

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

Part A General Provisions

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Part A Summary of Amendments	
Section	Description
Purpose and Intent	Relocated and reorganized the zoning districts into a tabular format.
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.
Centerline	Shortened current title and provided new graphic to illustrate how to measure.
Bisect or Parallel	Shortened current title and provided new graphic to illustrate how to measure.
Division	Shortened current title and provided new graphic to illustrate how to measure.
Street and Rights-of-Way Abandonment	No substantial changes.
Measurement of Setback	Clarified how to measure setback.

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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"> 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. 2. Clarified how development standards and intensity can be assigned on split FLU lots. 3. Explained that if a lot has 2 zoning districts, then the lot owner has to apply for a rezoning.
Property Access	1. Carried forward current code from Sec. 3-7.
Reduction of Lot Area	1. Carried forward current code from Sec. 3-7.
Moving of Buildings	1. Carried forward current code from Sec. 3-7.

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Sec. 3-A.1. Purpose and Intent [MK1]

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

Table 3-A.1.a. Zoning Districts

<u>Tier 1 Agricultural Zoning Districts:</u>		<u>Division B:</u>
<u>Agricultural</u>	<u>AG</u>	<u>3-D-B.2.</u>
<u>Agricultural Residential</u>	<u>AR</u>	<u>3-D-B.3.</u>
<u>Single-Family Residential</u>	<u>RA</u>	<u>3-D-B.4.</u>
<u>Tier 2 Residential Zoning Districts:</u>		<u>Division C:</u>
<u>Single-Family Residential</u>	<u>UC(10)/RA</u>	<u>3-D-C.2.</u>
<u>Two- or Three-Unit Residential</u>	<u>RC</u>	<u>3-D-C.3.</u>
<u>Tier 3 Residential Zoning Districts:</u>		<u>Division D:</u>
<u>Multi-Family Residential</u>	<u>RD</u>	<u>3-D-D.2.</u>
<u>Single-Family Residential</u>	<u>RE</u>	<u>3-D-D.3.</u>
<u>Residential Mobile Home Park</u>	<u>RMHP</u>	<u>3-D-D.4.</u>
<u>Planned Unit Development</u>	<u>PUD</u>	<u>3-D-D.5.</u>
<u>Tier 1 Commercial Zoning Districts:</u>		<u>Division F:</u>
<u>Neighborhood Business</u>	<u>BA</u>	<u>3-D-F.1.</u>
<u>Light Neighborhood Business</u>	<u>BA-1</u>	<u>3-D-F.2.</u>
<u>Commercial and professional</u>	<u>BA-2</u>	<u>3-D-F.3.</u>
<u>Intermediate Business</u>	<u>BB</u>	<u>3-D-F.4.</u>
<u>Tier 2 Commercial Zoning Districts:</u>		<u>Division G:</u>
<u>Light Intermediate</u>	<u>BB-1</u>	<u>3-D-G.1.</u>
<u>Community Business</u>	<u>BB-2</u>	<u>3-D-G.2.</u>
<u>Tier 3 Commercial Zoning Districts:</u>		<u>Division H:</u>

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<u>Specialty Business</u>	<u>BB-3</u>	<u>3-D-H.1.</u>
<u>Heavy Business</u>	<u>BB-4</u>	<u>3-D-H.2.</u>
<u>Commercial Recreation</u>	<u>BB-5</u>	<u>3-D-H.3.</u>
<u>Shopping Center</u>	<u>BSC</u>	<u>3-D-H.4.</u>
<u>Planned Commercial Development</u>	<u>PCD</u>	<u>3-D-H.5.</u>
<u>Tier 1 Industrial Zoning Districts:</u>		<u>Division J:</u>
<u>Industrial Select</u>	<u>IS</u>	<u>3-D-J.1.</u>
<u>Light Industrial</u>	<u>IA</u>	<u>3-D-J.2.</u>
<u>Tier 2 Industrial Zoning Districts:</u>		<u>Division K:</u>
<u>Heavy Industrial</u>	<u>IB</u>	<u>3-D-K.1.</u>
<u>Business Park</u>	<u>BP</u>	<u>3-D-K.2.</u>
<u>Tier 3 Planned Industrial Development:</u>		<u>Division L:</u>
<u>Planned Industrial Development</u>	<u>PID</u>	<u>3-D-L.1.</u>
<u>Public Ownership Zoning Districts:</u>		<u>Division M:</u>
<u>Public Ownership</u>	<u>PO-1</u>	<u>3-D-M.2.</u>
	<u>PO-2</u>	<u>3-D-M.3.</u>
	<u>PO-3</u>	<u>3-D-M.4.</u>
	<u>PO-4</u>	<u>3-D-M.5.</u>
	<u>PS-1</u>	<u>3-D-N.2.</u>
<u>Private Services</u>	<u>PS-2</u>	<u>3-D-N.3.</u>
	<u>PS-3</u>	<u>3-D-N.4.</u>
	<u>PS-4</u>	<u>3-D-N.5.</u>
	<u>PS-5</u>	<u>3-D-N.6.</u>
<u>Excavation Zoning District:</u>		<u>Division O:</u>
<u>Excavation</u>	<u>EX</u>	<u>3-D-O.2.</u>
<u>Incinerators Zoning District:</u>		<u>Division Q:</u>
<u>Incinerators</u>	<u>IN</u>	<u>3-D-P.2.</u>
<u>Overlays and Special Standards:</u>		<u>Division Q:</u>

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<u>Independent Community Overlay</u>	<u>ICO</u>	<u>3-D-Q.2.</u>
<u>Conservation Overlay</u>	<u>CO</u>	<u>3-D-Q.3.</u>
<u>Wells Road Special Standards</u>	<u>-</u>	<u>3-D-Q.4.</u>
<u>Branan Field Master Plan Community:</u>		<u>Division R:</u>
<u>BF Rural Suburbs</u>	<u>BF RS</u>	<u>3-D-S.5.</u>
<u>BF Master Planned Community</u>	<u>BF MPC</u>	<u>3-D-S-6.</u>
<u>BF Primary Conservation Network</u>	<u>BF PCN</u>	<u>3-D-S.7.</u>
<u>BF Rural Activity Center</u>	<u>RAC</u>	<u>3-D-S.8.</u>
<u>BF Rural Neighborhood Center</u>	<u>BR RNC</u>	<u>3-D-S.9.</u>
<u>BF Community Center</u>	<u>BF CC</u>	<u>3-D-S.10.</u>
<u>BF Activity Center</u>	<u>BF AC</u>	<u>3-D-S.11.</u>
<u>BF Mixed Use</u>	<u>BF MU</u>	<u>3-D-S.12.</u>
<u>BF Institutional</u>	<u>BF INST</u>	<u>3-D-S.?[MK2]</u>
<u>Lake Asbury Master Plan Area:</u>		<u>Division T:</u>
<u>LA Master Planned Community</u>	<u>LA MPC</u>	<u>3-D-T.5.</u>
<u>LA Rural Reserve</u>	<u>LA RRSV</u>	<u>3-D-T.6.</u>
<u>LA Rural Community</u>	<u>LA RC</u>	<u>3-D-T.7.</u>
<u>LA Rural Fringe</u>	<u>LA RF</u>	<u>3-D-T.8.</u>
<u>LA Activity Center</u>	<u>LA AC</u>	<u>3-D-T.9.</u>
<u>LA Village Center</u>	<u>LA VC</u>	<u>3-D-T.10.</u>
<u>LA Interchange Village Center</u>	<u>LA IVC</u>	<u>3-D.T.11.</u>
<u>LA Solite</u>	<u>LA SOL</u>	<u>3-D-T.12.</u>
<u>LA Greenway</u>	<u>LA GW</u>	<u>3-D-T.13.</u>
<u>LA Wetland Buffers</u>	<u>-</u>	<u>3-D-T.14.</u>

[Relocated from Sec. 3-1. Establishment of Zoning Districts]

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

9 **3-A.2.a. District Boundary Identification**

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10 The boundaries of the zoning districts established in [Sec.3-A.1. Purpose and Intent](#) shall be depicted in the
11 [Official Zoning Map](#), which consists of a map series embracing all the unincorporated area of Clay County,
12 Florida, and which is hereby established as a part of this Article.

3-A.2.b. Amendments

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

3-A.2.c. Applicability

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

3-A.2.d. Authorization by Ordinance

23 The depiction of any parcel of land or lot, or a change in the zoning district classification, on the Official
24 Zoning Map shall be authorized and implemented only by ordinance. It shall be unlawful for any person to
25 make any unauthorized change in the Official Zoning Map.

3-A.2.e. Rezoning Identification System

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

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

32
33 In the event an initial zoning or rezoning of a particular parcel of land or lot has been adopted by ordinance
34 under the authority of this Article at any time prior to the adoption and certification of the particular
35 amendment of the Official Zoning Map upon which the parcel would be depicted, the Official Zoning Map
36 shall thenceforth govern with respect thereto. **[Relocated from Sec. 3-2.(c)]**

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

3-A.4.a. Centerline

39 When parcels of land have different zoning districts and are separated by a road or public waterway right-
40 of-way, the boundary of the different zoning districts shall be measured from the centerline of the right-of-
41 way. **[Deleted, and replaced with new language and graphics]**

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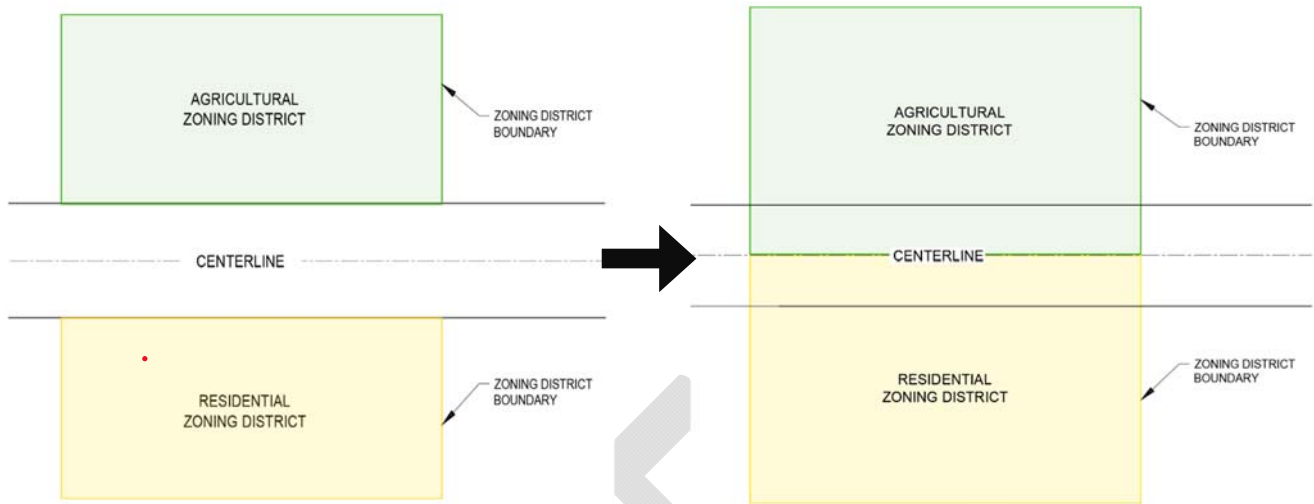
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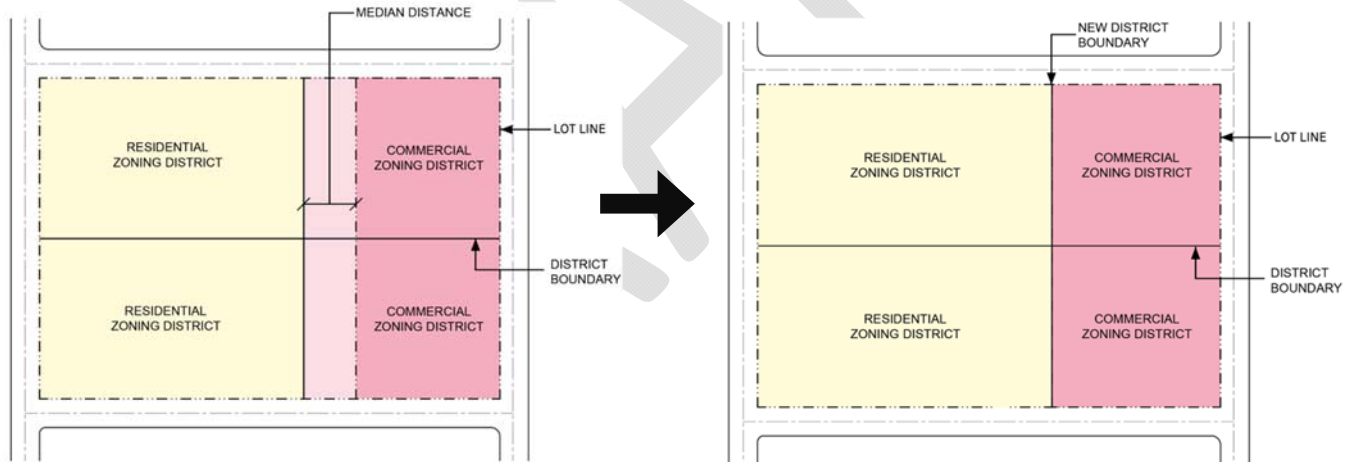
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42 **3-A.4.b. Bisect or Parallel**

43 *(1) District Boundaries which Bisect Blocks. Where district boundary lines approximately bisect blocks,*
 44 *the boundaries are the median lines of such blocks between the center line of boundary streets.*
 45 **[Relocated from Sec. 3-2.(b)(1)]**



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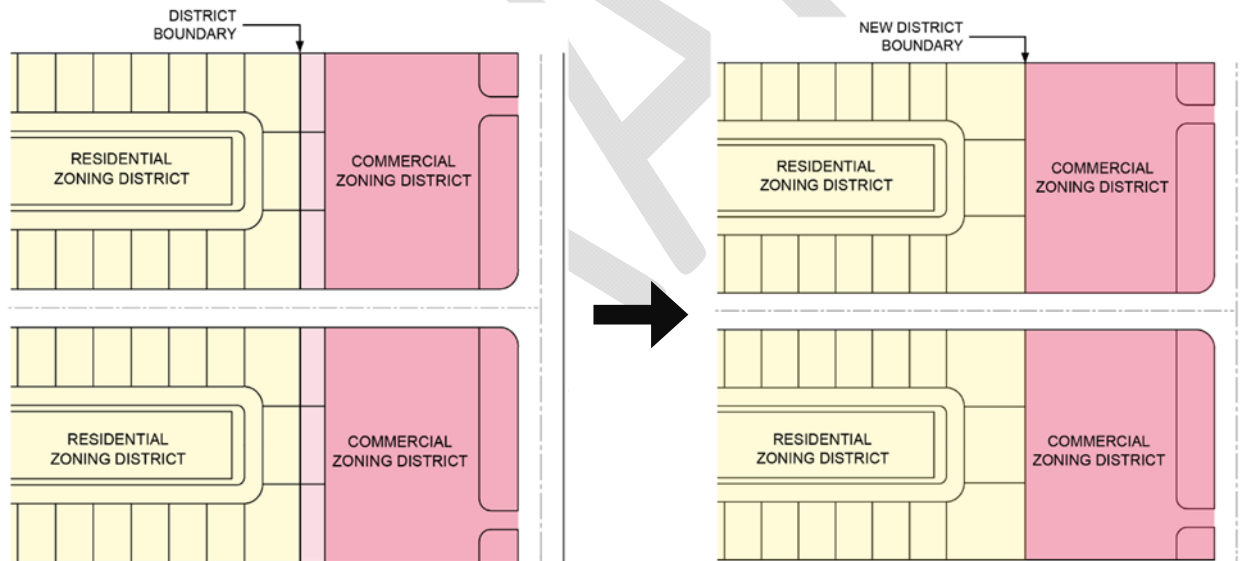
46 (2) *District Boundaries Parallel to Rights-of-Way or Bodies of Water.* Where district boundaries are
 47 approximately parallel to a street, highway, road, alley, railroad right-of-way or public water, or
 48 where a district boundary divides a subdivided lot, the location of such boundary, unless indicated
 49 by dimensions, shall be determined by using the map scale [Relocated from Sec. 3-2.(b)(3) and
 50 **(4)**]

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

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

Sec. 3-A.6. Measurement of Setback

54 Setback. A setback as defined in Sec. 1-15.S.(6) shall be measured from the proposed or existing building
 56 or structure to each side of a lot, as follows:
 57



Front

Building Line, refer to Sec. 1-15.B.(19)

Side, Side Street, and Rear

Lot Line, refer to Sec. 1-15.L.(18)

Corner Lot where access points are on both front and side street

Building Line, refer to Sec. 1-15.B.(19)

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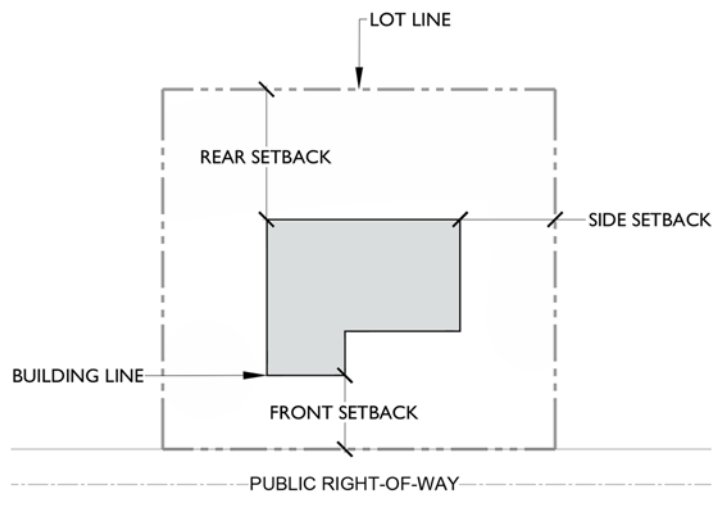
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58 Sec. 3-A.7. Measurement of Separation

59 3-A.7.a. Separation

60 Separation distance is required for the following reasons:

- 61 (1) to address potential negative impact between 2 uses that are not compatible;
- 62 (2) to reduce the proliferation of certain uses; or
- 63 (3) to minimize walking distance between 2 venues.

64 3-A.7.b. Measurement of Distance

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

- 71 (1) Example. An establishment that sells alcohol shall be separated from a Place of Worship or a
72 School a minimum of 1,200 linear feet. See graphic below:

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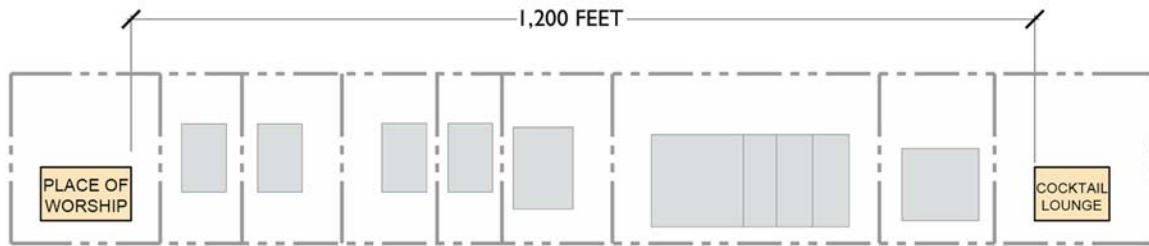
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73 Sec. 3-A.8. Measurement of Height

74 3-A.8.a. Height

75 All building or structure height shall be measured from the finished grade along the perimeter of the building
76 or structure to the highest point of the building or structure.

77 3-A.8.b. Height Increase

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

- 80 (1) One additional horizontal foot of setback for each additional foot of height for a maximum of 100^[MK3]
81 feet.

82 3-A.8.c. Exemptions

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

- 85 (1) Religious ornaments attached to a Place of Worship;
86 (2) Public utilities such as cooling, water or fire towers;
87 (3) Telecommunication Tower Facilities;
88 (4) Flagpoles;
89 (5) Structures related to Federal Aviation Association (FAA); or
90 (6) Parapet wall screening rooftop mechanical equipment.

91 Sec. 3-A.9. Interpretation

92 3-A.9.a. Mapping, Draft, or Clerical Errors

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

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

98
99 *In case any uncertainty exists, the Board of Adjustment shall interpret the intent of the Official Zoning Map*
100 *as to location of such boundaries. [Relocated from Sec. 3-2.(b)(5)]*

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

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

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

- 105 (1) *Limited to a type of planned development with Mixed-uses.*
- 106 (2) *If the request is to utilize the lot's 2 or more FLU categories, a Master Plan shall be submitted as*
107 *part of the application depicting the locations of each FLU as a pod.*
- 108 (3) *The types of uses, development standards, intensity shall be determined by the FLU category*
109 *designated on an individual pod.*
- 110 (4) *The Master Plan shall be approved by the Board of County Commissioners. All subsequent*
111 *developments of this lot may be processed through a Conditional use approval process.*

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

113 *A lot that has 1 or more zoning districts shall be rezoned to a zoning district that is consistent with the lot's*
114 *FLU category, refer to Article 12, Administration, Amendment and Enforcement for the application process*
115 *and procedures.*

116

Sec. 3-A.11. Property Access

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

- 119 (a) *For the purpose of counting lots, intersecting easements shall be considered a single easement.*
- 120 (b) *All easements shall be limited in use to access and utilities and shall be a minimum of 30 feet in*
121 *width.*
- 122 (c) *Lots transferred under the Heirs Exemption, Homestead Exemption or created prior to September*
123 *1, 1993 and fronting on an easement at least 30 feet may be developed without regard to the limits*
124 *identified herein. [Relocated from Sec. 3-7.(c)(8) Property Access]*

Sec. 3-A.12. Reduction in Lot Area

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

130 Sec. 3-A.13. Moving of Buildings

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

135 **Sec. 3-1. ESTABLISHMENT OF ZONING DISTRICTS**

136 *In order to classify and regulate the use of land, water, buildings, and structures; to regulate the height and*
137 *bulk of buildings; to regulate the area of yards and other open spaces ~~about~~ buildings; to regulate the*
138 *intensity of land use, the unincorporated area of Clay County, Florida, is divided into districts as follows:*
139

- 140 (a) ~~Agricultural/Residential Districts~~
- 141 (1) ~~AG: Agricultural (Section 20.3-12)~~
 - 142 (2) ~~AR: Agricultural/Residential (Section 20.3-13)~~
 - 143 (3) ~~AR-1: Country Estates Residential (Section 20.3-14)~~
 - 144 (4) ~~AR-2: Rural Estates Residential (Section 20.3-15)~~
- 145 (b) ~~Residential Districts~~
- 146 (1) ~~RA: Single Family Residential (Section 20.3-16)~~
 - 147 (2) ~~RB: Single Family Residential (Section 20.3-17)~~
 - 148 (3) ~~RC: Two- or Three-Unit Residential (Section 20.3-18)~~
 - 149 (4) ~~RD: Multifamily Residential (Section 20.3-19)~~
 - 150 (5) ~~RE: Single Family Residential (Section 20.3-20)~~
 - 151 (6) ~~RMHP: Residential Mobile Home Park (Section 20.3-21)~~
- 152 (c) ~~Commercial Districts~~
- 153 (1) ~~BA-2: Commercial and Professional Office (Section 20.3-22)~~
 - 154 (2) ~~BA-1: Light Neighborhood Business (Section 20.3-23)~~
 - 155 (3) ~~BA: Neighborhood Business (Section 20.3-24)~~
 - 156 (4) ~~BB-1: Light Intermediate Business (Section 20.3-25)~~
 - 157 (5) ~~BB-2: Community Business District (20.3-26.1)~~
 - 158 (6) ~~BB-3: Specialty Business District (20.3-26.2)~~
 - 159 (7) ~~BB-4: Heavy Business District (20.3-26.3)~~
 - 160 (8) ~~BB-5: Commercial Recreation District (20.3-26.4.)~~
 - 161 (9) ~~BB: Intermediate Business (Section 20.3-26)~~
 - 162 (10) ~~BSC: Shopping Center (Section 20.3-27)~~
- 163 (d) ~~Industrial Districts~~
- 164 (1) ~~IS: Industrial Select (Section 20.3-28)~~
 - 165 (2) ~~IA: Light Industrial (Section 20.3-29)~~
 - 166 (3) ~~IB: Heavy Industrial (Section 20.3-30)~~
 - 167 (4) ~~BP: Business Park (Section 20.3-30.1) (amended 8/02—Ord. 02-45)~~
- 168 (e) ~~Special Purpose Districts~~

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

Part A General Provisions

- 169 (1) ~~PCD: Planned Commercial Development (Section 20.3-31)~~
170 (2) ~~PID: Planned Industrial Development (Section 20.3-32)~~
171 (3) ~~PUD: Planned Unit Development (Section 20.3-33)~~
172 (4) ~~PO 1, PO 2, PO 3, PO 4: Public Ownership (Sections 20.3-34,35,36,37)~~
173 (5) ~~PS-1, PS-2, PS-3, PS-4: Private Service (Sections 20.3-38,39,40,41)~~
174 (6) ~~EX: Excavation (Section 20.3-42)~~
175 (7) ~~ICO: Independent Community Overlay (Section 20.3-43)~~
176 (8) ~~IN: Incinerator (Section 20.3-44)~~
177 (9) ~~CO: Conservation Overlay (Section 20.3-45)~~
178 **[Relocated to Sec. 3-A.1. Purpose and Intent]**

179 ~~Sec. 3-2. OFFICIAL ZONING ATLAS (amended 10/12/93 Ord 93-36)~~

- 180 (a) ~~Establishment and Amendment of LDR Zoning Atlas. The boundaries of the zoning districts~~
181 ~~established in Section 20.3-1 shall be depicted in the LDR Zoning Atlas, which consists of a map~~
182 ~~series embracing all of the unincorporated area of Clay County, Florida, and which is hereby~~
183 ~~established as a part of this Article [Relocated to Sec. 3-A.2.a. Establishment], incorporated by~~
184 ~~reference as if fully set forth herein. Particular pages of the LDR Zoning Atlas shall be adopted by~~
185 ~~ordinance in accordance with the applicable procedures provided by law. With respect to any~~
186 ~~particular parcel of real property, the same shall be added to or changed on the LDR Zoning Atlas~~
187 ~~in a manner depicting its boundaries and zoning district classification promptly and only upon the~~
188 ~~initial zoning or rezoning of the same pursuant to this Article and in accordance with applicable~~
189 ~~procedures provided by ordinance and general law. [Relocated to Sec. 3-A.2.b. Amendments],~~
190 ~~provided that the same has become effective as provided by law. The provisions of this Article shall~~
191 ~~not apply to any parcel of real property until the same shall have been initially zoned under this~~
192 ~~Article by ordinance adopted in accordance with the applicable procedures provided by law and~~
193 ~~depicted in the LDR Zoning Atlas or the Interim Zoning Atlas as provided herein. [Relocated to~~
194 ~~Sec. 3-A.2.c. Applicability] The depiction of a parcel of real property, or a change in the zoning~~
195 ~~district classification thereto, on the LDR Zoning Atlas shall be authorized and implemented only~~
196 ~~by ordinance adopted in accordance with the applicable procedures provided by law. It shall be~~
197 ~~unlawful for any person to make any unauthorized change in the LDR Zoning Atlas or the Interim~~
198 ~~Zoning Atlas. [Relocated to Sec. 3-A.2.d. Authorization] As a page of the LDR Zoning Atlas is~~
199 ~~adopted hereunder, the same shall be certified by the signature of the Chairman of the Board of~~
200 ~~County Commissioners and attested by the County Clerk, and shall bear the seal of the County of~~
201 ~~Clay under the following words: "This is to certify that this is Sheet of the LDR Zoning Atlas referred~~
202 ~~to and adopted by reference by Ordinance 93-16, as amended, adopted May 25, 1993."~~
203 ~~Subsequent rezonings affecting lands depicted on a particular page of the LDR Zoning Atlas shall~~
204 ~~be noted thereon by reference to an identification system implemented by the Director by which~~
205 ~~the zoning history subsequent to the adoption of said page of said lands may be readily researched~~
206 ~~and discerned. [Relocated to Sec. 3-A.2.e. Rezoning]~~
207 (b) ~~Interpretation of District Boundaries. When the boundaries of the various districts are not clearly~~
208 ~~shown in the LDR Zoning Atlas or by reference to the zoning identification number(s) applicable to~~
209 ~~a particular parcel of real property, they shall be determined by use of the scale shown on said~~
210 ~~maps or actual dimensions if noted. Scale and field measurements and map dimensions shall be~~
211 ~~figured from the center line of streets, highway, alleys and railroad right-of-way or public waters,~~

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

Part A General Provisions

- 212 ~~as the case may be. Where uncertainty exists as to the exact location of said boundaries, the~~
213 ~~following rules shall apply: [Relocated to Sec. 3-A.8.a. Mapping, Draft, or Clerical Errors]~~
214 ~~(1) — Center Line as Boundaries. Where district boundaries lie on or within streets, highways,~~
215 ~~road rights-of-way or public water, the district boundaries shall be the center line of the~~
216 ~~same.~~
217 ~~(2) — District Boundaries Which Bisect Blocks. Where district boundary lines approximately~~
218 ~~bisect blocks, the boundaries are the median lines of such blocks between the center line~~
219 ~~of boundary streets. [Relocated to Sec. 3-A.4.b.(1) Bisect or Parallel]~~
220 ~~(3) — District Boundaries Parallel to Rights-of-Way or Bodies of Water. Where district boundaries~~
221 ~~are approximately parallel to a street, highway, road, alley, railroad right-of-way or public~~
222 ~~water, the distance of such boundaries from the center line thereof shall be, unless~~
223 ~~otherwise shown by dimension, the median block line. [Relocated to Sec. 3-A.4.b.(2)~~
224 ~~District Boundaries Parallel to Rights-of-Way or Bodies of Water]~~
225 ~~(4) — District Boundaries Dividing Parcels of Land. In subdivided property or where a district~~
226 ~~boundary divides a subdivided lot, the location of such boundary, unless indicated by~~
227 ~~dimensions, shall be determined by the use of scale appearing on a district map. Where a~~
228 ~~district boundary divides a platted lot, the zone classification of the greater portion shall~~
229 ~~prevail throughout the lot. [Relocated to Sec. 3-A.4.b.(2) District Boundaries Parallel to~~
230 ~~Rights-of-Way or Bodies of Water]~~
231 ~~(5) — Action in Case of Uncertainty. In case any further uncertainty exists, the Board of~~
232 ~~Adjustment shall interpret the intent of the district map as to location of such boundaries.~~
233 ~~[Relocation to Sec. 3-A.8.b. Board of Adjustment Review]~~
234 ~~(6) — Street and Rights of way Abandonments. Where a public road, street, alley or other right-~~
235 ~~of-way is officially vacated or abandoned, the regulations applicable to the property to~~
236 ~~which it reverted shall apply. [Relocated to Sec. 3-A.5. Street and Rights-of-Way~~
237 ~~Abandonment]~~
238 ~~(c) — Interim Zoning Atlas. In the event an initial zoning or rezoning of a particular parcel of property has~~
239 ~~been adopted by ordinance under the authority of this Article at any time prior to the adoption and~~
240 ~~certification of the particular page(s) of the LDR Zoning Atlas upon which the parcel would be~~
241 ~~depicted, the Director shall post the same to an Interim Zoning Atlas created hereby and maintained~~
242 ~~by the Director consisting of a permanent record of such actions and of surveys, maps, or other~~
243 ~~drawings graphically depicting each parcel affected, appropriately noted to reflect the applicable~~
244 ~~ordinance and zoning classification. Upon the adoption and certification of the particular page(s) of~~
245 ~~the LDR Zoning Atlas upon which is depicted a parcel of property also depicted in the Interim~~
246 ~~Zoning Atlas, the Interim Zoning Atlas shall have no further applicability to said parcel, and the LDR~~
247 ~~Zoning Atlas shall thenceforth govern with respect thereto. [Relocated to Sec. 3-A.3. Amendment~~
248 ~~to the Zoning Map]~~

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

- 251 ~~(8) — Property Access. Residential easements which are not paved shall be limited to access by~~
252 ~~a maximum of 10 lots. For the purpose of counting lots, intersecting easements shall be~~
253 ~~considered a single easement. All easements shall be limited in use to access and utilities~~
254 ~~and shall be a minimum of 30 feet in width. Lots transferred under the Heirs Exemption,~~
255 ~~Homestead Exemption or created prior to September 1, 1993 and fronting on an easement~~

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

Part A General Provisions

- 256 *at least 30 feet may be developed without regard to the limits identified herein. [Relocated*
257 *to Sec. 3-A.11. Property Access]*
- 258 (9) ~~Reduction in Lot Area. No lot, even though it may consist of one or more adjacent lots of~~
259 ~~record, shall be reduced in area so that yards, lot area per family, lot width, building area,~~
260 ~~or other requirements of this Article are not maintained. This Section shall not apply where~~
261 ~~a portion of a lot is acquired for a public use. [Relocated to Sec. 3-A.12. Reduction in~~
262 ~~Lot Area]~~
- 263 (10) ~~Any commercial zoning, except in PUD, PCD, or PID, having frontage on a principal arterial~~
264 ~~right of way may not have means of access to a public road other than the principal arterial~~
265 ~~right of way through any lands zoned for other than commercial uses, not including the~~
266 ~~zoning attributed to the public road right of way. (amended 2/24/98 – Ord. # 98-8) [Deleted~~
267 ~~as there are new Vehicular access standards for each use in Part E]~~
- 268 (d) ~~Principal Building on a Lot. Only one principal building and its customary accessory buildings may~~
269 ~~hereafter be erected on any lot. Each lot shall be described by a written legal description on a~~
270 ~~recorded deed that satisfies minimum lot requirements of the district in which principal building is~~
271 ~~located. Any dwelling shall be deemed to be the principal building on the lot on which the same is~~
272 ~~located in a Residential or Agricultural zoned district. Multifamily buildings located in multifamily~~
273 ~~zoned districts shall be exempt from having separate legal descriptions for each principal building.~~
274 ~~[Deleted. There are sufficient standards in current and amended code which requires a legal~~
275 ~~lot and subject to subdivision requirements]~~
- 276 (e) ~~Moving of Buildings. No building or structure shall be moved from one lot or premises to another~~
277 ~~unless such building or structure shall thereupon be made to conform with all the provisions of this~~
278 ~~Article as such provisions relate to buildings or structures erected upon the lot or premises to which~~
279 ~~such building or structure shall have been moved. [Relocated to Sec. 3-A.13.]~~
- 280 **Sec. 3-48.(g) ADULT ENTERTAINMENT ESTABLISHMENT AND SEXUALLY ORIENTED BUSINESS**
281 **LOCATIONS**
- 282 (g) ~~Measurement of Distances for Separation Requirements. The distance between uses required~~
283 ~~under subsection (f) shall be measured in a straight line, without regard to intervening structures,~~
284 ~~from the closest property line of each use. Where a property is in condominium ownership, the~~
285 ~~distance shall be measured from the outermost boundary of the condominium property. Where a~~
286 ~~property has multiple tenants, the distance shall be measured from the outermost boundary of the~~
287 ~~bay or space occupied by the use. [Relocated to Sec. 3-A.7.b. 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.3.	Vested Rights
3-B.4.	Non-Conformities created by Takings
3-B.5.	Non-Conforming Residential Lot of Record
3-B.6.	Non-Conforming Uses
3-B.7.	Non-Conforming Structures
3-B.8.	Non-Conforming Site Improvements
3-B.9.	Repairs and Maintenance
3-B.10.	Determining Replacement/Improvement Value

Part B Summary of Amendments	
Section	Description
Purpose and Intent	Clarified the four types of Non-Conformities: Lots, Uses, Structures, and Site Improvements.
Applicability	Simplified and consolidated existing code language. Added Vested Rights and Casual, Temporary, or Illegal Use.
Vested Rights	Added a new section to clarify how to vest a non-conformity.
Non-Conformities created by Takings	Simplified and consolidated existing code language.
Non-Conforming Residential Lot of Record	Simplified and consolidated existing code language.
Non-Conforming Uses	Simplified and consolidated existing code language.
Non-Conforming Structures	Simplified and consolidated existing code language. Added the Home/Structure Replacement Policy into the proposed code.
Non-Conforming Site Improvements	Simplified and consolidated existing code language.
Repairs and Maintenance	Simplified and consolidated existing code language.
Determining Replacement/Improvement Value	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

288 Sec. 3-B.1. Purpose and Intent

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

296 Sec. 3-B.2. Applicability

297 3-B.2.a. Applicability for Non-Conformities

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

301 (1) *A lot that is illegally created or subdivided.*

302 (2) *A use, use of a lot or structure, and/or combination thereof that were illegally established,*
303 *commenced, or constructed. Such Non-Conformities, whether the use is primary, incidental,^[EG4]*
304 *temporary, or illegal shall not be sufficient to establish the existence of a Non-Conforming use or*
305 *to create rights in the continuance of such use. [Relocated from Sec. 3-11.(k)]*

306 (3) *A Non-Conforming accessory use shall not become a principal use unless it complies with the*
307 *required zoning application process and is approved by the applicable County authority.*

308 (4) *Any structures or part of a structure that was illegally constructed without approval by the applicable*
309 *County authority.*

310 Sec. 3-B.3. Vested Rights

311 3-B.3.a. Undue Hardship

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

315 3-B.3.b. Vested Rights

316 *To determine whether a lot, use, structure, or site improvements, or combination thereof, the applicant shall*
317 *provide proof to the County, as follows:*

318 (1) *Affidavit. Building permits issued prior to July 1, 1991, for a Non-Conforming use, structure, or lot*
319 *may be eligible for vested rights pursuant to the Clay County Vested Rights Review Ordinance.*
320 *[Relocated from Sec. 3-11.a.(1)(iii)]*

321 (3) *Site Plan. Any zoning approvals such as Site Plans that demonstrate the lot, use, structures, and/or*
322 *site layouts were approved under a prior Code and application process.*

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

Part B Non-Conformities

323 (4) Other Documents. Demonstrate that the use was in continuous operation and not an occasional
324 use of the lot and structure. Documents such as tax returns, occupational licenses^[MK5], payroll
325 records, photographs with dates may be provided to the County.

