8 FLU categories, as follows:

**Residential FLU and/or Zoning Categories**

BF Rural Suburbs (BF RS)

Neighborhood Center Zone

BF Master Planned Community (BF MPC)  
(FLU/Zoning)

Village Zone

Suburban Zone

**Non-Residential FLU Categories**

BF Primary Conservation Network (BF PCN)

BF Rural Activity (BF RAC)

BF Community Center (BF CC)

BF Activity Center (BF AC)

BF Mixed Use (BF MU)

BF Rural Neighborhood Center (BF RNC)

8620 **3-D-12.2.b. Development Standards**

8621 The development standards of the Branan Field Master Plan are based on the FLU category of the parcel  
8622 of land, unless stated otherwise herein. For each FLU density, refer to Sec. 3-C-2.2 Density and Intensity.

8623 **Sec. 3-D-12.3. General Design Standards**

8624 **3-D-12.3.a. General Design Objectives and Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8625 Each FLU category may differ but generally share common design themes and objectives to achieve a  
8626 unified community with a variety of uses that are located in close proximity and complement each other;  
8627 each FLU and affiliated zones are created with its individual identity with a Residential, Non-Residential, or  
8628 Mixed-Use component emulating a traditional town development.

### **3-D-12.3.b. Specific Development Standards**

8630 Development and design standards that are specific to a FLU/zoning district or its affiliated zones are  
8631 located in each Section of Division S, Branam Field Master Planned Communities.

### **3-D-12.3.c. Other Development Standards**

8633 In addition to the general and specific development standards of these Divisions, other applicable technical  
8634 standards shall be pursuant to:

- 8635 (1) Sec. 3-F-6. Architectural Design Guidelines;
- 8636 (2) Sec. 3-F-7. Exterior Lighting;
- 8637 (3) Sec. 3-F-8. Accessory Structures;
- 8638 (4) Sec. 3-F-9. Landscaping;
- 8639 (5) Sec. 3-F-10. Parking; Sec. 8-12. Parking Requirements and Appendix A Parking Space  
8640 Requirements;
- 8641 (6) Sec. 3-F-11. Application Submission Standards;
- 8642 (7) Article 6 Tree Ordinance and Sec. 3-D-13.14. Wetland-Upland Buffers and Density Transfer; and
- 8643 (8) Article 7 Signs.

## **Sec. 3-D-12.4. Existing Developments**

### **3-D-12.4.a. Residential and Non-Residential Lots of Records**

8645 Lots of records or developments created prior to plan adoption and located within the boundary of the  
8646 Branam Field Master Plan shall be exempt from standards of Divisions 11 and 12 of this Article, where  
8647 applicable. These properties shall be subject to provisions of the 2015 Comprehensive Plan, Zoning Code,  
8648 and other applicable standards in effect at the time of adoption of the Master Plan. [Relocated from Sec.  
8649 3-33A.IV.1. Residential, General Standards]

### **3-D-12.4.b. Residential**

8651 This shall include properties with Rural Residential, Urban Core, and Urban Fringe Zoning Districts and that  
8652 are located within the BF Master Plan boundary. [Relocated from Sec. 3-33A.IV.1. Residential, General  
8653 Standards]

### **3-D-12.4.c. Non-Residential**

8654 Expansion of such uses that exceed 1,000 square feet in size, and new building and parking areas shall  
8655 be subject to the Code.

- 8656 (1) Properties with Zoning Designations of AG, AR, BB, BB-1, BB-2, BB-3, BB-4, BB-5 PS-1, PS-2,  
8657 PS-3, PS-4, PO-1, PO-2, PO-3, and PO-4 prior to adoption of the Master Plan may develop  
8658 consistent with permitted and conditional uses identified in each of these zoning categories at the  
8659   
8660

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8661 time of Master Plan adoption. However, such uses shall meet parking, landscaping, architectural,  
8662 and other applicable standards of Divisions 11 and 12.  
8663 (2) For areas that were under the PS-1, PS-2, PS-3, and PS-4 zoning districts prior to plan adoption  
8664 and upon plan adoption were put into Residential land use and zoning where it is not feasible to  
8665 designate such areas as Neighborhood Centers, applicants may obtain approval to expand from  
8666 the Board of County Commissioners, providing that such use expansions will not result in a  
8667 negative impact on adjacent Residential uses due to reasons of traffic, noise, and other measures  
8668 of intensity. Such expansions may not exceed the property and building area by more than 2 times.  
8669 **[Relocated from Sec. 3-33A.IV.2. Residential, General Standards]**

### **3-D-12.4.d. Branan Field Land Uses**

8671 Land uses within Branan Field are limited to those designations on the Branan Field FLUM but may also  
8672 include the Planned Community designation which shall be subject to the development standards set forth  
8673 in any such Planned Community DRI Development Order and Planned Unit Development zoning which  
8674 shall take precedence over these land development standards. **[Relocated from Sec. 3-33A.I.2.h. Land**  
8675 **Uses]**

### **Sec. 3-33A.I.2.h**

8677 ~~h. Land Uses. Land uses within Branan Field are limited to those designations on the Branan Field~~  
8678 ~~Future Land Use Map, but may also include the Planned Community designation which shall be~~  
8679 ~~subject to the development standards set forth in any such Planned Community DRI Development~~  
8680 ~~Order and Planned Unit Development zoning which shall take precedence over these land~~  
8681 ~~development regulations.~~ **[Relocated to Sec. 3-D-12.4.d. Branan Field Land Uses, Existing**  
8682 **Developments]**

### **Sec. 3-33A.IV. General standards.**

8684 ~~1. Residential. Residential land uses, developed lots of record, developments created prior to plan~~  
8685 ~~adoption, and properties designated Rural Residential, Urban Core and Urban Fringe within the~~  
8686 ~~boundary of the Branan Field Master Plan on the Future Land Use Map shall be exempt from~~  
8687 ~~requirements of the Master Plan and LDRs. These properties shall be subject to provisions of the~~  
8688 ~~2015 Comprehensive Plan, Zoning Code, and other applicable regulations in effect at the time of~~  
8689 ~~adoption of the Master Plan.~~ **[Relocated to Sec. 3-D-12.4.d. Existing Developments]**  
8690 ~~2. Nonresidential. Existing nonresidential uses within the Branan Field Master Plan area at the time~~  
8691 ~~of Master Plan adoption shall be exempt from requirements of the Master Plan and LDRs. These~~  
8692 ~~properties shall be subject to provisions of the 2015 Comprehensive Plan, Zoning Code, and other~~  
8693 ~~applicable regulations in effect at the time of adoption of the Master Plan. However when expansion~~  
8694 ~~of such uses exceeds 1,000 square feet in size, new building and parking areas shall be subject to~~  
8695 ~~the LDRs. Properties with zoning designations of AG, AR, BB, BB-1, BB-2, BB-3, BB-4, BB-5 PS-~~  
8696 ~~1, PS-2, PS-3, PS-4, PO-1, PO-2, PO-3, and PO-4 prior to adoption of the Master Plan may develop~~  
8697 ~~consistent with permitted and conditional uses identified in each of these zoning categories at the~~  
8698 ~~time of Master Plan adoption. However such uses must meet parking, landscaping, architectural,~~  
8699 ~~and other applicable standards of the LDRs. Finally, for areas that were under the PS-1, PS-2, PS-~~  
8700 ~~3, and PS-4 zoning districts prior to plan adoption and upon plan adoption were put into residential~~  
8701 ~~land use and zoning where it is not feasible to designate such areas as Neighborhood Centers,~~  
8702 ~~applicants may obtain approval to expand from the Board of County Commissioners, providing that~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8703 *such use expansions will not result in a negative impact on adjacent residential uses due to reasons*  
 8704 *of traffic, noise, and other measures of intensity. Such expansions may not exceed the property*  
 8705 *and building area by more than two times. [Relocated to Sec. 3-D-12.4. Existing Developments]*

8706 **Sec. 3-D-12.5. BF Rural Suburbs (BF RS)**

8707 **3-D-12.5.a. BF RS Description**

8708 *The BF RS FLU category applies to much of the area west of the First Coast Expressway and is intended*  
 8709 *to maintain the rural character of the area. Development within the BF RS is characterized predominately*  
 8710 *by large lots served by wells and septic tanks. [Relocated from Sec. 3-33A.II.1. BF Rural Suburbs (BF*  
 8711 *RS)]*

8712 **3-D-12.5.b. BF RS Density**

8713 *The maximum density for Residential uses shall be as follows. [Relocated from Sec. 3-33A.II.1.e. Density*  
 8714 *Requirements]*

<u>(1)</u>	Density:	
	<u>(a)</u> Maximum:	1 unit per 5 gross acres
	<u>(b)</u> Density Bonus:	Higher densities and smaller lot sizes may be obtained through the Density Bonus Program. <u>Refer to Part C, Division 3.</u>

8715 **[Relocated from Sec. 3-33A.II.1.e. Density Requirements, BF RS]**

8716 **3-D-12.5.c. BF RS Development Standards**

8717 *The principal building(s), accessory building(s), and other lot uses shall be located so as to comply with the*  
 8718 *following standards, except for Density Bonus Point development, which shall conform with standards of*  
 8719 *the BF Master Planned Community FLU category:*

<u>(1)</u>	<u>Minimum Lot Dimensions</u>	
	<u>(a)</u> <u>Lot Size:</u>	4 acres
	<u>(b)</u> <u>Lot Width:</u>	100 feet
	<u>(c)</u> <u>Lot Depth:</u>	100 feet
	<u>(d)</u> <u>Lot Coverage:</u>	30 percent
<u>(2)</u>	<u>Minimum Setbacks (Principal Structure)</u>	
	<u>(a)</u> <u>Front:</u>	20 feet
	<u>(b)</u> <u>Side:</u>	10 feet

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

	<u>(c) Rear:</u>	30 feet
(3)	<u>Minimum Setbacks (Accessory Structure)</u>	
	<u>(a) Front:</u>	30 feet
	<u>(b) Side:</u>	7.5 feet
	<u>(c) Rear:</u>	7.5 feet
(4)	<u>Maximum Height:</u>	45 feet
(5)	<u>Minimum Living Area:</u>	1,200 <u>square</u> feet

8720 [Relocated from Sec. 3-33A.II.1.f. Lot and Building Requirements]

8721 **3-D-12.5.d. BF RS Density Bonus Programs**

8722 Properties eligible for the Density Bonus Program in the BF RS FLU category may opt for 1 or a combination  
 8723 of the applicable programs pursuant to:

	<u>Sec. 3-C-3.2.</u>	<u>Clustering</u>
	<u>Sec. 3-C-3.3.</u>	<u>Points System</u>
	<u>Sec. 3-C-3.4.</u>	<u>Infill Traditional Neighborhood Development (TND)</u>
	<u>Sec. 3-C-3.5.</u>	<u>Transfer of Development of Rights (TDR)</u>
	<u>Sec. 3-C-3.6.d.</u>	<u>Additional Density that exceeds 1.5 Unit per 2 Net Acres</u>
	<u>Sec. 3-C-3.6.e.</u>	<u>Density Increase from Transfer of Wetlands</u>
	<u>Sec. 3-C-3.6.f.</u>	<u>Complementary Use Bonus Intensity</u>
	<u>Sec. 3-C-3.6.g.</u>	<u>BF PCN and Open Space Set-Aside Bonus Intensity</u>
	<u>Sec. 3-C-3.6.h.</u>	<u>Additional 25 Percent or 100 Units</u>
	<u>Sec. 3-C-3.6.i.</u>	<u>Central Water and Sewer</u>
	<u>Sec. 3-C-3.7.a.</u>	<u>Wetland-Upland Buffers</u>
	<u>Sec. 3-C-3.7.b.</u>	<u>Upland Preservation</u>

8724 (1) Density Bonus Programs shall apply to those properties that were in the RR FLU on the 2015  
 8725 Comprehensive Plan at the time of adoption of this Article and shall also include those properties  
 8726 that were greater than 200 acres and under common ownership as shown by the Property  
 8727 Appraiser tax rolls at the time of adoption of this Article. An increase of density up to 1 unit per  
 8728 gross acre may be permitted pursuant to Sec. 3-C-3.6.c. Additional Density. [Relocated from Sec.  
 8729 3-33A.II.1.g. Density Bonus Program]

8730 (2) Any BF RS Zoning District that utilizes Density Bonus Programs may allow to have limited  
 8731 commercial uses as set forth in Part E, Use Matrices.

8732 **3-D-12.5.e. BF RS Uses**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

8733 1. ~~**BF Rural Suburbs (BF RS).** The BF Rural Suburbs land use category applies to much of the area~~  
8734 ~~west of the First Coast Expressway. The BF Rural Suburbs (BF RS) land use category is intended to~~  
8735 ~~maintain the rural character of the area. Development within the BF Rural Suburbs is characterized~~  
8736 ~~predominately by five-acre or larger lots served by wells and septic tanks, but densities of up to one~~  
8737 ~~unit per gross acre are allowed through a density bonus program that requires the preservation of~~  
8738 ~~environmentally sensitive lands and/or open space. Permitted uses include single family residential as~~  
8739 ~~well as limited agricultural uses. [Relocated to Sec. 3-D-12.5.a. Description, BF Rural Suburbs (BF~~  
8740 ~~RS)]~~  
8741 ~~e. **Density Requirements.** The maximum densities and minimum lot areas for residential uses shall~~  
8742 ~~be as follows:~~  
8743 ~~i. **Maximum Density:** One (1) unit per five (5) gross acres [Relocated to Sec. 3-D-12.5.d. BF~~  
8744 ~~RS Density]~~  
8745 ~~ii. **Minimum Lot Size:** Four (4) acres [Relocated to Sec. 3-D-S.5.c. BF RS Development~~  
8746 ~~Standards]~~  
8747 ~~iii. **Density Bonus.** Higher densities and smaller lot sizes may be obtained through the density~~  
8748 ~~bonus program, as described in subsection g. [Relocated to Sec. 3-D-12.5.d. BF RS Density]~~  
8749 ~~f. **Lot and Building Requirements.** The principal buildings, accessory buildings, and other lot uses~~  
8750 ~~shall be located so as to comply with the following requirements, except for density bonus point~~  
8751 ~~development, which shall conform with requirements of the BF Master Planned Community~~  
8752 ~~category:~~  
8753 ~~i. **Minimum lot width at building line:** 100 feet~~  
8754 ~~ii. **Minimum lot depth:** 100 feet~~  
8755 ~~iii. **Minimum front setback:** 20 feet~~  
8756 ~~iv. **Minimum side setback:** 10 feet~~  
8757 ~~v. **Minimum rear setback:** 30 feet~~  
8758 ~~vi. **Minimum setback from all lot lines of accessory structures (except fences): side and rear: 7.5**~~  
8759 ~~**feet; front: 30 feet (but in no event nearer to front line than the front of the principal building.)**~~  
8760 ~~vii. **Maximum percent of lot coverage 30 percent (total for all primary and accessory buildings)**~~  
8761 ~~viii. **Maximum percent of rear lot coverage 30 percent**~~  
8762 ~~ix. **Minimum living area 1,200 sq. feet**~~  
8763 ~~x. **Maximum height 45 feet. [Relocated to/tabularized in Sec. 3-D-12.5.c. BF RS Development**~~  
8764 ~~**Standards]**~~  
8765 ~~g. **Density Bonus Program.** Properties eligible for the Density Bonus Program [Relocated to Sec. 3-~~  
8766 ~~**D-S.5.f. BF RS Density Bonus Programs]** include those properties that were in the Rural~~  
8767 ~~**Residential land use on the 2015 Comprehensive Plan at the time of adoption of these LDRs, and**~~  
8768 ~~**shall also include those properties that were greater than 200 acres and under common ownership**~~  
8769 ~~**as shown by the Property Appraiser tax rolls at the time of adoption of these LDRs. Additional**~~  
8770 ~~**density not to exceed one unit per gross acre (except under D—Additional Bonus) will be granted**~~

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## Part D Zoning Districts and Development Standards

- 8771 ~~with the following conditions.~~ [Relocated to Sec. 3-D-12.5.d.(1) BF RS Density Bonus  
8772 Programs]
- 8773 ~~i. Minimum Open Space Required. A minimum of thirty five percent open space is required,~~  
8774 ~~with no more than 60% of this being wetland area. This shall be usable open space~~  
8775 ~~intertwined throughout the community and shall include connected, paved or unpaved~~  
8776 ~~walking trails and/or bike paths.~~ [Relocated to Sec. 3-C-3.6. Additional Density]
- 8777 ~~ii. Perimeter Buffer.~~
- 8778 ~~A. Buffer Width. The development shall be designed to maintain a natural and rural character.~~  
8779 ~~No additional buffers are required for proposed developments along lot lines that are~~  
8780 ~~adjacent to an existing perimeter buffer. Perimeter buffers shall be required and shall~~  
8781 ~~average 50 feet in width. Buffer width may be reduced to no less than 35 feet, if the~~  
8782 ~~following conditions are met:~~
- 8783 ~~Item 1. Reduced buffers must include established vegetation.~~
- 8784 ~~Item 2. Areas included in calculation of overall average buffers shall not include~~  
8785 ~~wetland or BF PCN.~~ [Relocated to Sec. 3-C-3.6.b.(2).(b) Perimeter Buffer]
- 8786 ~~B. Buffer Contents. These buffers must include preserved or planted vegetation that provides~~  
8787 ~~an effective visual screen (at least 85% opacity) from rights of way and adjacent properties. If~~  
8788 ~~such a buffer is planted or supplemented, the 85% opacity standard must be met within three~~  
8789 ~~years after planting.~~ [Relocated to Sec. 3-C-3.6.b.(2).(b) Perimeter Buffer, Additional  
8790 Density] ~~Where such buffers are planted or supplemented, a performance bond must be~~  
8791 ~~provided to the County for the period of two years to ensure that planted vegetation is~~  
8792 ~~established.~~ [Relocated to Sec. 3-C-3.6.b.(2).(b) Perimeter Buffer, Additional Density]
- 8793 ~~Buffers shall not include roads, retention, or any other areas that are not vegetated, except for~~  
8794 ~~utility easements at a maximum width of 15 feet when right of way is not available to serve lots~~  
8795 ~~with utilities, and/or hiking or multi-purpose trails not to exceed a paved feet of eight feet.~~  
8796 ~~Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for~~  
8797 ~~the use of residents.~~ [Relocated to Sec. 3-C-3.6.b.(2).(b) Perimeter Buffer]
- 8798 ~~C. Buffers shall include native vegetation to ensure drought tolerance and survivability.~~ [Deleted,  
8799 refer to Sec. 6-3. Landscape Design, Table 2. Approved Plant List]
- 8800 ~~D. Buffer Ownership and Control. Such buffers may not be part of individual lots, but must be~~  
8801 ~~common areas owned by homeowners' associations or deeded to the County or water~~  
8802 ~~management district.~~ [Relocated to Sec. 3-C-3.6.b.(2).(b).(v) Additional Intensity not to  
8803 exceed 1 du/acre, Perimeter Buffer]
- 8804 ~~iii. BF MPC Standards. Developments utilizing the density bonus program that achieve net densities~~  
8805 ~~(less wetlands and parks/open space) that are higher than 1.5 units per two acres must meet~~  
8806 ~~applicable development standards of the BF Master Planned Community. For developments with~~  
8807 ~~more than 20% of lots smaller than 6,000 square feet, BF MPC Village Zone standards shall apply.~~  
8808 ~~Other developments shall be subject to the BF MPC's Suburban Zone standards. Neighborhood~~  
8809 ~~Centers are required and shall include, at a minimum, a centrally located primary neighborhood~~  
8810 ~~park with facilities and required civic space. Neighborhood Centers that provide retail/office uses~~  
8811 ~~as described in the BF MPC category are encouraged.~~ [Relocated to Sec. 3-C-3.6.c. Additional  
8812 Intensity that exceeds 1.5du/2 net acres]
- 8813 ~~iv. Central Water and Sewer. Septic tanks and wells shall be allowed for single family units on existing~~  
8814 ~~lots of record as of the adoption date of this plan. New commercial, except within the BF Rural~~  
8815 ~~Activity Center as specified in the standards for this land use, must tie into central water and sewer.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8816 *Residential subdivisions may also be served by well and septic tanks meeting the following*  
8817 *standards: no more than fifty lots, an overall gross density of no greater than two and one-half*  
8818 *units per acre, and no lots smaller than three-quarters of an acre. [Relocated to Sec. 3-C-3.6.h.*  
8819 *Central Water and Sewer]*

8820 ~~v. Density calculation. Higher density may be obtained in the following manner.~~

8821 ~~A. Base Density. One dwelling unit per 5 gross acres (density allocated to wetlands within~~  
8822 ~~conservation easements may be transferred to upland areas). [Relocated to Sec. 3-C-3.6.d.~~  
8823 ~~Intensity Increase from Transfer of Wetlands]~~

8824 ~~B. Complimentary Use Bonus. One dwelling unit per two gross acres will be allowed when~~  
8825 ~~development is adjacent to one or more of the following land uses: BF Activity Center, BF~~  
8826 ~~Community Center, BF Master Planned Community or any other land use that allows densities~~  
8827 ~~of greater than two units per gross acre. [Relocated to Sec. 3-C-3.6.e. Complementary Use~~  
8828 ~~Bonus Intensity]~~

8829 *In this case, "adjacent" requires that the property in question share a property boundary that is*  
8830 *at least one third of the perimeter of the property in question with one or more of the above*  
8831 *land uses. Lands across a road classified as collector or below shall be counted in this*  
8832 *calculation, however land across the BF PCN or a Conservation area shall not be counted.*  
8833 **[Relocated to Sec. 3-C-3.6.e.(1) Adjacency, Complementary Use Bonus Intensity]**

8834 ~~C. BF Primary Conservation Network and Open Space Setaside Bonus. Up to a maximum of one~~  
8835 ~~dwelling unit for each gross acre beyond the Base Density, with density accumulated in the~~  
8836 ~~following manner by the following types of land set asides. Ten units per acre of additional~~  
8837 ~~density is available for each acre of new upland BF PCN lands that are immediately adjacent~~  
8838 ~~to the existing BF PCN or that will function as a corridor providing for wildlife movement~~  
8839 ~~between BF PCN lands. If BF PCN lands are not located on a site, four units per acre of~~  
8840 ~~density is available for each acre of upland area dominated by ecologically sensitive~~  
8841 ~~communities like longleaf pine, turkey oak, or sand hill communities. In the absence of these~~  
8842 ~~two types of non-BF PCN density bonus lands, open space shall be forested areas or an~~  
8843 ~~extension of required perimeter buffers, with two units per acre of density is available for each~~  
8844 ~~upland acre preserved. Such lands must be contiguous areas that are at least two acres in~~  
8845 ~~size, and shall be located so as not to create disconnected or isolated fragments. Average~~  
8846 ~~width and depth of BF PCN bonus lands shall generally exceed 200 feet. All new density bonus~~  
8847 ~~conservation lands will be preserved as permanent open space.~~

8848 **[Relocated to/tabularized under Sec. 3-C-3.6.f. BF PCN and Open Space Set-aside Bonus**  
8849 **Intensity]**

8850 ~~D. Additional Bonus. Additional density not to exceed the lesser of 25 percent of maximum allowed~~  
8851 ~~units or 100 units will be allowed under the following requirements:~~

~~Item 1. Development rights allowing the additional units must be permanently~~  
~~Transferred from lands within the master parcel.~~

~~Item 2. Park space shall exceed minimum requirements by 150%.~~

~~Item 3. Additional BF PCN lands shall be provided within the development in~~  
~~the amount of at least 10,000 SF per additional unit. Such lands must~~  
~~be uplands and may not include any lands within utility easements.~~

~~Item 4. At least one or a blend of the following traditional neighborhood~~  
~~development elements shall be utilized in the majority of the~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

~~development: block lengths not to exceed 600 feet, alleys, elevated front porches, designated mixed-use Neighborhood Center.~~

~~Item 5. Civic space with a clubhouse is required.~~

8852

**[Relocated to Sec. 3-C-3.6.g. Additional 25 percent or 100 units]**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8853

### **Sec. 3-D-12.6. BF Master Planned Community (BF MPC)**

8854

#### **3-D-12.6.a. BF MPC Description**

8855 *The BF MPC FLU and Zoning category is the principal suburban Residential category for the Master Plan*  
8856 *Area. This community is characterized by a mix of Residential, Recreation, and Neighborhood Commercial*  
8857 *uses within vegetative buffer, wetlands, and/or lakes, rather than physical barriers such as walls or fences.*  
8858 *Civic buildings for education, community meetings, religion and culture serve as landmarks by being*  
8859 *centrally located. This balanced mix of land uses allows for increased efficiency and economy by providing*  
8860 *home, work, and service places in close proximity to each other. The development pattern is arranged in*  
8861 *the form of villages, with 3 zones within each village, starting with the business and civic core known as the*  
8862 *Neighborhood Center, which is surrounded by the denser Village Zone, and finally with the periphery of the*  
8863 *Village being the Single-Family Suburban Zone. [Relocated from Sec. 3-33A.II.2. BF MPC]*

8864

#### **3-D-12.6.b. BF MPC Land Use Mix**

- 8865 (1) *Neighborhood Center Zone. A small-scaled Business area with the following components:*  
8866 (a) *Size. Range from 2 to 10 acres;*  
8867 (b) *Civic Park. A central Civic park, a minimum of 2,500 square feet in size.*  
8868 (c) *Retail and Commercial Uses. A maximum of 8 acres of the total acreage of the Zone.*  
8869 (d) *Location. Intersection of 2 collector roads or a collector and a local road, and shall be*  
8870 *located within 1 mile walking distance of the nearest residential community.*  
8871 (e) *Substitution. A BF Activity or BF Community Center may substitute for a Neighborhood*  
8872 *Center, unless the Neighborhood Center is utilized as a transition element for an existing*  
8873 *BF Activity or BF Community Center.*  
8874 (f) *Separation. A Neighborhood Center shall be separated by another center or a BF Activity*  
8875 *or BF Community Center a minimum of 1 mile to ensure adequate services are provided*  
8876 *for each community.*  
8877 (g) *Exemption. Neighborhood Centers shall not be required when the surrounding*  
8878 *development is less than 3 units per acre. [Relocated from Sec. 3-33.A.II.2. BF Master*  
8879 *Planned Community (BF MPC)]*  
8880 (2) *Village Zone. A Residential area around the Neighborhood Center with the following components*  
8881 *and development standards:*  
8882 (a) *Housing Type. Multi-Family units, Single-Family Attached units, and smaller-lot Single-*  
8883 *Family Detached units.*  
8884 (b) *Location. The Village Zone is also appropriate for areas close to designated BF Activity*  
8885 *Centers and BF Community Centers. [Relocated from Sec. 3-33.A.II.2. BF Master*  
8886 *Planned Community (BF MPC)]*  
8887 (c) *Open Space. A minimum of 5 percent of the total land area of each development shall be*  
8888 *dedicated as upland Open Space. [Relocated from Sec. 3-33A.II.2.f.ii.Q. Open Space,*  
8889 *Lot, Building, and Other Requirements]*  
8890 (3) *Suburban Zone. This Zone is intended to be an "outer ring" around the Village Zone and shall be*  
8891 *designated primarily for Single-Family Detached units*  
8892 (a) *Housing Type. Multi-Family units, Single-Family Attached units, and Single-Family*  
8893 *Detached units.*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 8894 (b) Location. A Suburban Zone may be located adjacent to a Neighborhood Center.  
 8895 [Relocated from Sec. 3-33A.II.2. BF MPC]  
 8896 (c) Open Space. A minimum of 10 percent of the total land area of each development shall be  
 8897 dedicated as upland open space. [Relocated from Sec. 3-33A.II.2.f.ii.P. Open Space,  
 8898 Lot, Building, and Other Requirements]

8899 **3-D-12.6.c. Density**

8900 The density range in the BF MPC is between 1 dwelling unit per 3 gross acres to 12 dwelling units per  
 8901 gross acre, with an average density of 3 units per gross acre. To ensure that the density will not deviate  
 8902 substantially from the planned average, this average may not depart from the range of 2 to 5 units per gross  
 8903 acre at any time.

8904 Higher density and senior housing are encouraged to be located close to Neighborhood Centers, BF  
 8905 Community Centers, and BF Activity Centers, which shall provide travel opportunities for the least mobile  
 8906 residents. Density may be reduced based on distance from the Neighborhood Centers, BF Community  
 8907 Centers, and BF Activity Centers, placing housing with lower densities near conservation areas, and higher  
 8908 densities in close proximity to the centers. [Relocated from Sec. 3-33A.II.2.d. Density Requirements]

<u>Density:</u>	<u>Village Zone:</u>	<u>Suburban Zone:</u>
Minimum Density:	6 units per gross acres	1 unit per 3 gross acres
Maximum Density:	12 units per gross acres	6 units per gross acres 7 units per gross acres with rear alleys

8909 [Relocated from Sec. 3-33A.II.2.f.ii. A. B. and Sec. 3-33A.II.2.f.iii. A. B.]