3-B.3.c. Improvement Limitations

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

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

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

3-B.4.a. Site Improvements

341 Existing site improvements may include minimum lot area and setback requirements; maximum coverage
342 by all buildings and structures; minimum number of required off-street parking and loading spaces; and
343 landscaping, shall not be required to be brought into conformity with the provisions of this Code and with
344 respect to pre-taking conforming uses, shall be deemed thereafter to be conforming and with respect to
345 pre-takings Non-Conformities, shall be deemed to be subject only to such pre-takings Non-Conformities.
346 Any expansion or enlargement shall be in accordance with all applicable provisions of this Code.
347 [Relocated from Sec. 3-11.(a)(2)(i)]

3-B.4.b. Major Structures

349 Existing major structures which became Non-Conforming or increased in Non-Conformity may be vested
350 in accordance with Sec. 3-B.2.c. Applicability, and which are thereafter damaged to an extent of not more
351 than 65 percent of the Just Market Value at the time of damage, may be rebuilt without the necessity to
352 conform to the characteristics of use as approved under the prior permits. Any expansion or enlargement
353 shall be in accordance with all applicable provisions of this Code. [Relocated from Sec. 3-11.(a)(2)(ii)]
354 (1) Just Market Value. For the purpose of this Part B, Just Market Value, as determined by the Clay
355 County Property Appraiser shall be utilized for the calculation of the allowable improvements of
356 Non-Conforming structure(s).

3-B.4.c. Temporary Governmental Taking

358 A Non-Conformity that would otherwise be created by a temporary governmental taking, whereby the Non-
359 Conformity would exist only for the duration of the temporary taking or upon expiration of the temporary
360 taking the circumstances that would have created the Non-Conformity have abated, shall not be deemed

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

Part B Non-Conformities

361 to be a Non-Conformity. For purposes of this Subsection, abatement shall not have been deemed to have
362 occurred until the condition of the premises within the area affected by the temporary takings use has been
363 restored to that which was in existence immediately prior to the commencement of the temporary takings
364 use; provided, a regulatory Non-Conformity shall be deemed to have arisen in the event that a restoration
365 has not been completed within 30 days, or such other period as may be authorized by the Planning and
366 Zoning Director or his/her designee for cause, not to exceed 180 days. Such a regulatory taking shall be
367 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

369
370 Non-Conforming lots are those parcels of land that do not meet the required minimum lot acreage of a
371 zoning district and/or dimensional standards such as lot width and depth of this Code, and subject to the
372 following standards, where applicable.

3-B.5.a. Minimum Size

374 In no case shall a permit be issued for Residential units on a lot of less than 5,000 square feet in area,
375 and/or less than 50 feet wide. A lot not meeting these minimum standards shall be deemed a substandard
376 lot of record. This provision shall not be applicable to Non-Residential lots. **[Relocated from Sec. 3-
377 11(b)(1)]**

3-B.5.b. Inconsistent Residential Lot of Record [EG6]

379 For unimproved lot of record otherwise inconsistent with the intensity standards in this Article and in the
380 Clay County Comprehensive Plan, a maximum of 1 dwelling unit shall be allowed provided the following
381 criteria are met: **[Relocated from Sec. 3-11(b)(2)]**

382 (1) For lot of record created prior to October 23, 1973, lot size shall be no less than 5,000 square feet,
383 lot width shall be no less than 50 feet, and lot depth shall be no less than 75 feet. All setbacks shall
384 conform to the standards of Part D Zoning Districts and Development Standards and other
385 applicable Sections of this Article. **[Relocated from Sec. 3-11(b)(2)(i)]**

386 (2) For lot of record created after October 23, 1973 and recorded by deed as of 12:01 a.m. or July 1,
387 1991, the lot shall conform to the minimum dimensions (lot area, width, and depth) in the applicable
388 zoning district as stipulated in this Code. These minimum lot dimensions, by the zoning districts
389 shall be in accordance with development standards of each zoning district located in Part D Zoning
390 Districts and Development Standards. **[Relocated from Sec. 3-11(b)(2)(ii)]**

3-B.5.c. Reduction of Lot Sizes

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

396 (1) Lots or yards created after the effective date of this Article shall meet the minimum lot standards
397 established herein, except where the lot is located adjacent to a conservation easement and were
398 it not for dedication of the conservation easement, the lot could have been described so as to meet
399 the minimum lot standards. **[Relocated from Sec. 3-7.(b)(2) Lot Size Requirements]** [MK7]

3-A.5.d. Improvement Limitations

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

Part B Non-Conformities

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

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

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

409 A use was legally established in a zoning district under a prior Code, but due to changes in the Code, has
410 created Non-Conformities for such use, as described below:

- 411 (1) The use is allowed in that zoning district under a more restrictive approval process, and by applying
412 for the process may allow the use to continue subject to compliance under the current Code.
- 413 (2) The use is prohibited in that zoning district, and by allowing the use to continue will create
414 incompatibilities and detriments to the public safety, health, and welfare.

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

- 416 (1) Replacement Value. A Non-Conforming use may be continued, so long as it remains lawful,
417 provided no individual permanently fixed structure with a replacement value exceeding \$2,500
418 [EG8]and no combination of permanently fixed structures with a combined replacement value
419 exceeding \$7,500. [Relocated from Sec. 3-11.(c)]
- 420 (2) Enlargement, Increases, Intensification, Alteration. No such Non-Conforming use shall be
421 enlarged, intensified, increased, or extended to occupy a greater area of land or water than was
422 occupied at the effective date of this Code. [Relocated from Sec. 3-11.(c)(1)]
- 423 (3) Extension. Any Non-Conforming use may be extended throughout any parts of a building which
424 was manifestly arranged or designed for such use at the effective date of this Code. Any Non-
425 Conforming use which occupied a portion of the building not originally designed or intended for
426 such use shall not be extended to any other part of the building. [Relocated from Sec. 3-11.(e)(2)]
- 427 (4) Movement. No such Non-Conforming use shall be moved in whole or in part to any portion of the
428 lot or parcel of land than that occupied by such use at the effective date of this Code. [Relocated
429 from Sec. 3-11.(c)(2)]

3-B.6.c. Discontinuance

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

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

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

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

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

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

When a structure exists lawfully under a prior Code, and that could not be reconstructed or comply under the standards of the current Code, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions: **[Relocated from Sec. 3-11.(d)]**

- (1) No such ~~Non-Conforming~~ structure may be enlarged or altered in any way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity such as soundproofing. **[Relocated from Sec. 3-11.(d)(1)]**
- (2) Should such ~~Non-Conforming~~ structure or ~~Non-Conforming~~ portion of structure be destroyed by any means to an extent of more than 60 percent of its replacement value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Code. **[Relocated from Sec. 3-11.(d)(2)]**
- (3) Should such structure be moved for any reason for any distance whatever, other than as a result of governmental action, it shall conform to the Code standards for the district in which it is located after it is moved^[EG9]. **[Relocated from Sec. 3-11.(d)(3)]**

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

Where, at the effective date of this Code, as amended, lawful use of structure(s), or of structure(s) and premise(s) in combination exists involving an individual, permanently fixed structure(s) with a replacement value at or exceeding \$2,500 ^[EG10] or a combination of permanently fixed structure(s) with a replacement value at or exceeding \$7,500, such use may be continued so long as it remains otherwise lawful, provided: **[Relocated from Sec. 3-11.(e)]**

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

3-B.7.c. Residential Structure Replacement

Any Single-Family home, Mobile Home, or accessory structure, that has been constructed or placed on a site based upon the issuance of a valid building permit by the County, shall be allowed to replace that Single-Family home, Mobile Home, or accessory structure, with a structure of the same type which does not expand the footprint of the replaced structure. For the purposes of calculating footprint of the structure and accessory structure, the applicant shall use Finished Square Footage (Finished Sq. Ft.) as defined in Sec. 1-15.F.(5) of this Code.

- (1) The footprint of a Single-Family home or Mobile Home shall be determined by the Finished Square Feet reported on the Clay County Property Appraiser's website for the subject property and shall not include any decks, porches, screened rooms, or other structures as may be attached to the principal home.
- (2) Likewise, the footprint of an accessory structure shall be determined by the square footage reported for such yard item structures on the Clay County Property Appraiser's website for the subject property.

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

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

483 (1) *There may be a change in tenancy, ownership, or management of a Non-Conforming use provided*
484 *there is no change in the nature or character of such Non-Conforming use. [Relocated from Sec.*
485 *3-11.(e)(3)]*

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

3-A.7.e. Discontinuance

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

3-A.7.f. Subdivision or Structural Additions

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

3-A.7.g. Destruction of Principal Structure or Structures

501 *Where Non-Conforming use status applies to a major structure or structures, or to a major structure or*
502 *structures and premises in combination, removal or destruction of the structure or structures shall eliminate*
503 *the Non-Conforming status of the land. "Destruction" of the structure for purposes of this subsection is*
504 *hereby defined as damage to an extent of more than 60 percent of the replacement value at the time of*
505 *destruction. Upon removal or destruction as set forth in this paragraph, the use of land and structures shall*
506 *thereafter conform to the Code standards for the district in which such land is located. [Relocated from*
507 *Sec. 3-11.(e)(7)]*

Sec. 3-B.8. Non-Conforming Site Improvements

509
510 Any on site improvements such as parking, landscaping, signs, or other matters pertaining to the
511 use of land, structures, and premises that were approved under a prior Code shall not be expanded or
512 increased their Non-Conformities unless the proposed improvements comply with this Code. [Relocated
513 from Sec. 3-11.(f)]

Sec. 3-B.9. Repairs and Maintenance

514
515
516 3-B.9.a. Improvement Limitations
517 A Non-Conforming use of a structure, a Non-Conforming use of land or water, or a Non-Conforming use of
518 a structure and land or water in combination is subject to maintenance, renovation, and repair limitations.

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519 Additionally, such situations shall not be extended or enlarged by the attachment on a structure on premises
520 of signs intended to be seen off the premises, or by the addition of other uses of a nature which would be
521 prohibited generally in the zoning district involved. [Relocated from Sec. 3-11.a.(1)(i)]

3-B.9.b. Repairs and Maintenance

523 On any Non-Conforming structure or portion of a structure and on any structure containing a Non-
524 Conforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair
525 or replacement of non-bearing walls, fixtures, wiring, or plumbing to an extent not exceeding 40 percent of
526 the current assessed valuation [CP11] of the structure (or of the Non-Conforming portion of the structure if a
527 Non-Conforming portion of a structure is involved), provided that the cubic content of the structure existing
528 at the date it becomes Non-Conforming shall not be increased. [Relocated from Sec. 3-11.(g)]

3-B.9.c. Unsafe Non-conforming Structure due to Lack of Maintenance

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

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

536 If a Non-Conforming structure or portion of a structure or any structure containing a Non-Conforming use
537 becomes physically unsafe or unlawful for reasons other than lack of repairs or maintenance, nothing
538 contained herein shall be deemed to prevent the strengthening or restoring to a safe condition of such
539 building or part hereof declared to be unsafe by the Chief Building Official of Clay County; provided that
540 where such unsafeness or unlawfulness is the result of damage from destruction [EG12], the 60 percent of
541 damage limitations set forth in Sec. 3-B.7.g Non-Conforming Structures shall apply. [Relocated from Sec.
542 3-11.(i)]

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

544 The County Building Official may require an estimate of the cost utilizing RSMeans [CP13] or any other
545 methodology acceptable to the Chief Building Official, copies of signed contract and / or other descriptive
546 information as a basis for determining the permit fees.

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

548 The maximum allowable improvement is 40 percent of the Clay County Property Appraiser's [CP14] most
549 recent Just Market Value [CP15], cumulative within 1 year.

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

551 When the value of the proposed improvement exceeds 40 percent of the value of the existing
552 improvements, all existing structures and improvements on the site shall be brought into conformity with
553 the current Code.

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

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

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

565 (a) — Intent.

566 (1) — ~~Regulatory Non-conformities. Within the districts established by these zoning regulations~~
567 ~~or amendments that may later be adopted, there may exist (a) lots, (b) structures, (c) uses~~
568 ~~of land or water and structures, and (d) characteristics of use which were lawful before~~
569 ~~these zoning regulations were adopted or amended, but which would be prohibited,~~
570 ~~regulated, or restricted under the terms of these zoning regulations or future amendments.~~
571 ~~Non-conformities so created are regulatory non-conformities. It is the intent of these~~
572 ~~zoning regulations to permit regulatory non-conformities to continue until they are~~
573 ~~voluntarily removed or removed as required by these zoning regulations, but not to~~
574 ~~encourage their survival. It is further the intent of these zoning regulations that regulatory~~
575 ~~non-conformities shall not be enlarged upon, expanded, intensified, or extended nor shall~~
576 ~~be used as grounds for adding other structures or uses prohibited elsewhere in the same~~
577 ~~district. (Amended 8/27/96—Ord. 96-35). [Relocated to Sec. 3-B.1. Purpose and Intent]~~

578 (i) — ~~Non-conforming uses are declared hereby to be incompatible with permitted uses~~
579 ~~in districts involved. A non-conforming use of a structure, a non-conforming use of~~
580 ~~land or water, or a non-conforming use of a structure and land or water in~~
581 ~~combination shall not be extended or enlarged after the effective date of these~~
582 ~~zoning regulations or amendments thereto by the attachment on a structure on~~
583 ~~premises of signs intended to be seen off the premises, or by the addition of other~~
584 ~~uses of a nature which would be prohibited generally in the district involved.~~
585 **[Deleted with new language added to Sec. 3-B.5. Non-Conforming Uses]**

586 (ii) — ~~To avoid undue hardship, nothing in these zoning regulations shall be deemed to~~
587 ~~require a change to the designated use of any building for which a building permit~~
588 ~~was issued prior to the effective date of these zoning regulations. [Relocated to~~
589 ~~Sec. 3-B.3.a. Undue Hardship]~~

590 (iii) — ~~Building permits issued prior to July 1, 1991, for a non-conforming use, structure~~
591 ~~or lot may be eligible for vested rights pursuant to the Clay County Vested Rights~~
592 ~~Review Ordinance. [Relocated to Sec. 3-B.3.b.(1) Vested Rights]~~

593 (2) — ~~Takings Non-conformities. Non-conformities may also be created by governmental taking,~~
594 ~~either by negotiation or condemnation. Lots and structures that were lawful and~~
595 ~~conforming, subject to any regulatory non-conformities, before a governmental taking may~~
596 ~~be in conflict or further conflict with the terms of these zoning regulations or future~~
597 ~~amendments subsequent to the taking. Non-conformities so created or increased are~~
598 ~~takings non-conformities. It is the intent of these zoning regulations to exempt takings non-~~
599 ~~conformities to the extent that non-conformities so created or expanded cannot be~~

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- 600 mitigated from the prohibitions, ~~regulations or restrictions applicable to regulatory non-~~
601 ~~conformities as follows:~~ [Relocated to Sec. 3-B.4. Non-Conformities created by
602 Takings]
- 603 (i) ~~Existing characteristics of use including minimum lot area and yard requirements,~~
604 ~~maximum coverage by all buildings and structures (FAR), minimum number of~~
605 ~~required off-street parking and loading spaces and required landscaping which~~
606 ~~would otherwise become non-conforming or increased in nonconformity shall not~~
607 ~~be required to be brought into conformity with the provisions of these zoning~~
608 ~~regulations and with respect to pre-taking conforming uses, shall be deemed~~
609 ~~thereafter to be conforming and with respect to pre-takings regulatory non-~~
610 ~~conformities, shall be deemed to be subject only to such pre-takings regulatory~~
611 ~~non-conformities. Any expansion or enlargement shall be in accordance with all~~
612 ~~applicable provisions of these zoning regulations.~~ [Relocated to Sec. 3-B.4.a.
613 Site Improvements]
- 614 (ii) ~~Existing major structures [for these purposes defined as a structure or structures~~
615 ~~with a just value in excess of four thousand (\$4,000)] which became~~
616 ~~nonconforming or increased in non-conformity according to subparagraph (1)(iii)~~
617 ~~above which are thereafter damaged to an extent of not more than sixty-five (65)~~
618 ~~percent of the just value at the time of damage, may be rebuilt without the necessity~~
619 ~~to conform to the characteristics of use as defined in subparagraph (1)(iii) above.~~
620 ~~Any expansion or enlargement shall be in accordance with all applicable provisions~~
621 ~~of these zoning regulations.~~ [Relocated to Sec. 3-B.4.b. Major Structures]
- 622 (iii) ~~A non-conformity that would otherwise be created by a temporary governmental~~
623 ~~taking, whereby the non-conformity would exist only for the duration of the~~
624 ~~temporary taking or upon expiration of the temporary taking the circumstances that~~
625 ~~would have created the non-conformity have abated, shall not be deemed to be a~~
626 ~~non-conformity. For purposes of this subparagraph, abatement shall not have~~
627 ~~been deemed to have occurred until the condition of the premises within the area~~
628 ~~affected by the temporary takings use has been restored to that which was in~~
629 ~~existence immediately prior to the commencement of the temporary takings use;~~
630 ~~provided, a regulatory nonconformity shall be deemed to have arisen in the event~~
631 ~~that a restoration has not been completed within thirty (30) days, or such other~~
632 ~~period as may be authorized by the Planning and Zoning Director for cause, not to~~
633 ~~exceed 180 days. Such a regulatory taking shall be governed under the provisions~~
634 ~~of paragraph (a)(1)(i—iii) above.~~ [Relocated to Sec. 3-B.4.c. Temporary
635 Government Taking]
- 636 (b) ~~Nonconforming Lots of Record.~~ [Relocated to Sec. 3-B.5. Non-Conforming Residential Lot of
637 Record]
- 638 (1) ~~Minimum Size. In no case shall a permit be issued for living units on a lot of less than five~~
639 ~~thousand (5,000) square feet in area, and/or less than 50 feet wide at the building line. A~~
640 ~~lot not meeting these minimum requirements shall be deemed a substandard lot of record.~~
641 ~~This provision shall not be applicable to commercial properties.~~ [Relocated to Sec. 3-
642 B.5.a. Minimum Size]
- 643 (2) ~~Inconsistent Lots of Record. For unimproved lots of record otherwise inconsistent with the~~
644 ~~density requirements in this Article and in the Clay County Comprehensive Plan, a~~

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645 ~~maximum of one (1) dwelling shall be allowed provided the following criteria are met:~~
 646 **[Relocated to Sec. 3-B.5.b. Inconsistent Residential Lot of Record]**
 647 ~~(i) For lots of record created prior to October 23, 1973, lot size must be no less than~~
 648 ~~five thousand (5,000) square feet, lots width must be no less than fifty (50) feet,~~
 649 ~~and lot depth must be no less than seventy five (75) feet. Front building lines and~~
 650 ~~setbacks from side and rear property lines shall conform to the requirements of~~
 651 ~~Section 20.3-7 and other applicable sections of this Article. [Relocated to Sec. 3-~~
 652 ~~B.5.b.(1) Inconsistent Residential Lot of Record]~~
 653 ~~(ii) For lots of record created after October 23, 1973 and recorded by deed as of 12:01~~
 654 ~~a.m. or July 1, 1991, the lot must conform to the minimum dimensions (lot area,~~
 655 ~~width and depth) in the applicable zoning district as stipulated in Ordinance 82-45,~~
 656 ~~as amended, in effect as of said date and time. These minimum lot dimensions,~~
 657 ~~by the zoning districts in effect at said date and time, are as follows: [Relocated~~
 658 ~~to Sec. 3-B.5.b.(2) Inconsistent Residential Lot of Record]~~

<u>Zoning District</u>	<u>Minimum</u>	<u>Minimum Lot</u>	<u>Minimum Lot</u>
<u>in [MK16] Ordinance 82-45, as amended</u>	<u>Lot Area (SF)</u>	<u>Width (Feet)</u>	<u>Depth (Feet)</u>
<u>A: Agricultural</u>	43,560	100.00	150.00
<u>AR: Agricultural Residential</u>	43,560	100.00	150.00
<u>RA: Single-Family Residential</u>			
<u>Recorded before May 3, 1979</u>	20,000	100	100
<u>Recorded on or after May 3, 1979</u>	21,780	100	100
<u>RA-1: Single-Family Residential</u>			
<u>Without central water and sewer,</u>	15,000	85	100
<u>recorded before May 3, 1979</u>			
<u>Without central water and sewer,</u>	21,780	85	100
<u>recorded on or after May 3, 1979</u>			
<u>With central water and sewer,</u>	12,500	85	100
<u>recorded on or after May 3, 1979</u>			
<u>RB: Single-Family Residential</u>			
<u>Without central water and sewer,</u>	15,000	75	100
<u>recorded before May 3, 1979</u>			
<u>Without central water and sewer,</u>	21,780	75	100
<u>recorded on or after May 3, 1979</u>			

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679	With approved septic tank and	10,000	75	100
680	central water, recorded on or after May 3, 1979			
681	With central water and sewer,	8,500	75	100
682	recorded on or after May 3, 1979			
683	RMH: Single Family Residential Mobile			
684	Homes			
685	Without central water and sewer,	15,000	75	100
686	recorded before May 19, 1979			
687	Recorded on or after May 3, 1979	21,780	75	100
688	RMH-1: Single Family Residential			
689	Mobile Homes			
690	With central water and sewer	8,500	75	100
691	Without central water and sewer	15,000	75	100
692	RC: Single Family Residential			
693	Without central water and sewer,	15,000	70	100
694	recorded before May 3, 1979			
695	With septic tank and central water	10,890	70	100
696	With central water and sewer,	8,500	70	100
697	recorded on or after May 3, 1979			
698	Without central water and sewer,	21,780	70	100
699	recorded on or after May 3, 1979			
700	RC: Two Family Residential			
701	Without central water and sewer	43,560	70	100
702	With septic tank and central water	21,780	70	100
703	With central water and sewer	15,000	70	100
704	RC: Three Family Residential			
705	Without central water and sewer	65,340	70	100

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706	With septic tank and central water	32,670	70	100
707	With central water and sewer	20,000	70	100
708	<i>RC-1: Country Estates</i>			
709	With central water	43,560	100	150
710	Without central water	43,560	150	150
711	<i>RD-1: Multifamily</i>			6 units per acre
712	<i>RD-2: Multifamily</i>			10 units per acre
713	<i>RD-3: Multifamily</i>			16 units per acre
714	<i>RD-4: Multifamily</i>			30 units per acre
715	[Relocated to Part D, individual Agricultural and Residential zoning districts]			
716	(c) Nonconforming Uses of Land or Waters (or Land with Minor Structures Only). Where, at the effective date of adoption or amendment of these zoning regulations or the regulations in Ordinance 82-45, a lawful use of lands or waters exists which would not be permitted under these zoning regulations, and where such use involved no individual permanently fixed structure with a replacement cost exceeding \$2,500 and no combination of permanently fixed structures with a combined replacement cost exceeding \$7,500 the use may be continued, so long as it remains otherwise lawful, provided: [Relocated to Sec. 3-B.6.b.(1) Replacement Value]			
717	(1) Enlargement, Increases, Intensification, Alteration. No such nonconforming use shall be enlarged, intensified, increased, or extended to occupy a greater area of land or water than was occupied at the effective date of adoption or amendment of these zoning regulations. [Relocated to Sec. 3-C.6.b.(2) Enlargement, Increases, Intensification, Alteration]			
718	(2) Movement. No such conforming use shall be moved in whole or in part to any portion of the lot or parcel than that occupied by such use at the effective date of adoption or amendment of these zoning regulations. [Relocated to Sec. 3-B.6.b.(4) Movement]			
719	(3) Discontinuance. If any such nonconforming use ceases for any reason (except when governmental action impedes access to the premises) for a period of more than six consecutive months, any subsequent use of such land shall conform to the regulations specified by these zoning regulations for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
720	(4) Subdivision or Structural Additions. No land in nonconforming use shall be subdivided, nor shall any structure be added on such land except for the district in which such land is located; provided, however, that subdivision may be made which does not increase the degree of nonconformity of the use. [Relocated to Sec. 3-B.6.d. Subdivision or Structural Additions]			
721	(d) Nonconforming Structures. When a structure exists lawfully under these zoning regulations at the effective date of its adoption or amendment, or the effective date of Ordinance 82-45, as amended, that could not be built under these zoning regulations by reason of restrictions on lot area, lot coverage, height, yards, location on the lot, or requirements other than use concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions: [Relocated to Sec. 3-B.7.a. Non-Conforming Structures]			
722	otherwise lawful, provided: [Relocated to Sec. 3-B.6.b.(1) Replacement Value]			
723	(1) Enlargement, Increases, Intensification, Alteration. No such nonconforming use shall be enlarged, intensified, increased, or extended to occupy a greater area of land or water than was occupied at the effective date of adoption or amendment of these zoning regulations. [Relocated to Sec. 3-C.6.b.(2) Enlargement, Increases, Intensification, Alteration]			
724	(2) Movement. No such conforming use shall be moved in whole or in part to any portion of the lot or parcel than that occupied by such use at the effective date of adoption or amendment of these zoning regulations. [Relocated to Sec. 3-B.6.b.(4) Movement]			
725	(3) Discontinuance. If any such nonconforming use ceases for any reason (except when governmental action impedes access to the premises) for a period of more than six consecutive months, any subsequent use of such land shall conform to the regulations specified by these zoning regulations for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
726	(4) Subdivision or Structural Additions. No land in nonconforming use shall be subdivided, nor shall any structure be added on such land except for the district in which such land is located; provided, however, that subdivision may be made which does not increase the degree of nonconformity of the use. [Relocated to Sec. 3-B.6.d. Subdivision or Structural Additions]			
727	(d) Nonconforming Structures. When a structure exists lawfully under these zoning regulations at the effective date of its adoption or amendment, or the effective date of Ordinance 82-45, as amended, that could not be built under these zoning regulations by reason of restrictions on lot area, lot coverage, height, yards, location on the lot, or requirements other than use concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions: [Relocated to Sec. 3-B.7.a. Non-Conforming Structures]			
728	the lot or parcel than that occupied by such use at the effective date of adoption or amendment of these zoning regulations. [Relocated to Sec. 3-B.6.b.(4) Movement]			
729	for a period of more than six consecutive months, any subsequent use of such land shall conform to the regulations specified by these zoning regulations for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
730	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
731	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
732	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
733	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
734	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
735	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
736	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
737	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
738	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
739	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
740	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
741	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
742	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
743	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
744	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			
745	for the district in which such land is located. [Relocated to Sec. 3-B.6.c. Discontinuance]			

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

Part B Non-Conformities

- 746 ~~(1) No such nonconforming structure may be enlarged or altered in any way which increases~~
747 ~~its nonconformity, but any structure or portion thereof may be altered to decrease its~~
748 ~~nonconformity (ex: soundproofing). [Relocated to Sec. 3-B.7.a.(1) Non-Conforming~~
749 ~~Structures]~~
- 750 ~~(2) Should such nonconforming structure or nonconforming portion of structure be destroyed~~
751 ~~by any means to an extent of more than 60 percent of its replacement value at time of~~
752 ~~destruction, it shall not be reconstructed except in conformity with the provisions of these~~
753 ~~zoning regulations. [Relocated to Sec. 3-B.7.a.(2) Non-Conforming Structures]~~
- 754 ~~(3) Should such structure be moved for any reason for any distance whatever, other than as~~
755 ~~a result of governmental action, it shall thereafter conform to the regulations for the district~~
756 ~~in which it is located after it is moved. [Relocated to Sec. 3-B.7.a.(3) Non-Conforming~~
757 ~~Structures]~~
- 758 ~~(e) Nonconforming Use of Major Structures, or of Major Structures and Premises in Combination.~~
759 ~~Where, at the effective date of adoption or amendment of these zoning regulations, or the effective~~
760 ~~date of Ordinance 82-45, as amended, lawful use of structures, or of structures and premises in~~
761 ~~combination exists involving an individual, permanently fixed structures with a replacement cost at~~
762 ~~or exceeding \$2,500 or a combination of permanently fixed structures with a replacement cost at~~
763 ~~or exceeding \$7,500, such use may be continued so long as it remains otherwise lawful, provided:~~
764 ~~[Relocated to Sec. 3-B.7.b. Enlargement, Alteration, or Extension of Structures]~~
- 765 ~~(1) Enlargement, Alteration, Extension, etc. of Structures. No existing structure devoted to a~~
766 ~~use not permitted by these zoning regulations in the district in which such use is located~~
767 ~~shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered~~
768 ~~except in changing the use of the structure to a use permitted in the district in which it is~~
769 ~~located. [Relocated to Sec. 3-B.7.b.(1) Enlargement, Alteration, or Extension of~~
770 ~~Structures]~~
- 771 ~~(2) Extension of Use in Building Manifestly Designed for Such Use. Any nonconforming use~~
772 ~~may be extended throughout any parts of a building which was manifestly arranged or~~
773 ~~designed for such use at the effective date of adoption or amendment of these zoning~~
774 ~~regulations. Any nonconforming use which occupied a portion of the building not originally~~
775 ~~designed or intended for such use shall not be extended to any other part of the building.~~
776 ~~[Deleted and replaced with Sec. 3-B.7. Non-Conforming Structures]~~
- 777 ~~(3) Change in Tenancy or Ownership. There may be a change in tenancy, ownership, or~~
778 ~~management of a nonconforming use provided there is no change in the nature or~~
779 ~~character of such nonconforming use. [Relocated to Sec. 3-B.7.d.(1) Change in~~
780 ~~Tenancy, Ownership, or Use]~~
- 781 ~~(4) Change to Conforming Use Required Future Conformity with District Regulations. Any~~
782 ~~structure, or structure and premises in combination, in or on which a nonconforming use is~~
783 ~~superseded by a permitted use shall thereafter conform to the regulations for the district in~~
784 ~~which such structure is located, and the nonconforming use shall not thereafter be resumed~~
785 ~~nor shall any other nonconforming use be permitted. [Relocated to Sec. 3-B.7.d.(2)~~
786 ~~Change in Tenancy, Ownership, or Use]~~
- 787 ~~(5) Discontinuance. If any nonconforming use of a structure, or structure and premises in~~
788 ~~combination, ceases for any reason (except where governmental action impedes access~~
789 ~~to the premises) for a period of more than six consecutive months, any subsequent use~~
790 ~~shall conform to the regulations for the district in which the use is located. [Relocated to~~
791 ~~Sec. 3-B.7.e. Discontinuance]~~

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

Part B Non-Conformities

- 792 ~~(6) — Subdivision or Structural Additions. Premises of major structures (having values as~~
793 ~~indicated above), where such major structures are used for nonconforming purposes as of~~
794 ~~the effective date of adoption or amendment of these zoning regulations, shall not be~~
795 ~~subdivided, nor shall any structures be added on such premises, except for purposes and~~
796 ~~in a manner conforming to the regulations for the district in which such premises are~~
797 ~~located. [Relocated to Sec. 3-B.7.f. Subdivision or Structural Additions]~~
798 ~~(7) — Destruction of Major Structure or Structures. Where nonconforming use status applies to~~
799 ~~a major structure or structures, or to a major structure or structures and premises in~~
800 ~~combination, removal or destruction of the structure or structures shall eliminate the~~
801 ~~nonconforming status of the land. "Destruction" of the structure for purposes of this~~
802 ~~subsection is hereby defined as damage to an extent of more than 60 percent of the~~
803 ~~replacement cost at the time of destruction. Upon removal or destruction as set forth in~~
804 ~~this paragraph, the use of land and structures shall thereafter conform to the regulations~~
805 ~~for the district in which such land is located. [Relocated to Sec. 3-B.7.g. Destruction of~~
806 ~~Principal Structure or Structures]~~
807 ~~(f) — Nonconforming Characteristics of Use. If characteristics of use, such as signs, off-street parking,~~
808 ~~or off-street loading, or other matters pertaining to the use of land, structures, and premises are~~
809 ~~made nonconforming by these zoning regulations as adopted or amended, no change shall~~
810 ~~thereafter be made in such characteristics of use which increases nonconformity with the~~
811 ~~regulations herein set forth. [Deleted and replaced with Sec. 3-B.8. Non-Conforming Site~~
812 ~~Improvements]~~
813 ~~(g) — Repairs and Maintenance. On any nonconforming structure or portion of a structure and on any~~
814 ~~structure containing a nonconforming use, work may be done in any period of 12 consecutive~~
815 ~~months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or~~
816 ~~plumbing to an extent not exceeding 40 percent of the current assessed valuation of the structure~~
817 ~~(or of the nonconforming portion of the structure if a nonconforming portion of a structure is~~
818 ~~involved), provided that the cubic content of the structure existing at the date it becomes~~
819 ~~nonconforming shall not be increased. [Relocated to Sec. 3-B.9.b. Repairs and Maintenance]~~
820 ~~(h) — Nonconforming Structures Unsafe Because of Lack of Maintenance. If a nonconforming structure~~
821 ~~or portion of a structure or any structure containing a nonconforming use becomes physically~~
822 ~~unsafe or unlawful due to the lack of repairs or maintenance, and is declared by the duly authorized~~
823 ~~official of Clay County to be unsafe or unlawful by reason of physical condition, it shall not thereafter~~
824 ~~be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is~~
825 ~~located. [Relocated to Sec. 3-B.9.c. Unsafe Non-Conforming Structures due to Lack of~~
826 ~~Maintenance]~~
827 ~~(i) — Nonconforming Structures Unsafe for Reasons Other Than Lack of Maintenance. If a~~
828 ~~nonconforming structure or portion of a structure or any structure containing a nonconforming use~~
829 ~~becomes physically unsafe or unlawful for reasons other than lack of repairs or maintenance,~~
830 ~~nothing contained herein shall be deemed to prevent the strengthening or restoring to a safe~~
831 ~~condition of such building or part hereof declared to be unsafe by the authorized official of Clay~~
832 ~~County charged with protecting the public safety; provided, however, that where such unsafeness~~
833 ~~or unlawfulness is the result of damage from destruction, the percentage of damage limitations set~~
834 ~~forth in Paragraph (d)(2) or (e)(7) of this section as the case may be, shall apply. [Relocated to~~
835 ~~Sec. 3-B.9.d. Unsafe Non-Conforming Structures due to Other Reasons]~~
836 ~~(j) — Structures Conforming as to Use and Location. Where a structure is conforming as to location and~~
837 ~~use, nothing in these zoning regulations shall be deemed to prevent the strengthening or restoring~~

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

Part B Non-Conformities

838 ~~to a safe condition of such structure or part hereof declared to be unsafe by the Chief Building~~
839 ~~Official of Clay County.~~ ^[EG17] **[Deleted and replaced with Sec. 3-B.9. Repairs and Maintenance]**
840 (k) ~~Casual, Temporary, or Illegal Use. The casual, temporary, or illegal use of land or structures, or~~
841 ~~land and structures in combination, shall not be sufficient to establish the existence of a~~
842 ~~nonconforming use or to create rights in the continuance of such use.~~ **[Relocated to Sec. 3-B.2.b.**
843 **Applicability]**

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

Part C Future Land Use and Intensity Bonus Programs

Part C Table of Contents	
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3-C-A.1.	Purpose and Intent
3-C-A.2.	Future Land Use Categories
3-C-A.2.a.	Residential Future Land Use Categories
3-C-A.2.b.	Non-Residential Future Land Use Categories
DIVISION B	
FUTURE LAND USE AND ZONING DISTRICT CONSISTENCY	
3-C-B.1.	Future Land Use and Zoning District Consistency Table
3-C-B.2.	Intensity
3-C-B.2.a.	Residential Future Land Use and Zoning District Intensity Consistency Table
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DIVISION C	
INTENSITY BONUS PROGRAMS	
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3-C-C.2.	Clustering Development
3-C-C.3.	Points System
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3-C-C.6.	Branan Field Intensity Bonus
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DIVISION D	
HEIRS EXEMPTION AND HOMESTEAD SUBDIVISION	
3-C-D.7.	Heirs Exemptions
3-C-D.8.	Subdivision of Homestead Property

Part C Summary of Amendments	
Section	Description
DIVISION A GENERAL	
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.

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

Part C Future Land Use and Intensity Bonus Programs

	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.
DIVISION B FUTURE LAND USE AND ZONING DISTRICT CONSISTENCY	
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.
DIVISION C INTENSITY^[EG18] BONUS PROGRAMS	
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.

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

Part C Future Land Use and Intensity Bonus Programs

	Proposed a required mix of land uses within the TND zoning district and minimum lot size.
Transfer of Development Rights (TDR)	Minor formatting changes.
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~~ ZONING DISTRICTS, AND LAND USES, AND
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Part C Future Land Use and Intensity Bonus Programs

844

DIVISION A GENERAL

845

Sec. 3-C-A.1. Purpose and Intent

846

3-C-A.1.a. Future Land Use Category

847

Future Land Use^[EG19] categories are adopted and developed as part of the County 2040 Comprehensive Plan based on location, timing, and intensity of land development and to help in the determination of where development shall occur over a period of time.

848

849

850

3-C-A.1.b. Purpose

851

The purpose of this Article is to:

852

(1) acknowledge that within unincorporated Clay County, there are 16 FLU categories identified in [Sec.3-C-A.2 Future Land Use Categories](#) and 57 zoning districts identified in [Sec. 3-A.1 Purpose and Intent](#) as established to implement the goals, objectives, and policies of the 2040 Comprehensive Plan;

853

854

855

856

(2) establish ^[EG20]intensity and intensity standards to regulate developments within each applicable FLU category;

857

858

(3) classify zoning districts to ensure consistency with the affiliated FLU categories as shown in the FLU/Zoning District Consistency Matrix in [Sec. 3-C-B.1 Zoning District and Land Use Consistency Table](#);

859

860

861

(5) encourage the increase of housing opportunities by utilizing the intensity bonus programs in the Rural and Semi-Rural Tiers; and

862

863

(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.

864

865

Sec. 3-C-A.2. Future Land Use Categories

866

All Residential FLU categories are organized into Tiers established by intensity as follows: Rural, Semi-Rural, Exurban, Transitioning Suburban, Suburban, and Urban. See below for the established Residential FLU categories as listed from low to high intensity.

867

868

869

Sec. 3-C-A.2.a. Residential Future Land Use Categories

<u>Tiers:</u>	<u>Future Land Use:</u>
<u>Rural</u>	<u>Agricultural (AG)</u>
<u>Semi-Rural</u>	<u>Agricultural Residential (AR)</u>
<u>Exurban</u>	<u>Rural Residential (RR)</u>
<u>Transitioning Suburban</u>	<u>Rural Reserve (RREV)</u>

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DEVELOPMENT STANDARDS

Part C Future Land Use and Intensity Bonus Programs

<u>Suburban</u>	<u>Rural Fringe Residential (RF)</u>
	<u>Urban Fringe Residential (UFR)</u>
<u>Urban</u>	<u>Urban Core (10) Residential (UCR10)</u>
	<u>Urban Core (16) Residential (UC16)</u>

870 **Sec. 3-C-A.2.b. Non-Residential FLU Categories**

871 All Non-Residential FLU categories are not classified by tiers. See below for the established Non-
872 Residential FLU categories in the County.

- 873 (1) Commercial (COM)
874 (2) Mixed Use (MIX)
875 (3) Industrial (IND)
876 (4) Industrial Park (IP)
877 (5) Mining (MIN)
878 (6) Recreation/Preservation (RP)
879 (7) Conservation (CON)
880 (8) Business Park (BUS)

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ARTICLE III ZONING DISTRICTS, AND LAND USES, AND
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Part C Future Land Use and Intensity Bonus Programs

881 DIVISION B FUTURE LAND USE AND ZONING DISTRICT
 882 CONSISTENCY

883 Sec. 3-C-B.1. Zoning District and Land Use Consistency Table [EG21]

	<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>	✓	✓	✓		✓	✓	✓										
<u>Country Estate (AR-1)</u>			✓		✓												
<u>Rural Estates District (AR-2)</u>	✓	✓	✓		✓												
<u>Single-Family Residential District (RA)</u>					✓	✓	✓										
<u>Single-Family Residential (RB)</u>					✓	✓	✓										
<u>Two- or Three- Unit Residential (RC)</u>					✓	✓	✓										
<u>Multi-Family Residential (RD)</u>						✓ ₁	✓ ₂	✓ ₃									
<u>Single-Family Residential (RE)</u>			✓		✓	✓	✓										
<u>Residential Mobile Home Park (RMHP)</u>						✓	✓										
<u>Neighborhood Business (BA)</u>									✓								
<u>Light Neighborhood Business (BA-1)</u>									✓								

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

Part C Future Land Use and Intensity Bonus Programs

Private Services (PS-5)					✓	✓	✓	✓	✓	✓							✓
Excavation (EX)												✓					
Incinerators (IN)																	

<u>Footnotes:</u>																	
1	<u>In the UF FLU category, RD-1 (up to 4 units per acre).</u>																
2	<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>																
3	<u>In UC(16) FLU category, RD-4 (up to 16 units per acre).</u>																

884 **Sec. 3-C-B.2. Intensity**

885 **3-C-B.2.a. Purpose and Intent**

886 The County establishes and maintains the maximum intensity for both Residential and Non-Residential
 887 FLU categories to protect environmentally sensitive areas and Agricultural lands from the encroachment of
 888 incompatible uses.

889 **3-C-B.2.b. Additional Standards**

890 In addition to these intensity thresholds for each FLU category, uses and lot sizes are stipulated in each
 891 zoning district, refer to [Part D Zoning Districts and Development Standards](#) and [Part E Use Types and](#)
 892 [Standards](#).

893 **3-C-B.2.c. Calculating Intensity**

894 Calculating the intensity of a parcel of land shall be based on the total acreage of a lot, which is the gross
 895 acre(s) as defined in [Sec. 1-15.G.\(7\)](#), unless it is specified that the intensity of the lot is based on net acre(s)
 896 as defined in [Sec. 1-15.N.\(1\)](#). The total acres of such lot shall be divided by the permitted maximum acreage
 897 per dwelling unit of that FLU category of which the parcel of land is on.

898 (1) Example. If a parcel of land has a FLU category of Rural Fringe and a zoning designation of
 899 Agricultural, then the Residential intensity of said parcel is 20 acres per 1 dwelling unit, reference
 900 the table under [Sec. 3-C-B.2.a. Purpose and Intent](#). If the parcel has a gross acreage of 200 acres,
 901 then the maximum intensity of said parcel would be as follows:

$$\text{Maximum Intensity} = \frac{200 \text{ acres (Gross acreage of parcel)}}{20 \text{ acres (Maximum acreage per dwelling unit)}}$$

Maximum Intensity = 10 units per

902

903 (a) Rounding. The fractional remainder resulting from the intensity calculation that is less than 0.5 shall
 904 be rounded down, and rounded up if it is higher than 0.5.

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905 (b) Calculating Intensity. All FLU categories in the County use either acre (gross) or net acre.
 906 For information referring to the FLU Land and Zoning District Intensity, refer to [Sec. 3-C-](#)
 907 [B.2.a.](#) and [Sec. 3-C-B.2.b.](#), listed below.

3-C-B.2.d. Additional Intensity

909 Additional intensity may be granted by the County under the Intensity Bonus Programs, refer to [Part C,](#)
 910 [Division C.](#)

Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table

		<u>Residential FLU Categories:</u>							
		<u>Agriculture (AG) ¹</u> <u>(Gross Acre)</u>	<u>Agricultural/Residential (AR) ²</u> <u>(Gross Acre)</u>	<u>Rural Residential (RR) ³</u> <u>(Net Acre)</u>	<u>Rural Reserve (RRSV) ⁴</u> <u>(Gross Acre)</u>	<u>Rural Fringe (RF) ⁵</u> <u>(Net Acre)</u>	<u>Urban Fringe (UF) ⁶</u> <u>(Net Acre)</u>	<u>Urban Core (10) (UC-10) ⁷</u> <u>(Net Acre)</u>	<u>Urban Core (16) (UC-16) ⁸</u> <u>(Net Acre)</u>
<u>Agricultural (AG)</u>		<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 20 acres</u>
<u>Agricultural/Residential (AR)</u>	<u>Development not classified as a subdivision w/o points</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 10 acres</u>	<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>2 units per acre</u>	<u>2 units per acre</u>	
	<u>Subdivision w/ clustering and points.</u>		<u>1 unit per 5 acres</u>	<u>1 unit per acre</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>2 units per acre</u>	<u>2 units per acre</u>	
	<u>Subdivision w/o clustering and points</u>		<u>1 unit per 10 acres</u>	<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>2 units per acre</u>	<u>2 units per acre</u>	
<u>Country Estates (AR-1)</u>	<u>Development not classified as a subdivision w/o points</u>			<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
	<u>Subdivision w/ clustering and points</u>			<u>1 unit per acre</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
	<u>Subdivision w/o clustering and points</u>			<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
<u>Rural Estates (AR-2)</u>	<u>Development not classified as a subdivision w/o points</u>	<u>1 unit per 20 acres</u>	<u>1 unit per 10 acres</u>	<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
	<u>Development not classified as a subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>2 units per acre</u>			
	<u>Development not classified as a subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>1.5 units per acre</u>			
	<u>Subdivision w/ clustering and points</u>			<u>1 unit per acre</u>	<u>1.5 units per acre</u>				

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	<u>Subdivision w/o clustering and points</u>			<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>				
<u>Single-Family Residential (RA)</u>	<u>Development not classified as a subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>2 units per acre</u>	<u>4 units per acre</u>	
	<u>Development not classified as a subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>2 units per acre</u>			
	<u>Development not classified as a subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>1.5 units per acre</u>			
	<u>Subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
	<u>Subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>2 units per acre</u>			
	<u>Subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>1.5 units per acre</u>			
<u>Single-Family Residential (RB)</u>	<u>Development not classified as a subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>4 units per acre</u>		
	<u>Development not classified as a subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>3 units per acre</u>		<u>6 units per acre</u>	
	<u>Development not classified as a subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>2 units per acre</u>		<u>2 units per acre</u>	
	<u>Subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>4 units per acre</u>		
	<u>Subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>3 units per acre</u>		<u>6 units per acre</u>	
	<u>Subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>2 units per acre</u>		<u>2 units per acre</u>	
<u>Single-Family Residential (RE)</u>	<u>Development not classified as a subdivision w/o points</u>			<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>	<u>1 unit per acre</u>	<u>2 units per acre</u>		
	<u>Development not classified as a subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>3 units per acre</u>			
	<u>Development not classified as a subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>1.5 units per acre</u>			
	<u>Mobile home development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	
	<u>Mobile home development not classified as a subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>			<u>2 units per acre</u>	
	<u>Subdivision w/o points</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>	=	
	<u>Subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	

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Single-Family Residential (RE)	<u>Subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>			<u>2 units per acre</u>	
	<u>Subdivision w/ clustering and points</u>			<u>1 unit per acre</u>	<u>1.5 units per acre</u>				
	<u>Subdivision w/o clustering and points</u>			<u>1 unit per 5 acres</u>	<u>1.5 units per acre</u>				
Two-Unit or Three-Unit Residential (RC)	<u>Two-family development not classified as a subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>			
	<u>Two-family development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>	<u>6 units per acre</u>	
	<u>Two-family development not classified as a subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>		<u>2 units per acre</u>	<u>2 units per acre</u>	
	<u>Two-family subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>		
	<u>Two-family subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	
	<u>Three-family development not classified as a subdivision w/o points</u>				<u>1.5 units per acre</u>	<u>1 unit per acre</u>		<u>6 units per acre</u>	
	<u>Three-family development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>		
	<u>Three-family development not classified as a subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>		<u>2 units per acre</u>		
	<u>Three-family subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>	<u>6 units per acre</u>	
	<u>Two- or Three-family development not classified as a subdivision w/ points and central water/sewer</u>				<u>1.5 units per acre</u>	<u>3 units per acre</u>			
	<u>Two- or Three-family development not classified as a subdivision w/ points and no central water/sewer</u>				<u>1.5 units per acre</u>	<u>1.5 units per acre</u>			
Multi-Family Residential (RD-1)[EG23]	<u>Development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>	<u>4 units per acre</u>	
	<u>Development not classified as a subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>		<u>2 units per acre</u>	<u>2 units per acre</u>	
Multi-Family Residential (RD-2)	<u>Development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	
Multi-Family Residential (RD-3)	<u>Development not classified as subdivision w/ central water/sewer and required points pursuant to Sec. 3-D-D.2.</u>				<u>1.5 units per acre</u>			<u>10 units per acre</u>	

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	<u>Development not classified as a subdivision w/ central water/sewer and w/o points</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	
<u>Multi-Family Residential (RD-4)</u>	<u>Development not classified as a subdivision w/ required points pursuant to Sec. 3-D-D.2. and central water/sewer</u>				<u>1.5 units per acre</u>			<u>10 units per acre</u>	
	<u>Development not classified as a subdivision w/ central water/sewer and w/o points</u>				<u>1.5 units per acre</u>			<u>6 units per acre</u>	
	<u>Development not classified as a subdivision w/ required points pursuant to Sec. 3-D-D.2. and central water/sewer</u>				<u>1.5 units per acre</u>				<u>16 units per acre</u>
	<u>Development not classified as a subdivision w/ required points pursuant to Sec. 3-D-D.2., and the intensity bonus criteria for low- and moderate-income housing identified in Policy 1.4.1 of the Housing Element of the Comprehensive Plan.</u> [Relocated from 3-19.(e).(7) Multifamily Residential District]				<u>1.5 units per acre</u>			<u>16 units per acre</u>	<u>20 units per acre</u>
<u>Residential Mobile Home Park (RMHP)</u>	<u>Development not classified as a subdivision w/ central water/sewer</u>				<u>1.5 units per acre</u>		<u>4 units per acre</u>	<u>6 units per acre</u>	
	<u>Development not classified as a subdivision w/o central water/sewer</u>				<u>1.5 units per acre</u>		<u>2 units per acre</u>		
<u>Independent Community Overlay (ICO)</u>			<u>1 unit per lot</u>						

<u>Footnotes:</u>		
<u>1</u>	<u>Agriculture</u>	<u>The total number of permits for Single-Family dwelling units shall not exceed a maximum of 50 per calendar year within the Agriculture <u>FLU</u> category. [Relocated from 3-10.(b)(1) Agriculture]</u>
<u>2</u>	<u>Agriculture/Residential</u>	<u>The total number of permits for Single-Family dwelling units shall not exceed a maximum of 250 per calendar year within the Agriculture/Residential <u>FLU</u> category. [Relocated from 3-10.(b)(2) Agriculture/Residential]</u>
<u>3</u>	<u>Rural Residential</u>	<u>Developments meeting the following criteria are authorized to subdivide parcels into tracts of no less than <u>5</u> acres. Property owners are further authorized to construct one Single-Family <u>dwelling unit</u> on each <u>5</u>-acre parcel and to receive a building permit upon proper application therefor, without regard to the <u>intensity</u> restrictions otherwise applicable to such properties as set forth herein and in the Comprehensive Plan, and without being required to record a plat or otherwise comply with the development standards set forth in the subdivision <u>standards</u>.</u> (i) <u>The parcels shall lie within a Residential Aviation Community.</u> (ii) <u>The geographical boundary of the community shall contain less than 100 parcels.</u> (iii) <u>At least 75 percent of the parcels shall be 5 acres in size or less.</u> (iv) <u>All roads providing access to the newly created residential parcels shall be paved and privately owned and maintained.</u> (v) <u>The total potential number of newly created parcels shall not exceed 20 percent of the total number of parcels within the community. [Relocated from 3-10.(b).(3) Rural Residential]</u>

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4	<u>Rural Reserve</u>	Shall include up to 25 percent of the developed dwelling units as <u>Multi-Family units</u>. [Relocated from 3-10.(b)(4) Rural Reserve]
		<i>At least 35 percent of a parcel shall be preserved as permanent open space. This may include perimeter buffers, wetlands, wetland-upland buffers, parks, and other open space (not including retention ponds). [Relocated from 3-10.(b)(4) Rural Reserve]</i>
		<i>At least 5 percent of a development parcel shall be used as active recreation open space. [Relocated from 3-10.(b)(4) Rural Reserve]</i>
5	<u>Rural Fringe</u>	<i>Intensities up to 7 units per net acre shall be permitted subject to the criteria pertaining to low and moderate income or elderly or handicapped housing specified in <u>Policy 1.4.1 subsection 5</u> of the Housing Element of the Clay County Comprehensive Plan. [Relocated from 3-10.(b)(5) Rural Fringe]</i>
6	<u>Urban Fringe</u>	<i>Intensities up to 10 units per net acre shall be permitted for infill development meeting TND Standards per <u>Sec 3-C-C.4.g</u>. [Relocated from 3-10.(b)(6) Urban Fringe]</i>
		<i>Intensities up to 14 units per net acre shall be permitted subject to the criteria pertaining to low and moderate income or elderly or handicapped housing specified in <u>Policy 1.4.1 subsection 6</u> of the Housing Element of the Clay County Comprehensive Plan. [Relocated from 3-10.(b)(6) Urban Fringe]</i>
7	<u>Urban Core (10)</u>	<i>For intensities greater than 6 units per net acre, locational criteria stipulated in <u>Sec. 3-C-C.3</u> shall be met. [Relocated from 3-10.(b)(7) Urban Core (10)]</i>
		<i>Densities up to 15 units per net acre are permitted for infill development meeting TND criteria in <u>Sec. 3-C-C.5</u>. [Relocated from 3-10.(b)(7) Urban Core (10)]</i>
		<i>Intensities up to 16 units per net acre are permitted subject to the criteria pertaining to low and moderate income or elderly or handicapped housing specified in <u>Policy 1.4.1 subsection 7</u> of the Housing Element of the Clay County Comprehensive Plan. [Relocated from 3-10.(b)(7) Urban Core (10)]</i>
8	<u>Urban Core (16)</u>	<i>Intensities up to 20 units per net acre are permitted subject to the criteria pertaining to low and moderate income or elderly or handicapped housing specified in <u>Policy 1.4.1 subsection 8</u> of the Housing Element of the Clay County Comprehensive Plan. [Relocated from 3-10.(b)(8) Urban Core (16)]</i>
9	<u>Independent Community Overlay (ICO)</u>	<i>For lots of record created prior to October 23, 1973, lot size must be no less than 5,000 square feet, lot width must be no less than 50 feet, and lot depth must be no less than 75 feet. Front building lines and setbacks from side and rear property lines shall conform to the <u>applicable standards</u> and other applicable <u>Sections</u> of this Article. [Relocated from <u>Sec. 3-43.(d)(1)(ii)a</u>. Permitted Uses and Conditions.]</i>
		<i>Front building lines and setbacks from side and rear property lines shall conform to the standards of <u>Sec. 3-D-Q.2, Independent Community Overlay District (ICO)</u> and other applicable <u>Sections</u> of this Article <u>3</u>. For lots of record created between October 23, 1973, and June 30, 1991, lot size must be consistent with the minimums applicable to the property on June 30, 1991. Front building lines and setbacks shall be consistent with the underlying zoning district standards under the prior approval. [Relocated from <u>Sec. 3-43.(d)(1)(ii)a</u>. Permitted Uses and Conditions.]</i>

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Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table [EG24]

		<u>Non-Residential FLU Categories:</u>									
		<u>Agricultural (AG)</u> <small>(Gross Acre)</small>	<u>Commercial (COM)</u> <small>(Gross Acre)</small>	<u>Industrial (IND)</u> <small>(Gross Acre)</small>	<u>Recreation/Preservation (RP)</u> <small>(Gross Acre)</small>	<u>Mining (MIN)</u> [EG25] <small>(Gross Acre)</small>	<u>Planned Community (PC)</u> <small>(Gross Acre)</small>	<u>Conservation (CO)</u> <small>(Gross Acre)</small>	<u>Mixed Use (MIX)</u> <small>(Net Acre)</small>	<u>Business Park</u> <small>(Gross Acre)</small>	<u>Industrial Park (IP)</u> <small>(Gross Acre)</small>
<u>Agricultural (AG)</u>	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>			<u>20 percent</u>						
<u>Neighborhood Business District (BA)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Light Neighborhood Business District (BA-1)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Commercial and Professional Office District (BA-2)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Intermediate Business District (BB)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Light Intermediate Business District (BB-1)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Community Business District (BB-2)</u> [EG26]	<u>Maximum FAR</u>										
<u>Specialty Business District (BB-3)</u> [EG27]	<u>Maximum FAR</u>										

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<u>Heavy Business District (BB-4)</u> [EG28]	<u>Maximum FAR</u>										
<u>Commercial Recreation District (BB-5)</u> [EG29]	<u>Maximum FAR</u>										
<u>Shopping Center District (BSC)</u>	<u>Maximum FAR</u>		<u>40 percent</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Industrial Select (IS)</u>	<u>Maximum FAR</u>			<u>50 percent</u>						<u>35 percent</u>	
<u>Light Industrial (IA)</u>	<u>Maximum FAR</u>			<u>50 percent</u>						<u>35 percent</u>	
<u>Heavy Industrial (IB)</u>	<u>Maximum FAR</u>			<u>50 percent</u>						<u>35 percent</u>	
<u>Business Park (BP)</u>	<u>Maximum FAR</u>			<u>50 percent</u>					<u>20 percent</u>	<u>35 percent</u>	
<u>Planned Commercial Development District (PCD)</u>	<u>Maximum FAR</u>			<u>50 percent</u>							
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Planned Industrial District (PID)</u>	<u>Maximum FAR</u>								<u>20 percent</u>	<u>35 percent</u>	
<u>Planned Unit Development (PUD)</u>	<u>Maximum Residential Intensity</u>								<u>15 unit per acre</u>		
	<u>Maximum FAR</u>			<u>50 percent</u>					<u>25 percent</u>	<u>35 percent</u>	
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Public Ownership (PO-1)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>						<u>35 percent</u>	
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								

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<u>Public Ownership (PO-2)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>							<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
<u>Public Ownership (PO-3)</u>	<u>Maximum FAR</u>	<u>40 percent</u>	<u>40 percent</u>	<u>50 percent</u>							<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Public Ownership (PO-4)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>							<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Private Services (PS-1)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>							<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Private Services (PS-2)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>							<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>								
<u>Private Services (PS-3)</u>	<u>Maximum FAR¹</u>	<u>40 percent</u>	<u>40 percent</u>	<u>40 percent</u>							<u>35</u> ^[EG30] <u>percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>									

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

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	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>							
<u>Private Services (PS-4)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>						<u>35 percent</u>
	<u>Maximum Residential Intensity</u>	<u>1 unit per 20 acre</u>								
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>							
<u>Private Services (PS-5)</u>	<u>Maximum FAR</u>		<u>40 percent</u>	<u>50 percent</u>						<u>35 percent</u>
	<u>Maximum Commercial Space</u>		<u>1 unit per 1,000 ft.</u>							
<u>Excavation (EX)[EG31]</u>	<u>Maximum FAR</u>									
<u>Independent Community Overlay (ICO)[EG32]</u>	<u>Maximum FAR</u>									
<u>Incinerator (IN)[EG33]</u>	<u>Maximum FAR</u>									
<u>Conservation Overlay Zone (CO)</u>	<u>Maximum Residential Intensity</u>							<u>1 unit per 100 acre</u>		

<u>Footnote:</u>		
1	<u>Private Services</u> [EG34]	<i>With the exception of lands proposed for hospital use. Hospitals shall not exceed a maximum FAR of 80 percent. [Relocated from Sec. 3-40.(f) Density Requirements]</i>

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

914 ~~In order to carry out the intent of this Article, size and dimension criteria for particular zoning districts are~~

915 ~~hereby established. Such size and dimension criteria shall be applied in accordance with this section and~~

916 ~~other applicable provisions of this Article. The minimum area, yards and other open spaces, including the~~

917 ~~intensity of use provisions contained in this Article for each and every building hereafter erected,~~

918 ~~constructed or structurally altered, shall not be encroached upon or considered as area, yard or open~~

919 ~~space requirements or intensity of use requirements for any other building. Variances from these~~

920 ~~provisions, excluding the maximum density limitations, may be granted by the Board of Adjustment,~~

921 ~~provided such variances are consistent with the Clay County Comprehensive Plan.~~

922 ~~**[Deleted, as the prohibition of encroachment in parking areas, landscape areas/buffers...etc.**~~

923 ~~**should be specified in other Articles or Sections]**~~

924 ~~(a) **Maximum Density.** In no instance shall the maximum density specified for a given zoning district~~

925 ~~be exceeded in the approval of any site plan. Maximum density shall be expressed in number of~~

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

Part C Future Land Use and Intensity Bonus Programs

926 ~~dwelling units per gross residential acre. In the determination of the maximum number of units to~~
927 ~~be allowed on a parcel, the permitted number shall be made proportional to any fraction of an~~
928 ~~acre(s) that is a part of the parcel, less that portion of the parcel that meets the definition for~~
929 ~~conservation land use, which shall have a maximum density of one (1) unit per one hundred (100)~~
930 ~~acres. [Deleted, replaced with new text in Sec. 3-C-B.2. Intensity]~~

931 **Sec. 3-8. COMPREHENSIVE LAND USE CATEGORIES** [Deleted and replaced with Sec. 3-C-A.1.
932 **Purpose and Intent]**

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

936 **3-C-A.1. Purpose and Intent]**

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

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

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

947 ~~(3) Urban Fringe Residential Land Use Category. This category is reserved for land within the~~
948 ~~existing urban service area and located in the immediate expansion area where extension~~
949 ~~of public services can be easily provided. This category is generally characterized by~~
950 ~~medium density single family detached housing units. [Removed due to repetition with~~
951 ~~the Comprehensive Plan FLU descriptions]~~

952 ~~(4) Rural Fringe Residential Land Use Category. This category is reserved for land within the~~
953 ~~existing urban service area and located in the secondary expansion area for public~~
954 ~~services. This category is generally characterized by medium density single family~~
955 ~~detached housing units. [Removed due to repetition with the Comprehensive Plan FLU~~
956 ~~descriptions]~~

957 ~~(5) Rural Residential Land Use Category. These areas will serve as a transition between the~~
958 ~~planned urban service areas, agriculture/residential areas, and environmentally sensitive~~
959 ~~areas. Located outside the urban service area, new growth in these areas would not be~~
960 ~~served by central sewer or water systems. Rural residential areas provide a low density~~
961 ~~residential character. [Removed due to repetition with the Comprehensive Plan FLU~~
962 ~~descriptions]~~

963 ~~These areas recognize a number of existing and future development factors. These include~~
964 ~~areas with soil conditions suitable for individual wells and septic systems; existing rural~~
965 ~~subdivisions with little or no infrastructure improvements, including unpaved roads; small~~
966 ~~farms; or recreational and low intensity institutional uses. [Removed due to repetition~~
967 ~~with the Comprehensive Plan FLU descriptions]~~

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

Part C Future Land Use and Intensity Bonus Programs

- 968 ~~(6) — Agriculture/Residential Land Use Category. This category allows a final transition between~~
969 ~~suburban residential densities and major agricultural and silvicultural activities. The very~~
970 ~~low density of one dwelling unit per five (5) or ten (10) gross acres allows individual family~~
971 ~~agricultural operations. [Relocated and consolidated under Table 3-C-B.2.a.~~
972 ~~Residential FLU and Zoning District Intensity Consistency] This designation~~
973 ~~accommodates the existing rural pattern of residential use that has adequate access and~~
974 ~~is suitable for continued low density development. [Removed due to repetition with the~~
975 ~~Comprehensive Plan FLU descriptions]~~
976 ~~(7) — Rural Reserve Land Use Category. This category functions as a transition between~~
977 ~~suburban and rural densities and is intended for application to lands that are located near~~
978 ~~existing development of both rural and suburban densities: [Removed due to repetition~~
979 ~~with the Comprehensive Plan FLU descriptions] adjacent to suburban developments~~
980 ~~that may be served by central water and sewer and that are served by paved roads as well~~
981 ~~as near the older, existing development within the county that exhibit more rural character~~
982 ~~with densities of less than 1 unit per 2 acres and which may not be served by paved roads.~~
983 ~~The maximum residential density permitted is 1.5 dwelling units per gross acre.~~
984 ~~[Relocated and consolidated under Table 3-C-B.2.a. Residential FLU and Zoning~~
985 ~~District Intensity Consistency]~~
986 ~~(b) — Commercial Land Use Category. This accommodates the full range of sales, service, and office~~
987 ~~activities. These uses may occur in self-contained shopping centers, free-standing structures,~~
988 ~~campus-like business parks, central business districts, or along arterial highways. The specific~~
989 ~~intensity and range of uses in this category will depend on locational factors, particularly~~
990 ~~compatibility with adjacent uses, availability of highway capacity, ease of access, and availability~~
991 ~~of other public services and facilities. Uses should be located to protect adjacent residential uses~~
992 ~~from such impacts as noise or traffic. In wellfield protection areas, uses must be prohibited that~~
993 ~~involve the use, handling, storage, generation or disposal of hazardous waste, or toxic material.~~
994 ~~Commercial development in newly developing areas is designated in nodes at major thoroughfare~~
995 ~~intersections. [Removed due to repetition with the Comprehensive Plan FLU descriptions]~~
996 ~~(c) — Industrial Land Use Category. [EG35] This category accommodates the full range of industrial~~
997 ~~activities. The specific range and intensity for uses appropriate in a particular industrial area varies~~
998 ~~by location as a function of the availability of public services and access, and compatibility with~~
999 ~~surrounding uses. [Removed due to repetition with the Comprehensive Plan FLU~~
1000 ~~descriptions]~~
1001 ~~(d) — Mining Land Use Category. Areas in this category are intended for mining and quarrying of~~
1002 ~~significant mineral resources over the course of the planning period. These areas have been~~
1003 ~~designated based on existing mining operations, planned expansion of existing mining activities,~~
1004 ~~and the compatibility of these areas with surrounding uses. [Removed due to repetition with the~~
1005 ~~Comprehensive Plan FLU descriptions]~~
1006 ~~(e) — Agriculture Land Use Category. This category is intended for those areas of the County designated~~
1007 ~~as appropriate locations for agricultural pursuits including crop production, pasture land for grazing~~
1008 ~~cattle and horse farming, timber production, and cover crops for soil regeneration. Agricultural lands~~
1009 ~~account for an important segment of the Clay County economy and play a vital role in the~~

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

Part C Future Land Use and Intensity Bonus Programs

- 1010 ~~conservation of the County's natural resources. [Removed due to repetition with the~~
1011 ~~Comprehensive Plan FLU descriptions]~~
1012 ~~These uses are generally characterized by being situated in areas removed from urban services,~~
1013 ~~having very sparse densities and exhibiting a rural character. The Plan recognizes the value of~~
1014 ~~these lands for agricultural and silvicultural activities, at both a small and large scale, and, therefore,~~
1015 ~~recognizes their potential suitability for limited residential development at a density of one unit per~~
1016 ~~twenty gross acres. [Relocated and consolidated under Table 3-C-B.2.a. Residential FLU and~~
1017 ~~Zoning District Intensity Consistency and Table 3-C-B.2.b. Non-Residential FLU and Zoning~~
1018 ~~District Intensity Consistency]~~
1019 (f) ~~Conservation Land Use Category. The conservation areas are lands that will provide for the~~
1020 ~~conservation and protection of Clay County's natural resources in order to prevent any degradation~~
1021 ~~to the major natural resources. These areas include most creek, stream or river banks, major~~
1022 ~~drainage ways, major wetlands, poor soils, FEMA defined floodways. [Removed due to repetition~~
1023 ~~with the Comprehensive Plan FLU descriptions]~~
1024 (g) ~~Recreation/Preservation Land Use Category. All lands within the recreation/preservation category~~
1025 ~~are owned by public or quasi-public entities. The lands are held for use as non-profit public~~
1026 ~~recreation, open space and natural resource protection. [Removed due to repetition with the~~
1027 ~~Comprehensive Plan FLU descriptions]~~
1028 (h) ~~Planned Community. All lands within the planned community category are large mixed-use~~
1029 ~~developments approved pursuant to Chapter 380, F.S. [Removed due to repetition with the~~
1030 ~~Comprehensive Plan FLU descriptions]~~
1031 (i) ~~Mixed Use Land Use Category. This land use category is intended to promote mixed-use~~
1032 ~~development designed to be compact and pedestrian oriented, as an alternative to lower density,~~
1033 ~~single-use developments that promote excessive vehicular trips. [Removed due to repetition with~~
1034 ~~the Comprehensive Plan FLU descriptions] The residential density in the Mixed Use Land Use~~
1035 ~~category is 15 units per acre. Non-residential uses are required to be provided at a minimum rate~~
1036 ~~of 250 square feet per approved residential unit and a maximum rate of 750 square feet per~~
1037 ~~approved residential unit. Non-residential intensity is limited to 0.25 FAR. [Relocated and~~
1038 ~~consolidated under Table 3-C-B.2.b. Non-Residential FLU and Zoning District Intensity~~
1039 ~~Consistency]~~
1040 (j) ~~Business Park Land Use Category. The Business Park land use designation is intended for~~
1041 ~~locations that are not feasible for some light or heavy industrial development because of proximity~~
1042 ~~to residential areas. The land use is intended for light industrial developments that utilize high~~
1043 ~~quality site planning architecture, signage and landscape design to create an attractive and unified~~
1044 ~~development character. [Removed due to repetition with the Comprehensive Plan FLU~~
1045 ~~descriptions]~~
1046 ~~Development occurring in this designation will be limited to a maximum gross floor area ratio (FAR)~~
1047 ~~of 0.20. Project phasing shall be concurrent with the availability of public facilities. Development in~~
1048 ~~the Business Park designation will require either BP or PUD zoning, and will be subject to the site~~
1049 ~~plan requirements and performance standards established by the BP zoning district. [Relocated~~
1050 ~~and consolidated under Table 3-C-B.2.b. Non-Residential FLU and Zoning District Intensity~~
1051 ~~Consistency]~~

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

Part C Future Land Use and Intensity Bonus Programs

1052 ~~(k) — Industrial Park Land Use Category. The Industrial Park land use designation accommodates major~~
1053 ~~industrial activities and supporting commercial and/or office uses. The supporting uses shall be~~
1054 ~~subordinate to and incidental to serve the industrial population and capture its internal trip~~
1055 ~~circulation. [Removed due to repetition with the Comprehensive Plan FLU descriptions] The~~
1056 ~~supporting uses shall not consume land areas greater than 10% of developed portion of the~~
1057 ~~industrial park. [Relocated and consolidated under Table 3-C-B.2.b. Non-Residential FLU and~~
1058 ~~Zoning District Intensity Consistency] Industrial parks shall be located close to transport~~
1059 ~~facilities, especially where more than one transport modalities coincide; major thoroughfares~~
1060 ~~(designated major collector or better), railroads, airports, and/or navigable rivers. [Removed due~~
1061 ~~to repetition with the Comprehensive Plan FLU descriptions]~~

1062 **Sec. 3-10. DENSITIES AND INTENSITIES OF USE**

1063 (a) — The county shall apply the following standards of intensity and density of use to development within
1064 each applicable land use category. These density standards shall be applied in addition to the use
1065 and lot size restrictions stipulated in each zoning district in subsequent sections of this article. In
1066 order to comply with this article, development must comply with the overall density standards, as
1067 well as the more specific zoning restrictions. Both the density and the zoning restrictions implement
1068 the Clay County Comprehensive Plan. **[Deleted and replaced with Sec. 3-C-B.2. Density and**
1069 **Intensity]**

1070 (b) — The County shall review all proposed development activity for consistency with the following
1071 densities and intensities of use, listed by land use category:

1072 (1) ~~Agriculture: at a maximum density of one (1) unit per twenty (20) gross acres. In addition,~~
1073 ~~the total number of permits for single family dwelling units shall not exceed a maximum of~~
1074 ~~50 per calendar year within the Agriculture land use category. [Removed and~~
1075 ~~consolidated under Sec. 3-C-B.2.a. Residential FLU and Zoning District Intensity~~
1076 ~~Compatibility Table]~~

1077 (2) ~~Agriculture/Residential: at a maximum density of one (1) unit per five (5) gross acres,~~
1078 ~~subject to the applicable requirements stipulated in Sec. 20.3-10 (c) and (d) below; or a~~
1079 ~~maximum of one (1) unit per ten (10) gross acres, not subject to said requirements. In~~
1080 ~~addition, the total number of permits for single family dwelling units shall not exceed a~~
1081 ~~maximum of 250 per calendar year within the Agriculture/Residential land use category.~~
1082 ~~[EG36] [Removed and consolidated under Sec. 3-C-B.2.a. Residential FLU and Zoning~~
1083 ~~District Intensity Compatibility Table]~~

1084 (3) ~~Rural Residential: at a maximum of one (1) unit per net acre, subject to the applicable~~
1085 ~~requirements stipulated in Sec. 20.3-10 (c) and (d) below; or a maximum of one (1) unit~~
1086 ~~per five (5) net acres, not subject to said requirements. [Removed and consolidated~~
1087 ~~under Sec. 3-C-B.2.a. Residential FLU and Zoning District Intensity Compatibility~~
1088 ~~Table]~~

1089 ~~Within the Rural Residential land use designation, developments meeting the following~~
1090 ~~criteria are authorized to subdivide parcels into tracts of no less than five acres. Property~~
1091 ~~owners are further authorized to construct one single family home on each five acre parcel~~
1092 ~~and to receive a building permit upon proper application therefor, without regard to the~~
1093 ~~density restrictions otherwise applicable to such properties as set forth herein and in the~~

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

Part C Future Land Use and Intensity Bonus Programs

- 1094 ~~Comprehensive Plan, and without being required to record a plat or otherwise comply with~~
1095 ~~the development standards set forth in the subdivision regulations.~~
- 1096 ~~(i) The parcels **must** lie within a Residential Aviation Community.~~
1097 ~~(ii) The geographical boundary of the community **must** contain less than 100 parcels.~~
1098 ~~(iii) At least 75% of the parcels **must** be five acres in size or less.~~
1099 ~~(iv) All roads providing access to the newly created residential parcels **must** be paved~~
1100 ~~and privately owned and maintained.~~
1101 ~~(v) The total potential number of newly created parcels **must** not exceed 20% of the~~
1102 ~~total number of parcels within the community. [Relocated to 3-C-B.2.a.~~
1103 ~~Residential FLU and Zoning District Intensity Compatibility Table][EG37]~~
- 1104 ~~(4) Rural Reserve: at a maximum of one and one half (1.5) units per gross acre. [Removed~~
1105 ~~and consolidated under Sec. 3-C-B.2.a. Residential FLU and Zoning District Intensity~~
1106 ~~Compatibility Table] Vegetated perimeter buffers that include preserved or planted~~
1107 ~~vegetation and provide an effective visual screen (at least 85% opacity within three years)~~
1108 ~~are required at a minimum width of 50 feet. The perimeter buffer is calculated at 2.5 percent~~
1109 ~~of the average lot width and depth. Perimeter buffers would also apply along roadways.~~
- 1110 ~~In calculating the average parcel width or depth, the length of either the width or depth may~~
1111 ~~be reduced if wetlands with the following characteristics cross the perimeter:~~
- 1112 ~~(i) Wetland must be a vegetated wetland or preserve area that will not be developed.~~
1113 ~~(ii) Wetland or preserve area must have a depth of at least 50 feet measured at the~~
1114 ~~property line. [Relocated to Article 6][EG38]~~
- 1115 ~~The Rural Reserve Land Use Category may include up to 25 percent of the developed~~
1116 ~~dwelling units as multi-family units. [Removed and consolidated under Sec. 3-C-B.2.a.~~
1117 ~~Residential FLU and Zoning District Intensity Compatibility Table]~~
- 1118 ~~At least 35percent of a parcel **must** be preserved as permanent open space. This may~~
1119 ~~include perimeter buffers, wetlands, wetland upland buffers, parks, and other open space~~
1120 ~~(not including retention ponds). At least 5% of a development parcel **must** be used as active~~
1121 ~~recreation open space. [Removed and consolidated under Sec. 3-C-B.2.a. Residential~~
1122 ~~FLU and Zoning District Intensity Compatibility Table]~~
- 1123 ~~(5) Rural Fringe: at a maximum density of three (3) units per net acre with central water and~~
1124 ~~sewer, subject to the requirements stipulated in Sec. 20.3-10 (d) below; a maximum density~~
1125 ~~of two (2) units per net acre without central water and sewer, subject to the requirements~~
1126 ~~stipulated in Sec. 20.3-10 (d) below; or a maximum of one (1) unit per net acre, not subject~~
1127 ~~to said requirements. Densities up to seven (7) units per net acre are permitted subject to~~
1128 ~~the criteria pertaining to low and moderate income or elderly or handicapped housing~~
1129 ~~specified in Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County~~
1130 ~~Comprehensive Plan. [Removed and consolidated under Sec. 3-C-B.2.a. Residential~~
1131 ~~FLU and Zoning District Intensity Compatibility Table]~~
- 1132 ~~(6) Urban Fringe: at a maximum density of four (4) units per net acre with central water and~~
1133 ~~sewer or a maximum of two (2) units per net acre without central water and sewer.~~
1134 ~~Densities up to ten (10) units per net acre are permitted for infill development meeting TND~~
1135 ~~criteria. Densities up to **seven (14)** [EG39] units per net acre are permitted subject to the~~