8910 **3-D-12.6.d. Development Standards – Neighborhood Center**

8911 The principal building(s), accessory building(s), and other lot uses shall be located so as to comply with the  
 8912 following standards for a Neighborhood Center. [Relocated from Sec. 3-33A.II.2.f.]

(1) Building Size:

	(a) <u>Maximum Building Footprint:</u>	10,000 square feet [Relocated from Sec. 3-33A.II.2.f.i.H.]
	(b) <u>Maximum Individual Uses:</u>	5,000 square feet [Relocated from Sec. 3-33A.II.2.f.i.H.]

(2) Minimum Lot Dimensions:

	(a) <u>Lot Size:</u>	1 acre <sup>2</sup> [Relocated from
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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

		Sec. 3-33A.II.2.f.i.G.]
(b)	<u>Lot Width:</u> <i>At building line</i>	25 feet [Relocated from Sec. 3-33A.II.2.f.i.A.]
(c)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(d)	<u>Maximum Lot Coverage:</u>	80 percent [Relocated from Sec. 3-33A.II.2.f.i.F.]
(3)	<u>Minimum Setbacks:</u>	
(a)	<u>Front:</u>	<u>0 feet</u>  <u>Maximum 15 feet</u>
(b)	<u>Side:</u> From property line when adjacent to a Residential zoning district or zone:	<u>0 feet</u>
(c)	<u>Rear:</u> From property line when adjacent to Residential zoning district or zone:	8 feet [Relocated from Sec. 3-33A.II.2f.i.B to E]

Footnote:

1     Not including Private or Public Schools. [Relocated from Sec. 3-33A.II.2.f.i.G. Maximum Lot Area]

8913     **3-D-12.6.e. Additional Standards – Neighborhood Center**

- 8914     (a)     *Small Parcel Availability. To ensure opportunities for small businesses as well as a walkable design, at least 25 percent of each parcel within the Neighborhood Center shall be less than 12,500 square feet in size, and additional 25 percent shall be less than 20,000 square feet. [Relocated from Sec. 3-33A.II.2.f.i.I.]*
- 8915
- 8916
- 8917
- 8918     (b)     Walkability. *To create a walkable environment, buildings shall be grouped close together. Within each block buildings shall occupy at least 65 percent of street frontage. [Relocated from Sec. 3-33A.II.2.f.i.H. Item 3.]*
- 8919
- 8920

8921     **3-D-12.6.f. Development Standards – Village Zone**

8922     The principal buildings, accessory buildings, and other lot uses shall be located so as to comply with the following standards for a Village Zone.

8923

(1)     Minimum Lot Dimensions:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(a)</u>	<u>Detached Single-Family:</u>		
	i. Lot Size: <sup>2</sup>		2,700 square feet
	ii. Lot Width:		32 square feet
	iii. Lot Depth:		<u>Not Applicable</u>
<u>(b)</u>	<u>Attached Single-Family:</u>		
	i. Lot Size: <sup>1</sup>		1,350 square feet
	ii. Lot Width:		15 feet
	iii. Lot Depth:		<u>Not Applicable</u>
<u>(c)</u>	<u>Multi-Family:</u>		
	i. Lot Size:		<u>Not Applicable</u>
	ii. Lot Width:		80 feet
	iii. Lot Depth:		<u>Not Applicable</u>
<u>(d)</u>	Maximum Lot Coverage:	<u>For all types of Residential units</u>	80 percent [Relocated from Sec. 3-33A.II.2.f.ii.]
<u>(2)</u>	<u>Minimum Setbacks:</u>		
<u>(a)</u>	<u>Detached Single-Family, Attached Single-Family and Multi-Family Units:</u>		
	i. Front:		15 feet <sup>2</sup>
			25 feet Maximum
	ii. Side:	<u>From lot line when adjacent to a Non-Residential zoning district or zone:</u>	5 feet
	iii. Rear:	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u>	8 feet
<u>Footnotes:</u>			
<u>1</u>	<u>Not including Private and Public Schools, Places of Worship, and Multi-Family development parcels. [Relocated from Sec. 3-33A.II.2.f.ii.J. Maximum Lot Area]</u>		
<u>2</u>	<u>May be reduced by 5 feet if the unit has a front porch.</u>		

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8924 **3-D-12.6.g. Additional Standards – Village Zone**

8925 (1) *Lot Size Variety.* A minimum of 2 different lot widths within a Detached Single-Family subdivision.  
 8926 *The 2 lot widths shall vary by at least 25 percent. A minimum of 30 percent of the lots shall have a*  
 8927 *different lot width as listed in Subsection 3-D-12.6.e.(1) Minimum Lot Dimensions. [Relocated from*  
 8928 **Sec. 3-33A.II.2.f.ii.K. Lot Size Variety]**

8929 (2) *Walkability.* To ensure walkability, at least 75 percent of Single-Family lot sizes within a  
 8930 *development shall be less than 6,000 square feet. [Relocated from Sec. 3-33A.II.2.f.ii.K. Lot Size*  
 8931 **Variety]**

8932 (3) *Accessory Apartments.* To promote housing diversity and affordable housing, no more than 1  
 8933 *accessory structure and 1 garage apartment shall be allowed in conjunction with a Single-Family*  
 8934 *home.*

8935 (a) *For the purposes of calculating density only, accessory units shall not be recognized as a*  
 8936 *separate unit, and for concurrency purposes, shall be counted as ½ of a unit. Accessory*  
 8937 *apartments shall conform to the following standards:*

<u>i.</u>	Ownership:	The primary unit and the accessory unit shall remain under single ownership.
<u>ii.</u>	Form:	Accessory apartments in conjunction with Single-Family homes shall be in the form of a garage apartment (an apartment over a freestanding garage).
<u>iii.</u>	Size:	Accessory apartments may not exceed 600 square feet.
<u>iv.</u>	Entrances:	Entrances to garage apartments shall face the principal residence to which they are associated with.

8938 **[Relocated from Sec. 3-33A.II.2.f.ii.P. Accessory Apartments, Village Zone]**

8939 (4) Civic and Open Space.  
 8940 *Civic Space.* Developments with more than 200 units shall be required to have a central Civic  
 8941 Space within a Neighborhood Park as set forth in Part F, Division 4 Parks and Recreation.

8942 **[Relocated from Sec. 3-33A.II.2.f.ii.O. Civic Space]**

8943 (a) The park shall include a clubhouse or open-air pavilion. *This structure shall be constructed*  
 8944 *prior to the issuance of a building permit for more than 50 percent of the lots and/or units*  
 8945 *of the development. [Relocated from Sec. 3-33A.II.2.f.ii.O. Civic Space]*

8946 (b) Size of this structure shall comply with the following:

<u>Recreational Facilities</u>	<u>Within Each Development</u>
<u>Enclosed pavilion</u>	5 square feet per unit <sup>1</sup>
<u>Open-air pavilion</u>	10 square feet per unit <sup>1</sup>

Footnote:

<sup>1</sup> Minimum size of 750 square feet and maximum size of 2,000 square feet for an enclosed pavilion and 1,500 square feet for open-air pavilion.

8947 **[Relocated from Sec. 3-33A.II.2.f.ii.O. Civic Space, Village Zone]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

8948 (c) *Open Space. A minimum of 5 percent upland open space is required for each development.*  
 8949 *Open space may include parks, buffers, and other common areas. [Relocated from Sec.*  
 8950 *3-33A.II.2.f.ii.Q, Open Space, Village Zone MPC]*

8951 **3-D-12.6.h. Development Standards – Suburban Zone**

8952 The principal buildings, accessory buildings, and other lot uses shall be located so as to comply with the  
 8953 following standards for a Suburban Zone.

(1)	<u>Detached Single-Family:</u>	<i>5,500 square feet</i>
	(a) <u>Minimum Lot Dimensions:</u>	
	i. <u>Detached Single-Family:</u>	<i>5,500 square feet</i>
		<u>Units with Rear Alley:</u> <i>3,500 square feet</i>
	ii. <u>Lot Width:</u>	<u>At building line:</u> <i>50 feet</i>
		<u>Units with Rear Alley:</u> <i>40 feet</i>
	iii. <u>Maximum Lot Coverage:</u>	<i>50 percent</i>
	(b) <u>Minimum Setbacks:</u>	
		<i>15 feet <sup>1</sup></i>
	i. <u>Front:</u>	<u>With attached or detached front facing garage:</u> <i>20 feet</i>
	ii. <u>Side:</u>	<u>From lot line when adjacent to a Non-Residential zoning district or zone:</u> <i>5 feet</i>
	iii. <u>Rear:</u>	<u>From lot line when adjacent to a Non-Residential zoning district or zone:</u> <i>10 feet</i>
		<u>Units with Alley:</u> <u>From lot line when adjacent to a Non-Residential zoning district or zone:</u> <i>8 feet</i>

Footnote:

1 May be reduced by 5 feet if the unit has a front porch.

8954 **[Relocated from Sec. 3-33A.II.2.f.iii.A to H]**

8955 **3-D-12.6.i. Additional Standards – Suburban Zone**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 8956 (a) *Lot Size Variety.* To promote a diversity of housing types and to encourage affordable housing, a  
 8957 minimum of 2 different lot widths within a Detached Single-Family subdivision shall be provided.  
 8958 The 2 lot widths shall vary by at least 15 percent. A minimum of 25 percent of the lots shall have a  
 8959 different lot width as listed in Subsection 3-D-12.6.f.(1)(a) Minimum Lot Dimensions. [Relocated  
 8960 from Sec. 3-33A.II.2.f.iii.J. Lot Size Variety]
- 8961 (b) Civic and Open Space.  
 8962 Civic Space. Developments with more than 200 units shall be required to have a central Civic  
 8963 Space within a Neighborhood Park as set forth in Part F, Division 4 Parks and Recreation.  
 8964 [Relocated from Sec. 3-33A.II.2.f.iii.N. and O. Civic Space]
- 8965 i. Refer to Subsection 3-D-12.6.g.(b) Civic and Open Space for development standards.  
 8966 ii. Open Space. A minimum of 10 percent upland open space is required for each  
 8967 development. Open space may include parks, buffers, and other common areas.  
 8968 [Relocated from Sec. 3-33A.II.2.f.iii.P. Open Space]

### **3-D-12.6.j. Design Standards**

- 8970 (1) To create a walkable environment, buildings shall be grouped close together. The following  
 8971 minimum design standards, unless stated otherwise, shall apply to each Center or Zone within the  
 8972 BF MPC: [Relocated from Sec. 3-33A.II.2.f.i.H. Design Standards, Neighborhood Center]

<u>Design Standards</u>	<u>Neighborhood Center</u>	<u>Village Zone</u>	<u>Suburban Zone</u>
			600 feet
<u>Maximum</u> Block Lengths	500 feet [From Sec. 3-33A.II.2.f.i.L.]	600 feet [From Sec. 3-33A.II.2.f.ii.N.]	<u>May expand</u> length that is 10 times the average lot width of the development up to 1,000 feet <sup>2</sup> [From Sec. 3-33A.II.2.f.iii.M.]
<u>Block percentage on street frontage</u>	<u>Minimum</u> 65 percent [From Sec. 3-33A.II.2.f.i.H. Item 3.]	<u>Not Applicable</u>	<u>Not Applicable</u>
<u>Alleys or rear courtyard</u>	<u>Refer to Sec. 3-F-3.3.c. Alleys and Interior Courtyards</u>	<u>Refer to Sec. 3-F-3.3.c. Alleys and Interior Courtyards</u>	<u>Refer to Sec. 3-F-3.3.c. Alleys and Interior Courtyards</u>
<u>Sidewalks</u> <sup>1</sup>	<u>Minimum</u> 15 feet with a 7.5-foot clear zone [From Sec. 3-33A.II.2.f.i.M.]	<u>Not Applicable</u>	<u>Not Applicable</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Footnote:

1 Neighborhood Center. A street furniture zone of 7.5 feet shall be located adjacent to the curb, and shall accommodate trash cans, utility poles, hydrants, benches, bus shelters, street trees, and the like. A supplemental sidewalk zone of up to 15 additional feet may be located between the sidewalk and the building façade. The supplemental sidewalk may be used for outdoor cafes and sidewalk sales and when such activities occur, the outer edge of the supplemental sidewalk must be defined by movable planters or fences with a maximum height of 36 inches. [From Sec. 3-33A.II.2.f.i.M. Sidewalks]

2 Suburban Zone. The maximum block length in the Suburban Zone may be exceeded by no more than ½ if one of the following conditions are met: if a park or civic space is at the end of a block, or if a mid-block pedestrian and bicycle connection is provided. In the event that topographical or parcel shape (at the time of adoption) prevent conformity with this standard, pedestrian connections and emergency accessways in keeping with the intent of this provision shall substitute for strict adherence. [Relocated from Sec. 3-33A.II.2.f.iii. M. Block Lengths]

8973 (2) All Non-Residential buildings or structures shall comply with Part F, Division 6 Architectural Design  
8974 Guidelines.

8975 **3-D-12.6.k. Parking and Loading**

8976 Parking and loading in the BF MPC shall be in accordance with Sec. 8-12 Parking Requirements and  
8977 Appendix A Parking Space Requirements, in additional to the following:

8978 (1) Where parking is accessed by alleys, parallel on-street parking is allowed in the front of the  
8979 buildings, but no driveways or curb cuts shall be located on the streets, except determined by the  
8980 Director of Planning and Zoning or his/her designee that it complies with the development  
8981 standards for the BF MPC. [Relocated from Sec. 3-33A.II.2.f.iii.L. Parking, Suburban Zone, Lot,  
8982 Building, and Other Requirements]

8983 (2) In addition, parking for individual uses in the different Zones of the BF MPC shall comply with the  
8984 following, where applicable: [Relocated from Sec. Sec. 3-33A.II.2.f.i.K. Parking – Neighborhood  
8985 Center; Sec. 3-33A.II.2.f.ii. M. Parking – Village Zone; Sec. 3-33A.II.2.f.iii. L. Parking –  
8986 Suburban Zone]

	<u>Types of Use/ Parking Locations</u>	<u>Neighborhood Center</u>	<u>Village Zone</u>	<u>Suburban Zone</u>
	<u>Single-Family Detached unit:</u>	<u>Not Applicable</u>	<u>✓</u>	<u>✓</u>
<u>(a)</u>	<u>Accessed by rear alley or front-loaded garage<sup>1</sup>:</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	Multi-Family <sup>2</sup> , townhome, <u>Non-Residential buildings:</u> <u>Courtyards:</u>	✓	✓	✓
(b)	Commonly-owned courtyards <u>at the rear or on the side of building</u> <sup>3</sup> :	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>
	<u>Rear access shall be by alleys:</u>	<u>Not Applicable</u>	<u>Minimum of 80 percent at the rear</u>	<u>Not Applicable</u>
(c)	On-street parking in parallel or diagonal <u>layout</u> <sup>2</sup> :	✓	✓	✓
<u>Footnote:</u>				
1	Front-loaded garages <u>shall be allowed for Single-Family Detached units if located at the perimeter boundary of the development. All front-loaded Single-Family Detached units may be served by curb cuts with a maximum of 12 foot-wide driveways and garages setback at least 8 feet behind the front facade of the unit.</u> [Relocated from Sec. 3-33A.II.2.f.ii.M. Parking, Village Zone]			
2	For <u>Multi-Family</u> development, parking between buildings may not exceed <u>2 rows of parking spaces</u> as arranged perpendicular to the street. [Relocated from Sec. 3-33A.II.2.f.ii.M. Parking, Village Zone]			
3	If located on the side of the <u>building</u> , the parking <u>shall be screened using an opaque street wall or a hedge</u> not exceeding <u>4 feet</u> in height. Frontage along the street shall be limited to 100 feet [Relocated from Sec. 3-33A.II.2.f.i.K. Parking, Neighborhood Center]			

8987 **3-D-12.6.I. BF MPC Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

8988 ~~2.~~ ***BF Master Planned Community (BF MPC).***

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

8989 ~~The BF Master Planned Community land use/zoning category is the principal suburban residential~~  
8990 ~~category for the Master Plan Area. This community is characterized by a mix of residential,~~  
8991 ~~recreation, and neighborhood commercial uses within clearly defined as tree screens, wetlands,~~  
8992 ~~and/or lakes, rather than physical barriers such as walls or fences. Civic buildings for education,~~  
8993 ~~community meetings, religion and culture serve as landmarks by being centrally located. This~~  
8994 ~~balanced mix of land uses allows for increased efficiency and economy by providing home, work,~~  
8995 ~~and service places in close proximity to each other. [Relocated to Sec. 3-D-12.6.a. Description~~  
8996 ~~BF MPC] Project density ranges between one unit per three gross acres (Contemporary~~  
8997 ~~Residential) to twelve units per gross acre, with an average density of five units per gross acre. To~~  
8998 ~~ensure that the density will not deviate substantially from the planned average, this average may~~  
8999 ~~not depart from the range of 2 to 5 units per gross acre at any time. [Relocated to Sec. 3-D-12.6.c.~~  
9000 ~~Density]The development pattern is arranged in the form of villages, with ~~three~~ zones within each~~  
9001 ~~village, starting with the business and civic core known as the Neighborhood Center, which is~~  
9002 ~~surrounded by the denser Village zone, and finally with the periphery of the village being the single-~~  
9003 ~~family Suburban zone. [Relocated to Sec. 3-D-12.6.a. Description, BF MPC]~~

9004 ~~The Neighborhood Center zone shall consist of a small scale business area with a central civic~~  
9005 ~~park area that is at least 2,500 square feet in size. The Neighborhood Center shall be between two~~  
9006 ~~and ten acres in size, with no more than 8 acres in retail commercial use and shall be located~~  
9007 ~~around the intersection of a collector road and a collector road, or a collector road and a local road.~~  
9008 ~~A designated BF Activity or BF Community Center may substitute for the Neighborhood Center.~~  
9009 ~~Such a center is encouraged to be within a 1 mile walking distance of all dwellings. Neighborhood~~  
9010 ~~Centers must be located at least one mile from another Neighborhood, BF Activity or BF~~  
9011 ~~Community Center, unless the Neighborhood Center is utilized as a transition element for an~~  
9012 ~~existing BF Activity or BF Community Center. Neighborhood Centers are not required when~~  
9013 ~~surrounding development is less than 3 units per acre. [Relocated to Sec. 3-D-12.6.b. Land Use~~  
9014 ~~Mix]~~

9015 ~~The Suburban zone is intended to be an “outer ring” around the Village zone, and shall be~~  
9016 ~~designated primarily for single-family detached dwellings. A Suburban Zone may be located~~  
9017 ~~adjacent to a Neighborhood Center. [Relocated to Sec. 3-D-12.6.b.(3) Suburban Zone]~~

9018 ~~d. Prohibited Uses or Activities.~~

9019 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted. Part E clarifies~~  
9020 ~~that uses not shown in Use Matrices are prohibited unless determined by PZ~~  
9021 ~~Director that it may be allowed]~~

9022 ~~e. Density Requirements. The density range in the BF Master Planned Community is~~  
9023 ~~between one dwelling unit per three gross acres to 12 dwelling units per gross acre, with~~  
9024 ~~an average density of three units per gross acre. To ensure that the density will not deviate~~  
9025 ~~substantially from the planned average, this average may not depart from the range of two~~  
9026 ~~to five units per gross acre at any time. [Relocated to Sec. 3-D-12.6.c.(Density) and~~  
9027 ~~(b)(1) Village and (2) Suburban Zones]~~

9028 ~~Higher density and senior housing will be located close to Neighborhood Centers, BF~~  
9029 ~~Community Centers, and BF Activity Centers, which will provide travel opportunities for the~~  
9030 ~~least mobile residents. Density will be reduced based on distance from the Neighborhood~~  
9031 ~~Centers, BF Community Centers and BF Activity Centers, placing housing with lower~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

9032 *densities near conservation areas, and higher densities in close proximity to the centers.*  
9033 [Relocated to Sec. 3-D-12.6.a. Description]  
9034 f. ~~Lot, Building, and Other Requirements. The principal buildings, accessory buildings, and other~~  
9035 ~~lot uses shall be located so as to comply with the following requirements:~~  
9036 i. ~~Neighborhood Center~~  
9037 A. ~~Minimum lot width at building line: 25 feet.~~  
9038 B. ~~Minimum front setback: None.~~  
9039 C. ~~Maximum front setback: 15 feet.~~  
9040 D. ~~Minimum side setback: None~~  
9041 E. ~~Minimum rear setback: 8 feet~~  
9042 F. ~~Maximum percent of lot coverage 80 percent (total for all primary and accessory~~  
9043 ~~buildings)~~  
9044 G. ~~Maximum Lot Area: one acre (not including public schools).~~ [Relocated  
9045 to/tabularized in Sec. 3-D-12.6.d. Development Standards, Neighborhood Center]  
9046 H. ~~Design Standards.~~ [Relocated to/tabularized in Sec. 3-D-12-6.g. Design  
9047 Standards]  
9048

- Item 1. ~~To retain the pedestrian scale of the neighborhood center, no building footprint shall exceed 10,000 square feet. Individual uses shall not exceed 5,000 square feet. [Relocated to/tabularized in Sec. 3-D-12-6.d. Building Size, 3-D-12-6.(1) Neighborhood Center]~~
- Item 2. ~~Doorways, windows, and other openings in the façade of a building shall be present and shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level. [Relocated to Sec. 3-F-F.3. Arch Design Guidelines]~~
- Item 3. ~~To create a walkable environment, buildings shall be grouped close together. Within each block buildings shall occupy at least 65 percent of street frontage. [Relocated Sec. 3-D-12-6.e.(3).(b). Additional Standards, Walkability]~~
- Item 4. ~~Commercial structures must include awnings, covered walkways, open colonnades, or similar weather protection. [Deleted consolidated under Sec. 3-F-F.3. Arch Design Guidelines]~~
- Item 5. ~~A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of a building shall be divided into distinct modules no longer than 60 feet. [Relocated to Sec. 3-F-F.3.b. Arch Design Guidelines]~~
- Item 6. ~~Buildings may have their entrances from parking areas, but must also provide an entrance to the street. This street entrance shall be clearly articulated through the use of architectural detailing. Entrances shall include at least three of the following features: raised above the doorway cornice parapets, peaked roof forms, arches, display windows, and/or integrated architectural details such as tile work, moldings, or planters. [Relocated to consolidated under Sec. 3-F-F.3.e. Arch Design Guidelines]~~
- Item 7. ~~Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet walls or partial roofs.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

[Relocated to Sec. 3-F-F.3.a. Arch Design Guidelines]

~~Item 8. Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone, finished concrete, wood or other similar material including synthetic materials similar in appearance and durability to those materials previously named on all sides. Exposed smooth concrete block or metal finishes shall not be permitted.~~

[Relocated to Sec. 3-F-F.3.c. Arch Design Guidelines]

~~Item 9. Only wall and awning signs are allowed [Deleted, consolidated under Art.7 Signs]~~

~~Item 10. Convenience stores. Store size shall not exceed 4,000 square feet. A streetwall consisting of a continuous hedge between three and four feet in height shall run along the length of all street property lines with openings for access driveways. There shall be no more than two gasoline pump islands, and each island shall have no more than four gas pumps (paired). Buildings and island structures must have pitched roofs. The building shall orient to the front street, and the entrance shall be located in a wall plane that runs in a 45-degree angle to the front building wall, providing convenient entry to both pedestrians and drivers. The building shall have a porch or covered area facing the front and side streets and also on the rear of the building if parking is provided there. A minimum five foot wide landscape strip shall be located adjacent to the side porch or covered area of the building, with shrubs of at least four feet in height spaced less than five feet apart, and ground cover.~~

~~[Deleted. Limited the convenience store size may be acceptable but limited the number of pumps are not recommended. Either you allow this use or don't make this so restrictive that the business will not be successful].~~

9049 [Relocated to/tabularized in Sec. 3-D-12-6.g. Design Standards and to Division 3-F-F. Architectural Design Guidelines]

9050 ~~I. Small Parcel Availability. To ensure opportunities for small businesses as well as a walkable design, at least 25% of parcels within the neighborhood center shall be less than 12,500 square feet in size, and an additional 25% shall be less than 20,000 square feet.~~

9051 [Relocated to Sec. 3-D-12.6.g.(1) Additional Standards, Neighborhood Center]

9052 ~~J. Alleys. Alleys or rear courtyard parking shall be required for all development, meeting the standards set forth in Section 7. [Deleted, redundant to Alleys in Development Standards.]~~

9053 ~~K. Parking. Parking spaces are allowed either in garages, driveways, or carports on single lots, or in commonly owned courtyards for multi-family, townhome, and commercial development. Parking must be located to the rear or side of buildings, except for onstreet parking. On street parking shall be in the form of parallel or diagonal parking. If located on the side of the structure the parking must be screened using solid streetwalls not exceeding four feet in height or landscaping. Frontage along the street shall be limited to 100 feet. [Relocated to and consolidated/tabularized in Sec. 3-D-12.6.g. and footnotes Parking and Loading, BF MPC]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9066 ~~L. *Block Lengths.* To promote walkability, block lengths within the Neighborhood Center may~~  
9067 ~~not exceed 500 feet.~~ [Relocated to/tabularized in Sec. 3-D-12.5.g. Design Standards]
- 9068 ~~M. *Sidewalks.* Sidewalks shall be a minimum of 15 feet in width, with a clear zone of seven~~  
9069 ~~and one-half feet. A street furniture zone of seven and one-half feet shall be located~~  
9070 ~~adjacent to the curb, and shall accommodate trash cans, utility poles, hydrants, benches,~~  
9071 ~~bus shelters, street trees, and the like. A supplemental sidewalk zone of up to fifteen~~  
9072 ~~additional feet may be located between the sidewalk and the building façade. The~~  
9073 ~~supplemental sidewalk may be used for outdoor cafes and sidewalk sales and when such~~  
9074 ~~activities occur, the outer edge of the supplemental sidewalk must be defined by movable~~  
9075 ~~planters or fences with a maximum height of 36 inches.~~ [Consolidated/tabularized in  
9076 ~~Sec. 3-D-12.5.f. Footnote 1]~~
- 9077 ii. ~~Village Zone~~
- 9078 ~~A. *Minimum Density:* 6 units per gross acre~~  
9079 ~~B. *Maximum Density:* 12 units per gross acre~~  
9080 ~~C. *Minimum Lot Size:* 2,700 square feet for single family detached units; 1,350 square feet for~~  
9081 ~~single family attached units.~~  
9082 ~~D. *Minimum Lot Width:* 15 feet for single family attached units, 32 feet for single family detached~~  
9083 ~~homes, 80 feet for multi family structures.~~  
9084 ~~E. *Minimum Front Setback:* 15 feet, 10 feet for front porches for single family detached; 5 feet for~~  
9085 ~~all others.~~  
9086 ~~F. *Maximum Front Setback:* 25 feet.~~  
9087 ~~G. *Minimum Side Setback:* 5 feet~~  
9088 ~~H. *Minimum Rear Setback:* 8 feet~~  
9089 ~~I. *Maximum Percent of Lot Coverage:* 80 percent (total for all primary and accessory buildings)~~  
9090 ~~J. *Maximum Lot Area:* 20,000 square feet (not including public and private schools, places of~~  
9091 ~~worship, and multiple family development parcels).~~ [Relocated to/tabularized in Sec. 3-D-  
9092 ~~12.6.d. Development Standards, Village Zone and Footnote 1]~~
- 9093 ~~K. *Lot Size Variety.* To promote a diversity of housing types and to encourage affordable housing,~~  
9094 ~~there shall be at least two different lot widths within a single family detached residential~~  
9095 ~~subdivision. The two lot widths shall vary by at least 25%. At least 30% of the lots must have~~  
9096 ~~a different lot width as described above. To ensure walkability and affordability, at least 75%~~  
9097 ~~of single family lot sizes within a development must be less than 6,000 square feet.~~  
9098 [Relocated to Sec. 3-D-12.6.g.(1) Additional Standards, Village Zone]
- 9099 ~~L. *Design Standards.*~~
- ~~Item 1. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must~~  
~~include parapet walls or partial roofs. [Deleted consolidated under Sec.~~  
~~3-F-F.3. Arch Design Guidelines]~~
- ~~Item 2. Exterior walls shall be constructed of finished materials such as stucco,~~  
~~natural brick or stone, finished concrete, wood or other similar material~~  
~~including synthetic materials similar in appearance and durability to those~~  
~~materials previously named on all sides. Exposed smooth concrete block or~~  
~~metal finishes shall not be permitted.~~ [Deleted consolidated under Sec.  
~~3-F-F.3. Arch Design Guidelines]~~
- ~~Item 3. Front porches are required for all single family detached, single family~~  
~~attached and townhome development. Porches must have a minimum width~~

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## Part D Zoning Districts and Development Standards

*of four feet and a floor level that is at least 18 inches higher than the top of the curb.* [Deleted consolidated under Sec. 3-F-F.3. Arch Design Guidelines]

~~Item 4.~~ *Front stoops and porches may encroach into the minimum front yard setback.* [Deleted consolidated under Sec. 3-F-F.3. Arch Design Guidelines]

~~Item 5.~~ *Each residence or building, in the case of multifamily developments, must have an entrance facing the street.* [Deleted consolidated under Sec. 3-F-F.3. Arch Design Guidelines]

9100 M. ~~Parking.~~ *A minimum of 80% of all off-street parking places within a development shall be to the rear of buildings and accessed by alleys. Front-loaded single-family detached lots will be allowed along the perimeter boundary of the development. These lots may be served by curb cuts with maximum 12 foot wide driveways and garages set back at least 8 feet behind the front façade of the home. Commonly owned interior courtyards may be utilized for multi-family and townhome development. On street parking shall be in the form of parallel or diagonal parking. If located on the side of the structure the parking must be screened using solid streetwalls not exceeding four feet in height or landscaping. For multi-family development, parking between buildings may not exceed two parking rows as arranged perpendicular to the street.* [Relocated to and consolidated/tabularized under Sec. 3-D-12.6.g. and footnotes Village Zone, 3-D-12.6.h . Parking and Loading]

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9111 N. ~~Block Lengths.~~ *To promote walkability, block lengths within the Village zone may not exceed 600 feet.* [Relocated to/tabularized in Sec. 3-D-12.6.g. Village Zone, Design Standards]

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9113 O. ~~Civic Space.~~ *Developments with more than 200 units shall be required to have a central civic space within a neighborhood park including a clubhouse or open air pavilion. This structure shall be constructed prior to the issuance of a building permit for more than 50% of the lots and/or units of the development. The developer and later the homeowners association shall be responsible for construction and upkeep of the civic space. Structure size shall be set at five square feet per unit for an enclosed building and ten square feet per unit for an open air pavilion. Enclosed buildings and pavilions shall have a minimum size of 750 square feet. Enclosed buildings and pavilions shall not be required to exceed 2,000 square feet.* [Relocated to/tabularized in Sec. 3-D-12.6.e.(3).(d) Additional Standards, Civic and Open Space, Village Zone]

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9122 P. ~~Accessory Apartments.~~ *To promote housing diversity and affordable housing, no more than one accessory structure and one garage apartment shall be allowed in conjunction with a single-family home. For the purposes of calculating density only, accessory units will not be recognized as a separate unit, and for concurrency purposes, shall be counted as one-half of a unit. Accessory apartments shall conform to the following standards. [*

~~Item 1.~~ *Ownership. The primary unit and the accessory unit must remain under single ownership.*

~~Item 2.~~ *Form. Accessory apartments in conjunction with single-family homes must be in the form of a garage apartment (an apartment over a freestanding garage).*

~~Item 3.~~ *Size. Accessory apartments may not exceed six hundred (600) square feet.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

~~Item 4. Entrances: entrances to garage apartments and cottages may not face adjacent residential properties, but shall face the principal residence to which they are associated.~~

9128 [Relocated to Sec. 3-D-12.6.e.(4)(c), Additional Standards, Accessory Apartments,  
9129 Village Zone]

9130 ~~Q. Open Space: A minimum of five percent upland open space is required for each development.~~  
9131 ~~Open space may include parks, buffers, and other common areas.~~ [Relocated to Sec. 3-D-  
9132 12.6.e.(4)(d), Additional Standards, Civic and Open Space, Village Zone]

9133 ii. Suburban Zone

9134 A. ~~Minimum Density: 1 unit per three gross acres.~~

9135 B. ~~Maximum Density: 6 units per gross acre; 7 units per gross acre with rear alleys.~~

9136 C. ~~Minimum Lot Size: 5,500 square feet; 3,500 with rear alleys.~~

9137 D. ~~Minimum Lot Width at Building Line: 50 feet; 40 feet with rear alley easement.~~

9138 E. ~~Minimum Front Setback: 10 feet for front porches; 15 feet for front façade, 20 feet for both~~  
9139 ~~attached and detached front facing garages.~~

9140 F. ~~Minimum Side Setback: 5 feet.~~

9141 G. ~~Minimum Rear Setback: 10 feet; 8 feet with rear alleys.~~

9142 H. ~~Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~  
9143 ~~buildings).~~ [Relocated to/tabularized in Sec. 3-D-12.6.f. Suburban Zone, Development  
9144 Standards]

9145 I. ~~Garage Standards: Garages shall not block front entries. All front entries must be visible from~~  
9146 ~~the street (measured as a straight line from the front door to the street).~~ [Deleted, sufficient  
9147 standards requiring rear alley and architectural design guidelines]

9148 J. ~~Lot Size Variety: To promote a diversity of housing types and to encourage affordable housing~~  
9149 ~~in subdivisions, there shall be at least two different lot widths. The two lot widths shall vary by~~  
9150 ~~at least 15% (rounded to the nearest 10). At least 25% of the lots must have a different lot~~  
9151 ~~width as described above.~~ [Relocated to Sec. 3-D-12.6.f.(3)(a) Suburban Zone, Additional  
9152 Standards.]

9153 K. ~~Alleys: Alleys are encouraged, meeting standards set forth in Section 7.~~ [Deleted,  
9154 consolidated under Alleys, General Development Standards]

9155 L. ~~Parking: Where alleys are present, all off-street parking places shall be to the rear of buildings.~~  
9156 ~~In areas with alleys, parallel on-street parking is allowed, but no driveways or curb cuts are~~  
9157 ~~allowed along streets, except as in accordance with access control standards.~~ [Deleted,  
9158 consolidated under Sec. 3-D-12.6.h.(1) Parking and Loading]

9159 M. ~~Block Lengths: To promote walkability in neighborhoods, block lengths within the Suburban~~  
9160 ~~zone shall be limited in the following manner. The base maximum block length is 600 feet.~~  
9161 ~~This block length may be exceeded to a maximum block length that is ten times the average~~  
9162 ~~lot width of a development, not to exceed 1,000 feet. The maximum block length as set above~~  
9163 ~~may be exceeded by no more than one-half if one of the following conditions are met: if a park~~  
9164 ~~or civic space is at the end of a block, or if a mid-block pedestrian and bicycle connection is~~  
9165 ~~provided. In the event that topographical or parcel shape (at the time of adoption) prevent~~  
9166 ~~conformity with this standard, pedestrian connections and emergency accessways in keeping~~  
9167 ~~with the intent of this provision shall substitute for strict adherence.~~ [Relocated to/tabularized  
9168 in Sec. 3-D-S.6.f. Design Standards and Footnote 2]

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9169 ~~N. Civic Space. Developments with more than 200 units shall be required to have a central civic~~  
9170 ~~space within a neighborhood park including a clubhouse or open air pavilion. This structure~~  
9171 ~~shall be constructed prior to the issuance of a building permit for more than 50% of the lots~~  
9172 ~~and/or units of the development. The developer and later the homeowners association shall~~  
9173 ~~be responsible for construction and upkeep of the civic space. Structure size shall be set at~~  
9174 ~~five square feet per unit for an enclosed building and ten square feet per unit for an open air~~  
9175 ~~pavilion. Enclosed buildings and pavilions shall have a minimum size of 750 square feet.~~  
9176 ~~Enclosed buildings and pavilions shall not be required to exceed 2,000 square feet. [Relocated~~  
9177 ~~and tabularized under Sec. 3-D-S.6.e.(4)(b) Civic and Open Space, Additional Standards,~~  
9178 ~~Suburban Zone]~~  
9179 ~~P. Open Space. A minimum of ten percent upland open space is required for each development.~~  
9180 ~~Open space may include parks, buffers, and other common areas. [Relocated to Sec. 3-D-~~  
9181 ~~12.6.f.(3)(b), Civic and Open Space, Suburban Zone ]~~

### 9182 **Sec. 3-D-12.7. BF Primary Conservation Network (BF PCN)**

#### 9183 **3-D-12.7.a. BF PCN Description**

9184 *The BF PCN depicted on the FLUM will interconnect natural resources throughout the Master Plan area*  
9185 *protecting drainage systems and headwaters of the regional tributaries. This network will serve to separate*  
9186 *and buffer adjacent land uses while providing for wildlife habitat and opportunities for passive recreation.*  
9187 **[Relocated from Sec. 3-33A.III.1. BF Primary Conservation Network (BF PCN)]**

#### 9188 **3-D-12.7.b. BF PCN Allowable Activities and Impacts**

9189 *Pedestrian walkways, bicycle paths, boardwalks, docks built for water access, fences necessary to protect*  
9190 *habitat areas, and similar uses as articulated in the conservation easement.*

9191 **(1)** *Impacts. Any impacts to the network shall be limited to the possible extent. All roadway and utility*  
9192 *encroachments not shown on the adopted plan shall be avoided and/or minimized when practical.*

9193 *Impacts may include:*

9194 **(a)** *filling for roadway and utility construction for crossings shown on the adopted plan;*

9195 **(b)** *road crossings not shown on the adopted plan where no other practical alternatives exist;*

9196 **(c)** *excavation of stormwater management systems when accompanied by the dedication of*  
9197 *additional land that is generally equivalent in quality and quantity for conservation; and*

9198 **(d)** *construction of the passive recreational facilities identified above.*

9199 **(2)** *BF PCN impacts to accommodate vertical development are allowed only in cases where there is*  
9200 *no net loss of wetlands and where additional uplands are added. The quantity of upland additions*  
9201 *to the BF PCN shall exceed 50 percent of impacted wetlands. [Relocated from sec. 3-33A.III.1.a.*

9202 **Allowable Activities and Impacts, BF PCN]**

#### 9203 **3-D-12.7.c. BF PCN Boundary Determination**

9204 *The boundary of the BF PCN shall be a minimum of 200 feet in width or 25 feet from the jurisdictional*  
9205 *wetland line, whichever is greater.*

9206 **(1)** *Changes to the BF PCN boundary must be approved by the Board of County Commissioners.*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

9207 (2) Wetland systems not identified on the FLUM as BF PCN lands are eligible for inclusion within the  
9208 BF PCN boundary only if these lands contain a viable creek system providing a functioning,  
9209 reasonable connection to Black Creek. In the event that the width of the wetland identified as part  
9210 of the BF PCN is less than 150 feet, then each owner of the property on each side of the wetland  
9211 shall provide 50 percent of the additional width required so that the BF PCN attains the minimum  
9212 required 200-foot width. [Relocated from sec. 3-33A.III.1.b. Boundary Determination, BF PCN]

### 9213 3-D-12.7.d. BF PCN Ownership and Control

9214 Except for that portion of the BF PCN that lies within the BF Community Park Overlay, all natural vegetation  
9215 and wetlands within the PCN shall be protected by a Conservation easement that is dedicated to the St.  
9216 Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, an  
9217 established private non-profit land trust, or the County. These lands shall be deeded to 1 of these agencies,  
9218 the Homeowners' or Property Owners' Association, or retained by the landowner or developer, but shall  
9219 not be deeded to individual Association.

9220 (1) Specific restrictions shall be placed on these lands prohibiting development or disturbance except  
9221 for environmental management or the creation of hiking trails and other passive recreational uses  
9222 described above. [Relocated from sec. 3-33A.III.1.c. Ownership and Control]

9223 ~~4. **BF Primary Conservation Network (BF PCN).** The BF PCN depicted on the Future Land Use Map  
9224 will interconnect natural resources throughout the Master Plan area protecting drainage systems and  
9225 headwaters of the regional tributaries. This network will serve to separate and buffer adjacent land  
9226 uses while providing for wildlife habitat and opportunities for passive recreation. [Relocated to Sec. 3-  
9227 D-12.7.a. BF PCN Description]~~

9228 ~~a. **Allowable Activities and Impacts.** Pedestrian walkways, bicycle paths, boardwalks, docks built for  
9229 water access, fences necessary to protect habitat areas, and similar uses as articulated in the  
9230 conservation easement. [Relocated to Sec. 3-D-12.7.b. Allowable Activities and Impacts]~~

9231 ~~Impacts to the network may include filling for roadway and utility construction for crossings shown  
9232 on the adopted plan. [Relocated to Sec. 3-D-12.7.b.(1) and (1)(a) BF PCN Allowable Activities  
9233 and Impacts]~~

9234 ~~Impacts to the network may also include road crossings not shown on the adopted plan where no  
9235 other practical alternatives exist. [Relocated to Sec. 3-D-12.7.b.(1)(b)]~~

9236 ~~excavation of stormwater management systems when accompanied by the dedication of additional  
9237 land that is generally equivalent in quality and quantity for conservation, and [Relocated to Sec.  
9238 3-D-S.12.b.(1)(c) BF PCN Allowable Activities and Impacts]~~

9239 ~~construction of the passive recreational facilities identified above. [Relocated to Sec. 3-D-  
9240 S.7.12.(1)(d) BF PCN Allowable Activities and Impacts]~~

9241 ~~All roadway and utility encroachments not shown on the adopted plan shall be avoided and/or  
9242 minimized when practical. [Relocated to Sec. 3-D-12.7.b.(1) BF PCN Allowable Activities and  
9243 Impacts]~~

9244 ~~BF PCN impacts to accommodate vertical development are allowed only in cases where there is  
9245 no net loss of wetlands and where additional uplands are added. The quantity of upland additions  
9246 to the BF PCN shall exceed 50% of impacted wetlands. Changes to the BF PCN boundary must  
9247 be approved by the Board of County Commissioners. [Relocated to Sec. 3-D-12.7.b.(2) BF PCN  
9248 Allowable Activities and Impacts]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

9249 ~~b. *Boundary Determination. The boundary of the BF PCN (depicted on the Future Land Use Map)*~~  
 9250 ~~*shall be a minimum of 200 feet in width or 25 feet from the jurisdictional wetland line, whichever is*~~  
 9251 ~~*greater. [Relocated to Sec. 3-D-12.7.c. BF PCN Boundary Determination]*~~  
 9252 ~~*Wetland systems not identified on the Future Land Use Map as BF PCN lands are eligible for*~~  
 9253 ~~*inclusion within the BF PCN boundary only if these lands contain a viable creek system providing*~~  
 9254 ~~*a functioning, reasonable connection to Black Creek. In the event that the width of the wetland*~~  
 9255 ~~*identified as part of the BF PCN is less than 150 feet, then each owner of the property on each*~~  
 9256 ~~*side of the wetland shall provide 50% of the additional width required so that the BF PCN attains*~~  
 9257 ~~*the minimum required 200-foot width. [Relocated to Sec. 3-D-12.7.c.(2) BF PCN Boundary*~~  
 9258 ~~*Determination BF PCN]*~~  
 9259 ~~*Changes to the BF PCN boundary must be approved by the Board of County Commissioners.*~~  
 9260 ~~*[Relocated to Sec. 3-D-12.7.c.(1) BF PCN Boundary Determination]*~~  
 9261 ~~e. *Ownership and Control. Except for that portion of the BF PCN that lies within the BF Community*~~  
 9262 ~~*Park Overlay, all natural vegetation and wetlands within the PCN shall be protected by a*~~  
 9263 ~~*conservation easement that is dedicated to the St. Johns River Water Management District, the*~~  
 9264 ~~*Florida Fish and Wildlife Conservation Commission, an established private non-profit land trust, or*~~  
 9265 ~~*the County. These lands shall be deeded to one of these agencies, the homeowners' association,*~~  
 9266 ~~*or retained by the landowner or developer, but shall not be deeded to individual homeowners.*~~  
 9267 ~~*[Relocated to Sec. 3-D-12.7.d. BF PCN Ownership and Control]*~~  
 9268 ~~*Specific restrictions will be placed on these lands prohibiting development or disturbance except*~~  
 9269 ~~*for environmental management or the creation of hiking trails and other passive recreational uses*~~  
 9270 ~~*described above. [Relocated to Sec. 3-D-12.7.d.(1) BF PCN Ownership and Control]*~~

### **Sec. 3-D-12.8. BF Rural Activity Center (RAC)**

#### **3-D-12.8.a. BF RAC Description**

The intent of this FLU category is to serve the daily Commercial needs of the BF Rural Suburban community.

#### **3-D-12.8.b. BF RAC Intensity**

The maximum intensity of development for land in the BF RAC shall correspond to a Floor Area Ratio (FAR) of 30 percent. [Relocated from Sec. 3-33A.III.2.c.]

#### **3-D-12.8.c. BF RAC Development Standards**

The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards:

(1)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Size:</u>	<u>3 acres</u>
(b)	<u>Lot Width:</u>	<u>200 feet</u>
(c)	<u>Lot Depth:</u>	<u>200 feet</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>(d) Maximum Building Size:</u>	3,500 square feet [From Sec. 3-33A.III.2.e.i.]
<u>(2)</u>	<u>Minimum Setbacks:</u>	
<u>(a)</u>	<u>Front:</u>	<u>25 feet</u>
<u>(b)</u>	<u>Side:</u>	<u>15 feet</u>
	<u>From property line when adjacent to a Non-Residential zoning district:</u>	<u>30 feet</u>
<u>(c)</u>	<u>Rear:</u>	<u>25 feet</u>
	<u>From property line when adjacent to a Residential zoning district:</u>	<u>50 feet</u>

9281 **3-D-12.8.d. BF RAC Design Standards**

- 9282 (1) Building Arrangement. Buildings may front on a collector or an internal street of the development.  
 9283 If fronting on internal streets, the rear of buildings shall be visually screened through landscape  
 9284 buffers from adjacent streets. [Relocated from Sec. 3-33A.III.2.e.ii. Building Arrangement BF  
 9285 RAC]
- 9286 (1) Blocks. Each development shall occupy at least 75 percent of frontage within a block. Block length  
 9287 shall not exceed 500 feet. Block limits shall be defined as through side streets and pedestrian  
 9288 walkways or Civic Spaces. [Relocated from Sec. 3-33A.III.2.e.ii. Building Arrangement BF  
 9289 RAC]
- 9290 (3) Building Design. Refer to Part F, Division 6 Architectural Design Guidelines.
- 9291 (4) Sidewalk. Shall be provided in front of buildings with connection to the parking lot or other  
 9292 amenities within the development.

	<u>(a) Infront of Buildings:</u>	<u>≤ 10 feet in width</u>
	<u>(b) For outdoor restaurant and outdoor retail display:</u>	<u>Additional 15 feet in width, and defined with movable planters, with a maximum of 36 inches in height.</u>

- 9293 **[Relocated from Sec. 3-33A.III.2.d. Sidewalks BF RAC]**
- 9294 (5) Parking and loading in the BF RAC shall be in accordance with Sec. 8-12 Parking Requirements  
 9295 and Appendix A Parking Space Requirements. Location of parking shall be limited to the following:

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 9296 (a) Front: A maximum of 10 percent of the total required parking may be located at the front  
 9297 of the building(s), and in the form of a single row of parallel or diagonal on-street parking  
 9298 along internal shopping streets.  
 9299 (b) Side: For shopping centers, side parking areas may not exceed 75 percent of a block. Side  
 9300 parking shall have a street wall or a hedge a minimum of 42 inches in height;  
 9301 (c) Rear: A minimum of 50 percent of the total required parking shall be located at the rear of  
 9302 the building(s). [Relocated from Sec. 3-33A.III.2.e.(iii) Parking BF RAC]

### **3-D-12.8.e. BF RAC Uses**

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### **Sec. 3-33A.III.2.c. BF RAC**

- 9304 ~~c. Density Requirements. The maximum intensity of development for land in the BF Rural Activity~~  
 9305 ~~Center classification shall correspond to a floor area ratio (FAR) of 30 percent. [Relocated to Sec.~~  
 9306 ~~3-D-12.8.b. BF RAC Development Standards]~~  
 9307 ~~d. Sidewalks. Sidewalks in front of buildings shall be a minimum of ten feet in width, with an optional~~  
 9308 ~~zone of up to fifteen additional feet for outdoor cafes and sidewalk sales. When such activities~~  
 9309 ~~occur, the outer edge of the additional sidewalk area must be defined by movable planters or by~~  
 9310 ~~fences with a maximum height of 36 inches. [Relocated to Sec. 3-D-12.8.d. BF RAC Design~~  
 9311 ~~Standards]~~  
 9312 ~~e. Design Standards.~~  
 9313 ~~i. Scale. Building size shall not exceed 35,000 square feet. [Relocated to Sec. 3-D-S.8.b.~~  
 9314 ~~Development Standards, Footnote 1]~~  
 9315 ~~ii. Building Arrangement. Buildings may front on a collector roadway or an internal street. If~~  
 9316 ~~fronting on internal streets, the rear of buildings must be visually screened through landscape~~  
 9317 ~~buffers from adjacent collector roadways. [Relocated to Sec. 3-D-12.8.d. BF RAC Design~~  
 9318 ~~Standards]~~  
 9319 ~~Such buffers must be at least 50 feet wide, and the screening shall be of at least 85%, which~~  
 9320 ~~must be achieved within three years of planting. Buildings shall be clustered together to allow~~  
 9321 ~~for better pedestrian access and human scale. Freestanding buildings on separate and~~  
 9322 ~~adjacent lots shall be placed as close together as possible and shall provide a shared access~~  
 9323 ~~driveway on the non-clustered side. For shopping centers (multiple buildings on one parcel),~~  
 9324 ~~buildings shall occupy at least 75 percent of linear frontage within a block. Block length shall~~  
 9325 ~~not exceed 500 feet. Block limits shall be defined as through side streets and pedestrian~~  
 9326 ~~walkways or civic spaces. [Relocated to Sec. 3-D-12.8.d. BF RAC Design Standards]~~  
 9327 ~~iii. Parking. Surface parking shall be visually screened from public and/or private streets by~~  
 9328 ~~means of building placement and/or landscaping. Parking shall be located primarily to the rear~~  
 9329 ~~of buildings, but will also be allowed on one side of a building. In the case of shopping centers,~~  
 9330 ~~side parking areas may not exceed 75% of a block. Parking will be allowed in front of buildings~~  
 9331

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9332 ~~in the form of a single row of parallel or diagonal on-street parking along internal shopping~~  
9333 ~~streets. Additional parking areas may be provided in front of buildings meeting the Pedestrian~~  
9334 ~~Corridor, Landscaping, and Buffers standards associated with the Park Center shopping center~~  
9335 ~~alternative found in the BF Community and BF Activity Center Standards section. Side parking~~  
9336 ~~areas shall have a streetwall (wall or hedge at least 42" in height) adjacent to the internal street~~  
9337 ~~that will screen the parking area and continue the line of front building facades. [Relocated to~~  
9338 ~~Sec. 3-D-12.8.d.(5) Parking and Loading, BF RAC Design Standards]~~
- 9339 ~~iv. Covered Entry Areas. Structures must include awnings, covered walkways, open colonnades,~~  
9340 ~~or similar weather protection along building sides with customer entrances. [Deleted but~~  
9341 ~~referenced in Sec. 3-D-12.8.d.(3), consolidation of these design elements are under Sec.~~  
9342 ~~3-F-6. Architectural Guidelines]~~
- 9343 ~~v. Architectural and Additional Standards. Reduction of building mass may be achieved by using~~  
9344 ~~the following techniques:~~
- 9345 ~~A. Variation in the rooflines and form.~~  
9346 ~~B. Use of ground level arcades and covered areas.~~  
9347 ~~C. Use of protected and recessed entries.~~  
9348 ~~D. Use of vertical elements (including architectural features such as pilasters, columns,~~  
9349 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~  
9350 ~~walls, to interrupt facades into modules of less than 60 feet. E. Use of pronounced wall~~  
9351 ~~plane offsets and projections.~~  
9352 ~~E. Use of focal points and vertical accents.~~  
9353 ~~F. Inclusion of windows on elevations facing streets and pedestrian areas.~~  
9354 ~~G. Retaining a clear distinction between roof, body and base of a building.~~  
9355 ~~H. Office and Industrial buildings that are substantially screened by landscaping shall not have~~  
9356 ~~to meet Items v.D, v.E, v.F, v.H. [Deleted but referenced in Sec. 3-D-12.8.d.(3),~~  
9357 ~~consolidation of these design elements are under Sec. 3-F-6. Architectural~~  
9358 ~~Guidelines]~~
- 9359 ~~vi. Building Entrances. Buildings may have their entrances from parking areas, but must also provide~~  
9360 ~~an entrance to the internal street. Entrances oriented toward a minor collector roadway are~~  
9361 ~~required when buildings front on such a road, unless buildings are visually screened from such~~  
9362 ~~roadway, as described in Item 2. Building entrances shall be clearly articulated through the use of~~  
9363 ~~architectural detailing. Entrances shall include at least two of the following features: raised above~~  
9364 ~~the doorway cornice parapets, peaked roof forms, arches, display windows, and/or integrated~~  
9365 ~~architectural details such as tile work, moldings, and planters. [Deleted but referenced in Sec. 3-~~  
9366 ~~D-12.8.d.(3), Design Standards indicating consolidation of these design elements are under~~  
9367 ~~Sec. 3-F-6. Architectural Guidelines]~~
- 9368 ~~vii. Pedestrian Walkways. All uses shall be connected by pedestrian walkways.~~  
9369 ~~[Deleted but referenced in Sec. 3-D-S.8.b.(3), Additional Standards indicating Additional~~  
9370 ~~Standards indicating consolidation of these design elements are under Sec. 3\_F\_6.~~  
9371 ~~Architectural Guidelines]~~
- 9372 ~~viii. Rooflines. Rooflines of structures including gas pump islands must be pitched or gabled at a~~  
9373 ~~minimum 4:12 slope. Flat roofs must include parapet walls, partial roofs, awnings or mid-façade~~  
9374 ~~sloping roofs. [Deleted but referenced in Sec. 3-D-12.8.d.(3), Design Standards indicating~~  
9375 ~~consolidation of these design elements are under Sec. 3-F-6. Architectural Guidelines]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 9376 ~~ix. Exterior Walls. Exterior walls shall be constructed of stucco, natural brick or stone, finished~~  
 9377 ~~concrete, wood or other similar material including synthetic materials similar in appearance and~~  
 9378 ~~durability to these materials previously named on all sides. Exposed smooth concrete block or~~  
 9379 ~~metal finishes shall not be permitted. [Deleted but referenced in Sec. 3-D-12.8.d.(3), Design~~  
 9380 ~~Standards indicating consolidation of these design elements are under Sec. 3-F-6.~~  
 9381 ~~Architectural Guidelines]~~  
 9382 ~~x. Architectural Style. Structures shall utilize elements associated with vernacular style architecture~~  
 9383 ~~of the southeastern United States including roof overhangs and front porches. [Deleted but~~  
 9384 ~~referenced in 3-D-12.8.d.(3), Design Standards indicating consolidation of these design~~  
 9385 ~~elements are under Sec. 3-F-6. Architectural Guidelines]~~

### **Sec. 3-D-12.9. BF Rural Neighborhood Center (BF RNC)**

#### **3-D-12.9.a. BF RNC Description**

9388 ~~The intent of the BF RNC FLU category is to serve daily retail needs of the rural Residential suburbs and~~  
 9389 ~~is characterized by a variety of neighborhood scaled Retail and Office establishments. The proposed~~  
 9390 ~~Commercial developments shall not be expanded along roadways or created at multiple Commercial~~  
 9391 ~~corners at road intersections.~~

#### **3-D-12.9.b. BF RNC Intensity**

9393 ~~The maximum intensity of development for land in the BF RNC FLU category shall correspond to a Floor~~  
 9394 ~~Area Ratio (FAR) of 30 percent. [Relocated from Sec. 3-33A.III.7.e.]~~

#### **3-D-12.9.c. BF RNC Development Standards**

9396 ~~The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the~~  
 9397 ~~following minimum standards:~~

<u>(1) Minimum Lot Dimensions:</u>		
<u>(a) Lot Size:</u>		<u>2 acres</u>
<u>(b) Lot Width:</u>		<u>200 feet</u>
<u>(c) Lot Depth:</u>		<u>250 feet</u>
<u>(d) Maximum Building Footprint:</u>		<u>10,000 square feet<sup>1</sup></u>
<u>(2) Minimum Setbacks:</u>		
<u>(a) Front:</u>		<u>25 feet</u>
<u>(b) Side:</u>	<u>From property line when adjacent to a Non-Residential zoning district:</u>	<u>15 feet</u>

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## **Part D Zoning Districts and Development Standards**

	<u>From property line when adjacent to a Non- Residential zoning district:</u>	<u>30 feet</u>
(c) Rear:	<u>From property line when adjacent to a Non- Residential zoning district:</u>	<u>25 feet</u>
	<u>From property line when adjacent to a Residential zoning district:</u>	<u>50 feet</u>

Footnotes:

1 Shall not apply to a Community Residential Home, Places of Worship, or Private and Public Schools, grocery store, including integrated pharmacy with drive-thru. Such building size shall not exceed 52,000 square feet, all other individual uses shall not exceed 5,000 square feet. [Relocated from Sec. 3-33A.III.7.e.i.]