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ARTICLE ~~III~~ ZONING DISTRICTS, AND LAND USES, AND
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Part C Future Land Use and Intensity Bonus Programs

- 1136 ~~criteria pertaining to low and moderate income or elderly or handicapped housing specified~~
1137 ~~in Policies 1.3.6 and 1.3.7 of the Housing Element of the Clay County Comprehensive~~
1138 ~~Plan. [Removed and consolidated under Sec. 3-C-B.2.a. Residential FLU and Zoning~~
1139 ~~District Intensity Compatibility Table]~~
1140 (7) ~~Urban Core (10): at a minimum of two (2) units per net acre and a maximum density of ten~~
1141 ~~(10) units per net acre. For densities greater than six (6) units per net acre, locational~~
1142 ~~criteria stipulated in Sec. 20.3-10 (d) below must be met. Densities up to fifteen (15) units~~
1143 ~~per net acre are permitted for infill development meeting TND criteria. Densities up to~~
1144 ~~sixteen (16) units per net acre are permitted subject to the criteria pertaining to low and~~
1145 ~~moderate income or elderly or handicapped housing specified in Policies 1.3.6 and 1.3.7~~
1146 ~~of the Housing Element of the Clay County Comprehensive Plan. [Removed and~~
1147 ~~consolidated under Sec. 3-C-B.2.a. Residential FLU and Zoning District Intensity~~
1148 ~~Compatibility Table]~~
1149 (8) ~~Urban Core (16): at a maximum density of sixteen (16) units per net acre subject to the~~
1150 ~~requirements stipulated in Sec. 20.3-10 (d) below. The site must be served by central utility~~
1151 ~~services and located within ¼ mile of a transit route. Densities up to twenty (20) units per~~
1152 ~~net acre are permitted subject to the criteria pertaining to low and moderate income or~~
1153 ~~elderly or handicapped housing specified in Policies 1.3.6 and 1.3.7 of the Housing~~
1154 ~~Element of the Clay County Comprehensive Plan. [Removed and consolidated under~~
1155 ~~Sec. 3-C-B.2.a. Residential FLU and Zoning District Intensity Compatibility Table]~~
1156 (9) ~~Commercial: at a density corresponding to a maximum floor area ratio (FAR) of forty (40)~~
1157 ~~percent. One dwelling unit may be permitted per 1,000 square feet of commercial space if~~
1158 ~~part of a mixed use development. [Removed and consolidated under Sec. 3-C-B.2.b.~~
1159 ~~Non-Residential FLU and Zoning District Intensity Compatibility Table]~~
1160 (10) ~~Mixed Use: a mix of a minimum of two uses, one of which must be residential with a~~
1161 ~~maximum density of sixteen (16) units per net acre and the other which must be~~
1162 ~~nonresidential (office retail or service) with a maximum floor area ratio of twenty five (25)~~
1163 ~~percent. [Removed and consolidated under Sec. 3-C-B.2.b. Non-Residential FLU and~~
1164 ~~Zoning District Intensity Compatibility Table]~~
1165 (11) ~~Industrial: ^[EG40] at a density corresponding to a maximum FAR of fifty (50) percent.~~
1166 ~~[Removed and consolidated under Sec. 3-C-B.2.b. Non-Residential FLU and Zoning~~
1167 ~~District Intensity Compatibility Table]~~
1168 (12) ~~Industrial park: at a density corresponding to a maximum FAR of thirty five (35) percent.~~
1169 ~~Supporting uses shall not consume land areas greater than ten (10) percent of the~~
1170 ~~developed portion of the industrial park. [Removed and consolidated under Sec. 3-C-~~
1171 ~~B.2.b. Non-Residential FLU and Zoning District Intensity Compatibility Table]~~
1172 (13) ~~Conservation: at a maximum density of one (1) unit per one hundred (100) gross acres.~~
1173 ~~[Removed and consolidated under Sec. 3-C-B.2.b. Non-Residential FLU and Zoning~~
1174 ~~District Intensity Compatibility Table] Non-residential uses shall not be permitted.~~
1175 ~~Passive recreation shall be allowed [Relocated to Part E]~~
1176 (14) ~~Recreation: at a density corresponding to a maximum FAR of twenty (20) percent.~~
1177 ~~[Removed and consolidated under Sec. 3-C-B.2.b. Non-Residential FLU and Zoning~~
1178 ~~District Intensity Compatibility Table]~~
1179 (15) ~~Planned Community. A very large area under unified plan of development that contains~~
1180 ~~several different land uses with a large percentage being devoted to residential uses.~~

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

Part C Future Land Use and Intensity Bonus Programs

1181 **[Relocated to Sec. 1-15 Definitions]** ~~This designation is used to show the boundaries of~~
1182 ~~Developments of Regional Impact or Florida Quality Developments authorized under~~
1183 ~~Chapter 380, F. S. The densities and intensities within the areas shown as Planned~~
1184 ~~Communities shall be as stated in the current, valid, unexpired development order of each~~
1185 ~~Development or Regional Impact or through an approved master plan for developments~~
1186 ~~not subject to the provisions of Chapter 380. [Deleted and relocated to Sec. 3-C-B.2.~~
1187 ~~Intensity]~~
1188 **Sec. 3-43. Independent Community Overlay (Zone ICO)**
1189 ~~a. For lots of record created prior to October 23, 1973, lot size must be no less than five~~
1190 ~~thousand (5,000) square feet, lot width must be no less than fifty (50) feet, and lot depth~~
1191 ~~must be no less than seventy-five (75) feet. Front building lines and setbacks from side and~~
1192 ~~rear property lines shall conform to the requirements of Sec. 20.3-7 and other applicable~~
1193 ~~sections of this Article. [Relocated to Sec. 3-C-B.2.a. Footnote (9)]~~
1194 ~~b. For lots of record created between October 23, 1973, and June 30, 1991, lot size must be~~
1195 ~~consistent with the minimums applicable to the property on June 30, 1991. Front building~~
1196 ~~lines and setbacks must be consistent with the underlying zoning district regulations in~~
1197 ~~effect at that time (see Sec. 20.3-11). [Relocated to Sec. 3-C-B.2.a. Footnote~~
1198

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

Part C Future Land Use and Intensity Bonus Programs

1199 DIVISION C INTENSITY BONUS PROGRAMS[EG41]

1200 Sec. 3-C-C.1. Purpose and Intent

1201 Clay County offers various programs to allow the increase of intensity above the allowable maximum
1202 intensity permitted under certain FLU categories, which includes those in [Division D, Master Planned](#)
1203 [Communities](#). These intensity programs increase the supply of Residential opportunities to implement the
1204 policies, goals, and objectives of the Housing Element of the Comprehensive Plan, as follows:

<u>Intensity Bonus Programs:</u>	<u>FLU Category:</u>
<u>Clustering</u>	<u>AR, RR</u>
<u>Points System</u>	<u>AR, RR, RF, UF, UC(10), UC(16), and Mixed-Use</u>
<u>Infill Traditional Neighborhood Development</u>	<u>UC, UF</u>
<u>Transfer Development of Rights</u>	<u>UC, UF</u>
<u>Branan Field:</u>	
<u>Additional Intensity not to exceed 1 unit per 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>
<u>Lake Asbury:</u>	
<u>Wetland-Upland Buffers</u>	<u>Any Residential and Non-Residential^[MK42] zoning districts of LAMPA</u>
<u>Upland Preservation</u>	<u>Any Residential and Non-Residential zoning districts of LAMPA</u>

1205 Sec. 3-C-C.2. Clustering

1206 **3-C-C.2.a. Intent**

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

Part C Future Land Use and Intensity Bonus Programs

1207 In order to provide for additional Residential densities in the areas with an AR and RR FLU categories,
1208 while maintaining the rural character and availability of Agricultural uses, Residential subdivisions may
1209 occur at the higher of the 2 densities stipulated in Residential FLU Sec. 3-C-B.2.a. and Non-Residential
1210 FLU Sec. 3-C-B.2.b., provided that the development of the subdivision complies with the following
1211 standards. **[Relocated from 3-10.(c) Clustering Provisions]**

3-C-C.2.b. Location of Site

- 1213 (1) Suitable Land. Located on suitable upland away from environmentally sensitive land, including
1214 wetlands and 100-year flood plains. **[Relocated from 3-10.(c)(6)(i) Clustering Provisions]**
1215 (2) Access to the Site. Shall be from an arterial or collector street.

3-C-C.2.c. Component of a Cluster Subdivision

1217 A subdivision with clustering development pattern shall consist of a development area and on-site preserved
1218 open space area, the percentage allocated for the development area, and the preserved open space shall
1219 be calculated based on the gross acreage of the site.

<u>FLU and Base Intensity</u>	<u>Minimum size of Development Area</u>	<u>Maximum Development Area</u>	<u>Minimum Preserve Open Space</u>
<u>AR</u> <u>1 unit per 5 acres</u>	10 acres	50 percent	50 percent
<u>RR</u> <u>1 unit per acre</u>	5 acres	65 percent	35 percent

[Relocated from Sec. 3-10.(5).(i) through (iv) Clustering Provisions]

3-C-C.2.d. Intensity

- 1220 The maximum intensity for the development area is not restricted, except where necessary to comply with
1221 the applicable development standards of the housing type. The proposed intensity shall be calculated
1222 utilizing the gross acreage of the site resulting in a higher net intensity than the base intensity of the FLU.
1223 (1) Example without Water and Sewer. A 20-acre site located in the AR Zoning District is allowed to
1224 develop a subdivision for a total of 20 units if the dwelling units are clustered in a 10-acre portion
1225 of the site, and the remainder of the 10-acre is designated as preserved open space. This results
1226 in a net intensity of 1 unit per acre based on the cluster development intensity bonus program.
1227 Each lot shall be ½ acre in size.

WORKING: Cluster Graphic

3-C-C.2.e. Combination of Lots

1231 Combination of Lots. To comply with the minimum development acreage standard, contiguous lots may be
1232 combined to form a single lot. **[Relocated from Sec. 3-10.(c)(3) Clustering Provisions]** All subdivisions
1233 of land shall conform to the platting requirements of Chapter 177, F.S. (1991). **[Relocated from Sec. 3-**
1234 **10.(c)(4) Clustering Provisions]**

3-C-C.2.f. Preserved Open Space

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

Part C Future Land Use and Intensity Bonus Programs

1236 Preserved Open Space, defined in Sec. 1-15.P.(28), shall be upland. Up to 20 percent of preserved Open
1237 Space may be utilized as drainage retention areas if such facilities are incorporated within the parks and
1238 Open Space system of the development as an amenity. **[Relocated from Sec. 3-10.(c)(5)(vi) Clustering**
1239 **Provisions]**

1240 (1) Conservation Easement. Prior to the recording of the first plat of the development area, the
1241 preserved open space shall be established by recordation of a preserve conservation easement or
1242 by fee simple [MK43] dedication to the Clay County Board of County Commissioners.

1243 (2) Configuration. Open Space, as defined in Sec. 1-15.O.(7), and that is located within the
1244 development area shall not be counted towards the percentage of the preserved open space.

3-C-C.2.g. Perimeter Landscape Buffers

1246 (1) Landscape buffers with a minimum width of 50 feet [MK44] shall be provided along the perimeter of
1247 the development area to ensure compatibility of the development activity with adjacent uses.
1248 **[Relocated from 3-10.(c)(6)(iii) Clustering Provisions]**

1249 (2) The required buffer shall be exempt if one side of the development area abuts the preserved open
1250 space.

1251 (3) These buffers shall include preserved or planted vegetation that provides an effective visual screen
1252 (at least 85 percent opacity) from street rights-of-way and adjacent properties. The 85 percent
1253 opacity standard shall be met within 3 years after planting. [Relocated from 3-10.(c)(6)(iii)
1254 **Clustering Provisions]**

1255 (i) Buffers shall not include utility easements, roads, retention, or any other areas that are not
1256 vegetated. [Relocated from 3-10.(c)(6)(iii) Clustering Provisions]

1257 (ii) Hiking or multi-purpose trails shall be allowed in the buffers, but not to exceed a width of 8
1258 feet. Trails shall be paved or mulched. [Relocated from 3-10.(c)(6)(iii) Clustering
1259 **Provisions]**

1260 (iii) Buffers may be incorporated into the preserved open space with 100 percent native plant
1261 materials. [Relocated from 3-10.(c)(6)(iii) Clustering Provisions]

Sec. 3-10. Densities and Intensities of Use

1262 ~~(c) Clustering Provisions. In order to provide for additional residential densities in the~~
1263 ~~Agricultural/Residential and Rural Residential land use areas, while maintaining the rural character~~
1264 ~~and availability of agricultural uses, residential subdivisions may occur at the higher of the two~~
1265 ~~densities stipulated in Sec. 20.3-10 (b) above, provided that the development is clustered~~
1266 ~~contiguously in a development tract on a portion of the parent tract, which is defined as a lawful~~
1267 ~~parcel of record at time of adoption of this plan, subject to Sec. 20.3-10 (d) below and to the~~
1268 ~~following general requirements: [Relocated to Sec. 3-C-C.2.a. Clustering Development]~~
1269

1270 ~~(1) The minimum size of such development tract is as follows:~~

1271 ~~(i) Agricultural/Residential areas not less than ten (10) acres.~~

1272 ~~(ii) Rural Residential areas not less than five (5) acres. [Deleted as they are repeated~~
1273 **in individual zoning district specific use standards]**

1274 ~~(2) Developments using this option shall be permitted utilizing a development review process~~
1275 ~~administered through the Planning and Zoning Department. [Deleted as process is~~
1276 **mentioned in Article 2]**

1277 ~~(3) Contiguous parcels may be combined to form a single parent tract. [Relocated to Sec. 3-~~
1278 **C-C.2.e. Clustering Development]**

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

Part C Future Land Use and Intensity Bonus Programs

- 1279 ~~(4) All subdivisions of land must conform to the platting requirements of Chapter 177, F.S.~~
1280 ~~(1991), and maintain the applicable densities stipulated in Sec. 20.3-10 (b). [Relocated to~~
1281 ~~Sec. 3-C-C.2.e. Clustering Development]~~
- 1282 ~~(5) All subdivisions of land must retain permanent open space within the parent tract as~~
1283 ~~follows:~~
- 1284 ~~(i) Subdivisions creating 20 or less lots on a minimum development tract of 10 acres~~
1285 ~~in Agricultural/Residential areas may occur provided such subdivision is located~~
1286 ~~on not more than 50 percent of the required development tract and the~~
1287 ~~undeveloped balance of the development tract is reserved as open space. For~~
1288 ~~purposes of calculating points toward development under Sec. 20.3-10 (d) below,~~
1289 ~~the minimum open space required is 50 percent of the development tract.~~
1290 ~~[Relocated to Sec. 3-C-C.2.c. Clustering Development]~~
- 1291 ~~(ii) Subdivisions creating more than 20 lots on a minimum development tract of 105~~
1292 ~~acres in Agricultural/Residential areas may occur provided such subdivision is~~
1293 ~~located on not more than 50 percent of the required development tract and the~~
1294 ~~balance of the development tract is reserved as open space. For purposes of~~
1295 ~~calculating points toward development under Sec. 20.3-10 (d) below, the minimum~~
1296 ~~open space required is 50 percent of the development tract. [Relocated to Sec.~~
1297 ~~3-C-C.2.c. Clustering Development]~~
- 1298 ~~(iii) Subdivisions creating 20 or less lots on a minimum development tract of 5 acres~~
1299 ~~in Rural Residential areas may occur provided such subdivision is located on not~~
1300 ~~more than 65 percent of the required development tract and the undeveloped~~
1301 ~~balance of the development tract is reserved as open space. For purposes of~~
1302 ~~calculating points toward development under Sec. 20.3-10 (d) below, the minimum~~
1303 ~~open space required is 35 percent of the development tract. [Relocated to Sec.~~
1304 ~~3-C-C.2.c. Clustering Development]~~
- 1305 ~~(iv) Subdivisions creating more than 20 lots on a minimum development tract of 24~~
1306 ~~acres in Rural Residential areas may occur provided such subdivision is located~~
1307 ~~on not more than 65 percent of the required development tract and the balance of~~
1308 ~~the development tract is reserved as open space. For purposes of calculating~~
1309 ~~points toward development under Sec. 20.3-10 (d), the minimum open space~~
1310 ~~required is 35 percent of the development tract. [Relocated to Sec. 3-C-C.2.c.~~
1311 ~~Clustering Development]~~
- 1312 ~~(v) All open space required in this policy shall be designated as permanent open~~
1313 ~~space for use as preservation of natural areas and also for passive recreation in~~
1314 ~~the form of pedestrian walkways, bicycle paths, boardwalks, docks built for water~~
1315 ~~access.~~
- 1316 ~~(vi) Preserved open space shall be upland. Up to 20% of preserved open space may~~
1317 ~~be utilized as drainage retention areas, if such facilities are incorporated within the~~
1318 ~~parcs and open space system of the development as an amenity. [Relocated to~~
1319 ~~Sec. 3-C-C.2.f. Clustering Development] The following factors, in order of~~
1320 ~~priority, shall guide the selection of preserved open space: lands with listed species~~
1321 ~~(flora and/or fauna) present, or one of the following regionally important natural~~
1322 ~~communities known to host rare, vulnerable, and/or listed species: scrub, sandhill,~~
1323 ~~scrubby flatwoods, xeric hammock, upland pine forest, mesic flatwoods and wet~~

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

Part C Future Land Use and Intensity Bonus Programs

1324 flatwoods. Listed plant and animal species include those species identified in
 1325 Florida Administrative Code (F.A.C.) 5B-40.0055, Regulated Plant Index, and
 1326 F.A.C. 68A-27.003, Florida's List of Endangered or Threatened Species,
 1327 respectively. Descriptions of the qualified environmentally significant natural
 1328 communities can be found at www.fnai.org. Preserved open space must be in
 1329 contiguous areas that are non-linear in shape, unless linear forms are needed to
 1330 preserve high-priority preservation areas as defined above. **[Deleted, but**
 1331 **consolidated in Definitions, Sec. 1-15.P.28]**
 1332 ~~(6) The proposed cluster development must have the following characteristics:~~
 1333 ~~(i) Located on suitable upland away from environmentally sensitive land, including~~
 1334 ~~wetlands and 100-year floodplains, and buffered from agricultural use.~~
 1335 ~~(ii) The minimum lot size is one-half acre if central water and sewer are not provided.~~
 1336 ~~(iii) Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the~~
 1337 ~~development activity with adjacent uses. **[Relocated to Sec. 3-C-C.2.g.(1)**~~
 1338 ~~**Clustering Development]**These buffers **must** include preserved or planted~~
 1339 ~~vegetation that provides an effective visual screen (at least 85% opacity) from~~
 1340 ~~rights-of-way and adjacent properties. **[Relocated to Sec. 3-C-C.2.g.(3).**~~
 1341 ~~**Clustering Development]**If such a buffer is planted or supplemented, the 85%~~
 1342 ~~opacity standard **must** be met within three years after planting. Buffers shall not~~
 1343 ~~include utility easements, roads, retention, or any other areas that are not~~
 1344 ~~vegetated, **[Relocated to Sec. 3-C-C.2.g.(3)(i) Clustering Development]** **except**~~
 1345 ~~**for hiking or multi-purpose trails not to exceed a paved width of eight feet.**~~
 1346 ~~**[Relocated to Sec. 3-C-C.2.g.(3)(ii) Clustering Development]**Where~~
 1347 ~~practicable, buffers shall include unpaved or paved trails of at least six feet in width~~
 1348 ~~for the use of residents. Buffers may be incorporated into the mandatory open~~
 1349 ~~space. **[Relocated to Sec. 3-C-C.2.g.(iii) Clustering Development]**~~

Sec. 3-C-C.3. Points System^[EG45]

1351 In addition to the standards in [Sec. 3-C-C.2. Clustering](#), developments proposed in [areas with the AR, RR,](#)
 1352 [RF, UF, UC\(10\), UC\(16\)](#) and Mixed-Use [FLU Categories](#) may occur at the higher of the intensities stipulated
 1353 in Residential FLU [Sec. 3-C-B.2.a.](#) and Non-Residential [Sec. 3-C-B.2.b.](#) provided that such developments
 1354 comply with the following conditions: **[Relocated from Sec. 3-10.(d) Points Provisions]**

3-C-C.3.a. Points Criteria

1356 Proposed developments shall be subject to a weighted evaluation process to determine the degree to which
 1357 they utilize existing infrastructure, promote Open Space, conserve natural resources, and reduce urban
 1358 sprawl. The process shall consist of the following criteria at a minimum: **[Relocated from Sec. 3-10.(d)(1)**
 1359 **Points Provisions]**

1360 (1) Proximity to fire protection:

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

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ARTICLE ~~III~~ ZONING DISTRICTS, AND LAND USES, AND
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Part C Future Land Use and Intensity Bonus Programs

1361 [Relocated from Sec. 3-10.(d)(1)(i) Points Provisions]

1362 (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>	20 points
<u>3.1 to 6.0 miles</u>	10 points

1363 [Relocated from Sec. 3-10. (d)(1)(ii) Points Provisions]

1364 (3) Vehicular access to arterial and collector roads which meet or exceed adopted level-of-service
 1365 standards:

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

1366 Development shall be linked to the arterial or collector road by a paved road or roads.

1367 [Relocated from Sec. 3-10. (d)(1)(iii) Points Provisions]

1368 (4) Access and utilization of existing central water and sewer facilities:

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

1369 Points for utility service may be received by connecting to an existing public or PSC franchised
 1370 system. [Relocated from Sec. 3-10. (d)(1)(iv) Points Provisions]

1371 (5) Proximity to public schools (existing or under construction):

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

1372 *Required busing shall be verified by the Clay County School Board. [Relocated from Sec. 3-
 1373 10.(d)(1)(v) Points Provisions]

1374 (6) Additional reservation of open space above minimums:

<u>Open Space</u>	<u>Maximum Points Awarded</u>
One point for every 1 percent of dedicated Open Space above the minimum identified in Sec. 3-C-C.2.:	25 points

1375 [Relocated from Sec. 3-10.(d)(1)(vi) Points Provisions]

1376 (7) Proximity to mass transit route:

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Part C Future Land Use and Intensity Bonus Programs

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

1377 [Relocated from Sec. 3-10.(d)(1)(vii) Points Provisions]

1378 (8) In order to proceed with development in AR, RR, and RF areas on the FLUM, the development
1379 shall achieve the following point totals:

<u>Zoning District</u>	<u>Minimum Points</u>	<u>Maximum Points</u>
<u>AR</u>	50 points	155 points
<u>RR</u>	60 points	155 points
<u>RF</u>	80 points	155 points

1380 [Relocated from Sec. 3-10.(d)(1)(viii) Points Provisions]

1381 (9) In order to proceed with development in UF, UC(10), UC(16) and Mixed-Use areas on the FLUM
1382 at intensities greater than 6 units per acre, the development shall achieve the following point totals:

<u>Zoning District</u>	<u>Minimum Points Possible</u>	<u>Maximum Points Possible</u>
<u>UF</u>	100 points	155 points
<u>UC (10)</u>	120 points	155 points
<u>UC (16)</u>	130 points	155 points
<u>Mixed-Use</u>	100 points	155 points

1383 [Relocated from Sec. 3-10.(d)(1)(ix) Points Provisions]

1384 (10) Awarding of points shall adhere to the following criteria:

- 1385 i. Points shall be awarded for only 1 item in each category except water and sewer
1386 which can receive points for both services.
- 1387 ii. Points shall be awarded for additional Open Space allocations only after a
1388 development qualifies for points under at least 2 of the other categories.

1389 [Relocated from Sec. 3-10.(d)(1)(x) Points Provisions]

1390 **3-C-C.3.b. Water and Sewer Service**

1391 All developments of land under this policy shall provide for water and sewer at the expense of the developer
1392 or homeowner or shall meet all standards for on-site disposal systems pursuant to Chapter 10D-6, FAC.
1393 [Relocated from Sec. 3-10.(d)(2) Points Provisions]

1394 **Sec. 3-10. Density and Intensities of Use**

1395 (d) ~~Points Provisions. In addition to the requirements in Sec. 20.3-10 (c), above, developments~~
1396 ~~proposed in the Agricultural/Residential, Rural Residential, Rural Fringe, Urban Fringe, Urban Core~~
1397 ~~(10), Urban Core (16) and Mixed Use areas may occur at the higher of the densities stipulated in~~
1398 ~~Sec. 20.3-10 (b) provided that such developments comply with the following conditions:~~ [Relocated
1399 to Sec. 3-C-C.3. Points System]

1400 (1) ~~Proposed developments shall be subjected to a weighted evaluation process to determine~~
1401 ~~the degree to which they utilize existing infrastructure, promote open space, conserve~~
1402 ~~natural resources and reduce urban sprawl. The process shall consist of the following~~
1403 ~~criteria at a minimum:~~ [Relocated to Sec. 3-C-C.3.a. Points System]

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Part C Future Land Use and Intensity Bonus Programs

- 1404 (i) ~~Proximity to fire protection. Proximity shall be determined by the proposed~~
1405 ~~development's location relative to boundaries of generalized response zones~~
1406 ~~drawn with three and six mile radii from the nearest fire station.~~
1407 ~~Allow a maximum of 20 points based on distance to nearest responding fire station.~~
1408 ~~Points would be awarded as follows: 0 to 3.0 miles (20 points); 3.1 to 6.0 miles (10~~
1409 ~~points). [Relocated to Sec. 3-C-C.3.a.(1) Points System]~~
1410 (ii) ~~Proximity to emergency medical services. Proximity shall be determined by the~~
1411 ~~proposed development's location relative to boundaries of generalized response~~
1412 ~~zones drawn with three and six mile radii from the nearest responding EMS unit.~~
1413 ~~Allow a maximum of 20 points based on distance to nearest responding~~
1414 ~~EMS facility. Points would be awarded as follows: within three miles (20 points);~~
1415 ~~within six miles (10 points). [Relocated to Sec. 3-C-C.3.a.(2) Points System]~~
1416 (iii) ~~Vehicular access to arterial and collector roads which meet or exceed adopted~~
1417 ~~level of service standards. Development must be linked to the arterial or collector~~
1418 ~~road by a paved road or roads.~~
1419 ~~Allow a maximum of 10 points based on the functional classification of the arterial~~
1420 ~~or collector. Points would be awarded as follows: Access to an arterial road(s) 10~~
1421 ~~points; access to a collector(s) 5 points. [Relocated to Sec. 3-C-C.3.a.(3) Points~~
1422 ~~System]~~
1423 (iv) ~~Access and utilization of existing central water and sewer facilities.~~
1424 ~~Allow a maximum of 50 points for both water and sewer service or 20 points for~~
1425 ~~only water or sewer. Points for utility service may be received by connecting to an~~
1426 ~~existing public or PSC franchised system. [Relocated to Sec. 3-C-C.3.a.(4)~~
1427 ~~Points System]~~
1428 (v) ~~Proximity to schools (existing or under construction).~~
1429 ~~Allow a maximum of 20 points. Twenty points shall be awarded if the development~~
1430 ~~is located within one and one-half miles of a public school and requires no busing~~
1431 ~~(except as required for safety purposes) as verified by the Clay County School~~
1432 ~~Board. Ten points shall be awarded if the development is located within the limits~~
1433 ~~of existing bus routes as verified by the Clay County School Board. [Relocated to~~
1434 ~~Sec. 3-C-C.3.a.(5) Points System]~~
1435 (vi) ~~Additional reservation of open space above minimums. Points shall be awarded~~
1436 ~~based on the amount of open space placed in a conservation easement above the~~
1437 ~~minimum required. A maximum of 25 points shall be awarded at the rate of one~~
1438 ~~point for every one percent of land placed in open space above the minimum~~
1439 ~~identified in Sec. 20.3-10 (e). [Relocated to Sec. 3-C-C.3.a.(6) Points System]~~
1440 (vii) ~~Proximity to mass transit route~~
1441 ~~Allow a maximum of 10 points. Ten points shall be awarded if the development is~~
1442 ~~located within ¼ mile of an existing mass transit route. Five points shall be~~
1443 ~~awarded if the development is located within ½ mile of an existing mass transit~~
1444 ~~route. [Relocated to Sec. 3-C-C.3.a.(7) Points System]~~
1445 (viii) ~~In order to proceed with development in Agricultural/ Residential, Rural Residential~~
1446 ~~and Rural Fringe areas on the Future Land Use Map, the development must~~
1447 ~~achieve the following point totals:~~

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

Part C Future Land Use and Intensity Bonus Programs

- 1448 a. ~~Agricultural/Residential a minimum of 50 points out of a possible 155~~
1449 ~~points available as set forth in (i) through (vii), above.~~
1450 b. ~~Rural Residential a minimum of 60 points out of a possible 155 points~~
1451 ~~available as set forth in (i) through (vii), above.~~
1452 c. ~~Rural Fringe a minimum of 80 out of 155 points available as set forth in~~
1453 ~~(i) through (vii), above. [Relocated to Sec. 3-C-C.3.a.(8) Points System]~~
1454 (ix) ~~In order to proceed with development in Urban Fringe, Urban Core (10), Urban~~
1455 ~~Core (16) and Mixed Use areas on the Future Land Use Map at densities greater~~
1456 ~~than six (6) units per acre, the development must achieve the following point totals:~~
1457 a. ~~Urban Fringe a minimum of 100 points out of a possible 155 points~~
1458 ~~available as set forth in (i) through (vii), above,~~
1459 b. ~~Urban Core (10) a minimum of 120 points out of a possible 155 points~~
1460 ~~available as set forth in (i) through (vii), above,~~
1461 c. ~~Urban Core (16) a minimum of 130 points out of a possible 155 points~~
1462 ~~available as set forth in (i) through (vii), above,~~
1463 d. ~~Mixed Use a minimum of 100 points out of a possible 155 points~~
1464 ~~available as set forth in (i) through (vii), above; [Relocated to Sec. 3-C-~~
1465 ~~C.3.a.(9) Points System]~~
1466 (x) ~~Awarding of points shall adhere to the following criteria:~~
1467 a. ~~Points shall be awarded for only one item in each category except water~~
1468 ~~and sewer which can receive points for both services.~~
1469 b. ~~Points shall be awarded for additional open space allocations only after a~~
1470 ~~development qualifies for points under at least two of the other categories.~~
1471 ~~[Relocated to Sec. 3-C-C.3.a.(10) Points System]~~
1472 (2) ~~All developments of land under this policy must provide for water and sewer at the expense~~
1473 ~~of the developer or homeowner or must meet all requirements for on-site disposal systems~~
1474 ~~pursuant to Chapter 10D-6, FAC. [Relocated to Sec. 3-C-C.3.b. Points System]~~

1475 Sec. 3-C-C.4. Infill Traditional Neighborhood Development (TND)

1476 3-C-C.4.a. Purpose and Intent

1477 The purpose and intent of the Infill Traditional Neighborhood Development (TND) Zoning District is to
1478 provide development incentives and flexible standards that encourage compact development of mixed
1479 Residential and Non-Residential uses in properties with the UC and UF FLU categories. Such
1480 developments are generally designed with a range of housing types with convenient Commercial and
1481 Recreational uses that serve the daily needs of the Residential community. Emphases are focused on the
1482 provision of efficient pedestrian and non-motorized circulation systems to ensure a safe and cohesive
1483 neighborhood environment is achieved.

1484 3-C-C.4.b. Infill Site Boundary

1485 (1) At least 1 boundary of the infill site shall be adjacent to the following TND Zoning District. Refer to
1486 Sec. 1-15.A.(11) for Adjacency, and graphics in Sec. 3-A.4. Applicability of District Boundaries.

1487 3-C-C.4.c. Intensity Bonus

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

Part C Future Land Use and Intensity Bonus Programs

1488 Intensity bonuses may be allowed for eligible infill TND development within the UC and UF FLU categories.
 1489 To be eligible for the bonus, demonstration of adequate public facilities including water, sewer, and
 1490 transportation facilities to serve the site shall be provided. Suitability of the site for the increased intensity
 1491 shall also be demonstrated prior to receiving approval for the intensity. **[Relocated from Sec. 3-10.(e) Infill**
 1492 **TND Development]**

- 1493 (1) Property with a Commercial FLU category; or
- 1494 (2) Residential use developed at an intensity that is greater than or equal to the intensity of the
 1495 proposed infill site development.
- 1496 (3) The remainder of the infill site shall be bounded by developed Non-Residential uses or Residential
 1497 uses at an intensity of 2 units per acre or greater. Wetlands within the development parcel or on
 1498 adjacent lands shall be excluded from the determination that a site is surrounded by existing
 1499 development. **[Relocated from Sec. 3-10.(e).(1).(ii) Infill TND Development]**

3-C-C.4.d. Minimum Size

1500 The minimum lot size for a development in the TND zoning district is 20 acres.

3-C-C.4.e. Access

1503 An infill site shall have direct access to a road with a functional classification of minor collector or higher as
 1504 set forth in Sec. 8-4. Roadway Classification System. **[Relocated from Sec. 3-10.(e).(1).(iii). Infill TND**
 1505 **Development]**

3-C-C.4.f. Mix of Land Uses

1507 Shall be based on the percentage of the total gross land area of the proposed [MK46] development.

<u>Land Use Mix</u>	<u>Minimum</u>	<u>Maximum</u>
<u>Single-Family Detached</u>	<u>20 percent</u>	<u>50 percent</u>
<u>Single-Family Attached</u>	<u>25 percent</u>	<u>70 percent</u>
<u>Commercial</u>	<u>5 percent</u>	<u>10 percent</u>
<u>Civic Space¹</u>	<u>2 percent</u>	<u>25 percent</u>
<u>Open Space and Recreation</u>	<u>5 percent</u>	<u>Not Applicable</u>

Footnote:

- 1 Civic Space such as a library, satellite police office, or any government agency may be located in the Commercial space.

3-C-C.4.g. Design Standards

- 1509 (1) The following standards shall be employed to guide TND development pattern and design:
- 1510 (a) Internal Connectivity. To ensure internal connectivity, the development shall have a grid or
 1511 modified grid street pattern with block lengths no greater than 500^[EG47] feet.
- 1512 (b) Parking. On-street parking shall be allowed.
- 1513 (c) Sidewalks. Sidewalks with a minimum width of 5 feet shall be required on both sides of all
 1514 roads.
- 1515 (d) Rear Vehicular Entry. The development shall provide rear entry garages, accessed by
 1516 alleys, for a minimum of 50 percent of the lots.

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

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- 1517 (e) Front Entry Garage. All front entry garage units shall be designed so as to recess the
1518 garage a minimum of 15 feet from the front roofline of the structure and to provide habitable
1519 space above the garage recess.
- 1520 (f) Front Setback. The maximum front yard setback shall be 10 feet.
- 1521 (g) Open Space. The development shall provide a minimum of 10 percent Open Space, 50
1522 percent of which shall be used to create a public gathering space the boundary of which
1523 shall be defined by road rights-of-way. The opposing right-of-way line shall be defined by
1524 the front façade of Residential units.
- 1525 (h) External Connection. The development shall be connected to adjacent lots through the use
1526 of streets, sidewalks and bike lanes/paths. Connections to adjacent collector or arterial
1527 roads are preferred to be a maximum of 750 feet apart. Multiple access standards may be
1528 waived by the County Engineer if environmental lands would be impacted, traffic safety
1529 considerations indicate that the vehicular access should not be provided, or FDOT access
1530 management requirements do not permit the access. [Relocated from Sec. 3-10.(e)(2)(i)
1531 to (vii)]

1532 **Sec. 3-10. Densities and Intensities of Use**

- 1533 ~~(e) Infill TND Development. [EG48] Density bonuses will be allowed for eligible infill TND development
1534 within the Urban Core and Urban Fringe land use categories. To be eligible for the bonus,
1535 demonstration of adequate public facilities including water, sewer and transportation facilities to
1536 serve the site must be provided. Suitability of the site for the increased density must also be
1537 demonstrated prior to receiving approval for the density. [Relocated to Sec. 3-C-C.4.c. Intensity
1538 **Bonus]**~~
- 1539 ~~(1) Infill sites are defined as follows:~~
- 1540 ~~(i) At least one boundary of the infill site must be adjacent to the following existing
1541 development types and intensities/densities. [Relocated to Sec. 3-C-C.4.b. Infill
1542 **Site Boundary]** For the purpose of determining adjacency, lands having a
1543 common boundary or separated only by the right of way for a road with a functional
1544 classification of minor collector or lower shall be considered adjacent. Adjacent
1545 does not include lands located diagonally across any intersection or those across
1546 the right of way of a roadway classified higher than a minor collector. [Relocated
1547 **to Sec. 1-15.A.11. Definitions]**~~
- 1548 ~~a. non-residential use on land designated for Commercial Land Use on the
1549 Future Land Use Map ; or~~
- 1550 ~~b. residential use developed at a density that is greater than or equal to the
1551 density of the proposed infill site development. [Relocated to Sec. 3-C-
1552 **C.4.c.(iii) Intensity Bonus]**~~
- 1553 ~~(ii) The remainder of the infill site must be bounded by developed non-residential uses
1554 or residential uses at a density of 2 units per acre or greater. Wetlands within the
1555 development parcel or on adjacent lands shall be excluded from the determination
1556 that a site is surrounded by existing development. [Relocated to Sec. 3-C-
1557 **C.4.c.(iii) Intensity Bonus]**~~
- 1558 ~~(iii) An infill site must have direct access to a road with a functional classification of
1559 minor collector or higher. [Relocated to Sec. 3-C-C.4.e. Access]~~

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- 1560 (2) ~~TNDs utilizing the density bonuses shall be allowed through a Planned Unit Development~~
1561 ~~(PUD). The following criteria, among others, shall be employed to guide TND development~~
1562 ~~pattern and design:~~
1563 (i) ~~To ensure internal connectivity, the development shall have a grid or modified grid~~
1564 ~~street pattern with block lengths no greater than 500 feet.~~
1565 (ii) ~~On-street parking shall be allowed.~~
1566 (iii) ~~Sidewalks with a minimum width of five feet shall be required on both sides of all~~
1567 ~~roads.~~
1568 (iv) ~~The development shall provide rear entry garages, accessed by alleys, for a~~
1569 ~~minimum of 50 percent of the lots.~~
1570 (v) ~~All front entry garage units shall be designed so as to recess the garage a minimum~~
1571 ~~of 15 feet from the front roofline of the structure and to provide habitable space~~
1572 ~~above the garage recess.~~
1573 (vi) ~~The maximum front yard setback shall be 10 feet.~~
1574 (vii) ~~The development shall provide a minimum of 10 percent upland open space, 50~~
1575 ~~percent of which shall be used to create a public gathering space the boundary of~~
1576 ~~which shall be defined by road rights of way. The opposing right of way line shall~~
1577 ~~be defined by the front façade of residential units.~~
1578 (viii) ~~The development shall be connected to adjacent parcels through the use of~~
1579 ~~streets, sidewalks and bike lanes/paths. Connections to adjacent collector or~~
1580 ~~arterial roads shall be a maximum of 750 feet apart. [EG49] Multiple access~~
1581 ~~requirements may be waived by the County if environmental lands would be~~
1582 ~~impacted, traffic safety considerations indicate that the access should not be~~
1583 ~~provided or FDOT access management requirements do not permit the access.~~
1584 **[Relocated to Sec. 3-C-C.4.g.(8) Design Standards]**
1585 (3) ~~The PUD may provide a mix of the following housing types:~~
1586 ~~single-family detached single-family attached including townhomes (iii) multi-family units~~
1587 ~~Additional design criteria within the PUD shall regulate building length, facades, design~~
1588 ~~variation, fenestration, porch height, and other elements. County review and acceptance~~
1589 ~~of site and architectural plans shall be required concurrent with the approval of an infill~~
1590 ~~density bonus. [EG50] [Removed due to a conflict with how TND development is~~
1591 ~~typically structured]~~

Sec. 3-C-C.5. Transfer of Development Rights (TDR)

3-C-C.5.a. Purpose and Intent [EG51]

1594 Residential and/or ~~Non-Residential~~ intensity may be transferred from eligible sending sites to eligible
1595 receiving sites through a voluntary process that encourages preservation/conservation of natural resources,
1596 protects healthy agricultural lands, manages sustainable urban growth, and assures protection of
1597 continuous growth in land values for a public benefit. **[Relocated from Sec. 3-10.(f)]** It is the County's intent
1598 to further incentivize application of the TDR program to Agriculture lands. **[Relocated from Sec. 3-**
1599 **10.(f)(iv)]**

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

Part C Future Land Use and Intensity Bonus Programs

1600 3-C-C.5.b. Applicability

1601 This Section shall apply to lands within unincorporated Clay County.

1602 3-C-C.5.c. Administration of TDR

1603 The Planning and Zoning Director or his/her designee shall administer the TDR program, and shall be
1604 responsible for the following:

1605 (1) Contracts for sale and purchase of TDR intensity (units or square footage) are executed, and all
1606 deeds and conservation easements are recorded and filed in the public records of the County.