9398 **3-D-12.9.d. BF RNC Design Standards**

- 9399 (1) Block. Buildings in each block shall occupy at least 65 percent of the street frontage. The  
 9400 percentage shall not apply to a grocery store.  
 9401 (a) Block length shall not exceed 500 feet. Block limits shall be defined as through side streets  
 9402 and pedestrian walkways or Civic spaces. [Relocated from Sec. 3-33A.III.7.e.iii. and Sec.  
 9403 3-33A.III.7.g.]  
 9404 (2) Sidewalks. Shall be provided in front of buildings with a connection to the parking lot or other  
 9405 amenities within the development or any existing or planned multi-use pathways, and subject to  
 9406 the following widths:
- |     |   |  |
|-----|---|--|
| (b) | <u>Infront of Buildings:</u>                              | <u>≤ 10 feet in width</u>  |
| (c) | <u>For outdoor restaurant and outdoor retail display:</u> | <u>Sidewalks shall have an additional width of 15 feet and shall be defined with movable planters, at 36 inches in height.</u> |
- 9407 **[Relocated from Sec. 3-33A.III.7.d. Sidewalks; g. Block Lengths; and h. Sidewalk and Trail]**
- 9408 (3) Parking and Loading. Parking and loading in the BF RNC shall be located to the rear or side of  
 9409 buildings, except where stated otherwise. Parking and Loading shall also comply with Sec. 8-12  
 9410 Parking Requirements and Appendix A Parking Space Requirements. Location of parking shall be  
 9411 limited to the following:  
 9412 (a) Front. A maximum of 10 percent of the total required parking may be located at the front  
 9413 of the building(s), and in the form of a single row of parallel or diagonal on-street parking  
 9414 along internal shopping streets.  
 9415 (b) Side. For shopping centers, side parking areas may not exceed 75 percent of a block. Side  
 9416 parking shall have a street wall or a hedge a minimum of 42 inches in height. Parking  
 9417 frontage along the street shall be limited to 100 feet.

**Notes/Legend:**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9418 (c) Rear. A minimum of 50 percent of the total required parking shall be located at the rear of  
9419 the building(s).  
9420 (d) Grocery Store. Parking spaces may be located at the front of the building if the side of the  
9421 building faces a street. [Relocated from Sec. 3-33A.III.7.f. Parking]

### 9422 3-D-12.9.e. BF RNC Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 9423 ~~7. BF Rural Neighborhood Center (BF RNC).~~ [Relocated to Sec. 3-D-S.9 BF RNC]

- 9424 ~~e. Density Requirements.~~  
9425 ~~The maximum intensity of development for land in the Rural Neighborhood Classification shall~~  
9426 ~~correspond to a Floor Area Ratio (FAR) of 30%. [Relocated to Sec. 3-d-12.9.c. BF RNC~~  
9427 ~~Development Standards]~~  
9428 ~~d. Sidewalks.~~  
9429 ~~Sidewalks in front of all buildings shall be a minimum of ten feet in width.~~ [Relocated to Sec. 3-  
9430 ~~D-12.9.d.(2) BF RNC Design Standards]~~  
9431 ~~e. Design Standards.~~  
9432 ~~i. To retain the pedestrian scale of the BF Rural Neighborhood Center, no building footprint shall~~  
9433 ~~exceed 10,000 square feet, except adult living facilities and places of worship and schools,~~  
9434 ~~and except for grocery stores, including integrated pharmacies with drive thru, that shall not~~  
9435 ~~exceed 52,000 square feet, all other individual uses shall not exceed 5,000 square feet.~~  
9436 ~~[Relocated to Sec. 3-D-S.9.c.(3).(a) BF RNC Development Standards]~~  
9437 ~~ii. Doorways, windows and other openings in the façade of a building shall be present and shall~~  
9438 ~~be proportioned to reflect pedestrian scale and movement, and to encourage interest at the~~  
9439 ~~street level. [Deleted as this is consolidated under Architectural Design Guidelines in~~  
9440 ~~Part F, Division 6]~~  
9441 ~~iii. To create a walkable environment, buildings shall be grouped close together. Within each~~  
9442 ~~block, building shall occupy at least 65 percent of street frontage, except that with respect to~~  
9443 ~~a grocery store, the buildings, any outdoor seating area and open space/ponds shall occupy~~  
9444 ~~at least 25 percent of store frontage. [Relocated to Sec. 3-D-S.9.e.(1) BF RNC Design~~  
9445 ~~Standards]~~  
9446 ~~iv. Commercial structures must have awnings, covered walkways, open colonnades, or similar~~  
9447 ~~weather protection.~~  
9448 ~~v. A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of the~~  
9449 ~~building shall be divided into distinct modules, of no longer than sixty feet, by indentations or~~  
9450 ~~projections of plane of the building at each increment by a minimum of 12 inches.~~  
9451 ~~vi. Buildings may have their entrances from parking areas, but must also provide an entrance to~~  
9452 ~~the street, except that a grocery store may have a sole entrance from the parking areas. This~~  
9453 ~~street entrance shall be clearly articulated through the use of architectural detailing. Entrances~~  
9454 ~~shall include at least three of the following features: raised above the doorway cornice~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9455                    ~~parapets, peaked roof forms, arches, display windows, and/or integrated architectural details~~  
9456                    ~~such as tile work, moldings, or planters.~~
- 9457                    ~~vii. Rooflines must be pitched or gabled at a minimum of 4:12 slope or, if flat, must include parapet~~  
9458                    ~~walls or partial roofs.~~
- 9459                    ~~ix. Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone,~~  
9460                    ~~finished concrete, wood or other similar material including synthetic materials previously~~  
9461                    ~~named on all sides. Exposed smooth concrete block or metal finishes shall not be permitted.~~  
9462                    **[Deleted iv. through ix. as they are consolidated under Part F, Division 6 Architectural**  
9463                    **Design Guidelines.]**
- 9464                    ~~x. Only wall and awning signs are allowed, except that if the property includes a grocery store,~~  
9465                    ~~there shall be permitted one (1) monument sign for the property. [Deleted, consolidated~~  
9466                    ~~under Article 7 Signs]~~
- 9467                    ~~xi. Convenience stores. Store size shall not exceed 5000 square feet. A streetwall consisting of~~  
9468                    ~~a continuous hedge three in height shall run along the length of all street property lines with~~  
9469                    ~~openings for access driveways. There shall be no gasoline pumps. A minimum five foot wide~~  
9470                    ~~landscape strip shall be located adjacent to the covered area of the building, with shrubs at~~  
9471                    ~~least three feet in height spaced not less than five feet apart, and ground cover. [Deleted,~~  
9472                    ~~either allow or not allow such a use. If allowed, need to make it feasible]~~
- 9473                    ~~f. *Parking.*~~
- 9474                    ~~Parking spaces must be located to the rear or side of buildings, except on street parking and except~~  
9475                    ~~for grocery stores where parking spaces may be located at the front of the building if the side of the~~  
9476                    ~~building faces a street. On street parking shall be in the form of parallel or diagonal parking. If~~  
9477                    ~~located on the side of the structure the parking must be screened using solid streetwalls not~~  
9478                    ~~exceeding three feet in height or landscaping. Parking frontage along the street shall be limited to~~  
9479                    ~~100 feet. [Relocated to Sec. 3-D.X. Parking and Loading, BF RNC Design Standards, and~~  
9480                    ~~proposed a minimum and a maximum percent for required parking locations.]~~
- 9481                    ~~g. *Block Lengths.*~~
- 9482                    ~~To promote walkability, block lengths within the BF Rural Neighborhood Center may not exceed~~  
9483                    ~~500 feet, except for centers with a grocery store. [Relocated to Sec. 3-D-S.9.b.(3)(b) BF RNC~~  
9484                    ~~Design Standards]~~
- 9485                    ~~h. *Sidewalk and Trail.*~~
- 9486                    ~~Sidewalks shall be required as per these land development regulations and connections shall be~~  
9487                    ~~provided to any existing or planned multi-use pathways. [Relocated to Sec. 3-D.X. BF RNC~~  
9488                    ~~Design Standards]~~
- 9489                    ~~i. *Retail Limitation.*~~
- 9490                    ~~The limitation on the size of the portion of the Rural Neighborhood Center shall be determined~~  
9491                    ~~without regard to the stormwater management facilities constructed to serve the retail portion.~~  
9492                    ~~[Deleted, as stormwater is part of drainage study and required to be submitted by applicant.~~  
9493                    ~~The study must be determined at application time]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

9494 **Sec. 3-D-12.10. BF Community Center (BF CC)**

9495

9496 **3-D-12.10.a. BF CC Description**

9497 *The BF Community Center FLU category is characterized by a variety of community-scaled Residential,*  
 9498 *Restaurant, Office, and Commercial facilities (including grocery store, but excluding “big box” uses)*  
 9499 *intended to generally serve a population of 25,000. It is the County’s intent to encourage a mix of uses*  
 9500 *within the BF Community Center to serve the surrounding Residential communities. [Relocated from Sec.*  
 9501 ***3-33A.III.3. BF Community Center (BF CC)]***

9502 **3-D-12.10.b. BF CC Land Use Mix**

9503 *BF Community Centers are 30 to 50 acres in size and shall be located at the intersections of major collector*  
 9504 *and/or arterial roads. The mixture of uses indicated in the table below shall be applied to the entire BF*  
 9505 *Community Center, not individual parcels, as follows:*

<u>FLU Sub-Category:</u>	<u>Minimum</u>	<u>Maximum</u>
<u>Commercial</u>		
<u>Office, Business or Professional</u>	10 <u>percent</u>	35 <u>percent</u>
<u>Commercial:</u>		
<u>Retail Sales, General:</u>	20 <u>percent</u>	60 <u>percent</u>
<u>Residential:</u>	10 <u>percent</u>	25 <u>percent</u> <sup>1</sup>
<u>Civic Space/Parks:</u>	2 <u>percent</u>	No <u>Maximum</u>

Footnote:

1 Out of the maximum 25 percent for Residential uses, a maximum of 20 percent of each BF Community Center may be developed to support Multi-Family use at a density listed in Sec. 3-D-12.10.c. BF Density and Intensity below. [Relocated from Sec. 3-33A.III.3.]

9506 **3-D-12.10.c. BF CC Density and Intensity**

9507 *The maximum density for Residential units and Floor Area Ratio (FAR) for each Non-Residential*  
 9508 *development within the BF CC FLU category shall comply with the following: [Relocated from Sec. 3-*  
 9509 ***33A.III.3.d.]***

(1) <u>Density:</u>	
(a) <u>Minimum:</u>	8 units per acre
(b) <u>Maximum:</u>	16 units per acre [From Sec. 3-33A.III.3.]
(2) <u>Intensity:</u>	

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	(a) <u>Average:</u>	40 percent
	(b) <u>Maximum:</u>	80 percent

9510 **3-D-12.10.d. BF CC Development Standards**

9511 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 9512 following minimum standards:

(1) <u>Minimum Lot Dimensions:</u>		
	(a) <u>Lot Size:</u>	30 <u>acres</u>
	(b) <u>Lot Width:</u>	500 <u>feet</u>
	(c) <u>Lot Depth:</u>	800 <u>feet</u>
(2) <u>Minimum Setbacks:</u>		
	(a) <u>Front:</u>	25 <u>feet</u>
	(b) <u>Side:</u>	15 <u>feet</u>
		From property line when adjacent to a Non-Residential zoning district:
		30 <u>feet</u>
	(c) <u>Rear:</u>	25 <u>feet</u>
		From property line when adjacent to a Residential zoning district:
		50 <u>feet</u>

9513 **[Relocated from Sec. 3-33A.III.3.]**

9514 **3-D-12.10.e. BF CC Uses**

	(1) <u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
	(2) <u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
	(3) <u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

9515 **Sec. 3-33A.III.3 BF CC**

9516 **3. *BF Community Center (BF CC).*** ~~The BF Community Center land use category is characterized by a~~  
 9517 ~~variety of community-scaled residential, restaurant, office and commercial facilities (including grocery~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

9518 ~~store, but excluding “big box” uses) intended to generally serve a population of 25,000. [Relocated to~~  
 9519 ~~Sec. 3-D-12.10.a. BF CC Description] BF Community Centers are 30 to 50 acres in size and located~~  
 9520 ~~at the intersections of major collector and/or arterial roads. [Relocated to Sec. 3-D-12.10.b. BF CC~~  
 9521 ~~Land Use Mix]~~  
 9522 ~~BF Community Centers are intended to be a minimum of 800 feet in depth and grouped so as not to~~  
 9523 ~~encourage strip development patterns.— [Relocated to Sec. 3-D-12.10.d. BF CC Development~~  
 9524 ~~Standards]~~  
 9525 ~~A maximum of twenty percent of each BF Community Center may be developed to support multi-family~~  
 9526 ~~residential use at a density of eight to 16 units per acre. [Relocated to Sec. 3-D-12.10.b. BF CC~~  
 9527 ~~Land Use Mix]~~  
 9528 ~~It is the County’s intent to encourage a mix of uses within the BF Community Center to serve the~~  
 9529 ~~surrounding residential community. The mixture of uses indicated in the following table are to be applied~~  
 9530 ~~to the entire BF Community Center, not individual parcels.~~  
 9531 ~~The quantification of uses within the Community Center land use designation shall be consistent with~~  
 9532 ~~the following:~~

<b>Land Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
Office	10%	35%
Commercial/Retail	20%	60%
Residential	10%	25%
Public Parks and Open Space	2%	No Max.

9533 **[Relocated to Sec. 3-D-12.10.b BF CC Land Use Mix]**  
 9534 ~~The intent of the Branan Field Master Plan is to develop a pedestrian-friendly and walkable community.~~  
 9535 ~~The strip shopping centers of other corridors in the County are geared to the automobile.— These~~  
 9536 ~~regulations promote a different approach to our commercial centers, reflecting the historical “Main~~  
 9537 ~~Street” of the Southeastern United States.— Walkable shopping areas will create destinations where~~  
 9538 ~~people can walk to shopping areas from their homes, or park their cars and leave them behind while~~  
 9539 ~~visiting different shops or workplaces.— Branan Field commercial areas will be destinations, with~~  
 9540 ~~attractive, tree-lined streets with shops and offices, with wide sidewalks and street life, while also having~~  
 9541 ~~convenient parking and vehicular access. [Deleted, reduced redundancy]~~  
 9542 ~~d. Density requirements. The maximum floor area ratio (FAR) for each nonresidential development~~  
 9543 ~~within the BF Community Center classification shall not exceed 80%, with an average not to exceed~~  
 9544 ~~40 percent.— [Relocated to Sec. 3-D-12.10.c BF CC Density and Intensity]~~

### **Sec. 3-D-12.11. BF Activity Center (BF AC)**

#### **3-D-12.11.a. BF AC Description**

9547 *BF Activity Centers are planned to accommodate a range of activities from employment-based Office and*  
 9548 *Light Industrial activities to Commercial services, Recreational facilities, and housing. Design shall*  
 9549 *emphasize walkability and strategic landscaping to create a human-scale, attractive built environment.*  
 9550 *These areas shall be high-intensity, design-unified areas containing a concentration of different urban*  
 9551 *functions and housing. The concentration of uses will provide the opportunity for the efficient provision of*  
 9552 *Public Facilities and will minimize the need to provide buffers for incompatible uses. BF Activity Centers*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

9553 are generally designed to serve a regional population of at least 75,000. [Relocated from Sec. 3-33A.III.4.  
 9554 **BF Activity Center (BF AC)]**

9555 **3-D-12.11.b. BF AC Land Use Mix**

9556 The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total  
 9557 land area of a BF AC:

<u>FLU Sub-Category:</u>	<u>Minimum</u>	<u>Maximum</u>
<u>Commercial</u>		
<u>Office, Business or Professional:</u>	10 <u>percent</u>	80 <u>percent</u>
<u>Light Industrial:</u>	10 <u>percent</u>	80 <u>percent</u>
<u>Commercial</u>		
<u>Retail Sales, General:</u>	2 <u>percent</u>	65 <u>percent</u>
<u>Residential:</u>	10 <u>percent</u>	15 <u>percent</u> <sup>1</sup>
<u>Public and Civic:</u>	5 <u>percent</u>	20 <u>percent</u>
<u>Civic Space/Public Parks/Open Space:</u>	5 <u>percent</u>	10 <u>percent</u>

Footnote:

1 Residential development may utilize the TND standards as set forth in Sec. 3-C-3.4.

9558 **[Relocated from Sec. 3-33A.III.4.]**

9559 **3-D-12.11.c. BF AC Density and Intensity**

9560 The maximum density for Residential units and Floor Area Ratio (FAR) for each Non-Residential  
 9561 development within the BF AC FLU category shall comply with the following:

<u>(1) Density:</u>		
<u>(a) Minimum:</u>		8 units per acre
<u>(b) Maximum:</u>		20 units per acre [Relocated from Sec. 3-33A.III.4.c.i. and ii.]
<u>(2) Intensity:</u>		
<u>(a) Average:</u>		60 percent
<u>(b) Maximum:</u>		80 <u>percent</u>

9562 **3-D-12.11.d. BF AC Development Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

9563 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 9564 following minimum standards:

<u>(1) Minimum Lot Dimensions (Single-Family Detached):</u>		
<u>(a) Lot Size:</u>		<u>2,700 square feet</u>
<u>(b) Lot Width:</u>		<u>32 feet</u>
<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
<u>(d) Maximum Lot Coverage:</u>		<u>50 percent</u>
<u>(3) Minimum Lot Dimensions (Single-Family Attached):</u>		
<u>(a) Lot Size:</u>		<u>1,350 square feet</u>
<u>(b) Lot Width:</u>		<u>15 feet</u>
<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
<u>(d) Maximum Lot Coverage:</u>		<u>80 percent</u>
<u>(4) Minimum Setbacks (Single-Family Detached):</u>		
<u>(a) Front:</u>		<u>25 feet <sup>1</sup></u>
<u>(b) Side:</u>	<u>From property line when adjacent to a Residential zoning district with Single-Family Detached units:</u>	<u>5 feet</u>
	<u>From property line when adjacent to a Residential zoning district with Single-Family Attached or Multi-Family units:</u>	<u>10 feet</u>
	<u>From property line when adjacent to a Non- Residential zoning district:</u>	<u>15 feet</u>
<u>(c) Rear:</u>	<u>From property line when adjacent to a Residential zoning district:</u>	<u>10 feet</u>
	<u>From property line when adjacent to a Non- Residential zoning district:</u>	<u>15 feet</u>

Footnote:

1 Front Setback from Right-of-Way shall be 15 feet from front facade; 10 feet for units with a front porch or a stoop; and 20 feet for front facing garages. [Relocated from Sec. 3-33A.III.4.c. Density and Residential Design Standards]

9565 **[Relocated from Sec. 3-33A.III.7.c.]**

9566 **3-D-12.11.e. BF AC Design Standards**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9567 (1) Variation in Lot Size. To promote a diversity of housing types, there shall be at least 2 different lot  
9568 widths. The two lot widths shall vary by at least 15 percent. At least 30 percent of the lots shall  
9569 have a different lot width as described in Section 3-D-12.11.c. Development Standards. [Relocated  
9570 from Sec. 3-33A.III.4.c.xi.K. Design Standards.]
- 9571 (2) Lot Size Standards. To ensure walkability and affordability, at least 75 percent of Single-Family  
9572 lot sizes within a development shall be less than 6,000 square feet. [Relocated from Sec. 3-  
9573 33A.III.4.c.xi.H. Design Standards]
- 9574 (3) Housing Diversity. No more than 1 accessory structure and 1 garage apartment shall be allowed  
9575 in conjunction with a Single-Family Detached home.
- 9576 (a) For the purposes of calculating density only, accessory units shall not be recognized as a  
9577 separate unit, and for concurrency purposes, shall be counted as ½ of a unit. Accessory  
9578 apartments shall conform to the following standards:

---

Ownership:	The primary unit and the accessory unit shall remain under single ownership.
Form:	Accessory apartments in conjunction with <u>Single-Family</u> homes shall be in the form of a garage apartment (an apartment over a freestanding garage).
Size:	Accessory apartments may not exceed 600 square feet.
Entrances:	Entrances to garage apartments shall face the principal residence to which they are associated.

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9579 [Relocated from Sec. 3-33A.III.4.c.xi.J. Design Standards]

- 9580 (4) Design Standards. Refer to Sec. 3-D-11.11. Master Planned Community Design Standards.
- 9581 (5) Open Space. A minimum of 5 percent upland open space is required for each development. Open  
9582 Space may include parks, buffers, and other common areas. Refer to Part F, Division 4 Parks and  
9583 Recreation. [Relocated from Sec. 3-33A.III.4.c.xi.L. Open Space]

### 9584 3-D-12.11.f. BF AC Uses

- 
- |  |   |
|--|---|
| (1) <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |
- 

### 9585 Sec. 3-33A.III.4. BF AC

- 9586 **4. BF Activity Center (BF AC).** *BF Activity Centers are planned to accommodate a range of activities*  
9587 *from employment-based office and light industrial activities to commercial services, recreational*  
9588 *facilities, and housing. Design shall emphasize walkability and strategic landscaping to create a*  
9589 *human-scale, attractive built environment. These areas shall be high-intensity, design-unified areas*  
9590 *containing a concentration of different urban functions and housing. The concentration of uses will*  
9591 *provide the opportunity for the efficient provision of public facilities and will minimize the need to provide*  
9592 *buffers for incompatible uses.* [Relocated to 3-D-12.11.a. BF AC Description]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

9593 ~~BF Activity Centers may be designated to serve many different property owners, but will function in a~~  
 9594 ~~manner to share facilities and services to reduce inefficiency and redundancy. These districts shall~~  
 9595 ~~provide a high development quality that emphasizes pleasant, convenient, and satisfying work~~  
 9596 ~~conditions, along with amenities such as recreational areas, restaurants, retail services, and convenient~~  
 9597 ~~locations relative to residential areas.~~

9598 ~~BF Activity Centers are generally designed to serve a regional population of at least 75,000. A~~  
 9599 ~~maximum of fifteen percent of each BF Activity Center may be developed to support multi-family~~  
 9600 ~~residential uses at a density of 8 to 20 units per acre. [Relocated to Sec. 3-D-12.11.a. Description,~~  
 9601 ~~BF AC]~~

9602 ~~The quantification of uses within the BF Activity Center land use designation shall be consistent with~~  
 9603 ~~the following:~~

<i>Land Use</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
<del>Office and/or Light Industrial</del>	<del>10%</del>	<del>80%</del>
<del>Commercial/Retail Residential</del>	<del>2%</del>	<del>65%</del>
<del>Public &amp; Civic</del>	<del>10%</del>	<del>15%</del>
<del>Public Parks and Open Space</del>	<del>5%</del>	<del>20%</del>
<del>Public Parks and Open Space</del>	<del>5%</del>	<del>10%</del>

~~Residential development within the Activity Center category may utilize TND standards.~~  
 [Relocated to Sec. 3-D-12.11.b.(1) BF AC Land Use Mix]

~~e. Density and Residential Design Standards.~~

- ~~i. Minimum Density: 8 units per gross acre~~
- ~~ii. Maximum Density: 20 units per gross acre in BF Activity Center; 16 units per gross acre in BF Community Center [Relocated to/tabularized in Sec. 3-D-12.11.c.(2) BF AC Density and Intensity]~~
- ~~iii. Minimum Lot Size: 2,700 square feet for single family detached units; 1,350 square feet for single family attached units~~
- ~~iv. Minimum Lot Width: 15 feet for single family attached units; 32 feet for single family detached homes, 80 feet for multi-family structures. Single family attached structures shall not exceed 8 attached dwelling units. Structures shall not exceed 200 feet in width.~~
- ~~v. Minimum Front Setback from Right of Way: 15 feet front facade, 10 feet for front porches and stoops; 20 feet for front facing garages~~
- ~~vi. Maximum Front Setback: 25 feet~~
- ~~vii. Minimum Side Setback: 5 feet; 10 feet for corner lots~~
- ~~viii. Minimum Rear Setback: 8 feet~~
- ~~ix. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory buildings) [Relocated to/tabularized in Sec. 3-D.12.11.d. BF AC Development Standards]~~
- ~~x. Lot Size Standards. To ensure walkability and affordability, at least 75% of single family lot sizes within a development must be less than 6,000 square feet. [Relocated to 3-D-12.11.e. BF AC Design Standards]~~
- ~~xi. Design Standards~~
  - ~~A. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet walls or partial roofs.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9629 B. ~~Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone,~~  
9630 ~~finished concrete, wood or other similar materials including synthetic materials similar in~~  
9631 ~~appearance and durability to those materials previously named on all sides. Exposed smooth~~  
9632 ~~concrete block or metal finishes shall not be permitted.~~
- 9633 C. ~~Front porches are required on all single family detached, single family attached and townhome~~  
9634 ~~development. Porches must have a minimum width of four feet.~~
- 9635 D. ~~Each residence or building, in the case of multi family developments, must have an entrance~~  
9636 ~~facing the street. Single Family attached units, when constructed as 4 or more attached units,~~  
9637 ~~may have 2 units with side entries per building.~~
- 9638 E. ~~Development and neighborhood signs are limited to monument signs that are less than six feet~~  
9639 ~~in height and thirty feet in size.~~
- 9640 F. ~~Alleys are encouraged, but not required. Interior courtyards are required for all multifamily~~  
9641 ~~developments. Alleys and interior courtyards must meet the standards set forth in Subsection~~  
9642 ~~I., General Standards, paragraph 7.g. herein.~~
- 9643 G. ~~A minimum of 80% of all off street parking places in a multi family development shall be to the~~  
9644 ~~rear of buildings and accessible by alleys. Alleys are encouraged, however front facing~~  
9645 ~~garages for single family detached and single family attached lots will be allowed. These lots~~  
9646 ~~may be served by curb cuts with maximum 12 foot wide driveways. Parallel on street parking~~  
9647 ~~is allowed, but no driveways or curb cuts are allowed along streets, except as provided above.~~  
9648 ~~For multi family development, parking between buildings may not exceed two parking rows as~~  
9649 ~~arranged perpendicular to the street. Single family attached residential development must~~  
9650 ~~provide a minimum of 5 spaces and a maximum of .5 spaces per residential unit in a parking~~  
9651 ~~courtyard in addition to the driveway and garage spaces per unit. These parking spaces may~~  
9652 ~~also be attributable to amenity parking within the development, but shall be available for~~  
9653 ~~residential and guest parking.~~
- 9654 H. ~~To promote walkability, block lengths may not exceed 600 feet, unless a pedestrian path or~~  
9655 ~~neighborhood park is divides the length of the block, not to exceed 1,000 feet.~~
- 9656 I. ~~Developments with more than 200 units shall be required to have a central civic space within~~  
9657 ~~a neighborhood park including a clubhouse or open air pavilion. This structure shall be~~  
9658 ~~constructed prior to the issuance of a building permit for more than 50% of the lots and/or unit~~  
9659 ~~of the development. The developer and later the homeowners association shall be responsible~~  
9660 ~~for the construction and upkeep of the civic space. The pavilion size shall be set at five square~~  
9661 ~~feet per unit for an enclosed building and ten square feet per unit for an open air pavilion.~~  
9662 ~~Enclosed buildings and pavilions shall have a minimum size of 750 square feet. Enclosed~~  
9663 ~~buildings shall not be required to exceed 2,000 square feet and pavilions shall not be required~~  
9664 ~~to exceed 1,500 square feet. [Deleted xi. A through I, and consolidated under Part F,~~  
9665 ~~Division 6, Architectural Design Guidelines]~~
- 9666 J. ~~To promote housing diversity, no more than one accessory structure and one garage apartment~~  
9667 ~~shall be allowed in conjunction with a single family detached home. For the purposes of~~  
9668 ~~calculating density only, accessory units will not be recognized as a separate unit, and for~~  
9669 ~~concurrency purposes, shall be counted as one-half of a unit. Accessory apartments shall~~  
9670 ~~conform to the following standards: [Relocated to Sec. 3-D-12.11.e BF AC Design~~  
9671 ~~Standards]~~
- 9672 1. ~~Ownership. The primary unit and the accessory unit must remain under single ownership.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9673 ~~2. Form. Accessory apartments in conjunction with single family homes must be in the form~~  
 9674 ~~of a garage apartment (an apartment over a freestanding garage).~~  
 9675 ~~3. Size. Accessory apartments may not exceed six hundred (600) square feet.~~  
 9676 ~~4. Entrances. Entrances to garage apartments and cottages may not face adjacent~~  
 9677 ~~residential properties, but shall face the principal residence to which they are associated.~~  
 9678 **[Relocated to Sec. 3-D-12.11.e. BF AC Design Standards]**  
 9679 ~~K. To promote a diversity of housing types in subdivisions, there shall be at least two different lot~~  
 9680 ~~widths. The two lot widths shall vary by at least 15%. At least 30% of the lots must have a~~  
 9681 ~~different lot width as described above.~~ **[Relocated to Sec. 3-D-12.11.e.(1) BF AC Design**  
 9682 **Standards]**  
 9683 ~~L. Open Space. A minimum of five percent upland open space is required for each development.~~  
 9684 ~~Open Space may include parks, buffers, and other common areas.~~ **[Relocated to Sec. 3-D-**  
 9685 **12.11.f. BF AC Land Use Mix]**  
 9686 ~~M. Recreation. See Subsection I. General Standards, paragraph 4. herein.~~ **[Deleted.**  
 9687 **Consolidated under Part F, Division 4 Parks and Recreation]**  
 9688 ~~d. Intensity Requirements. The maximum floor area ratio (FAR) for each nonresidential development~~  
 9689 ~~within the BF Activity Center classification shall not exceed 80%, with an average not to exceed 60~~  
 9690 ~~percent.~~ **[Relocated to Sec. 3-D-12.11.c.(2) BF AC Density and Intensity]**

### **Sec. 3-D-12.12. BF Mixed Use (BF MU)**

#### **3-D-12.12.a. BF MU Description**

9693 *The BF MU District is intended to be a focal point for economic activity characterized by a mix of Office,*  
 9694 *Commercial, Light Industrial, high density Residential, Recreation, and neighborhood Commercial uses*  
 9695 *providing a range of employment opportunities and integrated Residential development. This balanced mix*  
 9696 *of land uses allows for increased efficiency and economy and the efficient provision of Public Facilities. BF*  
 9697 *MU Districts are generally designed to serve a regional population of at least 75,000. The BF MU District*  
 9698 *may be applied to parcels or a contiguous combination of parcels which total a minimum of 500 acres*  
 9699 *adjacent to or located near major arterial roads.* **[Relocated from Sec. 3-33A.III.6. BF MU]**

#### **3-D-12.12.b. BF MU Land Use Mix**

9701 *The BF MU is organized to provide a functionally integrated development pattern consisting of three Sub-*  
 9702 *categories: Gateway, Multi-field Recreational Complex, and Office/Industrial Districts, with its individual*  
 9703 *components as follows:*

<u>Sub-categories</u>	<u>Land Use Mix</u>
(1) Gateway	Commercial <u>and</u> Residential uses <u>Allow more Commercial intensity along or closest to Challenger Drive</u>
(2) Multi-field Recreational Complex	<u>Recreational and Commercial uses, Refer to Part E, Divisions 4 and 5.</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<i>(3) Office/Industrial</i>	<u>Office, Business or Professional and Light Industrial uses (located off from Challenger Drive)</u>
------------------------------	---

9704 **[Relocated from Sec. 3-33A.III.6. BF MU]**

9705 **3-D-12.12.c. BF MU Density and Intensity**

9706 The maximum density for Residential units and Floor Area Ratio (FAR) for each Non-Residential  
 9707 development within the BF MU FLU category shall comply with the following:

- |                       |  |   |
|-----------------------|--|---|
| <u>(1) Density:</u>   |  |   |
| <u>(a) Minimum:</u>   |  | <u>8 units per gross acre</u>   |
| <u>(b) Maximum:</u>   |  | <u>16 units per gross acre</u><br><b>[From Sec. 3-33A.III.6. BF MU]</b> |
| <u>(2) Intensity:</u> |  |   |
| <u>(a) Average:</u>   |  | <u>Per Approved BF MU</u>   |
| <u>(b) Maximum:</u>   |  | <u>Per Approved BF MU</u>   |

9708 **3-D-12.12.d. BF MU Development Standards**

9709 *The principal and accessory buildings, and other lot uses shall be located so as to comply with the following*  
 9710 *minimum standards:* **[Relocated from Sec. 3-33A.III.6.f.vii.A Residential Standards]**

- |  |                         |                                       |
|--|-------------------------|---------------------------------------|
| <u>(1) Minimum Lot Dimensions (Non-Residential):</u> |                         |                                       |
| <u>(a) Lot Size:</u>                                 |                         | <u>Per Approved BF MU</u>             |
| <u>(b) Lot Width:</u>                                |                         | <u>25 feet</u>                        |
| <u>(c) Lot Depth:</u>                                |                         | <u>Per Approved BF MU</u>             |
| <u>(d) Maximum Building Footprint:</u>               |                         | <u>20,000 square feet<sup>1</sup></u> |
| <u>(e) Maximum Lot Coverage:</u>                     |                         | <u>80 percent<sup>2</sup></u>         |
| <u>(2) Minimum Lot Dimensions (Residential):</u>     |                         |                                       |
| <u>(a) Lot Size:</u>                                 |                         |                                       |
| <u>(b) Lot Width:</u>                                | <u>At building line</u> | <u>25 feet</u>                        |
| <u>(c) Lot Depth:</u>                                |                         | <u>Per Approved BF MU<sup>3</sup></u> |
| <u>(3) Minimum Setbacks (Residential):</u>           |                         |                                       |

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(a)</u> <i>Front:</i>	<u>From property line when adjacent to any zoning districts</u>	<u>Per Approved BF MU<sup>3</sup></u>
<u>(b)</u> <i>Side:</i>	<u>From property line when adjacent to any zoning districts</u>	<u>0<sup>4</sup></u>
<u>(c)</u> <i>Rear:</i>	<u>From property line when adjacent to any zoning districts</u>	<u>Per Approved BF MU<sup>3</sup></u>
<u>(d)</u> <i>Maximum Lot Coverage:</i>		<u>50 percent</u>
<u>(4) Maximum Height (Non-Residential and Residential Buildings)</u>		
<u>(a)</u> <u>≤150 feet from Lot Line:</u>	<u>To adjacent Residential zoning district</u>	<u>35 feet</u>
<u>(b)</u> <u>≥150 to 300 feet from Lot Line:</u>	<u>To adjacent Residential zoning district</u>	<u>52 feet</u>
<u>(c)</u> <u>&gt; 300 feet from Lot Line<sup>5</sup></u>	<u>To adjacent Residential zoning district</u>	<u>Not Applicable</u>

Footnote:

1 *Individual uses shall not exceed 5,000 square feet.*

2 An average not to exceed 50 percent of Lot Coverage. [Relocated from Sec. 3-33A.III.6.f.viii.A. Design Standards for Non-Residential Development]

3 *The minimum necessary to meet required utility standards and to protect street trees. [Relocated from Sec. 3-33A.III.6.f.vii.A.(1-4) ]*

4 Provide a minimum of 2-foot wide easement where necessary to accommodate access for maintenance purpose, if applicable.

5 *Beyond 300 feet from a Residential lot line, no structure shall protrude through a transitional height plane beginning 35 feet above the buildable area boundary nearest to a boundary of a Residential use and extending inward over the Non-Residential area at an angle of 45 degrees. This standard protects areas within Residential use from the visual intrusion of tall buildings.*

9711 **[Relocated from 3-33A.III.6.f.vi. and viii.]**

9712 **3-D-12.12.e. BF MU Design Standards**

- 9713 (1) Roadways. The proposed roadways with a BF MU development shall be designed as a grid system, as property configuration limitations and topography allow, and the additional standards as follows:
- 9714 (a) Access to properties along Challenger Drive shall be limited to rear service driveways from
- 9715 the interior roadway network. No more than 2 access points to Challenger Drive shall be
- 9716 permitted, as depicted on the Concept Plan.
- 9717 (b) Roundabouts shall not be required.
- 9718 (c) When any planned 4-lane road is constructed initially with only 2 lanes, sidewalks shall
- 9719 only be required to be constructed on 1 side of the lanes and the sidewalks for the other
- 9720

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 9721 *side shall be constructed when the remaining lanes are constructed. [Relocated from Sec.*  
 9722 *3-33A.III.6.f.1. Roadway Standards, BF MU Development Standards]*
- 9723 (2) Curbs. *Miami curbs shall be permitted in the BF MU district on all streets classified as local and*  
 9724 *private streets. Both entrance roads from Challenger Drive shall have a minimum 6 inch-high curb,*  
 9725 *meeting FDOT Type F. [Relocated from Sec. 3-33A.III.6.f.ii. Curbs, BF MU Development*  
 9726 *Standards]*
- 9727 (3) Building Design. *Residential and Non-Residential building design shall comply with applicable*  
 9728 *sections of Part F, Division 6 Architectural Design Guidelines.*
- 9729 (a) *To retain the pedestrian-scale of the BF MU Residential areas, no building footprint shall*  
 9730 *exceed 20,000 square feet. Individual uses shall not exceed 5,000 square feet. [Relocated*  
 9731 *from Sec. 3-33A.III.6.vii.B. Residential Standards]*
- 9732 (4) Parking and Loading. *Parking and loading in the BF MU shall be in accordance with Sec. 8-12*  
 9733 *Parking Requirements and Appendix A Parking Space Requirements. Location of parking shall be*  
 9734 *limited to the following:*
- 9735 (a) Non-Residential.
- 9736 i. Front. *A maximum of 10 percent of the total required parking, and in the form of a*  
 9737 *single row of parallel or diagonal on-street parking along internal shopping streets*  
 9738 *shall be permitted in the front of the building(s).*
- 9739 ii. Side. *For shopping centers, side parking areas may not exceed 75 percent of a*  
 9740 *block. Side parking shall have a street wall or a hedge a minimum of 42 inches in*  
 9741 *height.*
- 9742 iii. Rear. *A minimum of 50 percent of the total required parking shall be permitted at*  
 9743 *the rear of the building(s).*
- 9744 iv. *All off-street loading facilities shall be located at the rear or side of the building and*  
 9745 *visually screened from any abutting public or approved private street or Residential*  
 9746 *property. [Relocated from Sec. 3-33A.III.6.f.iii.B. Parking and Loading*  
 9747 *Facilities]*
- 9748 (b) Residential.
- 9749 *Parking spaces are allowed either in garages, driveways, or carports on single lots, and*  
 9750 *for Multi-Family, townhome, and other high density Residential uses the parking may be in*  
 9751 *commonly owned courtyards, or may be located to the rear or side of buildings. If located*  
 9752 *on the side of the structure the parking shall be screened using solid street walls not*  
 9753 *exceeding 4 feet in height or landscaping. [Relocated from Sec. 3-33A.III.6.f.vii.E.]*
- 9754 (5) Buffers. *Buffers shall be installed between properties with different BF FLU categories and right-*  
 9755 *of-way along a street, as follows:*

<u>Type of Buffer</u>	<u>Standards</u>
<u>Perimeter Buffer</u>	<u>Width: 30 feet</u>
	<u>1 shade tree per 30 feet of the length of buffer<sup>1</sup></u>
<u>Right-of-Way Buffer</u>	<u>Width: 25 feet</u>

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

Buffer shall be placed between sidewalk and street, 1 shade tree at 30 feet on center<sup>1</sup>

Footnotes:

1 Trees within buffers shall not be spaced exceeding 45 feet if the Planning and Zoning Director or his/her designee finds that wider spacing is needed due to tree species. [Relocated from Sec. 3-33A.III.6.f.v.B. Buffers]

9756 **[Relocated from Sec. 3-33A.III.6.f.v.A. Buffers, BF MU]**  
 9757 (a) Landscaping in Parking Area. Any landscape in a parking area shall meet the requirements of Article 6 Tree Ordinance, where applicable. For standards calculation purposes, at least 10 percent of the parking lot shall be landscaped area (not including the Perimeter and Right-of-Way Buffers). [Relocated from Sec. 3-33A.III.6.f.iii.A. and 3-33A.III.6.f.iv.E.]  
 9758  
 9759  
 9760 (b) Interior Landscaping. In addition to the standards as set forth in Table 4. Minimum Shade Coverage Standards of Article 6 Tree Ordinance, Non-Residential developments shall comply as follows:  
 9761  
 9762  
 9763

	<u>Raised planters, sidewalk cutouts for tree wells, or portable planters.</u>
i. <u>Commercial &gt; 100,000 square feet:</u>	<u>May vary building setbacks to accommodate planters.</u> <u>Street trees to be planted in sidewalk cutouts at 40 feet on center<sup>1</sup>. [Relocated from Sec. 3-33A.III.6.f.iv.A.]</u>
ii. <u>Commercial and Industrial &lt; 100,000 square feet:</u>	<u>10-foot-wide landscape strip at front and side facades of the building.</u> <u>A 5-foot-wide sidewalk may be placed on either side of this landscape strip.</u> <u>Trees to be planted at 30 feet on center<sup>1</sup>.</u> <u>Alternative: No landscape strip is required, if the contiguous parking lot serving the building is either landscaped with a 10-foot wide sidewalk, with 1 tree in each landscape median spaced at 30 feet apart., or 1 tree per each landscape island.</u>
iii. <u>Commercial and Industrial Planned Developments:</u>	<u>Landscape strip to be installed between sidewalk and the street.</u> <u>Trees to be planted at 30 feet on center<sup>1</sup>.</u> <u>Parking shall be located only on the side or rear of the building. Side parking areas shall have a 42-inch high street wall or a hedge continuing from the front facade of the</u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

*buildings to screen parking area.* [Relocated from Sec. 3-33A.III.6.f.iv.C.]

Footnote:

1 Trees within landscape strip shall not be spaced exceeding 45 feet if the Planning and Zoning Director or his/her designee finds that wider spacing is needed due to tree species. [Relocated from Sec. 3-33A.III.6.f.iv.B.]

[Information for this Table is from Sec. 3-33A.III.6.f.iv.A, B, and C]

9764  
9765  
9766  
9767  
9768  
9769

(c) Outdoor Storage. All outdoor storage areas for vehicles shall comply with the following standards. The remainder of the required landscaped areas shall be covered with turf grass, ground cover, or other landscape materials that are acceptable to the Planning and Zoning Director or his/her designee. [Relocated from Sec. 3-33A.III.6.f.iv.D.5. Landscaping BF MU]

i.	<u>Landscape Buffer:</u>	<u>Width of 25 feet</u> <i>12 tree points per 100 lineal feet or fraction thereof, evenly spaced.</i>
ii.	<u>Tree Planting:</u>	[Relocated from Sec. 3-33A.III.6.f.iv.D.2 Landscaping]
iii.	<u>Visual Screening:</u>	<u>Option of wall, opaque fence, or hedge at 42 inches in height.</u>
iv.	<u>Height of Wall or Fence and planting:</u>	<i>2 shrubs or vines at every 10 feet of the wall or fence, planted on the exterior side, not necessarily evenly spaced at 10 feet apart.</i> <u>Shrubs or vines shall be planted at 24 inches in height above grade at time of planting.</u> <u>Shrubs or vines shall reach 30 inches in height within one year after planting, and shrubs shall be maintained at 36 inches in height thereafter to form a visual screen.</u> [Relocated from Sec. 3-33A.III.6.f.iv.D.4 Landscaping] <u>Hedge: 30 inches above grade at the time of planting, spaced at 36 inches apart and maintained to form a continuous visual screen of 36 inches one year after planting.</u> [Relocated from Sec. 3-33A.III.6.f.iv.D.4 Landscaping]

9770

[Relocated from Sec. 3-33A.III.6.f.iv.D.1-4 Landscaping BF MU]

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 9771 (d) Civic and Open Space. *Developments with more than 200 Residential units shall be*  
 9772 *required to have a central Civic Space within a Neighborhood Park as set forth in Part F,*  
 9773 *Division 5 Parks and Recreation.*  
 9774 i. The park shall include a clubhouse or open-air pavilion. This structure shall be  
 9775 constructed prior to the issuance of a building permit for more than 50 percent of  
 9776 the lots and/or units of the development.  
 9777 ii. Size of this structure shall comply with the following:

<u>Recreational Facilities</u>	<u>Within Each Development</u>
<u>Enclosed pavilion</u>	5 square feet per unit <sup>1</sup>
<u>Open-air pavilion</u>	10 square feet per unit <sup>1</sup>

Footnote:

<sup>1</sup> Minimum size of 750 square feet and maximum size of 2,000 square feet for an enclosed pavilion and 1,500 square feet for open-air pavilion.

9778 **[Relocated from Sec. 3-33A.III.6.f.vii.F. BF MU]**

- 9779 (e) Retention Facilities. *Retention facilities such as a lake including lake easements, may*  
 9780 *occupy up to 30 percent of Park/Civic Space in Non-Residential areas. At least 50 percent*  
 9781 *of retention lands shall be utilized for required landscaping.*  
 9782 i. Amenities. *Such facilities shall visually and functionally complement the Park/Civic*  
 9783 *Space through the use of pedestrian bridges, boardwalks, and docks; provide*  
 9784 *fountains for aeration and improved appearance, and shall include shade trees*  
 9785 *and other landscaping planted or preserved around the retention facility.*  
 9786 **[Relocated from Sec. 3-33A.III.6.f.v.C. Retention facilities]**  
 9787 (f) Signs. *Signs in the BF MU FLU category shall be pursuant to Article 7 Signs, and apply*  
 9788 *the following specific standards:*  
 9789 i. *All freestanding signs shall be Monument signs. All Non-Residential signs shall be*  
 9790 *channel letter style.*  
 9791 ii. *Residential signs shall be limited to Monument signs and allowed a sign area of*  
 9792 *30 square feet. [Relocated from Sec. 3-33A.III.6.f.vi.A. and B. Signs]*

9793 **3-D-12.12.f. BF MU Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

9794 **Sec. 3-33A.III.6. BF MU**

- 9795 **6. ~~Branan Field Mixed Use (BF MU).~~** *The BF MU District is intended to be a focal point for economic*  
 9796 *activity characterized by a mix of office, commercial, retail, light industrial, high density residential,*  
 9797 *recreation, and neighborhood commercial uses providing a range of employment opportunities and*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