1607 3-C-C.5.d. Sending Areas Transfer Rate

1608 *The number of Residential units and the floor-area of Non-Residential development rights that a sending*
1609 *site is eligible to transfer to a receiving site shall be determined by applying the TDR sending site base*
1610 *intensity as set forth in Sec. 3-C-C.7.f. Sending Site Base Intensity.*

1611 (1) Net Intensity. *The allowable intensity from a sending site shall not include:*

1612 (a) an area that is *associated with any existing development;*

1613 (b) an area that has *any retained development rights; and*

1614 (c) an area with *any portion already in a conservation easement, a restrictive covenant, or*
1615 *other similar encumbrance.*

1616 (2) Reduced Lot Size. *For each existing dwelling unit or retained development right, the sending site*
1617 *area shall be reduced by the minimum lot size for that zoning district.*

1618 (3) Fractional Development Rights. *Any fractions of development rights that result from the calculations*
1619 *in subsection (1) above shall not be included in the final determination of total development rights*
1620 *available for transfer. [Relocated from Sec. 3-10.(f)(1) Density/Intensity Rating System]*

1621 3-C-C.5.e. Computation of Development Rights

1622 *For purposes of calculating the amount of development rights, the amount of land contained within a*
1623 *sending site shall be determined as follows:*

1624 (1) Tax Lot. *If the sending site is an entire tax lot, the square footage or acreage shall be determined:*

1625 (a) *by the records from the Clay County Property Appraiser's Office; or*

1626 (b) *by a survey funded by the applicant that has been prepared and stamped by a surveyor*
1627 *licensed in the State of Florida.*

1628 (2) Land with Split FLU Categories. *If the sending site consists of a lot that is divided by a FLU*
1629 *boundary, the square footage or acreage shall be calculated separately for each FLU category.*
1630 *The square footage or acreage within each FLU category shall be determined by the Clay County*
1631 *FLUM.*

1632 (a) Alternate Method of Determination. *When such records are not available or are not*
1633 *adequate to determine the square footage or acreage within each FLU category, then the*
1634 *Department of Economic and Development Services shall calculate the square footage or*
1635 *acreage through the geographic information system (GIS) mapping system. [Relocated*
1636 *from Sec. 3-10.(f)(iii) Density Rating System]*

1637 3-C-C.5.f. Sending Site Base Densities

1638 *For the purposes of the TDR program, the following TDR sending site base intensities shall apply:*

<u>Future Land Use</u>	<u>Base Intensity</u>
------------------------	-----------------------

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ARTICLE ~~III~~ ZONING DISTRICTS, ~~AND~~ LAND USES, AND
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Part C Future Land Use and Intensity Bonus Programs

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

1639 **[Relocated from Sec. 3-10.(f)(iv) Density Rating System]**

1640 **3-C-C.5.g. Sending Site Base Intensities**

1641 *The number and/or the floor-area of development rights that a sending site is eligible to transfer to a*
 1642 *receiving site shall be determined through the application of a conversion ratio included in this Subsection.*
 1643 *The conversion ratio shall be applied to the number of available sending site development rights determined*
 1644 *under Subsection d.(1) of this Section. **[Relocated from Sec. 3-10(f)(v) Density Rating System]***

Table 3-C-C.7. Conversion Ratio

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

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3-C-C.5.h. Multiple Sending Sites

1645 *Development rights from 1 sending site may be allocated to more than 1 receiving site and 1 receiving site*
1646 *may accept development rights from more than 1 sending site . [Relocated from Sec. 3-10(f)(vi) Density*
1647 *Rating System]*

3-C-C.5.i. TDR Certificate Letter of Intent

1648 *The determination of the number of Residential development rights a sending site has available for transfer*
1649 *to a receiving site shall be valid for transfer purposes only, shall be documented in a TDR certificate letter*
1650 *of intent and shall be considered a final determination, not to be revised due to changes to the sending*
1651 *site's FLU or zoning district. [Relocated from Sec. 3-10(f)(vii) Density Rating System]*
1652

3-C-C.5.j. TDR Receiving Sites

- 1653
- 1654 (1) A designation of Intensity Receiving Area (IRA) shall be limited to Commercial, Business Park,
1655 Industrial, Industrial Park, Mixed-Use, and Residential FLU categories with a minimum intensity
1656 greater than 1 unit per acre, and similar FLU categories in Master Plan Areas within the Centralized
1657 Water and Sewer Service Area (CWSSA). Respectively, the areas outside of the IRA shall be a
1658 potential Intensity Sending Area (ISA). The designation of site-specific IRA and ISA shall be
1659 reviewed and authorized by the TDR Review Committee ^[EG52] formed under the program.
- 1660 (2) Intensity transfers may be permitted from an area within the IRA into another portion of the IRA
1661 subject to the Intensity Rating System. Developed lands within the IRA are not qualified to become
1662 a ISA. In case the developed lands within the IRA are reclaimed for conservation, preservation,
1663 recreation and/or urban agricultural purposes, it may be qualified to become an ISA upon review.
- 1664 (3) In no case shall intensity be transferred to the outside of the IRA from the IRA. Also, no transfer
1665 shall be allowed within areas outside of the IRA.
- 1666 (4) For projects utilizing this TDR process, intensity may be increased above and beyond the intensity
1667 otherwise allowed by the Intensity Rating System up to 200 percent of the maximum intensity
1668 permitted. For Master Plan areas, up to 200 percent of recommended average intensity standards
1669 may be permitted for receiving sites independently from other areas.
- 1670 (5) TDR receiving sites shall meet the following requirements:
- 1671 (a) Be served by Centralized Water and Sewer Services;
- 1672 (b) Demonstrate the availability of public facilities or planned within the next 5 years at the
1673 adopted LOS standards;
- 1674 (c) Promote compact development and energy efficient land use pattern; and
- 1675 (d) Demonstrate the suitability of the site for receiving the intensity transfer.

3-C-C.5.k. TDR Application Process and Procedures ^[EG53]

Section pending County Response

3-C-C.5.l. Documentation of Approved TDRs

1677

1678 *Development rights from a sending site shall be considered transferred to a receiving site when a final*
1679 *decision is made on the TDR receiving area development proposal, the sending site is protected by a*
1680 *completed and recorded land dedication (TDR Deed of Transfer), Conservation Easement, and notification*
1681 *shall be provided to the Clay County Property Appraiser's Office and a TDR extinguishment document shall*

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1682 be provided to the Department of Economic and Development Services, or its successor agency.
1683 [Relocated from Sec. 3-10.(f).(1) through (7) Transfer of Development Rights]

1684 **Sec. 3-10. Densities and Intensities of Use**

1685 ~~(f) — Transfer of Development Rights. Residential density and/or non-residential intensity may be~~
1686 ~~transferred from eligible sending sites to eligible receive sites through a voluntary process that~~
1687 ~~encourages preservation/conservation of natural resources, protects healthy agricultural lands,~~
1688 ~~manages sustainable urban growth and assures protection of continuous growth in land values for~~
1689 ~~a public benefit. [Relocated to Sec. 3-C-C.5. Transfer Development Rights, Purpose and~~
1690 ~~Intent]~~

1691 ~~(1) — Density/Intensity Rating System:~~

1692 ~~(i) — The number of residential units and the floor area of nonresidential development~~
1693 ~~rights that a sending site is eligible to send to a receiving site shall be determined~~
1694 ~~by applying the TDR sending site base density/intensity established in subsection~~
1695 ~~(iv) of this section to the area of the sending site, after deducting the area~~
1696 ~~associated with any existing development, any retained development rights and~~
1697 ~~any portion of the sending site already in a conservation easement, a restrictive~~
1698 ~~covenant or other similar encumbrance. For each existing dwelling unit or retained~~
1699 ~~development right, the sending site area shall be reduced by the minimum lot size~~
1700 ~~for that zone. [Relocated to Sec. 3-C-C.5.d.(1) Sending Areas Transfer Rate]~~

1701 ~~(ii) — Any fractions of development rights that result from the calculations in subsection~~
1702 ~~A of this section shall not be included in the final determination of total development~~
1703 ~~rights available for transfer. [Relocated to Sec. 3-C-C.5.d.(2) Sending Areas~~
1704 ~~Transfer Rate]~~

1705 ~~(iii) — For purposes of calculating the amount of development rights a sending site can~~
1706 ~~transfer, the amount of land contained within a sending site shall be determined~~
1707 ~~as follows:~~

1708 ~~a. — If the sending site is an entire tax lot, the square footage or acreage shall~~
1709 ~~be determined:~~

1710 ~~i. — by the records from the Clay County Property Appraiser's Office;~~
1711 ~~or~~

1712 ~~ii. — by a survey funded by the applicant that has been prepared and~~
1713 ~~stamped by a surveyor licensed in the State of Florida; and~~

1714 ~~b. — If the sending site consists of a lot that is divided by a future land use~~
1715 ~~boundary, the square footage or acreage shall be calculated separately~~
1716 ~~for each land use classification. The square footage or acreage within~~
1717 ~~each land use classification shall be determined by the Clay County Future~~
1718 ~~Land Use Map that established the land use and property lines, such as~~
1719 ~~an approved lot line adjustment. When such records are not available or~~
1720 ~~are not adequate to determine the square footage or acreage within each~~
1721 ~~land use classification, the Department of Development Services shall~~
1722 ~~calculate the square footage or acreage through the geographic~~
1723 ~~information system (GIS) mapping [Relocated to Sec. 3-C-C.5.e.~~
1724 ~~Computation of Development Rights]~~

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

Part C Future Land Use and Intensity Bonus Programs

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~~(iv) For the purposes of the transfer of development rights (TDR) program only, the following TDR sending site base densities apply:~~

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

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~~* It is the County's intent to further incentivize application of TDR program to Agriculture lands [Relocated to Sec. 3-C-C.5.f. 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-C.5.g. Sending Site Base Intensities]~~

Conversion Ratio

		FROM					
		<i>Industrial (1,000sf)</i>	<i>SingleFamily (d.u.)</i>	<i>Apartment/ MultiFamily (d.u.)</i>	<i>Hotel (room)</i>	<i>Office (1,000sf)</i>	<i>Retail/Service (1,000sf)</i>
TO	<i>Industrial (1,000sf)</i>	1	2.7	1.2	1.7	3.17	5.27

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

Part C Future Land Use and Intensity Bonus Programs

Single Family (per d.u.)	N/A	1	0.44	N/A	N/A	N/A
Apt/Multi-Family (per d.u.)	N/A	2.25	1	N/A	N/A	N/A
Hotel (per room)	0.59	1.59	0.71	1	1.87	3.11
Office (per 1,000sf)	0.32	0.85	0.38	0.54	1	1.67
Retail/Service (per 1,000sf)	0.19	0.51	0.23	0.32	0.6	1

1736 [Relocated to Sec. 3-C-C.5.g. Sending Site Base Intensities]

- 1737 ~~(vi) — Development rights from one sending site may be allocated to more than one~~
 1738 ~~receiving site and one receiving site may accept development rights from more~~
 1739 ~~than one sending site. [Relocated to Sec. 3-C-C.5.h. Multiple Sending Sites]~~
 1740 ~~(vii) — The determination of the number of residential development rights a sending site~~
 1741 ~~has available for transfer to a receiving site shall be valid for transfer purposes~~
 1742 ~~only, shall be documented in a TDR certificate letter of intent and shall be~~
 1743 ~~considered a final determination, not to be revised due to changes to the sending~~
 1744 ~~site's ~~land use~~ or zoning. [Relocated to Sec. 3-C-C.5.i. TDR Certificate Letter of~~
 1745 ~~Intent]~~
 1746 ~~(2) — A designation of DRA shall be limited to Commercial, Business Park, Industrial, Industrial~~
 1747 ~~Park, Mixed Use, residential ~~land use~~ categories with a minimum density greater than 1~~
 1748 ~~unit per acre, and similar categories in Master Plan Areas within the Centralized Water and~~
 1749 ~~Sewer Service Area (CWSSA). Respectively, the areas outside of the DRA shall be a~~
 1750 ~~potential Density/Intensity Sending Area (DSA). The designation of site specific DRA and~~
 1751 ~~DSA shall be reviewed and authorized by the TDR Review Committee formed under the~~
 1752 ~~program. [Relocated to Sec. 3-C-C.5.j.(1) TDR Receiving Sites]~~
 1753 ~~(3) — Density/Intensity transfers may be permitted from an area within the DRA into another~~
 1754 ~~portion of the DRA subject to the Density/Intensity Rating System. Developed lands within~~
 1755 ~~the DRA are not qualified to become a DSA. In case the developed lands within the DRA~~
 1756 ~~are reclaimed for conservation, preservation, recreation and/or urban agricultural~~
 1757 ~~purposes, it may be qualified to become a DSA upon review. [Relocated to Sec. 3-C-~~
 1758 ~~C.5.j.(2) TDR Receiving Sites]~~
 1759 ~~(4) — In no case shall density/intensity be transferred to the outside of the DRA from the DRA.~~
 1760 ~~Also, no transfer shall be allowed within areas outside of the DRA. [Relocated to Sec. 3-~~
 1761 ~~C-C.5.j.(3) TDR Receiving Sites]~~
 1762 ~~(5) — For projects utilizing this TDR process, density/intensity may be increased above and~~
 1763 ~~beyond the density/intensity otherwise allowed by the Density Rating System up to 200%~~
 1764 ~~of the maximum density/intensity permitted. For master plan areas, up to 200% of~~

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

Part C Future Land Use and Intensity Bonus Programs

- 1765 ~~recommended average density/intensity standards may be permitted for receiving sites~~
1766 ~~independently from other areas. [Relocated to Sec. 3-C-C.5.j.(4) TDR Receiving Sites]~~
1767 ~~(6) TDR receiving sites shall meet the following requirements:~~
1768 ~~(i) Be served by Centralized Water and Sewer Services;~~
1769 ~~(ii) Demonstrate the availability of public facilities or planned within the next five years~~
1770 ~~at the adopted LOS standards;~~
1771 ~~(iii) Promote compact development and energy efficient land use pattern; and~~
1772 ~~(iv) Demonstrate the suitability of the site for receiving the density/intensity~~
1773 ~~transfer. [Relocated to Sec. 3-C-C.5.j.(5) TDR Receiving Sites]~~
1774 ~~(7) Development rights from a sending site shall be considered transferred to a receiving site~~
1775 ~~when a final decision is made on the TDR receiving area development proposal, the~~
1776 ~~sending site is protected by a completed and recorded land dedication (TDR Deed of~~
1777 ~~Transfer), Conservation Easement, and notification shall be provided to the Clay County~~
1778 ~~Property Appraiser's Office and a TDR extinguishment document shall be provided to the~~
1779 ~~department of development services, or its successor agency. [Relocated to Sec. 3-C-~~
1780 ~~C.5.I. Documentation of Approved TDRs]~~

1781 Sec. 3-C-C.6. Branran Field Intensity Bonus Programs [EG54]

1782 3-C-C.6.a. Purpose and Intent

1783 The purpose and intent of the Section is to address the allowance of additional intensity for the Branran
1784 Field Rural Suburb (BF RS) FLU category. The base intensity of the BF RS is 1 unit per 5 acres, and
1785 additional intensity is allowed if a proposed development commits to the preservation of environmentally
1786 sensitive lands and open space. There are 7 ways of achieving additional intensity as described in the
1787 following Subsections.

1788 3-C-C.6.b. Additional Intensity

1789 Additional intensity not to exceed 1 unit per acre shall comply with the following requirements: [Relocated
1790 from Sec. 3-33A.II.1.g. Density Bonus Program]

- 1791 (1) Minimum Open Space. A minimum of 35 percent of usable Open Space with no more than 60
1792 percent of this being wetland area. [Relocated from Sec. 3-33A.II.1.g.i. Minimum Open Space]
1793 (2) Perimeter Buffer.
1794 (a) A minimum average width of 50 feet, may be exempt when abutting a similar buffer of the
1795 same width; or
1796 (b) Buffer width may be reduced to a maximum of 35 feet if the following conditions are met:
1797 i. Non-Wetland or BF PCN. Shall not include wetland or BF PCN lands;
1798 ii. Vegetation. Shall include preserved or planted vegetation that provides an effective
1799 visual screen at least 85 percent opacity from adjacent street rights-of-way and
1800 properties. The 85 percent opacity standard shall be met within 3 years after planting;
1801 iii. Non-Vegetation. Buffers shall not include roads, retention, or any other areas that are
1802 not vegetated, except for utility easements at a maximum width of 15 feet when right-
1803 of-way is not available to serve lots with utilities, and/or hiking or multi-purpose trails
1804 not to exceed a paved area of 8 feet.

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

Part C Future Land Use and Intensity Bonus Programs

- 1805 iv. Performance Bond. A performance bond shall be provided to the County for the period
1806 of 2 years to ensure that planted vegetation is established.
1807 v. Ownership. Buffers may not be part of individual lots but shall be common areas owned
1808 by homeowners' associations or deeded to the County or water management district.
1809 [Relocated from Sec. 3-33A.II.1.g.i., ii. A.B.C. and D. Perimeter Buffer]

1810 3-C-C.6.c. Additional Intensity that exceeds 1.5 Units per 2 Net Acres

1811 Developments utilizing the intensity bonus program that achieve net intensities (less wetlands and
1812 parks/Open Space) that are higher than 1.5 units per 2 acres shall comply with the following standards:

<u>Development with:</u>	<u>Apply Development Standards of:</u>
<u>Net intensity >1.5 units per 2 net acres</u>	<u>BF MPC</u> ^[CP55]
<u>With > 20 percent lots that are < 6,000 square feet</u>	<u>BF MPC Village Zone</u>
<u>Others</u>	<u>Suburban Zone</u>

- 1813 (1) Neighborhood Centers shall be required and shall include, at a minimum, a centrally located
1814 Primary Neighborhood Park with facilities and required Civic Space.
1815 (2) Neighborhood Centers that provide Retail Sales, General and/or Office, Business or Professional
1816 uses as described in the BF MPC category are encouraged. [Relocated from Sec. 3-33A.II.1.g.iii.
1817 BF MPC Standards (in BF RS)]

1818 3-C-C.6.d. Intensity Increase from Transfer of Wetlands

1819 The intensity of wetlands (within a conservation easement), if existing on a property with a base intensity
1820 of 1 unit per 5 acres, may be transferred to the upland areas. Refer to Sec. 3-C-C.1. Clustering
1821 Development. [From Sec. 3-33A.II.1.g.v.A. Base Density, Density calculation]

1822 3-C-C.6.e. Complementary Use Bonus Intensity

1823 The base intensity of 1 unit per 5 acres may be allowed to increase to 1 unit per 2 acres when development
1824 is adjacent to 1 or more of the following land uses: BF AC, BF CC, BF MPC, or any other land use that
1825 allows intensities of greater than 2 units per acre.

- 1826 (1) Adjacency. In this case, "adjacent" requires that the property in question share a property boundary
1827 that is at least $\frac{1}{3}$ of the perimeter of the property in question with 1 or more of the above land uses.
1828 Lands across a road classified as collector or below shall be counted in this calculation, however
1829 land across the BF PCN or a Conservation area shall not be counted. [Relocated from Sec. 3-
1830 33A.II.1.g.v.B. Complimentary Use Bonus, Density calculation]

1831 3-C-C.6.f. BF PCN and Open Space Set-Aside Bonus Intensity

1832 The base intensity of 1 unit per 5 acres may be increased to a maximum of 1 unit per acre through the
1833 transfer of intensity from lands within the BF PCN network and from preserved Open Space. All lands which
1834 are subject to the transfer of intensity shall be contiguous, and isolated fragments shall not be created.

<u>Additional Intensity</u>	<u>Set-aside BF PCN Lands or Preserved Open Space</u>
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ARTICLE III ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

Part C Future Land Use and Intensity Bonus Programs

10 units per acre: 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.

4 units per acre: 1 acre of BF PCN land that is not located on a site^{[CP56][EG57]}, but dominated by ecologically sensitive communities like Longleaf Pine, Turkey Oak, or Sand Hill.

2 units per acre: In the absence of the above 2 types of non-BF PCN intensity 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:

Such lands shall be contiguous areas that are at least 2 acres in size with an average width and depth of 200 feet.

1835 [Relocated from Sec. 3-33A. II.1.g.v.C. BF Primary Conservation Network and Open Space Set Aside
1836 Bonus, Density calculation]

1837 **3-C-C.6.g. Additional 25 Percent or 100 Units**

1838 An additional 25 percent of the allowable maximum intensity or 100 units, whichever is less, may be allowed
1839 subject to the following:

1840 (1) All development rights from lands within the property that transferred the intensity shall be
1841 permanent.

1842 (2) Dedication of Park space shall exceed minimum requirements by 150 percent.

1843 (3) Additional BF PCN lands shall be provided within the development in the amount of at least 10,000
1844 square feet per additional unit. Such lands shall be uplands and may not include any lands within
1845 utility easements.

1846 (4) A clubhouse shall be provided in a Civic Space. [Relocated from Sec. 3-33A. II.1.g.v.D.
1847 Additional Bonus, Density calculation]

1848 **3-C-C.6.h. Central Water and Sewer**

1849 Connection to the urban services of central water and sewer is required for new developments within the
1850 BF Master Planned Community. However, septic tanks and wells shall be allowed for Single-Family units
1851 on existing lots of record.

1852 (1) New Commercial, except within the BF RAC, shall tie into central water and sewer.

1853 (2) Residential subdivisions may also be served by well and septic tanks meeting the following
1854 standards:

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

1855 [Relocated from Sec. 3-33A. II.1.g.iv. Central Water and Sewer]

1856 **Sec. 3-33A.II.1.g.ii.**

1857 ~~ii. *Perimeter Buffer.*~~

1858 ~~A. *Buffer Width.* The development shall be designed to maintain a natural and rural character. No~~
1859 ~~additional buffers are required for proposed developments along lot lines that are adjacent to~~

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

Part C Future Land Use and Intensity Bonus Programs

1860 ~~an existing perimeter buffer. Perimeter buffers shall be required and shall average 50 feet in~~
1861 ~~width. Buffer width may be reduced to no less than 35 feet, if the following conditions are met:~~
1862 ~~Item 1. Reduced buffers must include established vegetation.~~
1863 ~~Item 2. Areas included in calculation of overall average buffers shall not include wetland or BF~~
1864 ~~PCN. [Relocated to Sec. 3-C-C.6.b.(2) (a) Perimeter Buffer]~~
1865 **B. Buffer Contents.** ~~These buffers must include preserved or planted vegetation that provides an~~
1866 ~~effective visual screen (at least 85% opacity) from rights-of-way and adjacent properties. If~~
1867 ~~such a buffer is planted or supplemented, the 85% opacity standard must be met within three~~
1868 ~~years after planting. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer, Additional~~
1869 ~~Intensity] Where such buffers are planted or supplemented, a performance bond must be~~
1870 ~~provided to the County for the period of two years to ensure that planted vegetation is~~
1871 ~~established. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer, Additional Intensity]~~
1872 ~~Buffers shall not include roads, retention, or any other areas that are not vegetated, except for~~
1873 ~~utility easements at a maximum width of 15 feet when right-of-way is not available to serve lots~~
1874 ~~with utilities, and/or hiking or multi-purpose trails not to exceed a paved feet of eight feet.~~
1875 ~~Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for~~
1876 ~~the use of residents. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer]~~
1877 ~~C. Buffers shall include native vegetation to ensure drought tolerance and survivability. [Deleted,~~
1878 ~~refer to Sec. 6-3. Landscape Design, Table 2. Approved Plant List]~~
1879 ~~D. Buffer Ownership and Control. Such buffers may not be part of individual lots, but must be~~
1880 ~~common areas owned by homeowners' associations or deeded to the County or water~~
1881 ~~management district. [Relocated to Sec. 3-C-C.6.b.(2)(b)(v) Additional Intensity]~~

1882 **Sec. 3-33A.II.1.g.iii.**
1883 ~~iii. BF MPC Standards. Developments utilizing the density bonus program that achieve net densities~~
1884 ~~(less wetlands and parks/open space) that are higher than 1.5 units per two acres must meet~~
1885 ~~applicable development standards of the BF Master Planned Community. For developments with~~
1886 ~~more than 20% of lots smaller than 6,000 square feet, BF MPC Village Zone standards shall apply.~~
1887 ~~Other developments shall be subject to the BF MPC's Suburban Zone standards. Neighborhood~~
1888 ~~Centers are required and shall include, at a minimum, a centrally located primary neighborhood~~
1889 ~~park with facilities and required civic space. Neighborhood Centers that provide retail/office uses~~
1890 ~~as described in the BF MPC category are encouraged. [Relocated to Sec. 3-C-C.6.c. Additional~~
1891 ~~Intensity that exceeds 1.5 Unit per 2 net Acres]~~

1892 **Sec. 3-33A.II.1.g.iv.**
1893 ~~iv. Central Water and Sewer. Septic tanks and wells shall be allowed for single family units on existing~~
1894 ~~lots of record as of the adoption date of this plan. New commercial, except within the BF Rural~~
1895 ~~Activity Center as specified in the standards for this land use, must tie into central water and sewer.~~
1896 ~~Residential subdivisions may also be served by well and septic tanks meeting the following~~
1897 ~~standards: no more than fifty lots, an overall gross density of no greater than two and one-half~~
1898 ~~units per acre, and no lots smaller than threequarters of an acre. [Relocated to Sec. 3-C-C.6.h.~~
1899 ~~Central Water and Sewer]~~

1900 **Sec. 3-33A.II.1.g.v.A.**
1901 ~~v. Density calculation. Higher density may be obtained in the following manner.~~

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

Part C Future Land Use and Intensity Bonus Programs

1902 ~~A. Base Density. One dwelling unit per 5 gross acres (density allocated to wetlands within~~
 1903 ~~conservation easements may be transferred to upland areas). [Relocated to Sec. 3-C-C.6.d.~~
 1904 ~~Intensity Increase from Transfer of Wetlands]~~

1905 **Sec. 3-33A.11.1.g.v.B.**

1906 ~~B. Complimentary Use Bonus. One dwelling unit per two gross acres will be allowed when~~
 1907 ~~development is adjacent to one or more of the following land uses: BF Activity Center, BF~~
 1908 ~~Community Center, BF Master Planned Community or any other land use that allows densities~~
 1909 ~~of greater than two units per gross acre. [Relocated to Sec. 3-C-C.6.e. Complementary Use~~
 1910 ~~Bonus Intensity]~~

1911 ~~In this case, "adjacent" requires that the property in question share a property boundary that is~~
 1912 ~~at least one third of the perimeter of the property in question with one or more of the above~~
 1913 ~~land uses. Lands across a road classified as collector or below shall be counted in this~~
 1914 ~~calculation, however land across the BF PCN or a Conservation area shall not be counted.~~
 1915 ~~[Relocated to Sec. 3-C-C.6.e.(1) Adjacency, Complementary Use Bonus Intensity]~~

1916 **Sec. 3-33A.11.1.g.v.C.**

1917 ~~C. BF Primary Conservation Network and Open Space Setaside Bonus. Up to a maximum of one~~
 1918 ~~dwelling unit for each gross acre beyond the Base Density, with density accumulated in the~~
 1919 ~~following manner by the following types of land set asides. Ten units per acre of additional~~
 1920 ~~density is available for each acre of new upland BF PCN lands that are immediately adjacent~~
 1921 ~~to the existing BF PCN or that will function as a corridor providing for wildlife movement~~
 1922 ~~between BF PCN lands. If BF PCN lands are not located on a site, four units per acre of density~~
 1923 ~~is available for each acre of upland area dominated by ecologically sensitive communities like~~
 1924 ~~longleaf pine, turkey oak, or sand hill communities. In the absence of these two types of non-~~
 1925 ~~BF PCN density bonus lands, open space shall be forested areas or an extension of required~~
 1926 ~~perimeter buffers, with two units per acre of density is available for each upland acre preserved.~~
 1927 ~~Such lands must be contiguous areas that are at least two acres in size, and shall be located~~
 1928 ~~so as not to create disconnected or isolated fragments. Average width and depth of BF PCN~~
 1929 ~~bonus lands shall generally exceed 200 feet. All new density bonus conservation lands will be~~
 1930 ~~preserved as permanent open space. [Relocated to/tabularized under Sec. 3-C-C.6.f. BF~~
 1931 ~~PCN and Open Space Set-aside Bonus Intensity]~~

1932 **Sec. 3-33A.11.1.g.v.D.**

1933 ~~D. Additional Bonus. Additional density not to exceed the lesser of 25 percent of maximum~~
 1934 ~~allowed units or 100 units will be allowed under the following requirements.~~
 1935

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 ZONING DISTRICTS, AND LAND USES, AND DEVELOPMENT STANDARDS

Part C Future Land Use and Intensity Bonus Programs

	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.

1936 [Relocated to Sec. 3-C-C.6.g. Additional 25 Percent or 100 Units]

1937 Sec. 3-C-C.7. Lake Asbury Intensity Bonus Program

1938 3-C-C.7.a. Purpose and Intent

1939 The purpose and intent of the Section is to allow the transfer of intensity from the Lake Asbury Wetland-
 1940 Upland Buffers FLU category and Upland Preservation to proposed developments for the preservation and
 1941 conservation of environmentally significant lands within the LAMPA.

1942 3-C-C.7.b. Wetland-Upland Buffers

1943 The allowable intensity shall be calculated for the acreage of lands protected in the wetland-upland buffers.
 1944 (1) Asbury Greenway. For wetland-upland buffers located in the Asbury Greenway, intensity shall be
 1945 based on the adjacent FLU category. This intensity may be applied to Residential development
 1946 within the limits as shown on a preliminary plan which includes that portion of the Greenway.
 1947 (2) Maximum Intensity. Total intensity, including intensity from wetland-upland buffers located within
 1948 the Greenway, shall not exceed the maximum intensity established by the FLU category as shown
 1949 in LA FLU Policy 1.4.1 of the 2040 Comprehensive Plan. **[Relocated from Sec. 3-33B.D.1.a.**
 1950 **Wetland-Upland Buffers]**

1951 3-C-C.7.c. Upland Preservation

1952 The preservation of environmentally significant lands lying outside the Asbury Greenway shall entitle the
 1953 owner to an additional intensity bonus of up to 10 units per acre.
 1954 (1) Maximum Intensity. This intensity may be applied to Residential development within the limits as
 1955 shown on a preliminary^[EG58] plan which includes those environmentally significant lands. Total
 1956 intensity including intensity bonus shall not exceed the maximum intensity established by the FLU
 1957 category.
 1958 (2) Preserved Open Space. Refer to Sec. 1-15.P(28) for the listed species.
 1959 (3) Criteria for Intensity Bonus. To receive an intensity bonus, the area preserved shall be a minimum
 1960 of 2 contiguous acres in area and shall be configured in a manner that takes into account
 1961 topography, parcel shape, and other factors that are unique to the property.
 1962 (a) Configuration. The use of long narrow preservation areas shall be discouraged unless they
 1963 are combined with other preservation areas to form a larger, contiguous preservation area.
 1964 To enhance existing systems, priority should be given to such communities that are
 1965 contiguous to the Asbury Greenway or Greenbelt Zoning Overlay^[EG59]. **[Relocated from**
 1966 **Sec. 3-33B.D.3.a. Upland Preservation – Environmentally Significant Lands]**
 1967 (4) Upland Preservation Area Connectivity. Upland preservation shall also provide for greenway
 1968 connectivity in the form of those greenbelts depicted on the LAMPA Map (FLUM).