9798 ~~integrated residential development. BF MU uses should be defined, whenever possible, by natural~~  
9799 ~~buffers such as tree screens, wetlands, and/or lakes. Design shall emphasize walkability and strategic~~  
9800 ~~landscaping to create a human scale, attractive built environment. This balanced mix of land uses~~  
9801 ~~allows for increased efficiency and economy and the efficient provision of public facilities. The BF MU~~  
9802 ~~district may be applied to parcels or a contiguous combination of parcels which total a minimum of 500~~  
9803 ~~acres adjacent to or located near major arterial roads. [Relocated to Sec. 3-D-12.12.a. BF MU~~  
9804 ~~Description]~~  
9805 ~~Residential uses shall have a high quality urban character, shall be integrated in the community, and~~  
9806 ~~shall encourage a live/work environment. Types of residential units may include single family attached,~~  
9807 ~~townhouse and multi-family units, as well as apartments over retail and office uses. Residential density~~  
9808 ~~ranges between 8 and 16 units per gross acre. [Relocated to Sec. 3-D-12.12.d. BF MU Development~~  
9809 ~~Standards]~~  
9810 ~~Non-residential development in the BF MU district may be designated to serve many different property~~  
9811 ~~owners, but is encouraged to function in a manner to share facilities and services to reduce inefficiency~~  
9812 ~~and redundancy. Non-residential development shall provide a high development quality that~~  
9813 ~~emphasizes pleasant, and satisfying work conditions, along with amenities such as recreational areas,~~  
9814 ~~restaurants, retail services, and convenient locations relative to residential areas. A vibrant street life~~  
9815 ~~shall be encouraged for residents, employees and tourists through outdoor cafés, use of plazas for art~~  
9816 ~~exhibits, festivals, farmer's markets and concerts in addition to the rich mix of uses within the district.~~  
9817 ~~BF MU non-residential districts are generally designed to serve a regional population of at least 75,000.~~  
9818 ~~[Relocated to Sec. 3-D-12.12.a. BF MU Description]~~  
9819  
9820 ~~A Concept Plan shall be submitted to the Director of Planning and Zoning prior to any BFMU~~  
9821 ~~development which shall at a minimum provide a layout plan that addresses:~~  
9822 ~~a. an integrated street layout in accordance with the roadway provisions herein;~~  
9823 ~~b. a bicycle and pedestrian plan, showing bike lanes, multipurpose trails and sidewalk system;~~  
9824 ~~and~~  
9825 ~~c. the spatial organization of generalized uses of the BFMU area, including office, industrial, retail,~~  
9826 ~~commercial, recreation and residential uses and including consistency with the designation of~~  
9827 ~~the Gateway and Multi-field Recreation Complex designations on the Future Land Use Map.~~  
9828 ~~Changes to the concept plan may be approved by the Director of Planning and Zoning when such~~  
9829 ~~changes are consistent with the intent of this code and the Branan Field Master Plan.~~  
9830 ~~[Deleted, application requirements and modifications are addressed in Division R]~~  
9831 ~~The Gateway district will include Commercial/Retail/Residential uses within the area depicted on the~~  
9832 ~~Branan Field Master Plan Map. The pattern of development within the BFMU shall locate the more~~  
9833 ~~intense Commercial/Retail uses along or closest to Challenger Drive. [Relocated to/tabularized in~~  
9834 ~~Sec. 3-D-12.12.b. BF MU Land Use Mix]~~  
9835 ~~The Multi-field Recreational Complex shall include sporting fields for baseball and soccer and may~~  
9836 ~~include other ball sports, passive recreation, restaurants, souvenirs and athletic facilities. [Relocated~~  
9837 ~~to/tabularized in Sec. 3-D-12.12.b. BF MU Land Use Mix]~~  
9838 ~~The Office/Light Industrial district shall provide a high development quality that emphasizes pleasant,~~  
9839 ~~convenient, and satisfying work conditions, along with amenities such as recreation areas.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9840        ~~The Office/Light Industrial area shall be away from Challenger Drive.~~ [Relocated to/tabularized in
- 9841        **Sec. 3-D-12.12.b. BF MU Land Use Mix]**
- 9842        ~~e. Prohibited Uses or Activities:~~
- 9843        ~~i. Any use or activity not permitted in a, b, or c above.~~ [Deleted since it is consolidated under Part
- 9844        **E, Division 1]**
- 9845        ~~f. BF MU Development Standards. Development within the BF MU shall adhere to the Branan Field Land~~
- 9846        ~~Development Regulations except as specifically modified herein.~~ [Relocated and replaced with new
- 9847        **text in Sec. 3-D-12.12.d. BF MU Development Standards]**
- 9848        ~~i. Roadway Standards. The Roadway Standards set forth in Section 7 of the Branan Field LDRs~~
- 9849        ~~shall apply to the BF MU district with the following exceptions:~~
- 9850        ~~A. The connectivity index shall not apply, however the roads shall be designed as a grid or~~
- 9851        ~~modified grid system insofar as property configuration limitations and topography allow.~~
- 9852        ~~Access to properties along Challenger Drive shall be limited to rear service driveways from the~~
- 9853        ~~interior roadway network. No more than two access points to Challenger Drive shall be~~
- 9854        ~~permitted, as depicted on the Concept Plan.~~
- 9855        ~~B. Roundabouts shall not be required.~~
- 9856        ~~C. Sidewalks on both sides of all streets shall be five feet wide. To the extent that any planned~~
- 9857        ~~four lane road is constructed initially with only two lanes, sidewalks shall only be required to be~~
- 9858        ~~constructed on one side of the lanes and the sidewalks for the other side shall be constructed~~
- 9859        ~~when the remaining lanes are constructed.~~ [Relocated to **Sec. 3-D-12.12.e.(1). Roads, BF**
- 9860        **MU Design Standards]**
- 9861        ~~ii. Curbs. A. Miami curbs shall be permitted in BF MU district on all streets classified as local and~~
- 9862        ~~private streets. Both entrance roads from Challenger Drive shall have a minimum 6 inch high curb,~~
- 9863        ~~meeting Florida Department of Transportation Type F.~~ [Relocated to **Sec. 3-D-12.12.e.(2). Curbs,**
- 9864        **BF MU Design Standards]**
- 9865        ~~iii. Parking and Loading Facilities.~~
- 9866        ~~A. Parking requirements must meet the requirements of Section I.15 of the Branan Field Land~~
- 9867        ~~Development Regulations.~~
- 9868        ~~B. All off street loading facilities shall be located at the rear or side of the building and visually~~
- 9869        ~~screened from any abutting public or approved private street or residential property.~~
- 9870        **[Relocated to Sec. 3-D-12.12.e.(4). Parking and Loading, BF MU Design Standards]**
- 9871        ~~iv. Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~
- 9872        ~~standards shall apply.~~
- 9873        ~~A. Commercial and office uses over 100,000 gross square feet in floor area shall provide raised~~
- 9874        ~~planters, sidewalk cutouts, or portable planters or may vary building setbacks to accommodate~~
- 9875        ~~landscape planters. Street trees shall be placed in sidewalk cutouts along streets at a spacing~~
- 9876        ~~that is at least an average of forty feet on center. Street trees shall be approved parking lot~~
- 9877        ~~trees and may also include Washingtonian Palm trees, or similar tall palms. All landscape~~
- 9878        ~~islands in parking lots shall have shade trees, planted or preserved at a minimum caliper of~~
- 9879        ~~four inches. Trees less than five inches in caliper shall be counted as small trees for Tree~~
- 9880        ~~Protection and Landscaping.~~ [Relocated to/tabularized under **Sec. 3-D-12.12.e.(5).(b).**
- 9881        **Interior Landscaping, BF MU Design Standards]**
- 9882        ~~B. Freestanding retail, commercial, office and industrial buildings under 100,000 gross square~~
- 9883        ~~feet in floor area must provide a landscape strip that is at least ten feet in width on the front~~
- 9884        ~~and sides of the building. A minimum five foot wide sidewalk shall be placed on either side of~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9885 ~~this landscape strip. As an alternative, the landscape strip may be eliminated from areas facing~~  
9886 ~~the parking lot, entrances, and adjacent streets if a minimum ten-foot wide sidewalk is provided~~  
9887 ~~with parking lot or street trees within cutouts or landscape islands spaced no more than 30 feet~~  
9888 ~~on-center. The spacing of shade trees within the landscape strip may exceed the 30-foot~~  
9889 ~~standard no more than 150%, if the Planning and Zoning Director finds that wider spacing is~~  
9890 ~~needed due to tree species. [Relocated to/tabularized under Sec. 3-D-12.12.e.(5).(b).~~  
9891 ~~Interior Landscaping, BF MU Design Standards]~~  
9892 ~~C. Office and Industrial Parks or Complexes. Office and industrial buildings shall have a sidewalk~~  
9893 ~~and landscaped area between the building and the street that the buildings front on. Street~~  
9894 ~~trees shall be located between the sidewalk and the street, planted at a minimum of thirty feet~~  
9895 ~~on-center. Parking areas shall be provided to the rear of buildings and on the side of the~~  
9896 ~~building, set back behind the front façade of the building. Side parking areas shall have a~~  
9897 ~~streetwall (wall or hedge of at least 42" in height) continuing the front façade line of surrounding~~  
9898 ~~buildings. [Relocated to/tabularized under Sec. 3-D-12.12.e.(5).(b). Interior Landscaping,~~  
9899 ~~BF MU Design Standards]~~  
9900 ~~D. In the case of car, boat, or similar sales uses, storage or activity areas shall be visually~~  
9901 ~~screened from adjacent streets and properties using the following screening standards;~~  
9902 ~~1. The landscape area shall be at least 25 feet wide. [Relocated to/tabularized in Sec. 3-~~  
9903 ~~D-12.12.e.(5).(c). Outdoor Storage, BF MU Design Standards]~~  
9904 ~~2. Sufficient canopy trees shall be planted or preserved to receive at least twelve (12) tree~~  
9905 ~~points per one hundred (100) lineal feet or fraction thereof and arranged so that the trees~~  
9906 ~~are distributed along the distance. [Relocated to/tabularized in Sec. 3-D-12.12.e.(5).(c).~~  
9907 ~~Outdoor Storage, BF MU Design Standards]~~  
9908 ~~3. The landscaping shall include a masonry wall, solid fence, berm or hedge that is~~  
9909 ~~maintained between thirty (30) and forty-eight (48) inches in height above grade at the time~~  
9910 ~~of planting, spaced not more than thirty-six (36) inches apart and maintained so as to form~~  
9911 ~~a continuous visual screen thirty (30) inches in height above grade, under normal growing~~  
9912 ~~conditions within one year after planting. Relocated to/tabularized in Sec. 3-D-~~  
9913 ~~12.12.e.(5).(c). Outdoor Storage, BF MU Design Standards]~~  
9914 ~~4. In order to break the visual monotony of a masonry or wood wall, when such walls are~~  
9915 ~~used, at least two (2) shrubs or vines shall be planted abutting the wall within each ten (10)~~  
9916 ~~feet but not necessarily evenly spaced ten (10) feet apart. Such shrubs or vines shall be~~  
9917 ~~planted along the street side of the screen, shall be a minimum of twenty-four (24) inches~~  
9918 ~~in height above grade at the time of planting and maintained so as to form a visual screen~~  
9919 ~~thirty (30) inches in height above grade under normal growing conditions within one year~~  
9920 ~~after planting. [Relocated to/tabularized in Sec. 3-D-12.12.e.(5).(c). Outdoor Storage,~~  
9921 ~~BF MU Design Standards]~~  
9922 ~~5. The remainder of the required landscaped areas shall be landscaped with turf grass,~~  
9923 ~~ground cover or other landscape materials. [Relocated to/tabularized in Sec. 3-D-~~  
9924 ~~12.12.e.(5).(c). Outdoor Storage, BF MU Design Standards]~~  
9925 ~~E. For standards calculation purposes, at least 10% of the parking lot shall be landscaped area~~  
9926 ~~(not including the perimeter and right-of-way buffers). [Relocated to/tabularized in 3-D-~~  
9927 ~~S.12.e.(4). BF MU Parking and Loading]~~  
9928 ~~v. Buffers.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9929 A. ~~Perimeter buffers between Branan Field land use categories, shall be at least 30 feet in width~~  
9930 ~~and include shade trees planted or preserved at least every 30 feet. The spacing of shade~~  
9931 ~~trees may exceed the 30 foot standard no more than 150%, if the Director of Planning and~~  
9932 ~~Zoning finds that wider spacing is needed due to tree species. [Relocated to/tabularized~~  
9933 ~~under Sec. 3-D-12.12.e.(5) Buffers, BF MU Design Standards]~~  
9934 B. ~~Right of way buffers shall be necessary when there is a gap in the continuity of buildings or~~  
9935 ~~landscape buffers along a street including when a building is setback more than 25 feet from~~  
9936 ~~the street edge, or property line, whichever is greater, or when stormwater management basins~~  
9937 ~~are located along the street frontage. The buffer shall be at least 25 feet in width and include~~  
9938 ~~shade trees planted or preserved at a ratio of at least one tree per 1000 square feet. In addition,~~  
9939 ~~shade trees must be located between the sidewalk and the principal thoroughfare, with a~~  
9940 ~~minimum spacing of 30 feet. The spacing of shade trees may exceed the 30 foot standard no~~  
9941 ~~more than 150%, if the Director of Planning and Zoning finds that wider spacing is needed due~~  
9942 ~~to tree species. [Relocated to/tabularized under Sec. 3-D-12.12.e.(5). Buffers, BF MU~~  
9943 ~~Design Standards]~~  
9944 C. ~~Retention facilities may occupy up to 30% of Park/Civic Space in non-residential areas. At~~  
9945 ~~least 50% of retention lands shall be utilized for required trees within buffers. Such facilities~~  
9946 ~~shall visually and functionally complement the park/civic space through the use of pedestrian~~  
9947 ~~bridges, boardwalks, and docks; provide fountains for aeration and improved appearance, and~~  
9948 ~~shall include shade trees and other landscaping planted or preserved around the retention~~  
9949 ~~facility. [Relocated to Sec. 3-D-12.12.e.(5)(e). Retention Facilities, BF MU Design~~  
9950 ~~Standards]~~  
9951 D. ~~At least 50% of the planted or preserved trees within the perimeter and right-of-way buffers~~  
9952 ~~must be a minimum four inch caliper, with trees less than 5 inches in caliper counted as small~~  
9953 ~~for Tree Protection and Landscaping Standards calculations purposes. [Deleted. Should the~~  
9954 ~~Standards for Florida Fancy or Florida No. 1 Grade as given in most recent edition of~~  
9955 ~~the State of Florida, Department of Agriculture and Consumer Services "Grades and~~  
9956 ~~Standards for Nursery Plants"]~~  
9957 vi. ~~Signs. The Sign Standards set forth in Section 13 of the Branan Field LDRs shall apply to the BF~~  
9958 ~~MU district with the following exceptions:~~  
9959 A. ~~All free standing signs shall be monument signs. All commercial signs shall be channel letter~~  
9960 ~~style. No cabinet signs shall be permitted.~~  
9961 B. ~~Residential development and neighborhood identification signs are limited to monument signs~~  
9962 ~~that are less than six feet in height and thirty square feet in size. If lighted, these signs shall~~  
9963 ~~be externally lighted.~~  
9964 C. ~~Place-making markers for the purpose of general directions may be provided consistent with~~  
9965 ~~paragraph e. ix. F. of these regulations. [Relocated to Sec. 3-D-12.12.e.(5)(f) Signs, BF MU~~  
9966 ~~Design Standards]~~  
9967 vii. ~~Residential Standards:~~  
9968 A. ~~Residential Lot Setbacks and Other Requirements.~~  
9969 1. ~~Minimum Lot Width at Building Line: 25 feet.~~  
9970 2. ~~Minimum Front Setback:~~  
9971 3. ~~Minimum Side Setback: None.~~  
9972 4. ~~Maximum Percent of Lot Coverage: The average lot coverage shall be 50%, all primary~~  
9973 ~~and accessory buildings shall be calculated.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 9974 ~~B. To retain the pedestrian scale of the BF MU residential areas, no building footprint shall~~  
9975 ~~exceed 20,000 square feet. Individual uses shall not exceed 5,000 square feet. [Relocated~~  
9976 ~~to/tabularized under Sec. 3-D-12.12.d. BF MU Development Standards]~~
- 9977 ~~C. Height Limitations. Height limits of thirty five feet within 150 feet from residential use boundary;~~  
9978 ~~and 52 feet between 150 and 300 feet from residential land use boundary. Beyond 300 feet~~  
9979 ~~from a residential use boundary, no structure shall protrude through a transitional height plane~~  
9980 ~~beginning 35 feet above the buildable area boundary nearest to a boundary of a residential~~  
9981 ~~use and extending inward over the commercial area at an angle of 45 degrees. This standard~~  
9982 ~~protects areas within residential land use from the visual intrusion of tall buildings.~~  
9983 ~~[Relocated to/tabularized under Sec. 3-D-12.12.d.(4). Maximum Height, BF MU~~  
9984 ~~Development Standards]~~
- 9985 ~~D. Design standards for residential development:~~
- 9986 ~~1. Doorways, windows, and other openings in the façade of a residential building shall be~~  
9987 ~~present and shall be proportioned to reflect pedestrian scale and movement, and~~  
9988 ~~encourage interest at the street level.~~
- 9989 ~~2. To create a walkable environment, residential buildings shall be grouped close together.~~  
9990 ~~Within each block residential buildings shall occupy at least 65 percent of the street~~  
9991 ~~frontage.~~
- 9992 ~~3. Apartment buildings shall have a balcony or porch for each unit facing the street;~~  
9993 ~~townhouses and single family attached shall provide a change in plane at a minimum of~~  
9994 ~~every 60 feet.~~
- 9995 ~~4. Residential buildings may have their entrances from parking areas, but must also provide~~  
9996 ~~an entrance to the street. The street entrance shall be clearly articulated through the use~~  
9997 ~~of architectural detailing. Entrances shall include at least two of the following features:~~  
9998 ~~pediment raised above the doorway parapets with cornice, peaked roof forms, side lites~~  
9999 ~~and/or transoms, arched doorways. The architectural details shall be consistent with the~~  
10000 ~~architectural style of the building as a whole.~~
- 10001 ~~5. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include~~  
10002 ~~parapet walls or partial roofs.~~
- 10003 ~~6. Exterior walls shall be constructed of finished materials such as stucco, natural brick or~~  
10004 ~~stone, finished concrete, wood or other similar material including synthetic materials similar~~  
10005 ~~in appearance and durability to those materials previously named on all sides. Exposed~~  
10006 ~~smooth concrete block or metal finishes shall not be permitted.~~
- 10007 ~~7. Front porches are required for all single family attached and townhome development.~~  
10008 ~~Front stoops and porches must have a minimum width of four feet and floor level at least~~  
10009 ~~18 inches higher than the top of curb.~~
- 10010 ~~8. Front stoops and porches shall be consistent with prudent utility practice.~~  
10011 ~~[Deleted. The building design is in Part F Division 6 Architectural Design Guidelines.]~~
- 10012 ~~E. Parking spaces are allowed either in garages, driveways, or carports on single lots, and for multi-~~  
10013 ~~family, townhome, and other high density residential uses the parking may be in commonly owned~~  
10014 ~~courtyards, or may be located to the rear or side of buildings. If located on the side of the structure~~  
10015 ~~the parking must be screened using solid streetwalls not exceeding four feet in height or~~  
10016 ~~landscaping. [Relocated to Sec. 3-D-12.12.e.(1). Parking and Loading, BF MU Design~~  
10017 ~~Standards]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 10018 ~~F. Developments with more than 200 residential units shall be required to have a central civic space~~  
10019 ~~within a neighborhood park including a clubhouse or open air pavilion. This structure shall be~~  
10020 ~~constructed prior to the issuance of a building permit for more than 50% of the lots and/or units of~~  
10021 ~~the development. The developer and later the homeowners association shall be responsible for~~  
10022 ~~construction and upkeep of the civic space. The pavilion size shall be set at five square feet per~~  
10023 ~~unit for an enclosed building and ten square feet per unit for an open air pavilion. Enclosed buildings~~  
10024 ~~and pavilions shall have a minimum size of 750 square feet. Enclosed buildings shall not be~~  
10025 ~~required to exceed 2,000 square feet and pavilions shall not be required to exceed 1,500 square~~  
10026 ~~feet. [Relocated to/tabularized under 3-D-12.12.e.(5).(d). Civic and Open Space, BF MU~~  
10027 ~~Design Standards]~~  
10028 ~~viii. Design Standards for Non-Residential Development.~~  
10029 ~~A. Non-Residential Intensity Requirements. The maximum floor area ratio (FAR) for each non-~~  
10030 ~~residential development within the BFMU non-residential classification shall not exceed 80%, with~~  
10031 ~~an average not to exceed 50 percent. Lot coverage is the total of all primary and accessory~~  
10032 ~~structures. [Relocated to/tabularized in Sec. 3-D-12.12.d. BF MU Development Standards]~~  
10033 ~~B. Non-Residential Architectural and Additional Standards.~~  
10034 ~~1. Reduction of building mass shall be achieved by using the following techniques:~~  
10035 ~~(a) Variation in the rooflines and form.~~  
10036 ~~(b) Use of ground level arcades and covered areas.~~  
10037 ~~(c) Use of protected and recessed entries.~~  
10038 ~~(d) Use of vertical elements (including architectural features such as pilasters, columns,~~  
10039 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~  
10040 ~~walls, to interrupt facades into modules of less than 60 feet.~~  
10041 ~~(e) Use of pronounced wall plane offsets and projections.~~  
10042 ~~(f) Use of focal points and vertical accents.~~  
10043 ~~(g) Inclusion of storefront and other windows on elevations facing streets and pedestrian~~  
10044 ~~areas.~~  
10045 ~~(h) Retaining a clear distinction between roof, body and base of a building.~~  
10046 ~~(i) Office and Industrial buildings that are substantially screened by landscaping shall not have~~  
10047 ~~to meet Items (d),(e),(f) and (h) above.~~  
10048 ~~2. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet~~  
10049 ~~walls or partial roofs. HVAC and other rooftop equipment should be screened from view.~~  
10050 ~~3. Exterior walls shall be constructed of finished materials such as stucco; natural brick or stone;~~  
10051 ~~colored, sand blasted, or stained textured masonry; scored concrete masonry units; textured~~  
10052 ~~tilt-up concrete panels; wood; or other similar material including synthetic materials similar in~~  
10053 ~~appearance and durability to those materials previously named on all sides. Exposed smooth~~  
10054 ~~concrete block, corrugated or other metal finishes, untextured tilt-up concrete panels,~~  
10055 ~~prefabricated steel panels and the like, shall not be permitted. Roofs shall be covered by metal,~~  
10056 ~~concrete or clay tile, or architectural shingles.~~  
10057 ~~4. At least one building entrance must face the street and be clearly articulated through the use~~  
10058 ~~of architectural detailing. Customer entrances shall be clearly defined and include at least three~~  
10059 ~~of the following features: canopies/porticoes; overhangs; recesses/projections; arcades; raised~~  
10060 ~~above the doorway cornice parapets; peaked roof forms; arches; outdoor patios; display~~  
10061 ~~windows; integrated architectural details such as tile work, moldings, planters; and/or~~  
10062 ~~landscaped sitting areas.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 10063 5. ~~Fenestration. For commercial buildings and for facades on office and industrial buildings that~~  
10064 ~~face the street or a parking area, doorways and windows shall be proportioned to reflect~~  
10065 ~~pedestrian scale and movement, and to encourage interest at the street level. The street level~~  
10066 ~~façade of each commercial use shall provide windows between the height of three feet and~~  
10067 ~~eight feet above the walkway grade, for no less than 60 percent of the horizontal length of the~~  
10068 ~~building façade for each store.~~
- 10069 6. ~~Covered Entry areas. Commercial structures must include awnings, covered walkways, open~~  
10070 ~~colonnades, or similar weather protection. Such features shall be applied to the front of the~~  
10071 ~~building, and to the sections of the sides of building where direct pedestrian links from adjacent~~  
10072 ~~or nearby shopping areas exist or are planned. [Deleted, consolidated under Part F,~~  
10073 ~~Division 6. Architectural Design Guidelines]~~
- 10074 7. ~~Convenience Stores and Service Stations. Driveway openings shall be limited to the maximum~~  
10075 ~~needed for safe egress in and out of the property. There shall be no more than 20 fueling stations~~  
10076 ~~(each fueling station serving one vehicle). All pump islands shall be contained under one canopy,~~  
10077 ~~which shall be not higher than 17 feet. All under canopy lighting shall be recessed. Buildings must~~  
10078 ~~have pitched roofs. A minimum five-foot wide landscape strip shall be located adjacent to the~~  
10079 ~~building, with shrubs of at least four feet in height spaced less than five feet apart, and ground~~  
10080 ~~cover. Landscaping within the buffer shall conform to Article VI, Section 6.6. [Relocated this use~~  
10081 ~~to Part E]~~
- 10082 8. ~~Height Limitations. *Height limits of thirty five feet within 150 feet from residential use boundary,*~~  
10083 ~~*and 52 feet between 150 and 300 feet from residential land use boundary. Beyond 300 feet*~~  
10084 ~~*from a residential use boundary, no structure shall protrude through a transitional height plane*~~  
10085 ~~*beginning 35 feet above the buildable area boundary nearest to a boundary of a residential*~~  
10086 ~~*use and extending inward over the commercial area at an angle of 45 degrees. This standard*~~  
10087 ~~*protects areas within residential land use from the visual intrusion of tall buildings. [Relocated*~~  
10088 ~~*to Sec. 3-D-12.12.d.(4) Maximum Height, BF MU Development Standards]*~~
- 10089 C. ~~All building entrances, pathways and other pedestrian areas shall be lit to two foot candles with~~  
10090 ~~pedestrian scale lighting (e.g., wall mounted, sidewalk lamps, bollards, low voltage landscape up~~  
10091 ~~lighting, etc.). [Deleted, consolidated under Part F, Division 7 – Exterior Lighting]~~
- 10092 D. ~~Building Placement: Buildings shall be located to foster a walkable, urban atmosphere.~~
- 10093 1. ~~Setbacks for non residential structures:~~
- 10094 (a) ~~Minimum Lot *Width* at Building Line: 25 feet.~~
- 10095 (b) ~~Minimum Front Setback: *The minimum necessary to meet prudent utility standards and to*~~  
10096 ~~*protect street trees.*~~
- 10097 (c) ~~Minimum Side Setback: None.~~
- 10098 (d) ~~Maximum Percent of Lot Coverage: *The average lot coverage shall be 50%, all primary*~~  
10099 ~~*and accessory buildings shall be calculated. [Relocated to Sec. 3-D-12.12.d.(2),(3) and*~~  
10100 ~~*(4), BF MU Development Standards]*~~
- 10101 2. ~~A “Big Box”, commercial uses of 100,000 square feet or more, shall be accompanied by~~  
10102 ~~“outparcel” development that encompasses 60% of the street frontage, and as such, shall~~  
10103 ~~provide the “windows on the street” for the big box. The out parcel buildings shall face the~~  
10104 ~~street and have a customer doorway on the principal street. Parking shall be permitted to the~~  
10105 ~~side and rear of the outparcels. Parking shall be permitted between the big box and the~~  
10106 ~~outparcels. Landscaping shall be provided within the parking lot consistent with these~~  
10107 ~~regulations. In lieu of meeting the 60% glazing requirement on the “Big Box”, the architecture~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10108 ~~may incorporate colonnades, high-quality faux windows with shutters (not painted on the wall),~~  
10109 ~~pilasters, changes in texture and plane and changes in roof line. Buildings shall be detailed to~~  
10110 ~~identify the base, body and roofline of the building. Multiple stories shall be identified by~~  
10111 ~~demarcation of each story. **[Deleted and consolidated under Sec. 3-R-11. Master Planned**~~  
10112 ~~**Community Design Standards]**~~  
10113 ~~E. Street Lighting. Lighting along pedestrian corridors and sidewalks within commercial~~  
10114 ~~developments shall be in the form of decorative streetlights, with a height between 10 and 16 feet.~~  
10115 ~~**[Deleted and consolidated under Part F, Division 7 Exterior Lighting]**~~  
10116 ~~F. Additional BF MU Guidelines shall be submitted to the Planning and Zoning Director prior to any~~  
10117 ~~construction in the BF MU for review and approval, to address the following:~~  
10118 ~~1. an integrated street lighting plan, including fixture style and pole heights;~~  
10119 ~~2. Sign and place marking design guidelines in order to provide a uniform sign format;~~  
10120 ~~3. Generalized landscape plan identifying a compatible mix of trees types that promote seasonal~~  
10121 ~~color and species diversity; and~~  
10122 ~~4. Generalized location and size of neighborhood and community parks.~~  
10123 ~~**[Deleted, consolidated under Part F for future consolidation of application requirements**~~  
10124 ~~**under Article II]**~~  
10125 ~~f. Conflicts. In the event of conflicts or inconsistencies between the Branan Field Master Plan Land~~  
10126 ~~Development Regulations and these BF MU standards, the BF MU Regulations shall prevail. Silence~~  
10127 ~~or a lack of inclusion shall be addressed by the Branan Field Land Development Regulations, and in~~  
10128 ~~the event that it is silent, then the Clay County Land Development Regulations shall prevail. **[Deleted,**~~  
10129 ~~**conflicts are in Divisions R and S]**~~

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

10130 **Sec. 3-D-12.13. BF Institutional (BF INST)**

10131 [Reserved]

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

**Part D Zoning Districts and Development Standards**

10132

**DIVISION 13 LAKE ASBURY MASTER PLAN AREA**

10133

**Sec. 3-D-13.1. Applicability**

10134  
10135  
10136

The boundary of the Lake Asbury Master Plan Area (LAMP A) with allocation of the FLU categories is identified on the FLUM Current 2040 LA FLUM Map.pdf (claycountygov.com). All the standards of this Division shall apply to the lands located within this geographical boundary.

10137

**Sec. 3-D-13.2. Future Land Use and Zoning District**

10138

**3-D-13.2.a. Overlay Design Standards**

10139  
10140  
10141

Each land use category within the LAMP A has zoning districts and has standards in the form of an overlay. The standards in Sec. 3-D-11.11. Master Planned Community Design Standards shall apply to all development within the LAMP A boundary. [Relocated from Sec. 3-33B.B. Zoning Districts LAMP A]

10142

**3-D-13.2.b. Base Zoning Standards**

10143  
10144  
10145

The base zoning reflects uses and intensity within the LAMP A boundary. Certain zoning districts other than the base zoning are identified as consistent with each FLU category, subject to approval under the rezoning standards in Article II Procedures for Development Review of this Code.

10146

[Relocated from Sec. 3-33B.B. Zoning Districts LAMP A]

10147

**3-D-13.2.c. FLU Categories and Zoning Districts**

10148  
10149

Within the Lake Asbury Master Planned Area (LAMP A), there are 9 FLU categories and base zoning Districts in LAMP A, as follows:

**FLU Categories and Base Zoning Districts**

LA Master Planned Community (LA MPC)

LA Rural Reserve (LA RRSV)

LA Rural Community (LA RC)

LA Rural Fringe (LA RF)

LA Activity Center (LA AC)

LA Village Center (LA VC)

LA Interchange Village Center (LA IVC)

LA Solite (LA SOL)

LA Greenway (LA GW)

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10150 **3-D-13.2.d. FLU Intensity**

10151 For the allowable intensity of each FLU and Zoning District, refer to Sec. 3-C-2.2. Density and Intensity.

10152 **3-D-13.2.e. Intensity Transfer**

10153 For transfer of intensity from the wetland-upland buffer areas, refer to Sec. 3-D-13.14. LA Wetland-Upland  
10154 Buffers.

10155 **3-D-13.2.f. FLU Consistency**

10156 Other zoning districts permitted in the LAMPA FLU category are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-  
10157 3, PS-4, and PS-5. [Relocated from Sec. 3-33B.B.1. Lake Asbury Master Planned Community (LA  
10158 MPC) Land Use]

10159 **Sec. 3-D-13.3. General Design Standards**

10160 **3-D-13.3.a. General Design Objectives and Standards**

10161 Each FLU category may differ but generally share common design themes and objectives to achieve a  
10162 unified community with a variety of uses that are located in close proximity and complement each other;  
10163 each FLU and affiliated zones are created with its individual identity with a Residential, Non-Residential, or  
10164 Mixed-Use component emulating a traditional town development.

10165 **3-D-13.3.b. Other Development Standards**

10166 In addition to Design Standards in Sec. 3-D-11.11. Master Planned Communities and specific development  
10167 standards of this Division, other applicable technical standards shall be complied with:

- 10168 (1) Sec. 3-F-6. Architectural Design Guidelines;  
10169 (2) Sec. 3-F-7. Exterior Lighting;  
10170 (3) Sec. 3-F-8. Accessory Structures;  
10171 (4) Sec. 3-F-9. Landscaping;  
10172 (5) Sec. 3-F-10.. Parking; Sec. 8-12. Parking; and Appendix A Parking Space Requirements;  
10173 (6) Sec. 3-F-11. Application Submission Standards;  
10174 (7) Article 6 Tree Ordinance and Sec. 3-D-12.14. Wetland-Upland Buffers and Intensity Transfer; and  
10175 (8) Article 7 Signs.

10176 **Sec. 3-D-13.4. Existing Developments**

10177 **3-D-13.4.a. Vested Rights**

10178 A Residential or Non-Residential property shall be vested and may not be subject to any standards of  
10179 Division R Master Planned Communities and this Division, if the property meets the description under  
10180 Subsections (b) and (c).

10181 **3-D-13.4.b. Residential**

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

- 10182 (1) *Subdivisions. Those with a preliminary plat approval as of October 24, 2006 are vested from the*  
10183 *standards of this Master Development Plan.*
- 10184 (2) *Existing Lots of Record (LOR). Those that are recorded in the public records of Clay County as of*  
10185 *October 24, 2006 are vested from the standards of the Master Development Plan for up to 3*  
10186 *Residential units.*
- 10187 (3) *Development of up to 3 Residential Units per LOR. Shall be subject to the zoning district applicable*  
10188 *to the LOR on October 23, 2006 and the non-LAMPA land development standards applicable at*  
10189 *the time of development.*
- 10190 (4) *Zoning District and FLU Category. If the zoning district applicable on October 23, 2006 provides a*  
10191 *range of lot sizes based on FLU category, the lot size standards for the LOR shall be the size*  
10192 *associated with the FLU category for the LOR on October 23, 2006.*
- 10193 (5) *Wells and Septic. Residential homes on lots of record may be served by individual wells and septic*  
10194 *systems. [Relocated from Sec. 3-33B.B.9.a. and c. Residential]*

### 10195 3-D-13.4.c. Non-Residential

- 10196 (1) *Existing Non-Residential Uses. Those uses located within the LAMPA at the time of Master Plan*  
10197 *adoption shall be exempt from the standards of the Master Plan and Divisions 11 and 13 of this*  
10198 *Article.*
- 10199 (2) *Applicable Standards. These properties shall be subject to the provisions of the 2015*  
10200 *Comprehensive Plan, Zoning Code, and other applicable standards in effect at the time of adoption*  
10201 *of the Master Plan.*
- 10202 (3) *Building Expansion. If expansion of existing building square footage is proposed, then new building*  
10203 *and parking areas shall be subject to the parking, landscaping, architectural, and other applicable*  
10204 *standards of the LAMPA in effect at the time of the expansion.*
- 10205 (4) *Zoning. Properties with zoning districts of AG, AR, BA-2, BA-1, BA, BB, BB-1, BB-2, BB-3, BB-4,*  
10206 *BB-5 PS-1, PS-2, PS-3, PS-4, PO-1, PO-2, PO-3, PO-4, and PUD prior to adoption of the Master*  
10207 *Plan may develop consistent with permitted and conditional uses identified in each of these zoning*  
10208 *districts at the time of development. However, such uses shall meet parking, landscaping,*  
10209 *architectural, and other applicable standards of the LAMPA in effect at the time of development.*  
10210 *[Relocated from Sec. 3-33.B.B.9.b.]*

- 10211 ~~9. Existing Development.~~
- 10212 ~~a. Residential. Subdivisions with a preliminary plat approval as of October 24, 2006 are vested from~~  
10213 ~~the requirements of this Master Development Plan. Existing Lots of Record (LOR) recorded in the~~  
10214 ~~public records of Clay County as of October 24, 2006 are vested from the requirements of the~~  
10215 ~~Master Development Plan for up to 3 residential units. Development of up to three residential units~~  
10216 ~~per LOR shall be subject to the zoning applicable to the LOR on October 23, 2006 and the~~  
10217 ~~nonLAMPA land development regulations applicable at the time of development. If the zoning~~  
10218 ~~applicable on October 23, 2006 provides a range of lot sizes based on land use category, the lot~~  
10219 ~~size requirement for the LOR shall be the size associated with the land use category for the LOR~~  
10220 ~~on October 23, 2006. [Relocated to Sec. 3-D-T.4.b. Residential]~~
- 10221 ~~b. Nonresidential. Existing nonresidential uses within the Lake Asbury Master Plan area at the time~~  
10222 ~~of Master Plan adoption shall be exempt from the requirements of the Master Plan and LDRs.~~  
10223 ~~These properties shall be subject to the provisions of the 2015 Comprehensive Plan, Zoning Code,~~  
10224 ~~and other applicable regulations in effect at the time of adoption of the Master Plan. If expansion~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

10225 *of existing building square footage is proposed, new building and parking areas shall be subject to*  
10226 *the parking, landscaping, architectural, and other applicable standards of the ~~Lake Asbury Master~~*  
10227 *Plan LDRs in effect at the time of the expansion. Properties with zoning designations of AG, AR,*  
10228 *BA-2, BA-1, BA, BB, BB-1, BB-2, BB-3, BB-4, BB-5 PS-1, PS-2, PS-3, PS-4, PO-1, PO-2, PO-3,*  
10229 *PO-4, and PUD prior to adoption of the Master Plan may develop consistent with permitted and*  
10230 *conditional uses identified in each of these zoning categories at the time of development. However*  
10231 *such uses must meet parking, landscaping, architectural, and other applicable standards of the*  
10232 *Lake Asbury Master Plan LDRs in effect at the time of development. [Relocated to Sec. 3-D-T.4.c.*  
10233 *Non-Residential]*  
10234 ~~*c. Residential homes on lots of record may be served by individual wells and septic systems.*~~  
10235 **[Relocated to Sec. 3-D-T.4.b. Residential]**

### 10236 **Sec. 3-33B. LAKE ASBURY MASTER PLAN** 10237 **B. ZONING DISTRICTS**

10238 ~~*Each land use category within the LAMPA has allowable zoning districts (Permitted Zoning) and in addition*~~  
10239 ~~*to such zoning, also has standards in the form of an overlay. The Overlay Design Standards will apply to*~~  
10240 ~~*all development within the LAMPA boundary, regardless of zoning. [Relocated to Sec. 3-D-T.2.a.]*~~

10241 ~~*Base zoning will reflect uses and intensity/density in the adopted LAMPA. Permitted uses and conditional*~~  
10242 ~~*uses under the base zoning are to be identified. Certain public and private service uses are permitted under*~~  
10243 ~~*the base zoning, including churches and schools. Certain Zoning Districts other than the base zoning are*~~  
10244 ~~*identified as consistent with each land use category, subject to approval under the re-zoning requirements*~~  
10245 ~~*of Clay County. [Relocated to Sec. 3-D-T.2.b.]*~~

#### 10246 ~~*1. Lake Asbury Master Planned Community (LA MPC) Land Use*~~

10247 ~~*The Base Zoning is LA MPC, permitting single family detached dwellings. Single family attached*~~  
10248 ~~*dwellings are also permitted subject to locational criteria. All development must submit site plans for*~~  
10249 ~~*review to ensure conformance with LDR standards, and shall be bound by such site plans. Other*~~  
10250 ~~*Zoning Districts permitted in the LA MPC Land Use (consistent Zoning Districts) are PO-1, PO-2, PO-*~~  
10251 ~~*3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5. [Relocated to Sec. 3-D-T.2.f. FLU Consistency]*~~

### 10252 **Sec. 3-D-13.5. LA Master Planned Community (LA MPC)**

#### 10253 **3-D-13.5.a. Description**

10254 *Development within the LA MPC will be in a form of walkable neighborhoods. Local and collector streets*  
10255 *and pedestrian/bicycle paths will contribute to a connected system of routes from individual neighborhoods*  
10256 *to Village Centers, the Activity Center, and other neighborhoods. Street design shall encourage pedestrian*  
10257 *and bicycle use. Neighborhoods shall contain a diversity of housing types through lot size varieties and are*  
10258 *encouraged to provide for affordable housing utilizing garage apartments; small lot subdivisions, and*  
10259 *townhomes as indicated in the development standards. To create a sense of neighborhood identity,*  
10260 *neighborhoods within this category shall have primary Neighborhood Parks as well as Pocket Parks where*  
10261 *neighbors can interact. [Relocated from Sec. 3-33B.B.1.]*

#### 10262 **3-D-13.5.b. Development Standards**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10263 The principal building(s), accessory structure(s), and other lot uses shall be located so as to comply with  
 10264 the following standards, except for intensity bonus point development, which shall conform with standards  
 10265 of the BF Master Planned Community FLU category:

<b>(1) Intensity:</b>		
<b>(a) Minimum:</b>		1 unit per net acre
<b>(b) Maximum:</b>		2.5 units per net acre
<b>(c) Intensity Bonus:</b>	<u>Refer to Part C, Division 3 Density Bonus Programs:</u>	3 units per net acre <sup>1</sup>
<b>(2) Minimum Lot Dimensions:</b>		
<b>(a) Lot Size:</b>		5,500 square feet <sup>2</sup>
	<u>With Rear Alley:</u>	3,500 square feet
<b>(b) Lot Width:</b>		40 feet <sup>3</sup>
	<u>With Rear Alley:</u>	30 feet
<b>(c) Lot Depth:</b>		100 feet
<b>(d) Lot Coverage:</b>		50 percent Maximum
	<u>With Rear Alley:</u>	70 percent Maximum
<b>(3) Minimum Setbacks (Principal Structure):</b>		
<b>(a) Front:</b>		10 feet <sup>4,5</sup>
<b>(b) Side:</b>	<u>From property line when adjacent to a Non- Residential zoning district:</u>	5 feet
<b>(d) Rear:</b>	<u>From property line when adjacent to a Non- Residential zoning district:</u>	10 feet
	<u>With Rear Alley:</u>	14 feet

**Footnotes:**

<sup>1</sup> ~~Single-Family Attached intensity may increase between 6 and 10 units per acre, and may go up to 12 units per acre through additional intensity associated with Wetland -Upland Buffers and/or Environmentally Significant Land dedication. [Relocated from Sec. 3-33B.B.1.]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

2 A maximum of 20 percent of the lots within a given development shall have a 4,000-square foot lot size. [Relocated from Sec. 3-33B.B.1.e.iii. Minimum Lot Size]

3 Applied to a maximum of 20 percent of the lots within a given development. [Relocated from Sec. 3-33B.B.1.e.iv. Minimum Lot Width at Building Line]

4 May be reduced by 5 feet if the unit has a front porch.

5 Front setback shall be increased to 20 feet if the unit has an attached front- loaded garage.

10266 [Relocated from Sec. 3-33B.B.1.e. Dimensional Standards]

### 10267 3-D-13.5.c. Additional Standards

10268 (1) Location. Single-Family Attached units shall be located adjacent to Village Centers.