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

Part C Future Land Use and Intensity Bonus Programs

- 1969 (a) Greenbelts. Created by the Greenbelt Zoning Overlay, greenbelts shall consist of uplands
1970 that connect natural features such as creeks and linear wetlands and utilize forested
1971 corridors whenever possible to connect areas of the Asbury Greenway.
1972 (b) Allowable Uses. Shall be limited to passive recreation in the form of pedestrian walkways,
1973 bicycle paths, and boardwalks.
1974 (c) Size. Such preservation areas shall be no less than 150 feet in width and shall average a
1975 minimum of 250 feet in width and shall provide connections between lands in the Asbury
1976 Greenway FLU category.
1977 (d) Relocation. The Greenbelt Zoning Overlay may be relocated under a specific development
1978 plan provided the connectivity function and minimum width is maintained.
1979 (e) Transfer of Intensity. Residential intensity or Non-Residential intensity associated with the
1980 underlying FLU category shall apply to lands within the Greenbelt Zoning Overlay and may
1981 be transferred within parcels. [Relocated from Sec. 3-33B.D.3.b. Upland Preservation
1982 – Environmentally Significant Lands]

1983 3-C-C.7.d. Upland Preservation Area Identification

1984 All developments shall be required to provide an environmental assessment for lands proposed for
1985 development, prepared and certified by a qualified environmental professional, prior to any land clearing or
1986 disturbance of the site. [Relocated from Sec. 3-33B.D.3.c. Upland Preservation – Environmentally
1987 Significant Lands]

1988 Sec. 3-33B.D.1.a. Wetland-Upland Buffers

1989 ~~Allowable density shall be calculated for the acreage of lands protected in the wetland-upland buffers.~~
1990 ~~For wetland-upland buffers located in the Asbury Greenway, density shall be based on the adjacent~~
1991 ~~land-use designation. Said density may be applied to residential development within the limits as shown~~
1992 ~~on a preliminary plan which includes that portion of the Greenway. Total density, including density from~~
1993 ~~wetland-upland buffers located within the Greenway, shall not exceed the maximum density established~~
1994 ~~by land-use category as shown in LA FLU Policy 1.4.1 of the 2040 Comprehensive Plan. [Relocated~~
1995 ~~to Sec. 3-C-C.7.b. Wetland-Upland Buffers]~~

1996 ~~3. Upland Preservation – Environmentally Significant Lands.~~

1997 ~~a. Additional Upland Preservation. The preservation of environmentally significant lands lying~~
1998 ~~outside the Asbury Greenway shall entitle the owner to a density bonus of up to 10 units~~
1999 ~~per acre of additional density. Said density may be applied to residential development~~
2000 ~~within the limits as shown on a preliminary plan which includes those environmentally~~
2001 ~~significant lands. Total density including density bonus shall not exceed the maximum~~
2002 ~~density established by land-use category. [Relocated to Sec. 3-C-C.7.c. Upland~~
2003 ~~Preservation)]~~

2004 ~~The priorities for such preservation are in the following order (highest to lowest), lands with~~
2005 ~~listed species (flora and/or fauna) present, or one of the following regionally important~~
2006 ~~natural communities known to host rare, vulnerable, and/or listed species: scrub, sandhill,~~
2007 ~~scrubby flatwoods, xeric hammock, upland pine forest, mesic flatwoods and wet flatwoods.~~
2008 ~~Listed plant and animal species include those species identified in Florida Administrative~~
2009 ~~Code (F.A.C.) 5B-40.0055, Regulated Plant Index, and F.A.C. 68A-27.003, Florida's List of~~

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

Part C Future Land Use and Intensity Bonus Programs

- 2010 *Endangered or Threatened Species, respectively. Descriptions of the qualified*
2011 *environmentally significant natural communities can be found at www.fnai.org. [Relocated*
2012 *to Sec. 1-15.P.28. Preserved Open Space, Definitions]*
- 2013 *To receive a density bonus, the area preserved shall be a minimum of 2 contiguous acres*
2014 *in area and shall be configured in a manner that takes into account topography, parcel*
2015 *shape, and other factors that are unique to the property. The use of long narrow*
2016 *preservation areas shall be discouraged unless they are combined with other preservation*
2017 *areas to form a larger, contiguous preservation area. To enhance existing systems, priority*
2018 *should be given to such communities that are contiguous to the Asbury Greenway or*
2019 *Greenbelt Zoning Overlay. [Relocated to Sec. 3-C-C.7.c.(3) Criteria for Intensity*
2020 *Bonus]*
- 2021 **b.** *Upland Preservation Area Configuration. Upland preservation shall also provide for greenway*
2022 *connectivity in the form of those greenbelts depicted on the [Lake Asbury Master Plan Map \(FLUM\)](#).*
2023 *Created by the Greenbelt Zoning Overlay, greenbelts shall consist of uplands that connect natural*
2024 *features such as creeks and linear wetlands and utilize forested corridors whenever possible to*
2025 *connect areas of the Asbury Greenway. Uses within the Greenbelts shall be limited to passive*
2026 *recreation in the form of pedestrian walkways, bicycle paths and boardwalks. Such preservation*
2027 *areas shall be no less than 150 feet in width and shall average a minimum of 250 feet in width*
2028 *and shall provide connections between lands in the Asbury Greenway ~~land use~~ category. The*
2029 *Greenbelt Zoning Overlay may be relocated under a specific development plan provided the*
2030 *connectivity function and minimum width is maintained. Residential density or non-residential*
2031 *intensity associated with the underlying ~~land use designation~~ shall apply to lands within the*
2032 *Greenbelt Zoning Overlay and may be transferred within parcels. [Relocated to Sec. 3-C-*
2033 *C.7.c.(4) Upland Preservation Area Connectivity]*
- 2034 **e.** *Upland Preservation Area Identification. All developments shall be required to provide an*
2035 *environmental assessment for lands proposed for development, prepared and certified by a*
2036 *qualified environmental professional, prior to any land clearing or disturbance of the site.*
2037 **[Relocated to Sec. 3-C-C.7.d. Upland Preservation Area Identification]**

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

Part C Future Land Use and Intensity Bonus Programs

2038 DIVISION D HEIRS EXEMPTION AND HOMESTEAD
2039 SUBDIVISION

2040 Sec. 3-C-D.1. Heirs Exemptions

2041 *Heirs Exemptions. Pursuant to Policy 1.9.6 of the 2040 Comprehensive Plan, Clay County shall provide*
2042 *mechanisms to allow the transfer of land (hereby known as property) for the use of the transferor's heir for*
2043 *his or her primary residence subject to the following: **[Relocated from Sec. 3-10.(g)]***

2044 3-C-D.1.a. FLU

2045 *Within the AG, AR and RR FLU Categories, a minimum lot size of 1 acre is required. Within the RF, UF,*
2046 *UC(10) FLU Categories, the minimum lot size shall be pursuant to Part D Zoning Districts and Development*
2047 *Standards, and the maximum lot size shall be 1 acre.*

2048 3-C-D.1.b. Lot Dimensions

2049 *Lot width and depth, setbacks, and uses shall be governed by the zoning district for the property. Refer to*
2050 *Part D Zoning Districts and Development Standards.*

2051 3-C-D.1.c. Non-Conforming Lots

2052 *The Heir's Exemption cannot be utilized to bring into conformance lots which do not otherwise qualify for*
2053 *Non-Conforming lot of record status as set forth in Part B Non-Conformities.*

2054 3-C-D.1.d. Access

2055 *Both the heir's property and the remainder of the transferor's lot shall have access via a publicly maintained*
2056 *road or a private easement with a minimum width of 30 feet.*

2057 3-C-D.1.e. Ownership and Title of the Property

2058 *Building permits and Certificates of Occupancy may only be issued with the heir specified as the owner of*
2059 *the property.*

2060 *(1) If the property remains vacant, then the heir shall retain title to the property for a minimum of 5*
2061 *years before transfer or sale. The sale of the property prior to that time shall cause the cancellation*
2062 *of the property's heir's exemption status, and no construction of a dwelling unit shall be permitted*
2063 *on the property unless the property complies with the assigned FLU intensity requirements.*

2064 *(2) Minimum Length of Residency on Property. If an heir constructs his or her permanent residence*
2065 *on the property, the heir shall reside in the residence for a minimum of 2 years from the date of the*
2066 *issuance of the Certificate of Occupancy. The sale or lease of the property for occupancy by*
2067 *another party prior to that time shall cause the cancellation of the heir's exemption status and the*
2068 *home shall be subject to applicable requirements of Part B Non-Conformities. In no case, however,*
2069 *will the heir be required to retain title of the lot for more than 5 years, despite the length of*
2070 *occupancy of the dwelling unit by the heir.*

2071 *(3) Exemption. For those Heir's Exemption transfers executed prior to November 27, 2007, the heir*
2072 *shall have retained title to the property a minimum of 1 year in order for the property to retain the*
2073 *Heir's Exemption status and to be eligible for sale or transfer.*

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

Part C Future Land Use and Intensity Bonus Programs

2074 3-C-D.1.f. Types of Transfer

2075 *The following types of transfers shall not cause the cancellation of a lot's heir's exemption status and shall*
2076 *not subject a home on the lot to [Part B Non-Conformities](#), regardless of the length of time the property has*
2077 *been retained by the heir:*

- 2078 (1) *Transfer of the lot to the heir's estate upon the death of the heir, either through testate or intestate*
2079 *succession as provided by state law; or*
- 2080 (2) *Involuntary transfer of the lot arising out of a judgment or order entered against the heir and*
2081 *rendered by a court of competent jurisdiction; or*
- 2082 (3) *Relocation due to an employment or educational opportunity, provided that the relocation would*
2083 *require the heir to move his or her permanent residence, as defined in section 196.012(18), Florida*
2084 *Statutes.*
- 2085 (4) *In the event the heir wishes to transfer the lot due to relocation, the heir shall submit an affidavit to*
2086 *the County attesting to the circumstances surrounding the educational or employment opportunity*
2087 *that require the heir to move his or her permanent residence.*
- 2088 (5) *A lot shall retain its heir's exemption status in the event the heir is serving in any branch of the*
2089 *Armed Forces of the United States and, by reason of such service, is unable to reside on the lot.*

2090 3-C-D.1.g. Application

2091 *To obtain an Heir's Exemption, a completed application must be submitted to the County. The following*
2092 *items must be provided with an application for Heir's Exemption:*

- 2093 (1) *An unrecorded deed and a legal description of the transferred property which includes the size of*
2094 *the property;*
- 2095 (2) *A copy of the original recorded deed for the transferor's property;*
- 2096 (3) *Evidence of the relationship between the heir and the transferor;*
- 2097 (4) *A certified survey performed since the most recent land transaction showing the dimensions of the*
2098 *heir's lot and the remainder portion of the transferor's lot. Applicants may request a waiver from*
2099 *the survey requirement if the remainder of the grantor's parcel is larger than 10 acres after the*
2100 *transfer to the heir, and no survey has been done in the previous year;*
- 2101 (5) *The survey must show evidence that the heir's lot and the remainder of the transferor's property*
2102 *have access via a publicly maintained road or a private easement with a minimum width of 30 feet;*
2103 *and*
- 2104 (6) *An acknowledgement by the Applicant that standards outside the purview of the County may affect*
2105 *or preclude the construction of a residence upon the heir's lot, including but not limited to wetlands*
2106 *standards or septic tank standards.*

2107 3-C-D.1.h. Approval of Application

2108 *Following the approval of the heir's exemption, the applicant shall execute an affidavit which documents*
2109 *the heir's exemption and the conditions of approval.*

- 2110 (1) *The affidavit form shall be provided by the County and be recorded by the applicant, together with*
2111 *the deed for the transferred property, in the Official Records of Clay County at the applicant's*
2112 *expense.*
- 2113 (2) *The applicant shall provide copies of the recorded affidavit and deed to the County. Lots subdivided*
2114 *as part of a Residential Aviation Community, as described in subsection (b)(3), may not be further*
2115 *subdivided through the heir's exemption. [Relocated from Sec. 3-10.(g) Heir Exemptions.]*

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

Part C Future Land Use and Intensity Bonus Programs

2116 **Sec. 3-10.(g)**

2117 ~~(g) Heirs Exemptions. Pursuant to Land Use Policy 1.9.6 of the Comprehensive Plan, within the~~
2118 ~~residential land use classifications listed below, the transfer of land for the use of the transferor's~~
2119 ~~heir for his or her primary residence shall be permitted. [Relocated to Sec. 3-C-D.1.]~~

2120 ~~Within the Agriculture, Agriculture/Residential and Rural Residential land use classifications, a~~
2121 ~~minimum lot size of one acre is required. Within the Rural Fringe, Urban Fringe and Urban Core~~
2122 ~~(10) land use classifications the minimum lot size shall be governed by the underlying zoning and~~
2123 ~~the maximum lot size shall be one acre. [Relocated to Sec. 3-C-D.1.a. FLU]~~

2124 ~~Lot width and depth, setbacks, and uses shall be governed by the zoning for the property.~~
2125 ~~[Relocated to Sec. 3-C-D.1.b. Lot Dimensions] The Heir's Exemption cannot be utilized to bring~~
2126 ~~into conformance lots which do not otherwise qualify for nonconforming lot of record status.~~
2127 ~~[Relocated to Sec. 3-C-D.1.c. Non-Conforming Lots]~~

2128 ~~Both the heir's lot and the remainder of the transferor's property must have access via a publicly~~
2129 ~~maintained road or a private easement with a minimum width of 30 feet. (Rev. 02/24/09)~~
2130 ~~[Relocated to Sec. 3-C-D.1.d. Access]~~

2131 ~~An heir is defined as a transferor's: Grandparent, Parent, Stepparent, Adopted Parent, Sibling,~~
2132 ~~Child, Stepchild, Adopted Child, or Grandchild. [Relocated to Sec.1-15. Definitions]~~

2133 ~~The Heir's Exemption is intended to allow transfer of land for the use of the heir to construct his or~~
2134 ~~her permanent residence. [Deleted, redundant of introduction in 3-10.(g)] Building permits and~~
2135 ~~certificates of occupancy may only be issued with the heir specified as the owner of the property.~~
2136 ~~If the property remains vacant, the heir must retain title to the property for a minimum of five years~~
2137 ~~before transfer or sale. The sale of the property prior to that time will cause the cancellation of the~~
2138 ~~property's heir's exemption status, and no construction of a dwelling unit will be permitted on the~~
2139 ~~lot unless the lot complies with the density requirements of the Comprehensive Plan. If an heir~~
2140 ~~constructs his or her permanent residence on the property, the heir must reside in the residence~~
2141 ~~for a minimum of two years from the date of the issuance of the Certificate of Occupancy. The sale~~
2142 ~~or lease of the property for occupancy by another party prior to that time will cause the cancellation~~
2143 ~~of the heir's exemption status and the home will be subject to Section 20.3-11, Nonconforming~~
2144 ~~Uses, Lots and Structures, of the Clay County Land Development Code. In no case, however, will~~
2145 ~~the heir be required to retain title of the lot for more than five years, despite the length of occupancy~~
2146 ~~of the dwelling unit by the heir. [Relocated to Sec. 3-C-D.1.e. Ownership and Title of the~~
2147 ~~Property]~~

2148 ~~For those Heir's Exemption transfers executed prior to November 27, 2007, the heir must have~~
2149 ~~retained title to the property a minimum of one year in order for the property to retain the Heir's~~
2150 ~~Exemption status and to be eligible for sale or transfer. (Rev. 04/28/09)~~

2151 ~~The following types of transfers shall not cause the cancellation of a lot's heir's exemption status~~
2152 ~~and shall not subject a home on the lot to Section 20.3-11, Nonconforming Uses Lots and~~
2153 ~~Structures, of the Clay County Land Development Code, regardless of the length of time the~~
2154 ~~property has been retained by the heir:~~

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

Part C Future Land Use and Intensity Bonus Programs

- 2155 ~~(1) — Transfer of the lot to the heir's estate upon the death of the heir, either through testate or~~
2156 ~~intestate succession as provided by state law; or~~
2157 ~~(2) — Involuntary transfer of the lot arising out of a judgment or order entered against the heir~~
2158 ~~and rendered by a court of competent jurisdiction; or~~
2159 ~~(3) — Relocation due to an employment or educational opportunity, provided that the relocation~~
2160 ~~would require the heir to move his or her permanent residence, as defined in section~~
2161 ~~196.012(18), Florida Statutes.~~

2162 ~~In the event the heir wishes to transfer the lot due to relocation, the heir shall submit an affidavit to~~
2163 ~~the County attesting to the circumstances surrounding the educational or employment opportunity~~
2164 ~~that require the heir to move his or her permanent residence.~~

2165 ~~A lot shall retain its heir's exemption status in the event the heir is serving in any branch of the~~
2166 ~~Armed Forces of the United States and, by reason of such service, is unable to reside on the lot.~~
2167 **[Relocated to Sec. 3-C-D.1.f. Types of Transfer]**

2168 ~~To obtain an Heir's Exemption, a completed application must be submitted to the County. The~~
2169 ~~following items must be provided with an application for Heir's Exemption:~~

- 2170 ~~(1) — An unrecorded deed and a legal description of the transferred property which includes the~~
2171 ~~size of the property;~~
2172 ~~(2) — A copy of the original recorded deed for the transferor's property;~~
2173 ~~(3) — Evidence of the relationship between the heir and the transferor;~~
2174 ~~(4) — A certified survey performed since the most recent land transaction showing the~~
2175 ~~dimensions of the heir's lot and the remainder portion of the transferor's lot. Applicants~~
2176 ~~may request a waiver from the survey requirement if the remainder of the grantor's parcel~~
2177 ~~is larger than 10 acres after the transfer to the heir, and no survey has been done in the~~
2178 ~~previous year;~~
2179 ~~(5) — The survey must show evidence that the heir's lot and the remainder of the transferor's~~
2180 ~~property have access via a publicly maintained road or a private easement with a minimum~~
2181 ~~width of 30 feet; and (Rev. 02/24/09)~~
2182 ~~(6) — An acknowledgement by the Applicant that regulations outside the purview of the County~~
2183 ~~may affect or preclude the construction of a residence upon the heir's lot, including but not~~
2184 ~~limited to wetlands regulations or septic tank regulations. [Relocated to Sec. 3-C-D.1.g.~~
2185 ~~Application]~~

2186 ~~Following the approval of the heir's exemption, the applicant shall execute an affidavit which~~
2187 ~~documents the heir's exemption and the conditions of approval. The affidavit form shall be provided~~
2188 ~~by the County and be recorded by the applicant, together with the deed for the transferred property,~~
2189 ~~in the Official Records of Clay County at the applicant's expense. The applicant shall provide copies~~
2190 ~~of the recorded affidavit and deed to the County. (Rev. 04/26/11) Lots subdivided as part of a~~
2191 ~~Residential Aviation Community, as described in subsection (b)(3), may not be further subdivided~~
2192 ~~through the heir's exemption. [Relocated to Sec. 3-C-D.1.h. Approval of Application]~~

2193 Sec. 3-C-D.2. Subdivision of Homestead Property

2194 3-C-D.2.a. Homestead Exemption

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

Part C Future Land Use and Intensity Bonus Programs

2195 *Individuals having a current homestead exemption filed in Clay County and who have held a homestead*
2196 *exemption for the past 4 years (5 years total) and who have also owned property for 5 or more years which*
2197 *is now located in the RR (without points), AR, or AG FLU Category shall be permitted to subdivide the*
2198 *property owned for 5 or more years as follows:*

- 2199 (1) *A maximum of two 2.5-acre lots per homestead exemption may be subdivided and/or developed*
2200 *per year.*
- 2201 (2) *Permits in the RR and AR FLU categories, which are allowed as a result of the policy, shall be*
2202 *included in the Countywide cap of 250 Single-Family permits for Agriculture/Residential areas.*
- 2203 (3) *Lot width and depth, setbacks, and uses shall be governed by the Zoning for the property.*
- 2204 (4) *Permits in the AG FLU category, which are allowed as result of the policy, shall be included as part*
2205 *of the Countywide cap of 50 Single-Family permits in the AG areas.*
- 2206 (5) *Lots subdivided as part of a Residential Aviation Community, as described in Footnote 3 of Sec. 3-*
2207 *C-B.2.e. Residential Future Land Use and Zoning District Intensity Table, may not be further*
2208 *subdivided through the homestead exemption. [Relocated from Sec. 3-10.(h)(5)]*

Sec.3-10.(h)

2210 ~~(h) Homestead Exemptions. Individuals having a current homestead exemption filed in Clay County~~
2211 ~~and who have held a homestead exemption for the past four (4) years (five (5) years total) and who~~
2212 ~~have also owned property for five (5) or more years which is now located in the Rural Residential~~
2213 ~~(without points), Agriculture Residential or Agriculture land use designations on the Future Land~~
2214 ~~Use Map of the Clay County Comprehensive Plan shall be permitted to subdivide the property~~
2215 ~~owned for five (5) or more years as follows:~~

- 2216 ~~(1) A maximum of two 2.5-acre lots per homestead exemption may be subdivided and/or~~
2217 ~~developed per year.~~
- 2218 ~~(2) Permits in the Rural Residential and Agriculture/Residential land use designations which~~
2219 ~~are allowed as a result of the policy shall be included in the countywide cap of two hundred~~
2220 ~~fifty (250) single-family permits for Agriculture/Residential areas.~~
- 2221 ~~(3) Lot width and depth, setbacks, and uses will be governed by the zoning for the property.~~
- 2222 ~~(4) Permits in the Agriculture land use designations which are allowed as result of the policy~~
2223 ~~shall be included as part of the countywide cap of fifty (50) single-family permits in the~~
2224 ~~Agriculture areas.~~
- 2225 ~~(5) Lots subdivided as part of a Residential Aviation Community, as described in subsection~~
2226 ~~(b)(3), may not be further subdivided through the homestead exemption. [Relocated to~~
2227 ~~Sec. 3-C-D.2. Subdivision of Homestead Property]~~

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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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Part D Zoning Districts and Development Standards

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3-D-N.3.	Private Services Zoning District (PS-2)
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3-D-N.6.a.	Intent of PS-5 Zoning District
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Part D Zoning Districts and Development Standards

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3-D-Q.3.	Conservation Overlay (CO)
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Part D Zoning Districts and Development Standards

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3-D-S.3.a.	General Design Objectives and Standards
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Part D Zoning Districts and Development Standards

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3-D-S.5.	BF Rural Suburbs (BF RS)
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3-D-S.5.d.	Intensity
3-D-S.6.	BF Master Planned Community (BF MPC)
3-D-S.6.a.	Description
3-D-S.6.b.	Land Use Mix
3-D-S.6.c.	Development Standards – Neighborhood Center
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3-D-S.6.f.	Design Standards
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3-D-S.7.	BF Primary Conservation Network (BF PCN)
3-D-S.7.a.	Description
3-D-S.7.b.	Allowable Activities and Impacts
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3-D-S.8.	BF Rural Activity Center (RAC)
3-D-S.8.a.	Description
3-D-S.8.b.	Development Standards
3-D-S.8.c.	BF RAC Uses
3-D-S.9.	BF Rural Neighborhood Center (BF RNC)
3-D-S.9.a.	Description
3-D-S.9.b.	Development Standards
3-D-S.9.c.	BF RNC Uses
3-D-S.10.	BF Community Center (BF CC)
3-D-S.10.a.	Description
3-D-S.10.b.	Land Use Mix
3-D-S.10.c.	Development Standards
3-D-S.11.	BF Activity Center (BF AC)
3-D-S.11.a.	Description
3-D-S.11.b.	Land Use Mix

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Part D Zoning Districts and Development Standards

3-D-S.11.c.	Development Standards
3-D-S.11.d.	BF AC Uses
3-D-S.12.	BF Mixed Use (BF MU)
3-D-S.12.a.	Description
3-D-S.12.b.	Land Use Mix
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3-D-T.2.	Future Land Use and Zoning District
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3-D-T.2.f.	FLU Consistency
3-D-T.3.	General Design Standards
3-D-T.3.a.	General Design Objectives and Standards
3-D-T.3.b.	Other Development Standards
3-D-T.4.	Existing Developments
3-D-T.4.a.	Vested Rights
3-D-T.4.b.	Residential
3-D-T.4.c.	Non-Residential
3-D-T.5.	LA Master Planned Community (LA MPC)
3-D-T.5.a.	Description
3-D-T.5.b.	Development Standards
3-D-T.6.	LA Rural Reserve (LA RRSV)
3-D-T.6.a.	Description
3-D-T.6.b.	Development Standards
3-D-T.6.c.	LA RRSV Uses
3-D-T.7.	LA Rural Community (LA RC)
3-D-T.7.a.	Description
3-D-T.7.b.	Development Standards
3-D-T.7.c.	LA RC Uses
3-D-T.8.	LA Rural Fringe (LA RF)
3-D-T.8.a.	Description

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Part D Zoning Districts and Development Standards

3-D-T.8.b.	Development Standards
3-D-T.8.c.	LA RF Uses
3-D-T.9.	LA Activity Center (LA AC)
3-D-T.9.a.	Description
3-D-T.9.b.	Land Use Mix
3-D-T.9.c.	Development Standards
3-D-T.9.d.	LA AC Uses
3-D-T.10.	LA Village Center (LA VC)
3-D-T.10.a.	Description
3-D-T.10.b.	Land Use Mix
3-D-T.10.c.	Development Standards
3-D-T.10.d.	LA VC Uses
3-D-T.11.	LA Interchange Village Center (LA IVC)
3-D-T.11.	Description
3-D-T.11.b.	Land Use Mix
3-D-T.11.c.	Development Standards
3-D-T.11.d.	LA IVC Uses
3-D-T.12.	LA Solite (LA SOL)
3-D-T.12.a.	Description
3-D-T.12.b.	Intensity
3-D-T.12.c.	LA SOL Uses
3-D-T.13.	LA Greenway (LA GW)
3-D-T.13.a.	Description
3-D-T.13.b.	Development Standards
3-D-T.14.	LA Wetland-Upland Buffers
3-D-T.14.a.	Wetland – Upland Buffers
3-D-T.14.b.	Intensity Transfer

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

Part D Zoning Districts and Development Standards

2228 DIVISION A GENERAL PROVISIONS

2229 Sec. 3-D-A.1. Purpose and Intent

2230 The purpose and intent of Part D is to further implement [Part C, Future Land Use Categories and Intensity](#)
2231 [Bonus Programs](#) by establishing standards specific to each zoning district, and ensure these standards are
2232 consistent with the FLU of Clay County's Comprehensive Plan. The zoning districts which include the
2233 Agricultural, Residential standard districts and Planned Development districts are grouped under 3 Tiers:
2234 Low Intensity; Medium Intensity; and High Intensity. The Tier system shall not apply to the Non-Residential
2235 districts and Master Planned Communities.

2236 Sec. 3-D-A.2. Applicability

2237 Part D shall apply to all parcels of land within the boundaries of Clay County. Any applications for a
2238 Development Order (DO) are required to rezone to a zoning district that is consistent with the parcel of
2239 land's FLU category, refer to [Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity](#)
2240 [Table](#) and [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#).

2241 3-D-A.2.a. Prior Approval

2242 Any application for a modification to a previously approved DO shall be subject to the standards of the lot's
2243 zoning district.

2244 Sec. 3-D-A.3. District Development Standards

2245 The minimum and maximum land development standards, which include but is not limited to, lot size and
2246 dimensions; lot coverage; and setbacks shall be applied as set forth in individual zoning district subsections,
2247 unless stated otherwise in Subsection a. Exception.

2248 3-D-A.3.a. Exception

- 2249 (1) [Aquatic Preserves and Outstanding Florida Waters](#). All structures shall be set back a minimum of
2250 50 feet landward from the ordinary high-water line or mean high water line, whichever is applicable;
2251 for waters designated as Aquatic Preserves or Outstanding Florida Waters, the setback **shall** be
2252 100 feet. These setbacks shall not apply to structures on lots or parcels located landward of existing
2253 bulkheads permitted by the St. Johns River Water Management District or Florida Department of
2254 Environmental Protection.
- 2255 (2) [Waterfront Lots](#). Waterfront lot widths shall be a minimum of **100** feet at the ordinary high-water
2256 line or the mean high-water line, whichever is applicable. Lot width shall be measured by the chord
2257 terminated by the property corners at the ordinary high-water line or the mean high-water line as
2258 applicable. **[Relocated from Sec. 3-12.(f)(9) and (10)]**

2259 Sec. 3-D-A.4. Setbacks

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

Part D Zoning Districts and Development Standards

2260 All existing and proposed buildings or structures shall comply with the required setbacks as stated in each
2261 zoning district, except as determined by the Planning and Zoning Director or his/her designee, as follows:

3-D-A.4.a. Exemptions

2263 Underground utility equipment, clothes lines, flag poles, mail boxes, police call boxes, traffic signals, fire
2264 hydrants, light poles, or any similar structure or device. **[Relocated from Sec. 3-7.(c)(2) Exemptions]**

3-D-A.4.b. Trees

2266 May reduce the front, side or rear setback standards identified in each FLU category or zoning district to
2267 preserve a hardwood tree with a minimum 12 inch DBH.

3-D-A.4.c. Error in Position

2269 A waiver of up to 3 feet where an error in structure placement has occurred and removal and/or correction
2270 would cause an undue hardship on the builder or property owner.

3-D-A.4.d. Corner Lots

2272 On corner lots, the setback from any street shall be the same as the setback from the street serving as the
2273 front street, except on lots having less than 75 feet of frontage and recorded on plats prior to December 30,
2274 1945. On such lots no building shall be erected closer than 15 feet from the side line abutting an intersecting
2275 street and no buildings shall be erected closer than 10 feet from the rear lot line on a site within 60 feet of
2276 the side street.

3-D-A.4.e. Lot Width

2278 The minimum lot width identified in the applicable Residential zoning district shall be met within 50 feet of
2279 the front lot line or centerline of the easement providing access. **[Relocated from Sec. 3-7.(c)(4)(i) to (iv)]**

Sec. 3-D-A.5. Lot Frontage

2281 Lot Frontage. No building shall be erected on a lot which does not abut at least 1 public or private street or
2282 easement for at least the applicable distance below:

3-D-A.5.a. Cul-de-Sac.

2284 Lots which front on a cul-de-sac shall abut the street for a minimum of 25 feet being measured by the chord
2285 terminated by the front property corners. In addition, cul-de-sac lots shall have a minimum building line
2286 width of 50 feet measured at the required front yard setback line.

3-D-A.5.b. Curve Lots.

2288 Lots fronting on a curve shall have a minimum frontage of 40 feet being measured by the chord terminated
2289 by the front property corners provided that a minimum building line width of 50 feet is provided at the
2290 required front lot setback.

3-D-A.5.c. Lots Accessed by a Private Easement.

2292 Lots fronting on a private access easement shall have a minimum frontage of 50 feet, provided however
2293 that the lot terminating the easement may have frontage of 30 feet. A minimum lot width of 50 feet shall be
2294 provided at the required front setback.

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

Part D Zoning Districts and Development Standards

2295 **3-D-A.5.d. All other lots.**

2296 *All other lots shall have a minimum frontage of 50 feet being measured at the right-of-way line. [Relocated*
2297 *from Sec. 3-7.(c)(7)(i to iv) Property Frontage]*

2298 **Sec. 3-7. ESTABLISHMENT OF SIZE AND DIMENSION CRITERIA**

2299 ~~In order to carry out the intent of this Article, size and dimension criteria for particular zoning districts are~~
2300 ~~hereby established. Such size and dimension criteria shall be applied in accordance with this section and~~
2301 ~~other applicable provisions of this Article. The minimum area, yards and other open spaces, including the~~
2302 ~~intensity of use provisions contained in this Article for each and every building hereafter erected,~~
2303 ~~constructed or structurally altered, shall not be encroached upon or considered as area, yard or open~~
2304 ~~space requirements or intensity of use requirements for any other building. Variances from these~~
2305 ~~provisions, excluding the maximum density limitations, may be granted by the Board of Adjustment,~~
2306 ~~provided such variances are consistent with the Clay County Comprehensive Plan.~~

2307 **[Deleted, as the prohibition of encroachment in parking areas, landscape areas/buffers...etc. should**
2308 **be specified in other Articles or Sections]**

2309 (a) ~~Maximum Density. In no instance shall the maximum density specified for a given zoning district~~
2310 ~~be exceeded in the approval of any site plan. Maximum density shall be expressed in number of~~
2311 ~~dwelling units per gross residential acre. In the determination of the maximum number of units to~~
2312 ~~be allowed on a parcel, the permitted number shall be made proportional to any fraction of an~~
2313 ~~acre(s) that is a part of the parcel, less that portion of the parcel that meets the definition for~~
2314 ~~conservation land use, which shall have a maximum density of one (1) unit per one hundred (100)~~
2315 ~~acres. [Deleted, replaced with new text in Sec. 3-C-B.2. Intensity]~~

2316 (b) ~~Lot Size Requirements.~~

2317 (1) ~~Generally. Except as may be qualified by the provisions of this Article for nonconformities,~~
2318 ~~no structure or part thereof hereafter be constructed or relocated onto a lot which~~
2319 ~~does not meet all of the minimum lot size requirements established for the zoning district~~
2320 ~~in which the structure is to be located.~~

2321 (2) ~~Reduction of Lot Sizes or Yards; Subdivision. No lot or yard existing of this Article at the~~
2322 ~~effective date shall thereafter be reduced in size, dimension, or area below the minimum~~
2323 ~~requirements set out herein, except by reason of a portion being acquired for public use in~~
2324 ~~any manner, including dedication, condemnation, or purchase and including acquisition~~
2325 ~~singly or in combination with other lots for the purpose of dedication of a conservation~~
2326 ~~easement. Lots or yards created after the effective date of this Article shall meet the~~
2327 ~~minimum lot requirements established herein, except where the lot is located adjacent to~~
2328 ~~a conservation easement and were it not for dedication of the conservation easement, the~~
2329 ~~lot could have been described so as to meet the minimum lot requirements. (Ord 95-53-~~
2330 ~~41/28/95) [Relocated to Sec. 3-B.5.c. Reduction of Lot Sizes]~~

2331 (3) ~~Applicability to All Uses. Unless otherwise specified in this Article, all permitted uses and~~
2332 ~~all conditional uses shall be subject to the lot size requirements specified for a given district~~
2333 ~~unless other specific criteria is identified for a conditional use. [Deleted as this repeats~~
2334 ~~Part E, Use Types and Development Standards]~~

2335 (4) ~~Structure Built on More Than One Lot. A building constructed on a site consisting of more~~
2336 ~~than one platted lot must be located within the required setback of one lot or must be~~
2337 ~~located on more than one lot. Any person wishing to build a structure on more than one~~
2338 ~~lot must provide legal assurance, approved by the County Attorney, which demonstrates~~
2339 ~~unity of title for all lots. [MK60] [Deleted since setback is part of the required standards~~

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

Part D Zoning Districts and Development Standards

2340 for all structures, and it is clearly expressed in the new text under Development
2341 Standards of each district]
2342 (5) ~~Use of Lots in Single Family Districts. In single family districts, every building hereafter~~
2343 ~~erected or structurally altered shall be located on a lot as herein defined, and in no case~~
2344 ~~shall there be more than the principal building and the customary accessory buildings on~~
2345 ~~one lot or parcel of land. [Deleted, deferred to the Use Matrices for each use type in~~
2346 ~~Part E, Division A also clearly indicated uses shown in use matrix is allowed, unless~~
2347 ~~stated otherwise by the Planning and Zoning Director, and in Part C, it clearly~~
2348 ~~indicates the allowable intensity for each district, except it is for an ADU]~~

2349 **Sec. 3-7.(c)**

2350 (c) ~~Minimum Lot Requirements.~~

2351 (1) ~~Generally. Minimum lot requirements shall be as specified for a given zoning district. The~~
2352 ~~yard requirements shall apply to all buildings and structures, as they relate to the respective~~
2353 ~~lot lines, except as otherwise specifically provided in this Article or as exempted in~~
2354 ~~paragraph (2) Exemptions, below. [Deleted, as this repeats Part D which clearly~~
2355 ~~indicates each district has its own development standards]~~

2356 (2) ~~Exemptions. The following structures shall be exempt from the minimum yard requirements~~
2357 ~~set forth in this Article: underground utility equipment, clothes lines, flag poles, mail boxes,~~
2358 ~~police call boxes, traffic signals, fire hydrants, light poles, or any similar structure or device~~
2359 ~~as determined by the Planning and Zoning Director. [Relocated to Sec. 3-D-A.4.~~
2360 ~~Setbacks]~~

2361 (3) ~~Required Yards for Corner Lots. Corner lots shall be provided a front yard on each street~~
2362 ~~frontage provided, however, that the buildable width of such lot shall not be reduced to less~~
2363 ~~than thirty (30) feet and provided further that no accessory structure on a corner lot shall~~
2364 ~~project into the required front yard on either street. [Deleted, since there is a code~~
2365 ~~requirement that all corner lots shall meet the same setback as the front, and there~~
2366 ~~are setback requirements for accessory structure; therefore, there is not a need to~~
2367 ~~repeat those standards]~~

2368 (4) ~~Residential Setbacks, Generally. No detached dwelling shall be erected closer to another~~
2369 ~~dwelling than double the minimum setback restrictions.~~

2370 (i) ~~Trees. The Clay County Planning and Zoning Director may reduce the front, side~~
2371 ~~or rear setback requirement identified in the LDR Zoning Code for the applicable~~
2372 ~~zoning district to reserve a hardwood tree with a minimum twelve (12) inch DBH.~~

2373 (ii) ~~Error in Position. A waiver of up to three feet may be authorized by the Clay County~~
2374 ~~Planning and Zoning Director where an error in structure placement has occurred~~
2375 ~~and removal and/or correction would cause an undue hardship on the builder or~~
2376 ~~property owner.~~

2377 [Relocated to Sec. 3-D-A.4. Setbacks]

2378 (iii) ~~Minimum Setback. Except in business zoning districts, the setback of all buildings~~
2379 ~~from the side property line shall be not less than five (5) feet, provided that in no~~
2380 ~~case shall the setback be less than one third the vertical height of the side of the~~
2381 ~~proposed building adjacent to the property line, measured from the ground level.~~
2382 ~~Except for buildings located on corner lots, the setback of all buildings shall be not~~
2383 ~~less than five (5) feet from the rear property line. On corner properties, the setback~~
2384 ~~from any street shall be the same as the setback from the street serving as the~~
2385 ~~front street, except on lots having less than 75 feet of frontage and recorded on~~

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

Part D Zoning Districts and Development Standards

- 2386 *plats prior to December 30, 1945. On such lots no building shall be erected closer*
2387 *than fifteen (15) feet from the side line abutting an intersecting street and no*
2388 *buildings shall be erected closer than ten (10) feet from the rear lot line on a site*
2389 *within sixty (60) feet of the side street. [Relocated to Sec. 3-D-A.4. Setbacks]*
2390 (iv) *Minimum Lot Width, Location. The minimum lot width identified in the applicable*
2391 *residential zoning district shall be met within fifty (50) feet of the front lot line or*
2392 *centerline of the easement providing access. [Relocated to Sec. 3-D-A.4.*
2393 *Setbacks]*
2394 (5) ~~Maximum Lot Coverage. Maximum lot coverage, where specified, shall mean that portion~~
2395 ~~of a lot, expressed as a percentage, occupied by all buildings or structures, that extend~~
2396 ~~more than three (3) feet above the surface ground level. [Relocated to Sec. 1-15.L.(13)~~
2397 ~~Lot Coverage]~~
2398 (6) ~~Minimum Open Space. The open space requirements presented for a given zoning district~~
2399 ~~shall be considered as a minimum, and such open space, shall be located on the same lot~~
2400 ~~as the primary use or structure, except as specifically provided otherwise in this Article.~~
2401 ~~Open space shall be expressed as a percentage and shall be generally defined as the~~
2402 ~~required exterior open area clear of man-made structures from the ground upward, devoid~~
2403 ~~of all man-made structures and impervious area, except those approved structures used~~
2404 ~~exclusively for recreational purposes. [Deleted as this repeats Sec. 1-15.O.(7) Open~~
2405 ~~Space]~~
2406 (7) ~~Property Frontage. No dwelling shall be erected on a lot which does not abut at least one~~
2407 ~~public or private street or easement for at least the applicable distance below:~~
2408 (i) ~~Cul de sac. Lots which front on a cul de sac shall abut the street for a minimum of~~
2409 ~~25 feet being measured by the chord terminated by the front property corners. In~~
2410 ~~addition, cul de sac lots shall have a minimum building line width of 50 feet~~
2411 ~~measured at the required front yard setback line.~~
2412 (ii) ~~Curve lots. Lots fronting on a curve shall have a minimum frontage of 40 feet being~~
2413 ~~measured by the chord terminated by the front property corners provided that a~~
2414 ~~minimum building line width of 50 feet is provided at the required front yard setback~~
2415 ~~line.~~
2416 (iii) ~~Lots accessed by a private easement. Lots fronting on a private easement shall~~
2417 ~~have a minimum frontage of 50 feet thereon, provided however that the lot~~
2418 ~~terminating the easement may have frontage of 30 feet. A minimum building width~~
2419 ~~line of 50 feet must be provided at the required front yard setback.~~
2420 (iv) ~~All other lots. All other lots shall have a minimum frontage of 50 feet being~~
2421 ~~measured at the right of way line. [Relocated to Sec. 3-D.A.5 Lot Frontage]~~

2422 **Sec. 3-12.(f)(9) and (10)**
2423 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water line or~~
2424 ~~mean high water line, whichever is applicable; for waters designated as Aquatic Preserves or~~
2425 ~~Outstanding Florida Waters, the setback will be 100 feet. These setbacks shall not apply to~~
2426 ~~structures on lots or parcels located landward of existing bulkheads permitted by the St. Johns~~
2427 ~~River Water Management District or Florida Department of Environmental Protection.~~
2428 (10) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water line or the~~
2429 ~~mean high water line, whichever is applicable. Lot width shall be measured by the chord terminated~~
2430 ~~by the property corners at the ordinary high water line or the mean high water line as applicable.~~
2431 **[Relocated from Sec. 3-12.(f)(9) (10) AG]**

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

Part D Zoning Districts and Development Standards

2432 [Also consolidated Sec.3-13.(f)(9)(10) AR; 3-14.(g)(10)(11) AR-1;
2433 3-15.(g)(10)(11) AR-2; 3-16.(f)(11)(12) RA;3-17.(f)(10)(11) RB; 3-18.(e)(10)(11) RC;
2434 3-19.(f)(5)(6) RD; 3-20.(f)(11)(12) RE; 3-21.(e)(9) RMHP;3-22.(f)(5)(6) BA-2;
2435 3-23.(f)(4)BA-1;3-24.(g)(2) BA; 3-25.(e)(4) BB; 3-26.(f)(4) BB-1;
2436 3-26.1.(e)(4) BB-2; 3-26.2.(e)(4) BB-3; 3-26.3.(e)(4) BB-4; 3-26.4.(e)(4) BB-5;
2437 3-27.(f)(5) BSC; 3-28.(f)(4) IS; 3-29.(g)(4) IA; 3-30.(g)(4) IB; 3-30.1.(h)(1)(vi) BP;
2438 3-32.(c) PID; 3-33.(n)(o) PUD; 3-34.(g)(6)PO-1; 3-35.(g)(9) PO-2;
2439 3-36.(e)(4) PO-3; 3-38.(f)(4)PS-1; 3-39.(g)(4) PS-2; 3-40.(g)(4) PS-3; 3-41.(g)(4) PS-4;
2440 3-41.1.(i) (4) PS-5]

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

Part D Zoning Districts and Development Standards

2441 DIVISION B TIER 1 AGRICULTURAL ZONING DISTRICTS

2442 Sec. 3-D-B.1. Intent of Tier 1 Zoning Districts

2443 The Tier 1 zoning districts provide areas suitable for low intensity development. For purposes of this
 2444 Section, Low Intensity is defined as 1 dwelling unit per acre with up to 3 dwelling units per acre or less
 2445 intense Non-Residential uses.

2446 The following zoning districts fall within the Tier 1 classification system based on their intensity.

<u>Classification System</u>	<u>Zoning District</u>
<u>Tier 1 – Low Intensity</u>	<u>Agricultural (AG)</u>
	<u>Agricultural Residential (AR)</u>
	<u>Country Estates (AR-1)</u>
	<u>Rural Estates (AR-2)</u>
	<u>Single-Family Residential (RA)</u>

2447 Sec. 3-D-B.2. Agricultural Zoning District (AG)

2448 3-D-B.2.a. Intent of AG Zoning District

2449 All land designated as AG is subject to the standards of this Section. Such uses have been established for
 2450 the protection of agriculture as a major industry in the County by preventing encroachment on agricultural
 2451 lands by incompatible uses; to encourage a broad range of agricultural activities and their accessory
 2452 operations, including the processing and sale of agricultural products raised on the premises; to protect
 2453 watersheds and water supplies, wilderness and scenic areas and conservation and wildlife areas; and to
 2454 permit a variety of activities which require non-urban locations but which do not operate to the detriment of
 2455 adjoining lands devoted to rural and agriculture purposes. **[From Sec. 3-12.(a)]**

2456 3-D-B.2.b. AG Land Development Standards

2457 The principal structure(s), accessory structure(s), and other uses shall be located so as to comply with the
 2458 following minimum standards: **[Relocated from Sec. 3-12(f)]**

(1)	<u>Intensity:</u>	
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>
(2)	<u>Minimum Lot Size:</u>	<u>1 acre [Sec. 3-11.(b)(2)(ii).]</u>
(3)	<u>Minimum Lot Dimensions:</u>	
	(a)	<u>Lot Width¹: At building line: 100 feet [From Sec. 3-12.(f)(1)]</u>

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

Part D Zoning Districts and Development Standards

(b)	Lot Depth:		150 feet [From Sec. 3-12.(f)(2)]
(4)	<u>Minimum Setbacks²:</u>		
(a)	Front:	From lot line when adjacent to any district:	30 feet [From Sec. 3-12.(f)(3)]
(b)	Side ³ :	From lot line when adjacent to any district:	15 feet [From Sec. 3-12.(f)(5)]
(c)	Rear:	From lot line when adjacent to any district:	35 feet [From Sec. 3-12.(f)(4)]
(5)	<u>Minimum Living Area:</u>		750 square feet [From Sec. 3-12.(f)(7)]
<u>Footnotes:</u>			
1	<u>Refer to Sec. 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>		
2	<u>Refer to Sec. 3-D-A.3.a.(2) Waterfront Lots.</u>		
3	<u>If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback.</u>		

- 2459 (6) Additional Standards:
 2460 (a) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

2461 **3-D-B.2.c. AG Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X[MK61]</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u> <u>Refer to Sec. 3-E-J. Temporary Uses</u> <u>Refer to Sec. 3-F-H. Accessory Structures</u>

2462 **Sec. 3-12. AGRICULTURAL DISTRICT (ZONE AG)**

- 2463 (a) ~~Intent. All land designated as Zone AG is subject to the regulations of this Section as well as the~~
 2464 ~~appropriate density and intensity restrictions from Sec. 20.3-10. Such uses have been established~~
 2465 ~~for the protection of agriculture as a major industry in the County by preventing encroachment on~~
 2466 ~~agricultural lands by incompatible uses; to encourage a broad range of agricultural activities and~~
 2467 ~~their accessory operations, including the processing and sale of agricultural products raised on the~~
 2468 ~~premises; to protect watersheds and water supplies, wilderness and scenic areas and conservation~~
 2469 ~~and wildlife areas; and to permit a variety of activities which require non-urban locations but which~~
 2470 ~~do not operate to the detriment of adjoining lands devoted to rural and agriculture purposes.~~
 2471 **[Relocated to Sec. 3-D-B.2.a. Intent of AG Zoning District]**

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

Part D Zoning Districts and Development Standards

- 2472 (f) ~~Lot and Building Requirements. The principal buildings and other lot uses shall be located so as to~~
2473 ~~comply with the following requirements:~~
- | | |
|---|-------------|
| 2474 (1) Minimum Lot Width at Building Line | 100 feet |
| 2475 [Relocated to Sec. 3-D-B.2.b.(2)] | |
| 2476 (2) Minimum Lot Depth | 150 feet |
| 2477 [Relocated to Sec. 3-D-B.2.b.(3)] | |
| 2478 (3) Minimum Front Setback | 30 feet |
| 2479 [Relocated to Sec. 3-D-B.2.b.(4)] | |
| 2480 (4) Minimum Rear Setback | 35 feet |
| 2481 [Relocated to Sec. 3-D-B.2.b.(4)] | |
| 2482 (5) Minimum Side Setback | 15 feet |
| 2483 [Relocated to Sec. 3-D-B.2.b.(4)] | |
| 2484 (6) Minimum Front Yard Setback for Accessory Structures | 30 feet |
| 2485 (7) Minimum Rear and Side Yard Setback for Accessory Structures, | 7.5 feet |
| 2486 Excluding Fences [Relocated to Sec. 3-E-1.8.b.(4) AG] | |
| 2487 (8) Minimum living area | 750 sq. ft. |
| 2488 [Relocated to Sec. 3-D-B.2.b.(5)] | |
| 2489 (amended 2/05 — Ord. 95-2) | |
| 2490 (9) All structures shall be set back a minimum of 50 feet landward from the ordinary high water
2491 line or mean high water line, whichever is applicable; for waters designated as Aquatic
2492 Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks
2493 shall not apply to structures on lots or parcels located landward of existing bulkheads
2494 permitted by the St. Johns River Water Management District or Florida Department of
2495 Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic
2496 Preserves or Outstanding Florida Waters] | |
| 2497 (10) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water
2498 line or the mean high water line, whichever is applicable. Lot width shall be measured by
2499 the chord terminated by the property corners at the ordinary high water line or the mean
2500 high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.b.
2501 Waterfront Lot Widths] | |

2502 Sec. 3-D-B.3. Agricultural Residential Zoning District (AR); Country
2503 Estates Zoning District (AR-1); and Rural Estates Zoning District (AR-2)

2504 3-D-B.3.a. Intent of AR, AR-1, and AR-2 Zoning Districts

2505 All land designated as AR, AR-1, and AR-2 is subject to the standards of this Section. The purpose and
2506 intent of these Districts is to provide a transition between the agricultural areas and the more urban
2507 residential communities; and to create a Rural Residential environment wherein natural constraints
2508 applicable to development can be recognized and protected in a manner compatible with the needs of the
2509 resident.

2510 3-D-B.3.b. AR, AR-1, and AR-2 Development Standards

2511 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
2512 following minimum standards: **[Relocated from Sec. 3-13(f); Sec. 3-14(g); Sec. 3-15(g)]**

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

Part D Zoning Districts and Development Standards

(1) Intensity:			
(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table			
(2) Minimum Lot Size:			1 acre [Sec. 3-11.(b)(2)(ii).]
(3) Minimum Lot Dimensions:			
(a)	Lot Width¹:	At building line:	100 feet [From Sec. 3-13.(f)(1); Sec. 3-14.(g)(1)]
(b)	Lot Depth:		10^[MK62]0 feet [From Sec. 3-13.(f)(2); Sec. 3-14.(g)(2)]
(4) AR Minimum Setbacks²:			
(a)	Front:	From lot line when adjacent to any district:	30 feet [From Sec. 3-13.(f)(3)]
(b)	Side³:	From lot line when adjacent to any district:	20 feet⁴ [From Sec. 3-13.(f)(5)]
(c)	Rear:	From lot line when adjacent to any district:	35 feet [From Sec. 3-13.(f)(4)]
(5) AR-1 Minimum Setbacks²:			
(a)	Front:	From lot line when adjacent to any district:	20 feet [From Sec. 3-14.(g)(3)]
(b)	Side³:	From lot line when adjacent to any district:	20 feet⁴ [From Sec. 3-14.(g)(4)]
(c)	Rear:	From lot line when adjacent to any district:	30 feet [From Sec. 3-14.(g)(5)]
(6) AR-2 Minimum Setbacks²:			
(a)	Front:	From lot line when adjacent to any district:	20 feet [From Sec. 3-15.(g)(3)]
(b)	Side³:	From lot line when adjacent to any district:	10 feet⁴ [From Sec. 3-15.(g)(4)]
(c)	Rear:	From lot line when adjacent to any district:	30 feet [From Sec. 3-15.(g)(5)]
(7) Minimum Living Area:			
(a)	AR Zoning District:		750 square feet [From Sec. 3-13.(f)(8)]
(b)	AR-1 Zoning District:		1,200 square feet [From Sec. 3-14.(g)(9)]

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

Part D Zoning Districts and Development Standards

(c)	<u>AR-2 Zoning District:</u>	1,200 square feet [From Sec. 3-15.(g)(9)]
(8)	<u>Maximum Total Lot Coverage:</u>	30 percent [From Sec. 3-14.(g)(7); Sec. 3-15.(g)(7)]

Footnotes:

<u>1</u>	<u>Refer to Sec. 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>
<u>2</u>	<u>Refer to Sec. 3-D-A.3.a.(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>

- 2513 (8) Additional Standards:
 2514 (a) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

2515 **3-D-B.2.c. AR, AR-1, and AR-2 Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u> <u>Refer to Sec. 3-E-J. Temporary Uses</u> <u>Refer to Sec. 3-F-H. Accessory Structures</u>

2516 **~~Sec. 3-13. AGRICULTURAL/RESIDENTIAL DISTRICT (ZONE AR)~~**

- 2517 ~~(a) Intent. All land designated as Zone AR is subject to the requirements of this Section as well as the~~
 2518 ~~appropriate density and intensity in Sec. 20.3-10. Such uses have been established to provide a~~
 2519 ~~transition between agricultural and the more urban residential areas; and to create a rural~~
 2520 ~~residential environmental wherein natural constraints applicable to development can be recognized~~
 2521 ~~and protected in a manner compatible with the needs of the resident. [Deleted and portions~~
 2522 ~~relocated to Sec. 3-D-B.3.a. Intent of AR, AR-1, and AR-2 Zoning Districts]~~
 2523 ~~(f) Lot and Building Requirements. The principal buildings and other lot uses shall be so located as to~~
 2524 ~~comply with the following requirements:~~
 2525 ~~(1) Minimum Lot Width at Building Line 100 feet~~
 2526 ~~[Relocated to Sec. 3-D-B.3.b.(3)]~~
 2527 ~~(2) Minimum Lot Depth 100 feet~~
 2528 ~~[Relocated to Sec. 3-D-B.3.b.(3)]~~
 2529 ~~(3) Minimum Front Setback 30 feet~~
 2530 ~~[Relocated to Sec. 3-D-B.3.b.(4)]~~
 2531 ~~(4) Minimum Rear Setback 35 feet~~
 2532 ~~[Relocated to Sec. 3-D-B.3.b.(4)]~~
 2533 ~~(5) Minimum Side Setback 20 feet*~~
 2534 ~~*For waterfront properties along Doctors~~

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

Part D Zoning Districts and Development Standards

- 2535 *Lake within the Neilhurst Plat, recorded in*
2536 *Plat Book 2, pages 44 through 46, the minimum*
2537 *side setback shall be 5 feet.*
2538 **[Relocated to Sec. 3-D-B.3.b.(4)]**
2539 ~~(6) Minimum Front Yard Setback for Accessory Buildings Excluding Fences~~
2540 ~~30 feet~~
2541 ~~(7) Minimum Rear and Side Yard Setback for Accessory Buildings, 7.5 feet~~
2542 **[Relocated to Sec. 3-E-I.8.c.(5) AR]**
2543 ~~(8) Minimum Living Area 750 sq. ft.~~
2544 ~~(amended 2/95 Ord. 95-2)~~
2545 **[Relocated to Sec. 3-D-B.3.b.(7)]**
2546 ~~(9) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
2547 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
2548 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
2549 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
2550 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
2551 ~~Environmental Protection. **[Relocated to 3-D-A.3.a.(1) Aquatic Preserves or**~~
2552 ~~**Outstanding Florida Waters]**~~
2553 ~~(10) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
2554 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
2555 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
2556 ~~high water line as applicable. (amended 5/05 Ord. 05-18) **[Relocated to 3-D-A.3.a.(2)**~~
2557 ~~**Waterfront Lot]**~~

2558 **Sec. 3-14. COUNTRY ESTATES DISTRICT (ZONE AR-1)**

- 2559 ~~(a) Intent. All land designated as Zone AR-1 is subject to the regulations of this Section as well as Sec.~~
2560 ~~20.3-10. Such areas have been established in order to protect the lands best suited for country~~
2561 ~~estates purposes. The purpose and intent of the AR-1 District is to provide a transition between the~~
2562 ~~agricultural areas and the more urban residential communities; and to create a rural residential~~
2563 ~~environment wherein natural constraints applicable to development can be recognized and~~
2564 ~~protected in a manner compatible with the needs of the resident. **[Deleted and portions relocated**~~
2565 ~~**to Sec. 3-D-B.3.a. Intent of AR, AR-1, and AR-2 Zoning Districts]**~~
2566 ~~The keeping and maintenance of the various types of animals permitted within this district is~~
2567 ~~expressly intended as accessory uses or activities for the pleasure and personal, noncommercial~~
2568 ~~use by the property owner, occupant, or guest. It is further provided within these regulations that~~
2569 ~~all permitted animals shall be kept or maintained in a manner which is consistent with the nature of~~
2570 ~~development and character of the area without constituting a detriment or nuisance to the~~
2571 ~~surrounding neighborhood. **[Deleted as the new text for Accessory Use and Structure will**~~
2572 ~~**clarify the above description]**~~
2573 ~~(g) Lot and Building Requirements. The principal buildings, accessory buildings, and other lot uses~~
2574 ~~shall be located so as to comply with the following requirements:~~
2575 ~~(1) Minimum lot width at building 100 ft.~~
2576 ~~**[Relocated to Sec. 3-D-B.3.b.(3)]**~~
2577 ~~(2) Minimum lot depth 100 ft.~~
2578 ~~**[Relocated to Sec. 3-D-B.3.b.(3)]**~~
2579 ~~(3) Minimum front setback 20 ft.~~
2580 ~~**[Relocated to Sec. 3-D-B.3.b.(5)]**~~

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

Part D Zoning Districts and Development Standards

2581	(4) Minimum side setback	20 ft.
2582	[Relocated to Sec. 3-D-B.3.b.(5)]	
2583	(5) Minimum rear setback	30 ft.
2584	[Relocated to Sec. 3-D-B.3.b.(5)]	
2585	(6) Minimum setback from all lot lines of accessory structures,	
2586	except fences, side and rear	7.5 ft.
2587	front (but in no event nearer to front line than the front	
2588	of the principal building.)	30 ft.
2589	[Relocated to Sec. 3-E-1.8.d.(4) AR-1]	
2590	(7) Maximum percent of lot coverage	30%
2591	(Total for all primary and accessory buildings)	
2592	[Relocated to Sec. 3-D-B.3.b.(8)]	
2593	(8) Maximum percent of rear lot coverage	30%
2594	[Deleted since lot coverage should be for the entire lot and no need to place additional	
2595	restrictions for the rear yard]	
2596	(9) Minimum living area	1,200 sq. ft.
2597	[Relocated to Sec. 3-D-B.3.b.(7)]	
2598	(10) All structures shall be set back a minimum of 50 feet landward from the ordinary high water	
2599	line or mean high water line, whichever is applicable; for waters designated as Aquatic	
2600	Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks	
2601	shall not apply to structures on lots or parcels located landward of existing bulkheads	
2602	permitted by the St. Johns River Water Management District or Florida Department of	
2603	Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or	
2604	Outstanding Florida Waters]	
2605	(11) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water	
2606	line or the mean high water line, whichever is applicable. Lot width shall be measured by	
2607	the chord terminated by the property corners at the ordinary high water line or the mean	
2608	high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.a.(2)	
2609	Waterfront Lots]	

2610 **Sec. 3-15. RURAL ESTATES DISTRICT (ZONE AR-2)**

2611	(a) Intent. All land designated as Zone AR-2 is subject to the regulations of this Section as well as Sec.	
2612	20.3-10. Such areas have been established in order to protect the lands best suited for rural estates	
2613	purposes. The purpose and intent of the AR-2 District is to provide a transition between the	
2614	agricultural areas and the more urban residential communities; and to create a rural residential	
2615	environment wherein natural constraints applicable to development can be recognized and	
2616	protected in a manner compatible with the needs of the resident. [Deleted and portions relocated	
2617	to Sec. 3-D-B.3.a. Intent of AR, AR-1, and AR-2 Zoning Districts]	
2618	(g) Lot and Building Requirements. The principal buildings, accessory buildings, and other lot uses	
2619	shall be located so as to comply with the following requirements:	
2620	(1) Minimum lot width at building line	100 ft.
2621	[Relocated to Sec. 3-D-B.3.b.(3)]	
2622	(2) Minimum lot depth	100 ft.
2623	[Relocated to Sec. 3-D-B.3.b.(3)]	
2624	(3) Minimum front setback	20 ft.
2625	[Relocated to Sec. 3-D-B.3.b.(6)]	
2626	(4) Minimum side setback	10 ft.

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

Part D Zoning Districts and Development Standards

2627		[Relocated to Sec. 3-D-B.3.b.(6)]	
2628	(5)	Minimum rear setback	30 ft.
2629		[Relocated to Sec. 3-D-B.3.b.(6)]	
2630	(6)	Minimum setback from all lot lines of accessory structures,	
2631		except fences, side and rear	7.5 ft.
2632		front (but in no event nearer to front line than the front	
2633		of the principal building.)	30 ft.
2634		[Relocated to Sec. 3-E-1.8.e.(4) AR-1]	
2635	(7)	Maximum percent of lot coverage	30%
2636		(Total for all primary and accessory buildings)	
2637		[Relocated to Sec. 3-D-B.3.b.(8)]	
2638	(8)	Maximum percent of rear lot coverage	30%
2639		[Deleted since lot coverage should be for the entire lot and no need to place	
2640		additional restrictions for the rear yard]	
2641	(9)	Minimum living area	1,200 sq. ft.
2642		[Relocated to Sec. 3-D-B.3.b.(7)]	
2643	(10)	All structures shall be set back a minimum of 50 feet landward from the ordinary high water	
2644		line or mean high water line, whichever is applicable; for waters designated as Aquatic	
2645		Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks	
2646		shall not apply to structures on lots or parcels located landward of existing bulkheads	
2647		permitted by the St. Johns River Water Management District or Florida Department of	
2648		Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic	
2649		Preserves or Outstanding Florida Waters]	
2650	(11)	Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water	
2651		line or the mean high water line, whichever is applicable. Lot width shall be measured by	
2652		the chord terminated by the property corners at the ordinary high water line or the mean	
2653		high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.b.	
2654		Waterfront Lot Widths]	

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

Part D Zoning Districts and Development Standards

2655 Sec. 3-D-B.4. Single-Family Residential Zoning District (RA)

2656 **3-D-B.4.a. Intent of RA Zoning District**

2657 *All land designated as RA is subject to the standards of this Section. Such areas are established to provide*
2658 *for Single-Family development and can be found in land areas with either a Rural Fringe Residential (RF)*
2659 *FLU category or an Urban Fringe (UF) FLU category. [Relocated from Sec. 3-16(a)]*

2660 **3-D-B.4.b. RA Development Standards**

2661 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
2662 *following minimum standards: [Relocated from Sec. 3-16(f)]*

(1)	<u>Intensity:</u>		
(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>		
(2)	<u>Minimum Lot Dimensions</u> ^[MK63] :		
(a)	<i>Lot Width¹:</i>	<i>At building line:</i>	<i>100 feet [From Sec. 3-16.(f)(1)]</i>
(b)	<i>Lot Depth:</i>		<i>100 feet [From Sec. 3-16.(f)(1)]</i>
(3)	<u>Minimum Setbacks²:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	<i>40 feet [From Sec. 3-16.(f)(3)]</i>
(b)	<u>Side³:</u>	<u>From lot line when adjacent to any district:</u>	<i>Abutting an interior lot: 10 feet [From Sec. 3-16.(f)(4)]</i>
		<i>Abutting an intersecting street:</i>	<i>25 feet [From Sec. 3-16.(f)(5)]</i>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	<i>35 feet [From Sec. 3-13.(f)(4)]</i>
(4)	<u>Minimum Living Area:</u>		<i>1,400 square feet [From Sec. 3-16.(f)(10)]</i>
(5)	<u>Maximum Total Lot Coverage:</u>		<i>25 percent [From Sec. 3-16.(f)(8)]</i>

Footnotes:

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

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Part D Zoning Districts and Development Standards

- 2663 (6) Additional Standards:
 2664 (a) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

2665 **3-D-B.4.c. RA Uses**

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u>
<u>Refer to Sec. 3-E-J. Temporary Uses</u>
<u>Refer to Sec. 3-F-H. Accessory Structures</u> |

2666 **Sec. 3-16. SINGLE FAMILY RESIDENTIAL DISTRICT (ZONE RA)**

- 2667 (a) ~~Intent. All land designated as Zone RA is subject to the regulations of this Section, as well as the~~
 2668 ~~appropriate density and intensity restrictions in Sec. 20.3-10. [Relocated to Sec. 3-D-B.4.a. Intent~~
 2669 ~~of RA Zoning District]~~
 2670 (f) ~~Lot and Building Requirements. The principal buildings, accessory buildings and other lot uses~~
 2671 ~~shall be located so as to comply with the following requirements:~~
- | | | |
|-----------|--|------------------------------|
| 2672 (1) | Minimum Lot Width at Building Line | 100 feet |
| 2673 | [Relocated to Sec. 3-D-B.4.b.(2)] | |
| 2674 (2) | Minimum Lot Depth | 100 feet |
| 2675 | [Relocated to Sec. 3-D-B.4.b.(2)] | |
| 2676 (3) | Minimum Front Setback | 40 feet |
| 2677 | [Relocated to Sec. 3-D-B.4.b.(3)] | |
| 2678 (4) | Minimum Side Setback Abutting an Interior Lot | 10 feet |
| 2679 | [Relocated to Sec. 3-D-B.4.b.(3)] | |
| 2680 (5) | Minimum Side Setback Abutting an Intersecting Street | 25 feet |
| 2681 | [Relocated to Sec. 3-D-B.4.b.(3)] | |
| 2682 (6) | Minimum Rear Setback | 25 feet |
| 2683 | [Relocated to Sec. 3-D-B.4.b.(3)] | |
| 2684 (7) | Minimum Setback from all Lot Lines of Accessory Structures, | 7.5 feet |
| 2685 | Excluding Fences | |
| 2686 (8) | Maximum Percentage of Lot Coverage | 25-percent |
| 2687 | [Relocated to Sec. 3-D-B.4.b.(5)] | |
| 2688 (9) | Maximum Percentage of Rear Yard Coverage | 25 percent |
| 2689 | [Deleted since lot coverage should be for the entire lot and no need to place | |
| 2690 | additional restrictions for the rear yard] | |
| 2691 (10) | Minimum Living Area | 1,400 square feet |
| 2692 | [Relocated to Sec. 3-D-B.4.b.(4)] | |
| 2693 (11) | All structures shall be set back a minimum of 50 feet landward from the ordinary high water | |
| 2694 | line or mean high water line, whichever is applicable; for waters designated as Aquatic | |
| 2695 | Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks | |
| 2696 | shall not apply to structures on lots or parcels located landward of existing bulkheads | |
| 2697 | permitted by the St. Johns River Water Management District or Florida Department of | |
| 2698 | Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic | |
| 2699 | Preserves or Outstanding Florida Waters] | |

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Part D Zoning Districts and Development Standards

2700 ~~(12) —~~ *Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water*
2701 *line or the mean high water line, whichever is applicable. Lot width shall be measured by*
2702 *the chord terminated by the property corners at the ordinary high water line or the mean*
2703 *high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.b.*
2704 **Waterfront Lot Widths]**

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

Part D Zoning Districts and Development Standards

2705 DIVISION C TIER 2 RESIDENTIAL ZONING DISTRICTS

2706 Sec. 3-D-C.1. Intent of Tier 2 Residential Zoning Districts

2707 The Tier 2 zoning districts provide areas suitable for medium intensity development. For purposes of this
 2708 Section, Medium Intensity is defined as over 3 dwelling units per acre with up to 6 dwelling units per acre.

2709 The following zoning districts fall within the Tier 2 classification system based on their intensity.

<u>Classification System</u>	<u>Zoning District</u>
	<u>Single-Family Residential (UC-10/RA)</u> ^[MK64]
<u>Tier 2 – Medium Intensity</u>	<u>Single-Family Residential (RB)</u>
	<u>Two- or Three-Unit Residential (RC)</u>

2710 Sec. 3-D-C.2. Single-Family Residential Zoning District (UC-10/RA) and
 2711 (RB)

2712 **3-D-C.2.a. Intent of UC-10/RA and RB Zoning Districts**

2713 *All land designated as UC-10/RA and RB is subject to the standards of this Section. Such areas are*
 2714 *established to create medium intensity developments within Urban Fringe (UF) or Rural Fringe (RF)*
 2715 *designations. [From Sec. 3-17.(a)]*

2716 **3-D-C.2.b. UC-10 RA and RB Land Development Standards**

2717 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 2718 *following minimum standards: [Relocated from Sec. 3-17(f)]*

(1)	<u>Intensity:</u>	
	(a)	<u>Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table</u>
		<i>Recorded before May 3, 1979 without central water and sewer:</i>
(2)	<u>Minimum Lot Size:</u>	<i>15,000 square feet [From Sec. 3-11.(b)(2)(ii).]</i>
		<i>Recorded on or after May 3, 1979:</i>
		<i>21,780 square feet [From Sec. 3-11.(b)(2)(ii).]</i>
		<i>Recorded on or after May 3, 1979 with Central water and sewer:</i>
		<i>12,500 square feet [From Sec. 3-11.(b)(2)(ii).]</i>
(3)	<u>Minimum Lot Dimensions:</u>	

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

Part D Zoning Districts and Development Standards

(a)	<i>Lot Width^{2,4}:</i>	<i>At building line:</i>	60 feet [MK65][From Sec. 3-17.(f)(1)]
		<u>At street frontage:</u>	<u>See Footnote 6</u>
(b)	<i>Lot Depth:</i>		100 feet [From Sec. 3-17.(f)(2)]
(c)	<i>Lot size⁵:</i>	<u>Apply setbacks of the lot's Zoning District, if applicable</u>	
(4)	<u>Minimum Setbacks¹:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	20 feet [From Sec. 3-17.(f)(3)]
(b)	<u>Side³:</u>	<u>From lot 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)]
(5)	<u>Maximum Total Lot Coverage:</u>		30 percent [From Sec. 3-17.(f)(7)]
(6)	<u>Minimum Living Area:</u>		1,000 square feet [From Sec. 3-17.(f)(9)]

Footnotes:

1 Refer to [Sec. 3-D-A.3.a.\(1\) Aquatic Preserves or Outstanding Florida Waters.](#)

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

5 *Minimum Size Exception. In the event that a ~~Single-Family~~ dwelling has been constructed pursuant to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the public records subsequent to April 12, 1999, that fronts upon a public road dedicated within such plat, and that is served by central water and sewer, then any other provisions of this article to the contrary notwithstanding, the minimum size for such lot shall be 5,608 square feet. [From Sec. 3-17.(h)]*

6 *Minimum Frontage Exception. In the event that a ~~Single-Family~~ dwelling has been constructed pursuant to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a land use designation of Urban Core (10) Residential that is depicted within a plat*

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

Part D Zoning Districts and Development Standards

recorded in the public records subsequent to April 12, 1999, that fronts upon a public road dedicated within such plat, and that is served by central water and sewer, then any other provisions of this article to the contrary notwithstanding, if such lot fronts upon a curve of a public road dedicated within such plat, the minimum frontage along such road shall be 36 ½ feet being measured by the chord terminated by the front property corners, and if such lot has straight frontage upon such a road, the minimum frontage along such road shall be 49 feet. [From Sec. 3-17.(i)]

- 2719 (7) Additional Standards:
 2720 (a) Heirs. Refer to [Sec. 3-C-C.7. Heirs Exemptions.](#)

2721 **3-D-C.2.c. UC-10 RA and RB Uses**

- (1) Permitted and Conditional uses: [Refer to Part E Use Types and Standards](#)
 (2) Special Exception: [Sec. E-X-X](#)
 (3) Accessory: [Refer to Sec. 3-E-I. Accessory Uses](#)
[Refer to Sec. 3-E-J. Temporary Uses](#)
[Refer to Sec. 3-F-H. Accessory Structures](#)

2722 **Sec. 3-17. SINGLE-FAMILY RESIDENTIAL DISTRICT (ZONE RB)**

- 2723 (a) ~~Intent. All land designated as Zone RB is subject to the regulations of this Section, as well as the~~
 2724 ~~requirements in Sec. 20.3-10. Such areas are established to protect the areas best suited for low~~
 2725 ~~density, single family residential development. [Deleted and portions relocated to Sec. 3-D-~~
 2726 ~~C.2.a. Intent of UC-10/RA and RB Zoning Districts]~~
 2727 (f) ~~Lot and Building Requirements. The principal buildings, accessory building and other lot uses shall~~
 2728 ~~be located so as to comply with the following requirements:~~
 2729 (1) ~~Minimum Lot Width at Building Line~~ 60 feet
 2730 ~~[Relocated to Sec. 3-D-C.2.b.(3)]~~
 2731 (2) ~~Minimum Lot Depth~~ 100 feet
 2732 ~~[Relocated to Sec. 3-D-C.2.b.(3)]~~
 2733 (3) ~~Minimum Front Setback~~ 20 feet
 2734 ~~[Relocated to Sec. 3-D-C.2.b.(4)]~~
 2735 (4) ~~Minimum Side Setback~~ 7.5 feet
 2736 ~~[Relocated to Sec. 3-D-C.2.b.(4)]~~
 2737 (5) ~~Minimum Rear Setback~~ 15 feet
 2738 ~~[Relocated to Sec. 3-D-C.2.b.(4)]~~
 2739 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ 7.5 feet
 2740 ~~Excluding Fences [Relocated to Sec. 3-E-I.8.b.(5) Minimum Setbacks]~~
 2741 (7) ~~Maximum Percentage of Lot Coverage~~ 30 percent
 2742 ~~[Relocated to Sec. 3-D-C.2.b.(4)]~~
 2743 (8) ~~Maximum Percentage of Rear Yard Coverage~~ 30 percent
 2744 ~~[Deleted since lot coverage should be for the entire lot and no need to place additional~~
 2745 ~~restrictions for the rear yard]~~
 2746 (9) ~~Minimum Living Area~~ 1,000 square feet
 2747 ~~[Relocated to Sec. 3-D-C.2.b.(5)]~~

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

Part D Zoning Districts and Development Standards

- 2748 ~~(10)~~ *All structures shall be set back a minimum of 50 feet landward from the ordinary high water*
2749 *line or mean high water line, whichever is applicable; for waters designated as Aquatic*
2750 *Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks*
2751 *shall not apply to structures on lots or parcels located landward of existing bulkheads*
2752 *permitted by the St. Johns River Water Management District or Florida Department of*
2753 *Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic*
2754 *Preserves or Outstanding Florida Waters]*
- 2755 ~~(11)~~ *Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water*
2756 *line or the mean high water line, whichever is applicable. Lot width shall be measured by*
2757 *the chord terminated by the property corners at the ordinary high water line or the mean*
2758 *high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.b.*
2759 *Waterfront Lot Widths]*
- 2760 ~~(g)~~ *Minimum Width Exception. In the event that a single family dwelling has been constructed pursuant*
2761 *to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a*
2762 *land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the*
2763 *public records after April 12, 1999, and that is served by central water and sewer, then any other*
2764 *provisions of this article to the contrary notwithstanding, if such lot fronts upon a curve of a public*
2765 *road dedicated within such plat, the minimum lot width at building line applicable thereto shall be*
2766 *43 ½ feet, and if such lot has straight frontage upon such a road, the minimum lot width at building*
2767 *line applicable thereto shall be 53 ½ feet. [Relocated to Sec. 3-D-C.2.b. Footnote 4]*
- 2768 ~~(h)~~ *Minimum Size Exception. In the event that a single family dwelling has been constructed pursuant*
2769 *to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB and a*
2770 *land use designation of Urban Core (10) Residential that is depicted within a plat recorded in the*
2771 *public records subsequent to April 12, 1999, that fronts upon a public road dedicated within such*
2772 *plat, and that is served by central water and sewer, then any other provisions of this article to the*
2773 *contrary notwithstanding, the minimum size for such lot shall be 5,608 square feet. [Relocated to*
2774 *Sec. 3-D-C.2.b. Footnote 5]*
- 2775 ~~(i)~~ *Minimum Frontage Exception. In the event that a single family dwelling has been constructed*
2776 *pursuant to a building permit prior to November 1, 2001, on a lot with a zoning classification of RB*
2777 *and a land use designation of Urban Core (10) Residential that is depicted within a plat recorded*
2778 *in the public records subsequent to April 12, 1999, that fronts upon a public road dedicated within*
2779 *such plat, and that is served by central water and sewer, then any other provisions of this article to*
2780 *the contrary notwithstanding, if such lot fronts upon a curve of a public road dedicated within such*
2781 *plat, the minimum frontage along such road shall be 36 ½ feet being measured by the chord*
2782 *terminated by the front property corners, and if such lot has straight frontage upon such a road, the*
2783 *minimum frontage along such road shall be 49 feet. (Subsection (f) thru (i) amended 6/02 — Ord.*
2784 *02-29) [Relocated to Sec. 3-D-C.2.b. Footnote 6]*

2785 Sec. 3-D-C.3. Two- or Three-Unit Residential Zoning District (RC)

2786 3-D-C.3.a. Intent of RC Zoning District

2787 *All land designated as RC is subject to the standards of this Section. Such areas are established to create*
2788 *medium intensity developments within Urban Fringe (UF) or Rural Fringe (RF) designations. Those*
2789 *developments that are without central water/sewer shall be considered as low intensity. [From Sec. 3-*
2790 *18.(a)]*

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

Part D Zoning Districts and Development Standards

2791 **3-D-C.3.b. RC Land Development Standards**

2792 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
2793 *following minimum standards: [Relocated from Sec. 3-18(e)]*

(1)	<u>Intensity:</u>		
(a)	Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table		
(2)	<u>Minimum Lot Size:</u>		
(a)	<i>Recorded before May 3, 1979 without central water and sewer:</i>		15,000 <u>square feet</u> [From Sec. 3-11.(b)(2)(ii).]
	<i>With septic and central water:</i>		10,890 <u>square feet</u> [From Sec. 3-11.(b)(2)(ii).]
	<i>With central water and sewer:</i>		8,500 <u>square feet</u> [From Sec. 3-11.(b)(2)(ii).]
	<i>Recorded on or after May 3, 1979:</i>		21,780 <u>square feet</u> [From Sec. 3-11.(b)(2)(ii).]
	<i>Recorded on or after May 3, 1979 without central water and sewer:</i>		21,780 <u>square feet</u> [From Sec. 3-11.(b)(2)(ii).]
(3)	<u>Minimum Lot Dimensions:</u>		
(a)	<i>Lot Width¹:</i>	<i>At building line:</i>	60 ^[MK66] <u>feet</u> [From Sec. 3-18.(e)(1)]
(b)	<i>Lot Depth:</i>		100 <u>feet</u> [From Sec. 3-18.(e)(2)]
(4)	<u>Minimum Setbacks²:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	20 <u>feet</u> [From Sec. 3-18.(e)(3)]
(b)	<u>Side³:</u>	<u>From lot line when adjacent to any district:</u>	7.5 <u>feet</u> [From Sec. 3-18.(e)(4)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	15 <u>feet</u> [From Sec. 3-18.(e)(5)]
(5)	<u>Maximum Total Lot Coverage:</u>		30 <u>percent</u> [From Sec. 3-18.(e)(7)]
(6)	<u>Minimum Living Area:</u>		750 <u>square feet</u> [From Sec. 3-18.(f)(9)]

Footnotes:

1 [Refer to Sec. 3-D-A.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

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.