10269 (2) Limitation in Single-Family Attached Unit Percentage. Single-Family Attached units may not  
10270 exceed 10 percent of potential units in the LA MPC category within each village. [Relocated from  
10271 Sec. 3-33B.B.1.]

### 10272 Sec. 3-33B.B.1. Lake Asbury Master Planned Community (LA MPC) Land Use

10273 ~~Development within the Lake Asbury Master Planned Community category will be in the form of~~  
10274 ~~walkable neighborhoods. Walkability shall be achieved through sidewalks on both sides of streets,~~  
10275 ~~connected neighborhoods, parks within walking distance, and traffic calming techniques. Local and~~  
10276 ~~collector streets and pedestrian/bicycle paths will contribute to a connected system of routes from~~  
10277 ~~individual neighborhoods to village centers, the activity center and other neighborhoods. Street design~~  
10278 ~~shall encourage pedestrian and bicycle use. Neighborhoods shall contain a diversity of housing types~~  
10279 ~~through lot size varieties and are encouraged to provide for affordable housing utilizing garage~~  
10280 ~~apartments; small lot subdivisions, and townhomes. To create a sense of neighborhood identity,~~  
10281 ~~neighborhoods within this category shall have primary neighborhood parks as well as pocket parks~~  
10282 ~~where neighbors can interact.~~ [Relocated to Sec. 3-D-13.5.a. Description of LA MPC]

10283 ~~All development is subject to the Lake Asbury Overlay Standards.~~

10284 ~~Allowable uses are single-family detached dwellings, with single-family attached dwellings uses~~  
10285 ~~allowed adjacent to village centers. Single-family attached units may not exceed ten percent of~~  
10286 ~~potential units in the Lake Asbury Master Planned Community within each village, and are subject to~~  
10287 ~~the Dimensional Standards of the Village Center. Central water and sewer is required in this land use~~  
10288 ~~category.~~ [Relocated to Sec. 3-D-13.5.b.(4). Additional Standards]

10289 ~~The maximum base density for single-family detached development is 3 units per net acre (net~~  
10290 ~~calculated as uplands only). Single family detached density may go up to five units per net acre through~~  
10291 ~~the dedication of wetland upland buffers and/or environmentally significant lands. Single-family~~  
10292 ~~attached density is allowed at a range between six and ten units per acre, and may go up to 12 units~~  
10293 ~~per acre through additional density associated with wetland upland buffers and/or environmentally~~  
10294 ~~significant land dedication as described in paragraph 4 of Subsection D.~~ [Relocated to Sec. 3-D-

10295 13.5.d. Intensity and Land Use Mix]

10296 Sec. 3-33B.1.e.

10297 e. Dimensional Standards.

10298 i. Minimum Density: 1 unit per net acre.

10299 ii. Maximum Density: 2.5 units per net acre; 3 with density bonuses.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 10300 ~~iii. Minimum Lot Size: 4,000 square feet (applied to a maximum of 20% of the lots within in~~
- 10301 ~~given development) 5,500 square feet; 3,500 with rear alleys~~
- 10302 ~~iv. Minimum Lot Width at Building Line: 40 feet (applied to a maximum of~~
- 10303 ~~20% of the lots within in given development); 30 feet with rear alleys~~
- 10304 ~~v. Minimum Front Setback: 5 feet for front porches; 10 for front façade; 20 feet for front~~
- 10305 ~~facing garages~~
- 10306 ~~vi. Minimum Side Setback: 5 feet.~~
- 10307 ~~vii. Minimum Rear Setback: 10 feet 14 with rear alleys~~
- 10308 ~~viii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~
- 10309 ~~buildings), 70 with rear alleys. [Relocated to/tabularized under Sec. 3-D-13.5.b.~~
- 10310 ~~Development Standards]~~

### **Sec. 3-D-13.6. LA Rural Reserve (LA RRSV)**

#### **3-D-13.6.a. Description**

Development within the LA RRSV FLU category shall focus on the provision of different housing types with a high percentage of land being dedicated as preserved open space.

#### **3-D-13.6.b. Development Standards**

The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards:

(1) Intensity: 1.5 units per acre

(a) If the lot has on-site wetlands, only 25 percent of the total acreage of the wetlands can be utilized for intensity calculation.

(b) Open Space. Developments shall retain at least 35 percent of the site in Open Space, which may include the buffers, required parks, and conservation areas. A minimum of 60 percent of the Open Space preservation area shall be in uplands.

(c) Multi-Family Units. Shall be limited to a maximum of 25 percent of the total number of units in the proposed development. [Relocated from Sec. 3-33B.B.2.]

(2) Minimum Lot Dimensions:

(a) Lot Size: 6,000 square feet

(b) Lot Width: 50 feet

(c) Lot Depth: Not Applicable

(d) Maximum Lot Coverage: 50 percent

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(3) Minimum Lot Dimensions (Lot with Rear Alley):</u>		
<u>(a)</u>	<u>Lot Size:</u>	<u>3,500 square feet</u>
<u>(b)</u>	<u>Lot Width:</u>	<u>40 feet</u>
<u>(c)</u>	<u>Lot Depth:</u>	<u>Not Applicable</u>
<u>(d)</u>	<u>Maximum Lot Coverage:</u>	<u>50 percent</u>
<u>(4) Minimum Setbacks (Principal Structure):</u>		
<u>(a)</u>	<u>Front:</u>	<u>15 feet <sup>1,2</sup></u>
<u>(b)</u>	<u>Side:</u>	<u>From property line when adjacent to a Non- Residential zoning district: 5 feet</u>
<u>(c)</u>	<u>Rear:</u>	<u>From property line when adjacent to a Non- Residential zoning district: 10 feet</u>
<u>(d)</u>	<u>Rear with Alleys:</u>	<u>14 feet</u>
<u>(5) Minimum Setbacks (Accessory Structure):</u>		
<u>(a)</u>	<u>Front:</u>	
<u>(b)</u>	<u>Side:</u>	
<u>(c)</u>	<u>Rear:</u>	

Footnotes:

- 1 May be reduced by 5 feet if the unit has a front porch.
- 2 Front setback shall be increased to 20 feet if the unit has an attached front- loaded garage.

10318 **[Relocated from Sec. 3-33B.B.2.e. Dimensional Standards]**

10319 **3-D-13.6.c. LA RRSV Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

10320 **~~Sec. 3-33B.B.2. Lake Asbury Rural Reserve (LA RRSV) Land Use~~**

10321 ~~The Base Zoning is LA RRSV, permitting single family and limited multi-family as permitted uses. All~~  
 10322 ~~development must submit site plans for review to ensure conformance with design standards, and shall be~~  
 10323 ~~bound by such site plans. Other Zoning Districts permitted in the LA RRSV Land Use (consistent Zoning~~  
 10324 ~~Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

10325 ~~Density is set at 1.5 units per gross acre, with the wetlands utilized for density calculation limited to no more~~  
10326 ~~than 25% of total acreage—a level that will accommodate central services, but at the same time will not~~  
10327 ~~greatly depart from lower rural densities.~~ **[Relocated to 3-D-13.5.b. Development Standards]**  
10328 ~~Developments must retain at least 35 percent of the site in open space, which may include the buffers,~~  
10329 ~~required parks, and conservation areas. Sixty percent of the open space preservation area must be in~~  
10330 ~~uplands.~~ **[Relocated to Sec. 3-D-13.5.b. Development Standards]**  
10331 ~~Vegetated perimeter buffers are required at a minimum width of 50 feet. Perimeter buffers increase as the~~  
10332 ~~parcel width and depth increases. The perimeter buffer is calculated at 2.5 percent of the average lot width~~  
10333 ~~and depth. Perimeter buffers would also apply along roadways. In calculating the average parcel width~~  
10334 ~~or depth, the length of either the width or depth may be reduced if wetlands with the following characteristics~~  
10335 ~~cross the perimeter: wetlands or preserve areas with forested areas that will not be developed, and~~  
10336 ~~wetlands or preserve area that have a depth of at least 50 feet measured at the property line. The length of~~  
10337 ~~a parcel width or depth dimension may be reduced by the dimension of the wetland or portion thereof~~  
10338 ~~meeting the conditions stated above. Perimeter buffers must include preserved or planted vegetation to~~  
10339 ~~provide an effective visual screen for development.~~ **[Deleted. Buffer is already specified as 50 feet in**  
10340 **width; therefore, establish a methodology in providing buffer, and refer to Article 6 Tree Ordinance]**  
10341 ~~The Lake Asbury Rural Reserve Land Use Category may include up to 25 percent of the developed dwelling~~  
10342 ~~units as multi-family units.~~ **[Relocated to Sec. 3-D-13.5. Development Standards]**  
10343 ~~At least 35% of a parcel must be preserved as permanent open space. This may include perimeter buffers,~~  
10344 ~~wetlands, wetland-upland buffers, parks, and other open space (not including retention ponds).~~  
10345 **[Deleted as this is redundant to the above description]**  
10346 ~~e. Dimensional Standards.~~  
10347 ~~i. Maximum Density: 1.5 units per gross acre;~~  
10348 ~~ii. Minimum Lot Size: 6,000 square feet; 3,500 with rear alleys.~~  
10349 ~~iii. Minimum Lot Width at Building Line: 50 feet; 40 with rear alley easement.~~  
10350 ~~iv. Minimum Front Setback: 10 feet for front porches; 15 for front façade, 20 feet for front facing~~  
10351 ~~garages~~  
10352 ~~v. Minimum Side Setback: 5 feet.~~  
10353 ~~vi. Minimum Rear Setback: 10 feet; 14 feet with rear alleys.~~  
10354 ~~vii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~  
10355 ~~buildings).~~ **[Relocated to Sec. 3-D-13.5.b. Development Standards]**

### 10356 **Sec. 3-D-13.7. LA Rural Community (LA RC)**

#### 10357 **3-D-13.7.a. Description**

10358 ~~Development within this category will be characterized predominantly by Single-Family homes on large~~  
10359 ~~lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of~~  
10360 ~~environmental Open Space.~~ **[Relocated from Sec. 3-33B.B.3.]**

#### 10361 **3-D-13.7.b. Development Standards**

10362 ~~The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the~~  
10363 ~~following minimum standards:~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>(1) Maximum Intensity:</u>		
<u>(a) Base Intensity:</u>		<u>1 unit per 5 acres</u>
<u>(b) Intensity Bonus:</u>	<u>Subject to dedication of wetland-upland buffers and/or environmentally significant lands:</u>	<u>2 units per net acre</u>
	<u>Shall preserve a minimum of 40 percent Open Space with a maximum of 30 percent wetlands.</u> <b>[Relocated from Sec. 3-33B.B.3.]</b>	
<u>(2) Minimum Lot Dimensions:</u>		
<u>(a) Lot Size:</u>		<u>2.5 acres</u>
<u>(b) Lot Width:</u>	<u>With on-site well/septic:</u>	<u>100 feet</u>
	<u>With central services:</u>	<u>80 feet</u>
<u>(c) Lot Depth:</u>		<u>100 feet</u>
<u>(d) Maximum Lot Coverage:</u>		<u>30 percent</u>
<u>(3) Minimum Lot Dimensions (Intensity Bonus):</u>		
<u>(a) Lot Size:</u>		<u>6,000 square feet</u>
<u>(b) Lot Width:</u>		<u>50 feet</u>
<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
<u>(d) Maximum Lot Coverage:</u>		<u>50 percent</u>
<u>(4) Minimum Setbacks (Principal Structure):</u>		
<u>(a) Front:</u>		<u>25 feet<sup>1</sup></u>
<u>(b) Side:</u>	<u>From property line when adjacent to a Residential zoning district or zone:</u>	<u>20 feet</u>
<u>(c) Rear:</u>	<u>From property line when adjacent to a Residential zoning district or zone:</u>	<u>30 feet</u>
<u>(5) Minimum Setbacks (Intensity Bonus - Principal Structure):</u>		
<u>(a) Front:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>15 feet<sup>1</sup></u>
<u>(b) Side:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>5 feet</u>
<u>(c) Rear:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>10 feet</u>
<u>(6) Minimum Setbacks (Accessory Structure):</u>		

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

(a)	<u>Front:</u>	30 feet <sup>2</sup>
(b)	<u>Side:</u>	From lot line when adjacent to a Residential zoning district or zone: 7.5 feet
(c)	<u>Rear:</u>	From lot line when adjacent to a Residential zoning district or zone: 7.5 feet

Footnotes:

- 1 May be reduced by 5 feet if the unit has a front porch.
- 2 In no event an accessory structure shall be located nearer to the front lot line than the front of the principal building.

[Relocated from Sec. 3-33B.B.2.e. Dimensional Standards]

### 3-D-13.7.c. LA RC Uses

- |     |  |   |
|-----|--|---|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>  |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u><br><u>Refer to Sec. 3-F-8. Accessory Structures</u> |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>  |

### 3. Lake Asbury Rural Community (LA RC) Land Use

~~The Base Zoning is LA RC, permitting single family as a permitted use. All development must submit site plans for review to ensure conformance with design standards, and shall be bound by such site plans. Other Zoning Districts permitted in the LA RC Land Use (consistent Zoning Districts) are PO 1, PO 2, PO 3, PO 4, PS 1, PS 2, PS 3, PS 4, and PS 5.~~

#### **[Deleted as this repeats Sec. 3-D-13.2.f. FLU Consistency]**

~~Development within this category will be characterized predominantly by single family homes on large lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of environmental open space. [Relocated to Sec. 3-D-13.7.a. Description]~~

~~The base density is one dwelling unit per five gross acres. Density may go up to an overall maximum of two units per net acre through the dedication of wetland upland buffers and/or environmentally significant lands as described in paragraph 4 of Subsection D. Projects utilizing the additional density associated with wetland upland buffer and/or environmentally significant land dedication shall preserve a minimum of 40% open space with no more than 30% of this being wetlands. Central water and sewer service is required when density exceeds one unit per two acres. [Relocated to Sec. 3-D-13.7.b. Development Standards]~~

#### ~~d. Prohibited Uses or Activities.~~

~~Any use or activity not permitted in (a), (b), or (c) above. [Deleted as this is a permissive code]~~

#### ~~e. Dimensional Standards.~~

~~i. Minimum lot width at building line: 100 feet with on-site well and septic systems, 80 feet with central services~~

~~ii. Minimum lot depth: 100 feet~~

~~iii. Minimum Lot Size: one acre with density bonus, 2.5 acres without density bonus~~

~~iv. Minimum front setback: 25 feet~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 10390 v. ~~Minimum side setback: 20 feet~~
- 10391 vi. ~~Minimum rear setback: 30 feet~~
- 10392 vii. ~~Minimum setback from all lot lines of accessory structures (except fences): side and rear: 7.5~~
- 10393 ~~feet; front: 30 (but in no event nearer to front line than the front of the principal building.)~~
- 10394 viii. ~~Maximum percent of lot coverage 30 percent (total for all primary and accessory buildings)~~
- 10395 ix. ~~Maximum percent of rear lot coverage 30 percent~~
- 10396 **[Relocated to/tabularized in Sec. 3-D-13.7.b. Development Standards]**
- 10397 f. ~~Dimensional Standards (for developments utilized density bonuses):~~
- 10398 i. ~~Maximum Density: 1 unit per net acre;~~
- 10399 ii. ~~Minimum Lot Size: 6,000 square feet.~~
- 10400 iii. ~~Minimum Lot Width at Building Line: 50 feet~~
- 10401 iv. ~~Minimum Front Setback: 10 feet for front porches; 15 for front façade~~
- 10402 v. ~~Minimum Side Setback: 5 feet.~~
- 10403 vi. ~~Minimum Rear Setback: 10 feet.~~
- 10404 vii. ~~Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~
- 10405 ~~buildings).~~
- 10406 **[Relocated to/tabularized in Sec. 3-D-T.7.b. Development Standards]**

**Sec. 3-D-13.8. LA Rural Fringe (LA RF)**

**3-D-13.8.a. Description**

10408 *Development within this category shall be characterized predominantly by Single-Family homes on large*  
 10409 *lots, served by well and septic tank, but where lands within the LA RF FLU category are accessible to urban*  
 10410 *services, then central water and sewer services are required, and that will justify for allowing smaller homes*  
 10411 *and increased intensity. [Relocated from Sec. 3-33B.B.4.]*  
 10412

**3-D-13.8.b. Development Standards**

10414 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 10415 following minimum standards:

<u>(1)</u>	<u>Maximum Intensity:</u>	
	<u>(a) Base Intensity</u>	<i>1 unit per net acre</i>
	<u>(b) Intensity Bonus</u>	<i>3 units per net acre</i>
		<u>Subject to dedication of wetland-upland buffers and/or environmentally significant lands:</u>
		<u>Shall preserve a minimum of 40 percent Open Space with a maximum of 30 percent wetlands.</u>
<u>(2)</u>	<u>Minimum Lot Dimensions:</u>	
	<u>(a) Lot Size:</u>	<i>6,000 square feet</i>
	<u>(b) Lot Width:</u>	<i>50 feet</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
	<u>(d) Maximum Lot Coverage:</u>		<u>50 percent</u>
<u>(3)</u>	<u>Minimum Lot Dimensions (Lot with Rear Alley):</u>		
	<u>(a) Lot Size:</u>		<u>3,500 square feet</u>
	<u>(b) Lot Width:</u>		<u>40 feet</u>
	<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
	<u>(d) Maximum Lot Coverage:</u>		<u>50 percent</u>
<u>(4)</u>	<u>Minimum Setbacks (Principal Structure):</u>		
	<u>(a) Front:</u>		<u>15 feet <sup>1</sup></u>
	<u>(b) Side:</u>	<u>From property line when adjacent to a Residential zoning district or zone:</u>	<u>5 feet</u>
	<u>(c) Rear:</u>	<u>From property line when adjacent to a Residential zoning district or zone:</u>	<u>10 feet</u>
	<u>(d) Rear with Alleys:</u>		<u>14 feet</u>
<u>(5)</u>	<u>Minimum Setbacks (Accessory Structure):</u>		
	<u>(a) Front:</u>		<u>30 feet <sup>2</sup></u>
	<u>(b) Side:</u>		<u>7.5 feet</u>
	<u>(c) Rear:</u>		<u>7.5 feet</u>

**Footnotes:**

1 May be reduced by 5 feet if the unit has a front porch.

2 In no event an accessory structure shall be located nearer to the front lot line than the front of the principal building.

10416 **[Relocated from Sec. 3-33B.B.4.e.i. Dimensional Standards]**

10417 **3-D-13.8.c. LA RF Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
<u>(2)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u> <u>Refer to Sec. 3-F-8. Accessory Structures</u>
<u>(3)</u>	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

10418 **4. Lake Asbury Rural Fringe (LA RF) Land Use**

10419 ~~The Base Zoning is LA RF, permitting single family, detached single family detached homes as a~~  
 10420 ~~permitted use. All development must submit site plans for review to ensure conformance with design~~  
 10421 ~~standards, and shall be bound by such site plans. Other Zoning Districts permitted in the LA RF Land~~  
 10422 ~~Use (consistent Zoning Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5.~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

10423 [Deleted as this repeats Sec. 3-D-T.2.f. FLU Consistency]  
 10424 ~~Densities shall be a maximum of 3 dwelling units per net acre and a minimum of one dwelling unit per~~  
 10425 ~~net acre. All development is subject to the Lake Asbury Overlay Standards. [Relocated to Sec. 3-D-~~  
 10426 ~~T.8.b. Development Standards]~~  
 10427 ~~d. Prohibited Uses or Activities.~~  
 10428 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted, consolidated under Part~~  
 10429 ~~E, Division A]~~  
 10430 ~~e. Dimensional Standards.~~  
 10431 ~~i. Minimum Density: 1 unit per net acre.~~  
 10432 ~~ii. Maximum Density: 3 units per net acre;~~  
 10433 ~~iii. Minimum Lot Size: 6,000 square feet; 3,500 with rear alleys.~~  
 10434 ~~iv. Minimum Lot Width at Building Line: 50 feet; 40 with rear alley easement.~~  
 10435 ~~v. Minimum Front Setback: 10 feet for front porches; 15 for front façade~~  
 10436 ~~vi. Minimum Side Setback: 5 feet.~~  
 10437 ~~vii. Minimum Rear Setback: 10 feet; 14 with rear alleys.~~  
 10438 ~~viii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory buildings~~  
 10439 ~~[Relocated to 3-D-T.8.b. Development Standards]~~

### **Sec. 3-D-13.9. LA Activity Center (LA AC)**

#### **3-D-13.9.a. Description**

This FLU category shall accommodate a range of activities from employment-based Office, large-scale Retail, Light Industrial, Civic, and Recreational uses, as well as Multi-Family housing. A higher standard of design, aesthetics, and environmental protection and enhancement will be emphasized in this category. The category is particularly intended to attract higher-intensity, design-unified corporate campuses that contain a concentration of different urban functions. The concentration of these multiple uses provides the opportunity for the efficient provision of public facilities. [Relocated from Sec. 3-33B.B.5.]

#### **3-D-13.9.b. Land Use Mix**

Land Use Mix. The quantification of uses shall comply with the following, not to exceed 100 percent of the total land area of an Activity Center:

<b><u>FLU Category:</u></b>	<b><i>Minimum</i></b>	<b><i>Maximum</i></b>
<u>Commercial</u>	20 percent	65 percent
<u>Office, Business or Professional</u>		
<i>Light Industrial</i>	0	40 percent
<i>Commercial:</i>		
<i>Retail Sales, General:</i>	10 percent	40 percent
<i>Residential:</i>		
<i>Civic Space/Parks:</i>	5 percent	25 percent
		20 percent

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10451 [Relocated from Sec. 3-33B.B.5.]

10452 **3-D-13.9.c. Development Standards**

10453 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 10454 following minimum standards:

<b>(1) Maximum Intensity:</b>		
<b>(a) Residential Intensity:</b>	Shall not apply to upper floor units in Non-Residential developments:	8 to 10 units per acre
<b>(b) Non-Residential Intensity:</b>	Overall maximum average of 60 percent: [Relocated from Sec. 3-33B.B.5.]	80 percent
<b>(2) Minimum Lot Dimensions (Single-Family Attached):</b>		
<b>(a) Lot Size:</b>		1,350 square feet
<b>(b) Lot Width:</b>		15 feet
<b>(c) Lot Depth:</b>		Not Applicable
<b>(d) Maximum Lot Coverage:</b>		80 percent
<b>(3) Minimum Lot Dimensions (Multi-Family):</b>		
<b>(a) Lot Size:</b>		Not Applicable
<b>(b) Lot Width:</b>		80 feet
<b>(c) Lot Depth:</b>		Not Applicable
<b>(d) Maximum Lot Coverage:</b>		80 percent
<b>(4) Minimum Setbacks (Principal Structure):</b>		
<b>(a) Front:</b>		15 feet <sup>1,2</sup>
<b>(b) Side:</b>		5 feet
<b>(c) Rear:</b>		14 feet
<b>(5) Minimum Setbacks (Accessory Structure):</b>		
<b>(a) Front:</b>		30 feet <sup>3</sup>
<b>(b) Side:</b>		5 feet
<b>(c) Rear:</b>		5 feet

**Footnotes:**

- 1 May be reduced by 5 feet if the unit has a front porch.
- 2 A maximum of lot area shall be 20,000 square feet with a maximum of 25 feet for Front Setback for all types of Residential units.
- 3 In no event an accessory structure shall be located nearer to the front lot line than the front of the principal building.

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

4    May be reduced by 5 feet if the unit has a front porch.

10455    **[Relocated from Sec. 3-33B.B.5.d. Dimensional Standards]**

10456    **3-D-13.9.d. LA AC Uses**

- |     |  |  |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>           |
| (2) | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>  |
| (3) | <u>Temporary:</u>                      | <u>Refer to Sec. 3-F-8. Accessory Structures</u>         |
|     |  | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u> |

10457    **~~5. Lake Asbury Activity Center (LA AC) Land Use~~**

10458    ~~The Base Zoning is LA AC, permitting the following uses: residential, office, retail commercial, or~~  
 10459    ~~light industrial. Other Zoning Districts permitted in the LA AC Land Use category (consistent Zoning~~  
 10460    ~~Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5. A unified plan of~~  
 10461    ~~development approved, by rezoning to PUD, for lands within the LA AC land use designation, is~~  
 10462    ~~encouraged. **[Deleted as this repeats Sec. 3-D-13.2.f. FLU Consistency]**~~

10463    ~~This land use category will accommodate a range of activities from employment based office, large-~~  
 10464    ~~scale Retail, light industrial, civic, and recreational uses, as well as multi-family housing. A higher~~  
 10465    ~~standard of design, aesthetics and environmental protection and enhancement will be emphasized~~  
 10466    ~~in this category. The category is particularly intended to attract higher intensity, design-unified~~  
 10467    ~~corporate campuses that contain a concentration of different urban functions. The concentration~~  
 10468    ~~of these multiple uses provides the opportunity for the efficient provision of public facilities.~~  
 10469    **[Relocated to Sec. 3-D-13.9.a. Description]**

10470    ~~The quantification of uses shall be consistent with the ranges identified in the following table:~~

<b>Land Use Sub-Category</b>	<b>Minimum Required (Acres)</b>	<b>Maximum Permitted (Acres)</b>
<b>Activity Center</b>		
<i>Office</i>	<i>20%</i>	<i>65%</i>
<i>Light Industrial</i>	<i>0%</i>	<i>40%</i>
<i>Commercial/Retail</i>	<i>10%</i>	<i>40%</i>
<i>Residential</i>	<i>10%</i>	<i>25%</i>
<i>Civic/Recreational</i>	<i>5%</i>	<i>20%</i>

10471    **[Relocated to Sec. 3-D-13.9.b. Land Use Mix]**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10472 ~~Project residential density shall be between eight and 10 units per acre, not applicable to upper floor~~  
 10473 ~~units in non-residential developments. Projects utilizing additional density associated with dedication of~~  
 10474 ~~wetland upland buffer and/or environmentally significant lands, as described in paragraph 4 of~~  
 10475 ~~Subsection D, shall be allowed a density of up to 24 units per net acre. The maximum floor area ratio~~  
 10476 ~~(FAR) for each non-residential development shall not exceed 80%, with an overall average not to~~  
 10477 ~~exceed 60%. [Relocated to Sec. 3-D-13.9.c. Development Standards]~~  
 10478 ~~d. Dimensional Requirements (residential):~~  
 10479 ~~i. Minimum Lot Size: 1,350 for single-family attached units.~~  
 10480 ~~ii. Minimum Lot Width: 15 for single-family attached units, 80 for multi-family structures.~~  
 10481 ~~iii. Minimum Front Setback: 15 feet for single-family attached, 5 feet for others.~~  
 10482 ~~iv. Maximum Front Setback: 25 feet.~~  
 10483 ~~v. Minimum Side Setback: 5 feet~~  
 10484 ~~vi. Minimum Rear Setback: 14 feet.~~  
 10485 ~~vii. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory~~  
 10486 ~~buildings)~~  
 10487 ~~viii. Maximum Lot Area: 20,000 square feet [Relocated to Sec. 3-D-T.9.c. Development~~  
 10488 ~~Standards]~~

### **Sec. 3-D-13.10. LA Village Center (LA VC)**

#### **3-D-13.10.a. Description**

10491 *Village Centers shall serve as the mixed-use focal point and central place of a village, and shall provide*  
 10492 *community shopping and Parks arranged in a walkable and human-scale manner. New Private or Public*  
 10493 *Schools are encouraged to locate close to or adjacent to Village Centers. The Retail and Office component*  
 10494 *is limited to small-scale uses, except for stand-alone grocery stores and drug stores.*  
 10495 **[Relocated from Sec. 3-33B.B.6.]**

#### **3-D-13.10.b. Land Use Mix**

10497 *The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total*  
 10498 *land area of a VC. Residential uses are allowed in the form of small-lot Single-Family Detached*  
 10499 *subdivisions, Single-Family Attached (townhouse), Multi-Family (apartment) and upper floor units above*  
 10500 *Non-Residential uses. [Relocated from Sec. 3-33B.B.6]*

<b><u>FLU Sub-Category:</u></b>	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
<i>Village Center</i>	<i>0</i>	<i>75 acres<sup>1</sup></i>
<i>Residential:</i>	<i>25 percent</i>	<i>65 percent</i>
<i>Commercial:</i> <i>Office, Business and Professional</i>	<i>0 percent</i>	<i>25 percent</i>
<i>Commercial:</i> <i>Retail Sales, General</i>	<i>25 percent</i>	<i>65 percent</i>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

<u>Civic Space/Parks:</u>	<u>10 percent</u>	<u>No Maximum</u>
---------------------------	-------------------	-------------------

Footnote:

1 Total acreage shall not include schools and Community Parks.

10501 **[Relocated from Sec. 3-33B.B.6.]**

10502 **3-D-13.10.c. Development Standards**

10503 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the  
 10504 following minimum standards:

<u>(1) Maximum Intensity:</u>		
<u>(a) Residential Intensity:</u>	<u>Shall not apply to upper floor units in Non-Residential developments:</u>	<u>5 to 10 units per acre</u>
<u>(b) Intensity Bonus:</u>	<u>Subject to dedication of wetland-upland buffers and/or environmentally significant lands:</u>	<u>16 unit per 1 net acre</u>
<u>Non-Residential:</u>	<u>Overall maximum average of 60 percent.</u> <u>Refer to Sec. 3-D-13.14 Wetland and Upland Buffers and Intensity Transfer:</u> <b>[Relocated from Sec. 3-33B.B.6.]</b>	<u>70 percent</u>
<u>(2) Minimum Lot Dimensions (Single-Family Detached):</u>		
<u>(a) Lot Size:</u>		<u>2,925 square feet</u>
<u>(b) Lot Width:</u>		<u>45 feet</u>
<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
<u>(d) Maximum Lot Coverage:</u>		<u>50 percent</u>
<u>(3) Minimum Lot Dimensions (Single-Family Attached):</u>		
<u>(a) Lot Size:</u>		<u>960 square feet</u>
<u>(b) Lot Width:</u>		<u>15 feet</u>
<u>(c) Lot Depth:</u>		<u>Not Applicable</u>
<u>(d) Maximum Lot Coverage:</u>		<u>80 percent</u>
<u>(4) Minimum Setbacks (Principal Structure):</u>		
<u>(a) Front (Single-Family Detached):</u>		<u>15 feet <sup>1,2</sup></u>
<u>Front (Single-Family Attached):</u>		<u>10 feet<sup>2</sup></u>

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

	<u>(b) Side:</u>	<u>5 feet</u>
	<u>(c) Rear:</u>	<u>8 feet</u>
<u>(5)</u>	<u>Minimum Setbacks (Accessory Structure):</u>	
	<u>(a) Front:</u>	<u>30 feet</u> <sup>3</sup>
	<u>(b) Side:</u>	<u>5 feet</u>
	<u>(c) Rear:</u>	<u>5 feet</u>

**Footnotes:**

- 1 May be reduced by 5 feet if the unit has a front porch.
- 2 A maximum of lot area shall be 20,000 square feet with a maximum of 25 feet for Front Setback for all types of Residential units.
- 3 In no event an accessory structure shall be located nearer to the front lot line than the front of the principal building.

10505 **[Relocated from Sec. 3-33B.B.6.d. Dimensional Standards (residential)]**

10506 **3-D-13.10.d. Additional Standards**

- 10507 (1) Maximum Number and Size. A maximum of 10 Village Centers shall be allowed in the LAMPA. Village Center size may not be greater than 75 acres, with this figure not including Schools and Community Parks. **[Relocated from Sec. 3-33B.B.6.]**
- 10508
- 10509
- 10510 (2) Location. Village Centers shall be located around the intersections of roads classified as minor collector and above. **[Relocated from Sec. 3-33B.B.6.]**
- 10511
- 10512 (3) Use Limitations. Village Centers adjacent to the Rural Community may only include Private or Public Schools, Parks, and rural Commercial development, with individual buildings (excluding Schools) less than 5,000 square feet in size and total building area less than 15,000 square feet. **[Relocated from Sec. 3-33B.B.6.]**
- 10513
- 10514
- 10515
- 10516 (4) Open Space requirements may provide Park Space in the form of Civic Spaces, plazas, and urban Parks, as well as Community Parks. **[Relocated from Sec. 3-33B.B.6. Open Space]**
- 10517

10518 **3-D-13.10.d. LA VC Uses**

- |            |  |  |
|------------|--|--|
| <u>(1)</u> | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u>           |
| <u>(2)</u> | <u>Accessory:</u>                      | <u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>  |
|            |  | <u>Refer to Sec. 3-F-8. Accessory Structures</u>         |
| <u>(3)</u> | <u>Temporary:</u>                      | <u>Refer to Sec. 3-E-10. Temporary Use and Structure</u> |

10519 **6. Lake Asbury Village Center (LA VC) Land Use**

10520 ~~The Base Zoning district is LA Village Center (LA VC). Other Zoning Districts permitted are PO-1, PO-~~  
 10521 ~~2, PO-3, PO-4, and PS-1, PS-2, PS-3, PS-4 and PS-5. **[Deleted as this repeats Sec. 3-D-13.2.f.**~~  
 10522 ~~**FLU Consistency]** Village Centers shall serve as the mixed-use focal point and central place of a~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10523 *village, and shall provide community shopping and parks arranged in a walkable and human-scale*  
 10524 *manner. New elementary schools are encouraged to locate close to or adjacent to Village Centers.*  
 10525 *The retail and office component is limited to small scale uses, except for stand-alone grocery stores*  
 10526 *and drug stores. [Relocated to Sec. 3-D-13.10.a. Description] Village Center size may not be greater*  
 10527 *than 75 acres, with this figure not including schools and community parks. [Relocated to Sec. 3-D-*  
 10528 *13.10.c.(6)(a) Development Standards, Additional Standards] There shall be no more than ten*  
 10529 *Village Centers in the LAMPA. [Relocated to Sec. 3-D-13.10.c.(6)(a) Development Standards,*  
 10530 *Additional Standards] Village Centers must be located around the intersections of roads classified as*  
 10531 *minor collector and above. [Relocated to Sec. 3-D-13.10.c.(6)(b) Development Standards,*  
 10532 *Additional Standards]*  
 10533 *Residential uses are allowed in the form of small-lot single-family subdivisions, townhomes,*  
 10534 *apartments, and upper floor units above nonresidential uses. [Relocated to Sec. 3-D-13-10.c.*  
 10535 *Development Standards] Project residential density shall be between five (5) and ten (10) units per*  
 10536 *acre for single family detached, single family attached and multi-family, not applicable to upper floor*  
 10537 *units in nonresidential developments. Projects utilizing additional density associated with wetland-*  
 10538 *upland buffer and/or environmentally significant land dedication, as described in paragraph 4 of*  
 10539 *Subsection D shall be allowed a density of up to sixteen (16) units per net acre. Nonresidential Project*  
 10540 *Floor Area Ratios shall not exceed 70%. Commercial uses must be in a compact, walkable form,*  
 10541 *accessible by sidewalk. [Relocated to/tabularized under Sec. 3-D-13-10.b. Development*  
 10542 *Standards]*  
 10543 *The Village Center shall be designed to provide connections to the surrounding pedestrian/bicycle path*  
 10544 *system and to integrate with the street network of surrounding neighborhoods. Open space*  
 10545 *requirements may provide park space in the form of civic spaces, plazas, and urban parks, as well as*  
 10546 *community parks. [Relocated to Sec. 3-D-13.10.c.(6)(d) Development Standards, Additional*  
 10547 *Standards] Civic Space]*  
 10548 *The quantification of uses shall be consistent with the ranges identified in the following table:*  
 10549 *[Relocated to Sec. 3-D-13.10.b. Land Use Mix]*

<b>Land Use Sub-Category</b>	<b>Minimum Required (Acres)</b>	<b>Maximum Permitted (Acres)</b>
<i>Village Center</i>		
<i>Residential</i>	<i>25%</i>	<i>65%</i>
<i>Office</i>	<i>0%</i>	<i>25%</i>
<i>Commercial/Retail</i>	<i>25%</i>	
<i>Commercial/Retail</i>	<i>25%</i>	<i>65%</i>
<i>Civic, Public Parks</i>	<i>10%</i>	<i>No Max</i>

10550 **[Relocated to Sec. 3-D-13.10.b. Land Use Mix]**  
 10551 *Village Centers adjacent to the Rural Community may only include elementary schools, parks, and rural*  
 10552 *commercial development, with individual buildings (excluding schools) less than 5,000 square feet in*  
 10553 *size and total building area less than 15,000 square feet. [Relocated to Sec. 3-D-13.10.c.(6)(c)*  
 10554 *Development Standards, Additional Standards]*  
 10555 *c. Uses Not Permitted.*  
 10556 *Any use not allowed in a. or b. above. [Deleted as it is addressed in Part E, Division A]*

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

- 10557 ~~d. Dimensional Requirements (residential).~~
- 10558 ~~i. Minimum Lot Size: 960 square feet for single-family attached units.~~
- 10559 ~~ii. Minimum Lot Width: 15 feet for single-family attached units, 80 for multifamily structures.~~
- 10560 ~~iii. Minimum Front Setback: 15 feet for single-family detached units, 10 feet for single-family~~
- 10561 ~~attached units, 5 feet for others.~~
- 10562 ~~iv. Maximum Front Setback: 25 feet.~~
- 10563 ~~v. Minimum Side Setback: 5 feet~~
- 10564 ~~vi. Minimum Rear Setback: 8 feet~~
- 10565 ~~vii. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory~~
- 10566 ~~buildings)~~
- 10567 ~~viii. Maximum Lot Area: 20,000 square feet. [Relocated to Sec. 3-D-13.10.c. Development~~
- 10568 ~~Standards]~~

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10569 **Sec. 3-D-13.11. LA Interchange Village Center (LA IVC)**

10570 **3-D-13.11.a. Description**

10571 *LA IVC shall serve as an access point to the First Coast Expressway and, at the same time, serve as a -*  
 10572 *Mixed-Use Center of a village. LA IVC shall provide regional and community needs. Light Industrial, Office,*  
 10573 *and shopping uses in this district are vital. Local Parks and Private or Public Schools may be considered*  
 10574 *in this District and shall be arranged in a walkable and human-scale manner. [Relocated from Sec. 3-*  
 10575 *33B.B.7.]*

10576 **3-D-13.11.b. Land Use Mix**

10577 *The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total*  
 10578 *land area of an IVC. [Relocated from Sec. 3-33B.B.7]*

<b><u>FLU Sub-Category:</u></b>	<b><u>Minimum</u></b>	<b><u>Maximum</u></b>
<i>Residential:</i>	<i>10 percent</i>	<i>65 percent</i>
<i>Commercial: Office, Business and Professional</i>	<i>10 percent</i>	<i>25 percent</i>
<i>Commercial: Retail Sales, General</i>	<i>5 percent</i>	<i>65 percent</i>
<i>Light Industrial:</i>	<i>0 percent</i>	<i>No Maximum</i>
<i>Civic Space/Parks:</i>	<i>10 percent</i>	<i>No Maximum</i>

**Footnote:**

**1** *Total acreage shall not include schools and Community Parks.*

10579 **[Relocated from Sec. 3-33B.B.7.]**

10580 **3-D-13.11.c. Development Standards**

10581 *The principal structure(s) and/or accessory structure(s) shall comply with the standards as set forth in the*  
 10582 *LA VC Development Standards, refer to Sec. 3-D-13.10.c.*

10583 **3-D-13.11.d. LA IVC Uses**

<b><u>(1)</u></b>	<b><u>Permitted and Conditional uses:</u></b>	<b><u>Refer to Part E Use Types and Standards</u></b>
<b><u>(2)</u></b>	<b><u>Accessory:</u></b>	<b><u>Refer to Sec. 3-E-9. Accessory Use and Structure</u></b>
<b><u>(3)</u></b>	<b><u>Temporary:</u></b>	<b><u>Refer to Sec. 3-F-8. Accessory Structures</u></b>
		<b><u>Refer to Sec. 3-E-10. Temporary Use and Structure</u></b>

10584 **7. ~~Lake Asbury Interchange Village Center (LA IVC) Land Use~~**

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10585 ~~The Base Zoning district is LA IVC. LA IVC shall serve as an access point to the First Coast~~  
 10586 ~~Expressway and, at the same time, serve as a mixed-use center of a village. LA IVC shall provide~~  
 10587 ~~regional and community needs. Light industrial, office, and shopping uses in this district are vital. Local~~  
 10588 ~~parks and elementary schools may be considered in this district and shall be arranged in a walkable~~  
 10589 ~~and human-scale manner. [Relocated to Sec. 3-D-13.11.a. Description]~~

10590 ~~All development standards shall be consistent with the LA VC requirements if it is not illustrated in this~~  
 10591 ~~section. The quantification of uses shall be consistent with the ranges identified in the following~~  
 10592 ~~table [Relocated to Sec. 3-d-13.11.b. Land Use Mix]~~

<del>Land-Use Sub-Category</del>	<del>Minimum Required (acres)</del>	<del>Maximum Permitted (acres)</del>
<del>Interchange Village Center</del>		
<del>Residential</del>	<del>10%</del>	<del>50%</del>
<del>Office</del>	<del>10%</del>	<del>No Max</del>
<del>Commercial/Retail</del>	<del>5%</del>	<del>40%</del>
<del>Light Industrial</del>	<del>0%</del>	<del>No Max</del>
<del>Civic/Public Parks</del>	<del>10%</del>	<del>No Max</del>

10593 ~~[Relocated to Sec. 3-D-T.11.b. Land Use Mix]~~

### **Sec. 3-D-13.12. LA Solite (LA SOL)**

#### **3-D-13.12.a. Description**

10596 ~~The Solite FLU category shall be that property known as the Solite site, located on the north side of CR~~  
 10597 ~~209, east of CR 209B. This property is under Federal EPA Administrative Order on Consent US EPA Docket~~  
 10598 ~~# 95-05-Rs. 3008(h) of RCRA as amended, 42 USC § 6928(h)., Effective Date September 13, 1996. The~~  
 10599 ~~underlying FLU of LA SOL is Mining. [Relocated from Sec. 3-33B.B.III.8]~~

#### **3-D-13.12.b. Density**

10601 ~~The Board of County Commissioners may consider granting a density of a maximum of 3 units per net acre~~  
 10602 ~~if a binding commitment to remediate this site is proffered by the owner and applicant. [Relocated from~~  
 10603 ~~Sec. 3-33B.B.III.8.]~~

#### **3-D-13.12.c. LA SOL Uses**

(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

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(2)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-9. Accessory Use and Structure</u>
		<u>Refer to Sec. 3-F-8. Accessory Structures</u>
(3)	<u>Temporary:</u>	<u>Refer to Sec. 3-E-10. Temporary Use and Structure</u>

---

10605 **40. ~~Solite (LA SOL)~~**  
10606 ~~The Solite land use overlay category shall be that property known at the Solite site, located on the north~~  
10607 ~~side of CR 209, east of CR 209B. This property is under Federal EPA Administrative Order on Consent~~  
10608 ~~US EPA Docket # 95-05-Rs. 3008(h) of RCRA as amended, 42 USC § 6928(h), Effective Date~~  
10609 ~~September 13, 1996. [Relocated to Sec. 3-D-13.12.13. Description]~~  
10610 ~~The Board of County Commissioners will consider granting a density not to exceed 3 units per net acre~~  
10611 ~~if a binding commitment to remediate this site is proffered by the owner and applicant.~~  
10612 ~~[Relocated to Sec. 3-D-13.12.b. Intensity]~~  
10613 ~~Development under such a commitment shall meet the standards applicable to the Lake Asbury Master~~  
10614 ~~Planned Community land use category. [Relocated to Sec. 3-D-13.12.e. Development Standards]~~  
10615 ~~The underlying land use is Mining,~~  
10616 ~~[Relocated to Sec. 3-D-13.12.a. Description]~~

10617 **Sec. 3-D-13.13. LA Greenway (LA GW)**

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10618 **3-D-13.13.a. Description**

10619 ~~The Asbury Greenway FLU category includes most creeks, streams, or riverbanks, major drainageways,~~  
10620 ~~major wetlands, floodways, and associated upland buffers within the LAMPA that, when combined with the~~  
10621 ~~Greenbelt Zoning Overlay produces a wildlife corridor continuing throughout the LAMPA. The intent of the~~  
10622 ~~Greenway is to protect drainage systems and headwaters of the regional tributaries. [Relocated from Sec.~~  
10623 ~~3-33B.B.8.]~~

10624 **3-D-13.13.b. Development Standards**

10625 ~~Development within the Greenway shall be limited to the following:~~  
10626 ~~(1) passive Recreational facilities such as: pedestrian walkways, bicycle paths, boardwalks, and docks~~  
10627 ~~built for water access;~~  
10628 ~~(2) fences may be allowed to protect habitat areas and similar uses from which minimal adverse effects~~  
10629 ~~to the network would result; [Relocated from Sec. 3-33B.B.8.]~~  
10630 ~~(3) road crossings not shown on the adopted plan where no other practical alternatives exist;~~  
10631 ~~(4) excavation of stormwater management systems when accompanied by the dedication of additional~~  
10632 ~~land that is generally equivalent in quality and quantity for Conservation;~~  
10633 ~~(5) underground utilities and drainage conveyances excluding retention ponds; and~~  
10634 ~~(6) vertical development may be allowed only in cases where there is no net loss of wetlands and~~  
10635 ~~where additional uplands are added. The quantity of upland additions to the Greenway shall exceed~~  
10636 ~~50 percent of impacted wetlands. Changes to the Greenway boundary shall be approved by the~~  
10637 ~~Board of County Commissioners.~~  
10638 ~~[Relocated from Sec. 3-33B.B.8.]~~

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

10639 ~~8. Lake Asbury Greenway (LA GW) Land Use~~  
10640 ~~The Asbury Greenway land use category includes most creeks, streams, or riverbanks, major~~  
10641 ~~drainageways, major wetlands, floodways, and associated upland buffers within the LAMPA that,~~  
10642 ~~when combined with the Greenbelt Zoning Overlay produces a wildlife corridor continuing~~  
10643 ~~throughout the LAMPA. The Asbury Greenway land use and Greenbelt Zoning Overlay that make~~  
10644 ~~up the conservation network will interconnect natural resources throughout the LAMPA, protecting~~  
10645 ~~drainage systems and headwaters of the regional tributaries. [Relocated to Sec. 3-D-13.13.a.~~  
10646 ~~Description]~~

10647 ~~Development within this network shall be limited to passive recreational facilities pedestrian~~  
10648 ~~walkways, bicycle paths, boardwalks, docks built for water access, fences necessary to protect~~  
10649 ~~habitat areas, and similar uses from which minimal adverse effects to the network would result.~~  
10650 ~~Impacts to the network may also include road crossings not shown on the adopted plan where no~~  
10651 ~~other practical alternatives exist, excavation of stormwater management systems when~~  
10652 ~~accompanied by the dedication of additional land that is generally equivalent in quality and quantity~~  
10653 ~~for conservation, and construction of the passive recreational facilities identified above.~~  
10654 ~~Underground utilities and drainage conveyances excluding retention ponds are allowed.~~  
10655 ~~[Relocated to Sec. 3-D-13.13.b. Development Standards]~~

10656 ~~Greenway impacts to accommodate vertical development are allowed only in cases where there is~~  
10657 ~~no net loss of wetlands and where additional uplands are added. The quantity of upland additions~~  
10658 ~~to the Greenway shall exceed 50% of impacted wetlands. Changes to the Greenway boundary~~  
10659 ~~must be approved by the Board of County Commissioners. [Relocated to Sec. 3-D-13.13.b.~~  
10660 ~~Development Standards]~~

### 10661 Sec. 3-D-13.14. LA Wetland-Upland Buffers

#### 10662 3-D-13.14.a. Wetland - Upland Buffers

10663 *Buffers shall meet standards set forth in Article VI Tree Ordinance, with the following additional standards:*  
10664 *(1) Wetland-Upland Buffers. Natural water bodies and major drainage features within the LAMPA shall*  
10665 *be protected through required wetland-upland buffers. These buffers shall be protected by*  
10666 *conservation easements that are dedicated to the St. Johns River Water Management District, the*  
10667 *Florida Fish and Wildlife Conservation Commission, an established private non-profit land trust or*  
10668 *the County. [Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]*  
10669 *(2) Deeds. These lands shall be deeded to one of these agencies, the homeowners' association, or*  
10670 *retained by the landowner or developer, but shall not be deeded to individual homeowners.*  
10671 *[Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]*  
10672 *(3) Limited Crossings. Crossings of the wetland-upland buffers are permitted for roadways, utility*  
10673 *crossings, trails and pathways, and drainage outfalls, all subject to agency permitting. No wetland-*  
10674 *upland buffer is required between jurisdictional wetlands and road crossings, public infrastructure,*  
10675 *utility crossings, wetlands impacts permitted by State and Federal regulatory agencies nor berms*  
10676 *associated with stormwater ponds. [Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]*  
10677 *(4) LA Greenway. In addition to the wetland-upland buffers for jurisdictional wetlands as required by*  
10678 *other regulatory agencies, wetland-upland buffers shall be required for certain creeks within the*

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# ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

## Part D Zoning Districts and Development Standards

10679 Asbury Greenway as follows, where the offset distance is defined as the perpendicular distance  
 10680 from the established jurisdictional wetland line: **[Relocated from Sec. 3-33B.D.1.a. Wetland-  
 10681 Upland Buffers]**

Creek	Average Buffer <u>Width</u>	Minimum Buffer <u>Width</u>
<i>Black Creek (northern LAMPA boundary)</i>	100 feet	50 feet
<i>Peters Creek (eastern boundary)</i>	100 feet	50 feet
<i>Bradley Creek</i>	100 feet	50 feet
<i>Black Creek South Prong</i>	50 feet	30 feet

10682 (a) Buffer Width Reduction. Creek tributary buffer width may be adjusted and transitioned  
 10683 between the average and minimum width as set forth in Subsection (4) above . The 30-  
 10684 foot standard at a decreasing buffer width rate not to exceed 15 linear feet for each foot of  
 10685 buffer width.

10686 Example: A 30-foot buffer at 75 feet in length can be reduced down to 25 feet.

### **3-D-13.14.b. Density Transfer**

10687 Refer to the following Density Bonus Programs:

- 10689 (1) Sec. 3-C-3.7.a. Wetland-Upland Buffers;
- 10690 (2) Sec. 3-C-3.7.b. Upland Preservation; and
- 10691 (3) Sec. 3-C-3.7.b.(4) Upland Preservation Area Identification.

### **D. ENVIRONMENTAL AND OPEN SPACE CRITERIA**

10692 ~~1. **Buffers.** Buffers shall meet standards set forth in the *Tree and Landscape Ordinance*, with the following~~  
 10693 ~~additional requirements.~~

10694 ~~a. **Wetland-Upland Buffers.** Natural water bodies and major drainage features within the LAMPA shall~~  
 10695 ~~be protected through required wetland upland buffers as depicted in the following table. These~~  
 10696 ~~buffers shall be protected by conservation easements that are dedicated to the St. Johns River~~  
 10697 ~~Water Management District, the Florida Fish and Wildlife Conservation Commission, an~~  
 10698 ~~established private non-profit land trust or the County. **[Relocated to Sec. 3-D-13.14.a.(1) Wetland**~~  
 10699 ~~**– Upland Buffers]**~~

10700 ~~These lands shall be deeded to one of these agencies, the homeowners' association, or retained~~  
 10701 ~~by the landowner or developer, but shall not be deeded to individual homeowners. **[Relocated to**~~  
 10702 ~~**Sec. 3-D-13.14.a.(2) Deeds]**~~

10703 ~~Crossings of the wetland upland buffers are permitted for roadways, utility crossings, trails and~~  
 10704 ~~pathways, and drainage outfalls, all subject to agency permitting. No wetland upland buffer is~~  
 10705 ~~required between jurisdictional wetlands and road crossings, public infrastructure, utility crossings,~~  
 10706 ~~wetlands impacts permitted by State and Federal regulatory agencies nor berms associated with~~  
 10707 ~~stormwater ponds. **[Relocated to Sec. 3-D-13.14.a.(3) Limited Crossings]**~~

10708 ~~In addition to the wetland upland buffers for jurisdictional wetlands as required by other regulatory~~  
 10709 ~~agencies, wetland upland buffers shall be required for certain creeks within the Asbury Greenway~~  
 10710

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# **ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS**

## **Part D Zoning Districts and Development Standards**

10711 *as follows, where the offset distance is defined as the perpendicular distance from the established*  
 10712 *jurisdictional wetland line:*

<b>Creek</b>	<b>Average Buffer</b>	<b>Minimum Buffer</b>
<i>Black Creek (northern LAMPA boundary)</i>	<i>100 feet</i>	<i>50 feet</i>
<i>Peters Creek (eastern boundary)</i>	<i>100 feet</i>	<i>50 feet</i>
<i>Bradley Creek</i>	<i>100 feet</i>	<i>50 feet</i>
<i>Black Creek South Prong</i>	<i>50 feet</i>	<i>30 feet</i>

10722 **[Relocated to Sec. 3-D-13.14.a.(4) LA Greenway]**  
 10723 *Creek tributary buffer width shall transition between the widths listed above and the 30 foot*  
 10724 *standard at a decreasing buffer width rate not to exceed 15 linear feet for each foot of buffer width.*  
 10725 **[Relocated to Sec. 3-D-13.14.a.(4)(a) LA Greenway]**  
 10726 *Allowable density shall be calculated for the acreage of lands protected in the wetland upland*  
 10727 *buffers. For wetland upland buffers located in the Asbury Greenway, density shall be based on*  
 10728 *the adjacent land use designation. Said density may be applied to residential development within*  
 10729 *the limits as shown on a preliminary plan which includes that portion of the Greenway. Total*  
 10730 *density, including density from wetland upland buffers located within the Greenway, shall not*  
 10731 *exceed the maximum density established by land use category as shown in LA FLU Policy 1.4.1*  
 10732 *of the 2040 Comprehensive Plan. [Relocated to Sec. 3-D-13.14.b. Intensity Transfer and defer*  
 10733 *to Sec. 3-C-3.7.b Wetland-Upland Buffers*

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