2794 (7) Additional Standards:

2795 (a) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

2796 **3-D-C.3.c. RC Uses**

(1) Permitted and Conditional uses: Refer to [Part E Use Types and Standards](#)

(2) Special Exception: [Sec. E-X-X](#)

(3) Accessory: Refer to [Sec. 3-E-I. Accessory Uses](#)

Refer to [Sec. 3-E-J. Temporary Uses](#)

Refer to [Sec. 3-F-H. Accessory Structures](#)

2797 **Sec. 3-18. TWO-OR-THREE-UNIT RESIDENTIAL DISTRICT (ZONE RC)**

2798 ~~(a) Intent. All land designated as **Zone RC** is subject to the regulations of this Section, as well as the~~
2799 ~~restrictions in Sec. 20.3-10. [Deleted and portions relocated to Sec. 3-D-C.3.a. Intent of RC~~
2800 ~~Zoning District]~~

2801 ~~(e) Lot and Building Requirements. The principal buildings, accessory building and other lot uses shall~~
2802 ~~be located so as to comply with the following requirements:~~

2803 ~~(1) Minimum Lot Width at Building Line 60 feet~~

2804 ~~[Relocated to Sec. 3-D-C.3.b.(3)]~~

2805 ~~(2) Minimum Lot Depth 100 feet~~

2806 ~~[Relocated to Sec. 3-D-C.3.b.(3)]~~

2807 ~~(3) Minimum Front Setback 20 feet~~

2808 ~~[Relocated to Sec. 3-D-C.3.b.(4)]~~

2809 ~~(4) Minimum Side Setback 7.5 feet~~

2810 ~~[Relocated to Sec. 3-D-C.3.b.(4)]~~

2811 ~~(5) Minimum Rear Setback 15 feet~~

2812 ~~[Relocated to Sec. 3-D-C.3.b.(4)]~~

2813 ~~(6) Minimum Setback from all Lot Lines of Accessory Structures, 7.5 feet~~

2814 ~~Excluding Fences [Relocated to Sec. 3-E-1.8.b.(5) Minimum Setbacks]~~

2815 ~~(7) Maximum Percent of Lot Coverage 30 percent~~

2816 ~~[Relocated to Sec. 3-D-C.3.b.(5)]~~

2817 ~~(8) Maximum Percentage of Rear Yard Coverage 30 percent~~

2818 ~~[Deleted since lot coverage should be for the entire lot and no need to place~~
2819 ~~additional restrictions for the rear yard]~~

2820 ~~(9) Minimum Living Area 750 square feet~~

2821 ~~[Relocated to Sec. 3-D-C.3.b.(6)]~~

2822 ~~(10) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
2823 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
2824 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
2825 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
2826 ~~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
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Part D Zoning Districts and Development Standards

2827 *Environmental Protection.* [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic
2828 **Preserves or Outstanding Florida Waters]**
2829 ~~(11) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
2830 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
2831 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
2832 ~~high water line as applicable. (amended 5/05 — Ord. 05-18) [Relocated to 3-D-A.4.b.~~
2833 **Waterfront Lot Widths]**

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

Part D Zoning Districts and Development Standards

2834 DIVISION D TIER 3 RESIDENTIAL ZONING DISTRICTS

2835 Sec. 3-D-D.1. Intent of Tier 3 Residential Zoning Districts

2836 The Tier 3 zoning districts provide areas suitable for high intensity development. For purposes of this
2837 Section, High Intensity is defined as over 6 dwelling units per acre.

2838 The following zoning districts fall within the Tier 3 classification system based on their intensity.

<u>Classification System</u>	<u>Zoning District</u>
<u>Tier 3 – High Intensity</u>	<u>Multi-Family Residential Zoning (RD)</u>
	<u>Single-Family Residential (RE)</u>
	<u>Residential Mobile Home Park (RMHP)</u>
	<u>Planned Unit Development (PUD)</u>

2839 Sec. 3-D-D.2. *Multi-Family Residential Zoning District (RD)*

2840 3-D-D.2.a. Intent of RD Zoning District

2841 (1) All land designated as RD shall be governed by the standards of this Section and shall be further
2842 designated into one of the following Subdistricts of RD-1, RD-2, RD-3, and RD-4, and shall be
2843 governed as hereinafter set forth. [From Sec. 3-19.(a)]

2844 (2) This designation is intended for those lands located in close proximity to the core of urban service
2845 areas and accessible to employment centers. Intensities in this area shall range from a minimum
2846 of 2 acres per net acre and a maximum of 10 units per net acre. Higher intensity may be achieved
2847 through the Intensity Bonus Programs in Part C, Division C Tier 2 Residential Zoning Districts.

2848 (3) The intensity of each Subdistrict is to provide for a diversity of housing types, with more Single-
2849 Family Detached units in RD-1 and RD-2, and more mixed housing types such as Single-Family
2850 Detached, Attached, and Multi-Family units in RD-3 and RD-4.

2851 (4) Subdistrict RD-4 (UC-16) may allow a maximum intensity of 16 units per net acre for the provision
2852 of housing for the elderly or handicapped and housing for very low, low-income, and moderate-
2853 income households. Proximity to employment centers, public transportation, commercial services,
2854 and central utility services is vital.

2855 3-D-D.2.b. RD Land Development Standards

2856 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
2857 following minimum standards:

(1) Intensity:

(a) Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table^[EG67]

(2) 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 Size:</u>			<u>Apply standards of the lot's zoning district, if applicable</u>
(b)	<u>Lot Width¹:</u>			<u>Apply standards of the lot's zoning district, if applicable</u>
(c)	<u>Lot Depth:</u>			<u>Apply standards of the lot's zoning district, if applicable</u>
(3)	<u>Minimum Setbacks²:</u>			
(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>		<u>20 feet</u> [From Sec. 3-19.(f)(1)(i)]
(b)	<u>Side³:</u>	<u>From lot line when adjacent to any zoning district:</u>	<i>Interior:</i>	<u>2 units or less:</u> <u>10 feet</u> [From Sec. 3-19.(f)(1)(iii)]
				<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)]
(4)	<u>Minimum Building Spacing:</u>	<i>For more than 1 building on a single lot:</i>	<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.

2858 (5) Additional Standards:

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Part D Zoning Districts and Development Standards

- 2859 (a) Visual Barrier: Proposed Multi-Family development shall be buffered from adjacent land
 2860 within the Residential FLU categories, unless said adjacent land zoned for Multi-Family
 2861 development at the time of proposed development, with a 25-foot building setback, 10-foot
 2862 landscaped area, minimum 6-foot high opaque barrier (fence or vegetation), and tree
 2863 planting 30-foot on center. **[From Sec. 3-19.(f)(4)]**
 2864 (b) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

3-D-D.2.c. RD Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

Sec. 3-19. MULTIFAMILY RESIDENTIAL DISTRICT (ZONE RD)

- 2866 ~~(a) Intent. All land designated as Zone RD shall be governed by the regulations of this Section and~~
 2867 ~~shall be further designated into one of the following sub-districts of RD-1, RD-2, RD-3, and RD-4,~~
 2868 ~~and shall be governed as hereinafter set forth. Said lands shall also be subject to the applicable~~
 2869 ~~restrictions in Sec. 20.3-10. [Deleted and portions relocated to Sec. 3-D-D.2.a. Intent RD~~
 2870 ~~Zoning District]~~
 2871 ~~(f) Lot and Building Requirements.~~
 2872 ~~(1) Setback of building(s) from property line (all sub-districts):~~
 2873 ~~(i) Minimum Front Yard 20 ft.~~
 2874 **[Relocated to Sec. 3-D-D.2.b.(3)]**
 2875 ~~(ii) Minimum Rear Yard 20 ft. or~~
 2876 ~~25 ft.~~
 2877 ~~adjacent to single~~
 2878 ~~family residential~~
 2879 ~~(iii) Minimum Side Yard Interior:~~
 2880 ~~1 and 2 Units 10 ft.~~
 2881 ~~3 Units and Over 10 ft.~~
 2882 **[Relocated to Sec. 3-D-D.2.b.(3)]**
 2883 ~~(iv) Minimum Side Yard Street 20 ft.~~
 2884 **[Relocated to Sec. 3-D-D.2.b.(3)]**
 2885 ~~(2) Accessory Buildings (Not to exceed one (1) story):~~
 2886 ~~(i) Minimum Setback from Lot Line~~
 2887 ~~Front 20 ft.~~
 2888 ~~Rear 5 ft.~~
 2889 ~~Side 5 ft.~~
 2890 **[Relocated to Sec. 3-E-I.9.b.(7)(8) RD]**
 2891 ~~(3) Building Spacing. For more than one building on a single lot:~~
 2892 ~~Front/Front Front/Side Front/Rear Rear/Rear Rear/Side Side/Side~~
 2893 ~~60 ft. 40 ft. 60 ft. 40 ft. 30 ft. 20 ft.~~
 2894 **[Relocated to Sec. 3-D-D.2.b.(4)]**
 2895

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

Part D Zoning Districts and Development Standards

- 2896 (4) ~~Visual Barrier: Proposed multi-family development shall be buffered from adjacent land~~
 2897 ~~within the residential land use categories identified in Section 20.3-8, unless said adjacent~~
 2898 ~~land zoned for multi-family development at the time of proposed development, with a~~
 2899 ~~twenty five (25) foot building setback, ten (10) foot landscaped area, minimum six (6) foot~~
 2900 ~~high opaque barrier (fence or vegetation) and tree planting thirty (30) foot on center. (Ord~~
 2901 ~~94 — 4/26/94) [Relocated to 3-D-D.2.b.(5)(a) Additional Standards, Visual Buffer]~~
 2902 (5) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 2903 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 2904 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 2905 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 2906 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 2907 ~~Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic~~
 2908 ~~Preserves or Outstanding Florida Waters]~~
 2909 (6) ~~Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
 2910 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
 2911 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
 2912 ~~high water line as applicable. (amended 5/05 Ord. 05-18) [Relocated to 3-D-A.4.b.~~
 2913 ~~Waterfront Lot Widths]~~

Sec. 3-D-D.3. Single-Family Residential Zoning District (RE)

3-D-D.3.a. Intent of RE Zoning District

2915 *All land designated as RE is subject to the standards of this Section. Such areas are established to create*
 2916 *medium- to high-intensity developments within the Rural Residential (RR), Rural Fringe (RF), Urban Fringe*
 2917 *(UF), and Urban Core (10) (UC-10) designations. [From Sec. 3-12.(a)]*
 2918

3-D-D.3.b. RE Development Standards

2919 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 2920 *following minimum standards: [Relocated from Sec. 3-20(f)]*
 2921

(1) Intensity:

(a) [Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Lot Dimensions:

(a)	Lot Width ¹ :	At building line:	60 feet [From Sec. 3-20.(f)(1)]
(b)	Lot Depth:		100 feet [From Sec. 3-20.(f)(2)]

(3) Minimum Setbacks²:

(a)	Front:	<u>From lot line when adjacent to any zoning district:</u>	20 feet [From Sec. 3-20.(f)(3)]
(b)	Side ³ :	<u>From lot line when adjacent to any zoning district:</u>	7.5 feet [From Sec. 3-20.(f)(4)]

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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>	<u>From lot line when adjacent to any zoning district:</u>	15 feet [From Sec. 3-20.(f)(5)]
<u>(4)</u>	<u>Maximum Lot Coverage:</u>		30 percent [From Sec. 3-20.(f)(7)]
<u>(5)</u>	<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-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.

- 2922 (6) Additional Standards:
- 2923 (a) Heirs. Refer to Sec. 3-C-C.7. Heirs Exemptions.

2924 **3-D-D.3.c. RE Uses**

<u>(1)</u>	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
<u>(2)</u>	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
<u>(3)</u>	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

2925 **Sec. 3-20. SINGLE-FAMILY RESIDENTIAL DISTRICT (ZONE RE)**

- 2926 ~~(a) Intent. All land designated as Zone RE is subject to the regulations of this Section and in Sec. 20.3-~~
- 2927 ~~40. [Deleted and portions relocated to Sec. 3-D-D.3.a. Intent of RE Zoning District]~~
- 2928 ~~(f) Lot and Building Requirements. The principal building, accessory buildings and other lot uses shall~~
- 2929 ~~be located so as to comply with the following requirements:~~
- 2930 ~~(1) Minimum Lot Width at Building Line 60 feet~~
- 2931 ~~[Relocated to Sec. 3-D-D.3.b.(2)]~~
- 2932 ~~(2) Minimum Lot Depth 100 feet~~
- 2933 ~~[Relocated to Sec. 3-D-D.3.b.(2)]~~
- 2934 ~~(3) Minimum Front Setback 20 feet~~
- 2935 ~~[Relocated to Sec. 3-D-D.3.b.(3)]~~
- 2936 ~~(4) Minimum Side Setback 7.5 feet~~
- 2937 ~~[Relocated to Sec. 3-D-D.3.b.(3)]~~
- 2938 ~~(5) Minimum Rear Setback 15 feet~~
- 2939 ~~[Relocated to Sec. 3-D-D.3.b.(3)]~~
- 2940 ~~(6) Minimum Setback from all Lot Lines of Accessory Structures, 7.5 feet~~
- 2941 ~~Excluding Fences [Relocated to Sec. 3-E-I.10.e.(1)]~~

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

Part D Zoning Districts and Development Standards

- 2942 ~~(7) Maximum Percent of Lot Coverage 30 percent~~
 2943 ~~[Relocated to Sec. 3-D-D.3.b.(4)]~~
 2944 ~~(8) Maximum Percent of Rear Yard Coverage 30 percent~~
 2945 ~~(9) Minimum Living Area, Mobile Homes 600 square feet~~
 2946 ~~[Relocated to Sec. 3-D-D.3.b.(5)]~~
 2947 ~~(10) Minimum Living Area, Permanent Structures 750 square feet~~
 2948 ~~[Relocated to Sec. 3-D-D.3.b.(5)]~~
 2949 ~~(11) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 2950 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 2951 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 2952 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 2953 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 2954 ~~Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic~~
 2955 ~~Preserves or Outstanding Florida Waters]~~
 2956 ~~(12) Waterfront lot widths shall be a minimum of one hundred feet at the ordinary high water~~
 2957 ~~line or the mean high water line, whichever is applicable. Lot width shall be measured by~~
 2958 ~~the chord terminated by the property corners at the ordinary high water line or the mean~~
 2959 ~~high water line as applicable. (amended 5/05 Ord. 05-18) [Relocated to 3-D-A.4.b.~~
 2960 ~~Waterfront Lot Widths]~~

Sec. 3-D-D.4. Residential Mobile Home Park Zoning District (RMHP)

3-D-D.4.a. Intent of RMHP Zoning District

All land designated as RMHP is subject to the standards of this Section. Such areas are established to accommodate the housing needs of those residents desiring Mobile Homes or Mobile Home sites. [From Sec. 3-21.(a)]

3-D-D.4.b. RMHP Land 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>Intensity:</u>		
(a)		<u>Sec. 3-C-B.2.e. Residential Future Land Use and Zoning District Intensity Table</u> ^[EG68]	
(2)	<u>Minimum Lot Dimensions:</u>		
(a)	<u>Lot Size:</u>	Residential <u>Mobile Home Park site:</u>	10 acres [From <u>Sec. 3-21.(e)(1)</u>]
		Individual <u>Residential Mobile Home site:</u>	5,000 square feet [From <u>Sec. 3-21.(e)(2)</u>]
(b)	<u>Lot Width:</u>	Residential <u>Mobile Home Park site:</u>	300 feet [From <u>Sec. 3-21.(e)(1)</u>]
		Individual <u>Residential Mobile Home site:</u>	50 feet [From <u>Sec. 3-21.(e)(2)</u>]

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

Part D Zoning Districts and Development Standards

(3)	<u>Minimum Setbacks¹:</u>	
(a)	<u>External:</u>	From lot line when adjacent to a RD, BA, BB, IS, IA, IB, BSC, PO, or PS Zoning District: 15 feet [From Sec. 3-21.(e)(4)]
		From lot line when adjacent to all other Zoning Districts: 50 feet [From Sec. 3-21.(e)(4)]
(b)	<u>Internal:</u>	From lot line when adjacent to any public rights-of-way or pavement edges of private streets: 20 feet [From Sec. 3-21.(e)(4)]
(4)	<u>Minimum Distance Between Structures:</u>	15 feet [From Sec. 3-21.(e)(5)]
(5)	<u>Maximum Height of Structure:</u>	35 feet [From Sec. 3-21.(e)(7)]
(6)	<u>Minimum Floor Area:</u>	500 square feet [From Sec. 3-21.(f)(6)]

Footnote:

1 Refer to [Sec. 3-D-A.3.a.\(1\) Aquatic Preserves or Outstanding Florida Waters.](#)

2969 (7) Additional Standards:
 2970 (a) Patio. Each Mobile Home space shall have a concrete patio of not less than 10 feet by 24
 2971 feet, conveniently located at the entrance of each Mobile Home.

2972 **3-D-D.4.c. RMHP Uses**

(1)	<u>Permitted and Conditional uses:</u>	Refer to Part E Use Types and Standards
(2)	<u>Special Exception:</u>	Sec. E-X-X
(3)	<u>Accessory:</u>	Refer to Sec. 3-E-I. Accessory Uses Refer to Sec. 3-E-J. Temporary Uses Refer to Sec. 3-F-H. Accessory Structures

2973 **Sec. 3-21. RESIDENTIAL MOBILE HOME PARK DISTRICT (ZONE RMHP)**
 2974 (a) ~~Intent. All land designated as Zone RMHP is subject to the regulations of this Section, and in Sec.~~
 2975 ~~20.3-10. Such areas are established to accommodate the housing needs of those residents~~
 2976 ~~desiring mobile homes or mobile home sites. [Deleted and portions relocated to Sec. 3-D-D.4.a.~~
 2977 **Intent of RMHP Zoning District]**
 2978 (e) ~~Density Lot and Building Requirements:~~
 2979 (1) ~~Minimum Site for a Residential Mobile Home Park. An area not less than ten (10) acres,~~
 2980 ~~having a minimum width of 300 feet measured along a public right-of-way. [Relocated to~~
 2981 ~~Sec. 3-D-D.4.b.(2)]~~
 2982 (2) ~~Minimum Individual Mobile Home Site Size. An area not less than 5,000 square feet and~~
 2983 ~~having a minimum width of not less than 50 feet. [Relocated to Sec. 3-D-D.4.b.(2)]~~

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

Part D Zoning Districts and Development Standards

- 2984 (4) ~~Setbacks. Mobile homes and structures shall be set back not less than 50 feet from all~~
2985 ~~property lines, unless such line is contiguous to property zoned RD, BA, BB, IS, IA, IB,~~
2986 ~~BSC, PO and PS, in which case the setback shall be 15 feet. Individual structures within~~
2987 ~~the park shall set back not less than 20 feet from all public rights-of-way or pavement edges~~
2988 ~~of private streets. [Relocated to Sec. 3-D-D.4.b.(3)]~~
2989 (5) ~~Minimum Distance Between Structures. Fifteen (15) feet.~~
2990 ~~[Relocated to Sec. 3-D-D.4.b.(4)]~~
2991 (6) ~~Minimum Floor Area. Five hundred (500) square feet. [Relocated to Sec. 3-D-D.4.b.(6)]~~
2992 (7) ~~Maximum Height of Structures. Thirty five (35) feet. [Relocated to Sec. 3-D-D.4.b.(5)]~~
2993 (8) ~~Patio. Each mobile home space shall have a concrete patio of not less than ten (10) feet~~
2994 ~~by twenty-four (24) feet, conveniently located at the entrance of each mobile home.~~
2995 ~~[Relocated to Sec. 3-D-D.4.b.(7)]~~
2996 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
2997 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
2998 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
2999 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3000 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3001 ~~Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic~~
3002 ~~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

3003 Sec. 3-D-D.5. Planned Unit Development Zoning District (PUD)

3004 **3-D-D.5.a. Intent of PUD Zoning District**

- 3005 (1) *It is the purpose of this District to:*
- 3006 (a) *encourage the development of land as planned communities;*
- 3007 (b) *encourage flexible and creative concepts of site planning;*
- 3008 (c) *preserve the natural amenities of the land by encouraging scenic and functional open area;*
- 3009 (d) *accomplish a more desirable environment than would be possible through the strict*
- 3010 *application of the minimum requirements of this Section;*
- 3011 (e) *provide for the efficient use of land resulting in smaller networks of utilities and streets and*
- 3012 *thereby lowering development and housing costs; and*
- 3013 (f) *provide a stable environment character compatible with surrounding areas. [Relocated*
- 3014 *from Sec. 3-33.(a)]*

3015 **3-D-D.5.b. Applicability**

3016 This Section applies to properties rezoned to a PUD, modifications to an approved PUD, or unless stated

3017 otherwise in the Code.

3018 **3-D-D.5.c. Design Objectives**

3019 The design intent of a PUD is to encourage flexible and creative concepts of site planning, consisting of

3020 solely Residential uses or a combination of Non-Residential and Residential uses that may include support

3021 services, such as Office, Retail, and Recreational, for the population and/or workforce of the planned

3022 development. It is encouraged to share facilities and integrate uses.

3023 If a mixture of Non-Residential and Residential uses are provided within the PUD, then a minimum of 2

3024 primary land use type, as indicated in Sec. 3-D-H.5.c.(1) Floor Area Ratios (FAR), shall be provided in each

3025 PUD. Otherwise, the PUD may be 100 percent Residential use(s).

3026 (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 Space¹:</u>	<u>10</u>	<u>20</u>
<u>Footnote:</u>		
<u>1</u>	<u>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.</u>	

3027 (2) Design Standards. Refer to Sec. 3-F-F. Architectural Design Guidelines and Sec. 3-D-R.11. Design

3028 Standards for Master Planned Communities and apply where applicable.

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

Part D Zoning Districts and Development Standards

3029 **3-D-D.5.d. PUD Land Development Standards**

3030 The principal building(s), accessory structure(s), and other use(s) shall be located so as to comply with the
3031 following minimum standards.

(1)	<u>Intensity:</u>	
	(a)	Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table
(2)	<u>Minimum Site Size:</u>	
	(a)	<i>Residential uses only within the PUD:</i> 5 acres [From Sec. 3-33.(h)]
	(b)	<u>Combination of Non-Residential and Residential uses within the PUD:</u> 2 acres [From Sec. 3-33.(h)]
(3)	<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>
(4)	<u>Minimum Setbacks¹:</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 [See Sec. 3-D-A.3.a.\(1\) Aquatic Preserves or Outstanding Florida Waters.](#)

3032 **3-D-D.5.e. PUD Uses**

(1)	<u>Permitted and Conditional uses:</u>	Refer to Part E Use Types and Standards
(2)	<u>Special Exception:</u>	Sec. E-X-X
(3)	<u>Accessory:</u>	Refer to Sec. 3-E-I. Accessory Uses
		Refer to Sec. 3-E-J. Temporary Uses
		Refer to Sec. 3-F-H. Accessory Structures

3033 **~~Sec. 3-33. PLANNED UNIT DEVELOPMENT (ZONE PUD)~~**

3034 (a) ~~Intent and Purpose. It is the purpose of this Section to permit Planned Unit Developments which~~
3035 ~~are intended to encourage the development of land as planned communities; encourage flexible~~
3036 ~~and creative concepts of site planning; preserve the natural amenities of the land by encouraging~~
3037 ~~scenic and functional open area; accomplish a more desirable environment than would be possible~~
3038 ~~through the strict application of the minimum requirements of this Regulation; provide for the~~
3039 ~~efficient use of land resulting in smaller networks of utilities and streets and thereby lowering~~
3040 ~~development and housing costs; and provide a stable environment character compatible with~~
3041 ~~surrounding areas. [Relocated to Sec. 3-D-D.5.a. Intent of PUD Zoning District]~~

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DEVELOPMENT STANDARDS

Part D Zoning Districts and Development Standards

3042 (h) ~~Minimum Acreage. For residential uses, the minimum size parcel to be considered for Planned Unit~~
3043 ~~Development shall be five acres. However, if the Planned Unit Development is to include a~~
3044 ~~combination of non-residential uses and residential uses, the parcel is not required to adhere to~~
3045 ~~this minimum size standard. [Relocated to Sec. 3-D-D.5.d.(2)]~~

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

Part D Zoning Districts and Development Standards

3046 DIVISION E COMMERCIAL ZONING DISTRICTS

3047 Sec. 3-D-E.1. Intent of Commercial Zoning Districts

3048 The Commercial zoning districts provide areas suitable to encourage and provide community scale
3049 Commercial uses to serve the daily needs of the community and minimize the impacts and noise of Non-
3050 Residential uses on adjacent Residential neighborhoods.

3051 The following zoning districts fall within a 3-Tier classification system based on their intensity of either
3052 servicing the Residential neighborhood or providing a range of sales, services, and office activities.

<u>Classification System</u>	<u>Zoning District</u>
<u>Tier 1 – Low Intensity</u>	<u>Neighborhood Business[CP69] (BA)</u>
	<u>Light Neighborhood Business (BA-1)</u>
	<u>Commercial Professional Office (BA-2)</u>
	<u>Intermediate Business (BB)</u>
<u>Tier 2 – Medium Intensity</u>	<u>Light Intermediate Business (BB-1)</u>
	<u>Community Business (BB-2)</u>
	<u>Specialty Business (BB-3)</u>
	<u>Heavy Business (BB-4)</u>
<u>Tier 3 – High Intensity</u>	<u>Commercial Recreation (BB-5)</u>
	<u>Shopping Center (BSC)</u>
	<u>Planned Commercial Development (PCD)</u>

3053 Sec. 3-D-E.2. General Development Standards

3054 Refer to Part D, Division A General Standards.

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DEVELOPMENT STANDARDS

Part D Zoning Districts and Development Standards

3055 DIVISION F TIER 1 COMMERCIAL ZONING DISTRICTS

3056 Sec. 3-D-F.1. Neighborhood Business Zoning District (BA)

3057 3-D-F.1.a. Intent of BA Zoning District

3058 *This BA Zoning District is to provide a limited Commercial facility of a convenience nature, servicing persons*
 3059 *residing in adjacent Residential areas, and to permit primarily such uses as are necessary to satisfy those*
 3060 *basic shopping and service needs which occur frequently and do require retail and service facilities in*
 3061 *relative proximity to places of residence.*

3062 *This District is further designed to accommodate Commercial development on a scale that is less intensive*
 3063 *than that permitted in a BB District. [From Sec. 3-24.(a)]*

3064 3-D-F.1.b. BA Land Development Standards

3065 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 3066 *following minimum standards: [Relocated from Sec. 3-24(g)]*

(1)	<u>Intensity:</u>		
(a)		Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table	
(2)	<u>Minimum Lot Dimensions:</u>		
(a)	<u>Lot Width:</u>		<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>		<u>Not Applicable</u>
(3)	<u>Minimum Setbacks¹:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>25 feet [From Sec. 3-24.(g)(1)]</u>
(b)	<u>Side ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>Building height up to 22 feet: 25 feet [From Sec. 3-24.(g)(3)(i)]</u>
			<u>Building height up to 35 feet: 35 feet [From Sec. 3-24.(g)(3)(ii)]</u>
		<u>From lot line when adjacent to <u>Business</u>[MK70] zoning district:</u>	<u>Building height up to 22 feet: 0 feet³ [From Sec. 3-24.(g)(3)(iii)]</u>
			<u>Building height up to 35 feet: 15 feet [From Sec. 3-24.(g)(3)(iii)]</u>

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

Part D Zoning Districts and Development Standards

(c)	Rear:	<u>From lot line when adjacent to a Multi-Family and Single-Family use</u> :[EG71]	<u>Building height up to 22 feet:</u>	25 feet [From Sec. 3-24.(g)(4)(i)]
			<u>Building height up to 35 feet:</u>	35 feet
(4)	Maximum Building Height:	<u>From lot line when adjacent to all other uses:</u>		20 feet [From Sec. 3-24.(g)(5)]
(a)	<u>1-story construction:</u>			22 feet [From Sec. 3-24.(g)(7)]
(b)	<u>2-story construction:</u>			35 feet [From Sec. 3-24.(g)(7)]

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. 3-24.(g)(3)(i)]
- 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)]

- 3067 (5) Additional Standards:
 3068 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
 3069 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
 3070 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
 3071 Measurements.
 3072 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
 3073 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-24.(g)(5)]

3-D-F.1.c. BA Uses

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3075 **Sec. 3-24. Neighborhood Business District (Zone BA)**

Notes/Legend:

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

Part D Zoning Districts and Development Standards

- 3076 (a) ~~Purpose and Intent. This District is to provide a limited commercial facility of a convenience nature,~~
3077 ~~servicing persons residing in adjacent residential areas, and to permit primarily such uses as are~~
3078 ~~necessary to satisfy those basic shopping and service needs which occur frequently and so require~~
3079 ~~retail and service facilities in relative proximity to places of residence.~~
- 3080 ~~This district is further designed to accommodate commercial development on a scale that is less~~
3081 ~~intensive than that permitted in a BB District. [Relocated to Sec. 3-D-F.1.a. Intent of BA Zoning~~
3082 ~~District]~~
- 3083 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3084 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
- 3085 (1) ~~Front lot line setbacks shall in no case be less than twenty five (25) feet. [Relocated to~~
3086 ~~Sec. 3-D-F.1.b.(3)(a) Minimum front lot line]~~
- 3087 (2) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3088 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3089 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3090 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3091 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3092 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3093 ~~Outstanding Florida Waters]~~
- 3094 (3) ~~Side lot line setbacks.~~
- 3095 (i) ~~For one-story building height up to a maximum of twenty two (22) feet on property~~
3096 ~~which abuts any residential or agricultural district shall be no less~~
3097 ~~than twenty five (25) feet. [Relocated to Sec. 3-D-F.1.b.(3)(b) Minimum side lot~~
3098 ~~line] If said lot is a corner lot, then setbacks shall be the same as the front setback.~~
3099 ~~[Relocated to Sec. 3-D-F.1.b. Footnote 2]~~
- 3100 (ii) ~~For two-story building height up to a maximum of thirty five (35) feet on property~~
3101 ~~which abuts any residential or agricultural district shall be no less than thirty five~~
3102 ~~(35) feet. [Relocated to Sec. 3-D-F.1.b.(3)(b) Minimum side lot line] If said lot is~~
3103 ~~a corner lot, then setbacks shall be the same as the front setback. [Relocated to~~
3104 ~~Sec. 3-D-F.1.b. Footnote 2]~~
- 3105 (iii) ~~Where the adjoining lot is also zoned for business, a one-story building at a~~
3106 ~~maximum height of twenty two (22) feet may be placed anywhere within the~~
3107 ~~required side setback area up to the side lot lines providing that the building is~~
3108 ~~constructed in accordance with the regulations of the applicable Building Code.~~
3109 ~~[Relocated to Sec. 3-D-F.1.b.(3)(b) Minimum side lot line and to Footnote 2]~~
3110 ~~A two-story building with a maximum height of thirty five (35) feet shall provide the~~
3111 ~~maximum side setback of fifteen (15) feet. [Relocated to Sec. 3-D-F.1.b.(3)(b)~~
3112 ~~Minimum side lot line]~~
- 3113 (4) ~~Rear lot line setbacks.~~
- 3114 (i) ~~In one-story building height up to a maximum of twenty two (22) feet on property~~
3115 ~~which abuts any zoning district shall be no less than twenty five (25) feet when~~
3116 ~~adjacent to multi-family and single family residences. [Relocated to Sec. 3-D-~~
3117 ~~F.1.b.(3)(c) Minimum rear lot line]~~
- 3118 (ii) ~~In two-story building height up to a maximum thirty five (35) feet on property which~~
3119 ~~abuts any zoning district shall be no less than thirty five (35) feet, and no less than~~
3120 ~~twenty five (25) feet when adjacent to multi-family and single family residences.~~
3121 ~~[Relocated to Sec. 3-D-F.1.b.(3)(c) Minimum rear lot line]~~

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

Part D Zoning Districts and Development Standards

- 3122 ~~(5) Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public street,~~
 3123 ~~then access over private property shall be provided. Access shall not be less than fifteen~~
 3124 ~~(15) feet in width and shall be unobstructed at all times. [Relocated to Sec. 3-D-~~
 3125 ~~F.1.b.(5)(b) Rear Access]~~
 3126 (6) ~~Where a district is adjacent to a lot line of property of a residential or agricultural~~
 3127 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~
 3128 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
 3129 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
 3130 ~~visible. [Deleted and rephrased in Sec. 3-D-F.1.b.(5)(a) Waste Disposal and/or Material~~
 3131 ~~Storage]~~
 3132 (7) ~~Height limitations.~~
 3133 (i) ~~One story construction shall not exceed the building height of twenty two (22) feet.~~
 3134 (ii) ~~Two story construction shall not exceed the building height of thirty five (35) feet.~~
 3135 [Relocated to Sec. 3-D-F.1.b.(4) Building Height]

Sec. 3-D-F.2. Light Neighborhood Business Zoning District (BA-1)

3-D-F.2.a. Intent of BA-1 Zoning District

All land designated as BA-1 is subject to the standards of this Section. Such areas are established to provide for the development of business facilities designed to accommodate the immediate neighborhood needs. [From Sec. 3-23.(a)]

3-D-F.2.b. BA-1 Development Standards

The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards: [Relocated from Sec. 3-23(f)]

(1)	<u>Intensity:</u>		
(a)		Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table	
(2)	<u>Minimum Dimensions:</u>		
(a)	<u>Lot Width:</u>		<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>		<u>Not Applicable</u>
(3)	<u>Minimum Setbacks¹:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-23.(f)(3)]</u>
(b)	<u>Side ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-23.(f)(1)(i)]</u>
		<u>From lot line when adjacent to a Business zoning district:</u>	<u>0 feet ³ [From Sec. 3-23.(f)(1)(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 lot line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-23.(f)(1)(ii)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to all zoning districts: From lot line when adjacent to all zoning districts:</u>	20 feet [From Sec. 3-23.(f)(2)]
(4)	<u>Maximum Building Height:</u>		
(a)	<u>1-story construction:</u>	<u>First floor Non-Residential⁴:</u>	22 feet [From Sec. 3-23.(f)(6)(i)]
(b)	<u>2-story construction:</u>	<u>First floor Non-Residential with second floor Residential⁴:</u>	35 feet [From Sec. 3-23.(f)(6)(i)]

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. 3-23.(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)]

- 3144 (4) Additional Standards:
- 3145 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3146 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3147 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
- 3148 Measurements and Sec. 3-F.H.3. Waste Storage Area.
- 3149 (b) Rear Access. In all Commercial zoning districts, the rear lot area shall be accessible from
- 3150 a public street for emergency vehicles. If the rear yard does not abut a public street, then
- 3151 access shall be not less than 20 feet in width and shall be unobstructed at all times. [From
- 3152 Sec. 3-23.(f)(2)]

3153 3-D-F.2.c. BA-1 Uses

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3154 Sec. 3-23. LIGHT NEIGHBORHOOD BUSINESS DISTRICT (ZONE BA-1)

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

Part D Zoning Districts and Development Standards

- 3155 (a) ~~Area. All land designated as Zone BA-1 is subject to the regulations of this Section and Sec. 20.3-~~
3156 ~~10. Such areas are established to provide for the development of business facilities designed to~~
3157 ~~accommodate the immediate neighborhood needs. [Relocated to Sec. 3-D-F.2.a. Intent of BA-1~~
3158 ~~Zoning District] A site plan shall be submitted to the Planning and Zoning Department for review~~
3159 ~~and approval prior to obtaining a building permit for all uses within this District.~~
- 3160 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3161 ~~be located so as to comply with the following minimum requirements. [Relocated to Sec. 3-D-~~
3162 ~~F.2.b. Land Development Standards]~~
3163 ~~Rev. 04/22/08~~
- 3164 (1) ~~Side lot line setbacks.~~
- 3165 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~
3166 ~~shall be not less than twenty five (25) feet. [Deleted and portions relocated to~~
3167 ~~Sec. 3-D-F.2.b.(3)(b)] If said lot is a corner lot, then setback shall be the same as~~
3168 ~~the front setback. [Relocated to Sec. 3-D-F.2.b.(3)(b) Footnote 2]~~
- 3169 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~
3170 ~~to the side lot line, providing the building is constructed in accordance with the~~
3171 ~~regulations of the applicable Building Code; in all other construction, the minimum~~
3172 ~~side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-F.2.b.(3)(b)]~~
- 3173 (2) ~~Rear lot line setbacks shall be twenty five (25) feet. [Deleted and portions relocated to~~
3174 ~~Sec. 3-D-F.2.b.(3)(c)] In all business districts the rear lot area shall be accessible from a~~
3175 ~~public street for emergency vehicles. If the rear yard does not abut a public street, then~~
3176 ~~access over private property shall be not less than twenty (20) feet in width and shall be~~
3177 ~~unobstructed at all times. [Deleted and portions relocated to Sec. 3-D-F.2.b.(4)(b) Rear~~
3178 ~~Access]~~
- 3179 (3) ~~Front lot line setbacks shall not be less than twenty five (25) feet. [Deleted and portions~~
3180 ~~relocated to Sec. 3-D-F.2.b.(3)(a)]~~
- 3181 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3182 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3183 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3184 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3185 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3186 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3187 ~~Outstanding Florida Waters]~~
- 3188 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~
3189 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~
3190 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
3191 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
3192 ~~visible. [Deleted and rephrased in Sec. 3-D-F.2.b.(4)(a) Waste Disposal and/or Material~~
3193 ~~Storage]~~
- 3194 (6) ~~Height and size limitations.~~
- 3195 (i) ~~One story construction not higher than twenty two (22) feet except where the~~
3196 ~~second story will be used as residence, the height shall not exceed thirty five (35)~~
3197 ~~feet. [Deleted and portions relocated to Sec. 3-D-F.2.b.(4)(a) and (b)]~~
- 3198 (ii) ~~First story gross retail floor area limited to two thousand (2,000) square feet per~~
3199 ~~shop. [Relocated to Sec. 3-D-F.2.b. Footnote 4]~~

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

Part D Zoning Districts and Development Standards

3200 Sec. 3-D-F.3. Commercial and Professional Zoning District (BA-2)

3201 **3-D-F.3.a. Intent of BA-2 Zoning District**

3202 All land designated as BA-2 is subject to the standards of this Section. Such areas are established to
3203 provide for the development of Commercial and professional offices and to facilitate the change from
3204 Residential to Commercial usage. **[Relocated from Sec. 3-22(a)]**

3205 **3-D-F.3.b. BA-2 Development Standards**

3206 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
3207 following minimum standards: **[Relocated from Sec. 3-22(f)]**

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Lot Dimensions:</u>		
	(a)	<u>Lot Width:</u>	<u>Not Applicable</u>
	(b)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(3)	<u>Minimum Setbacks ¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u> 25 feet [From Sec. 3-22.(f)(4)]
	(b)	<u>Side ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u> 25 feet [From Sec. 3-22.(f)(1)]
			<u>From lot line when adjacent to a Commercial zoning district:</u> 0 feet ³ [From Sec. 3-22.(f)(2)]
			<u>From lot line when adjacent to all other zoning districts:</u> 15 feet [From Sec. 3-22.(f)(2)]
	(c)	<u>Rear:</u>	<u>From lot line when adjacent to all zoning districts:</u> 25 feet [From Sec. 3-22.(f)(3)]
(4)	<u>Maximum Building Height:</u>		
	(a)	<u>1-story construction ⁴:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u> 22 feet [From Sec. 3-22.(f)(7)(i)]

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. 3-22.(f)(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 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)]

- 3208 (5) Additional Standards:
3209 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
3210 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
3211 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
3212 Measurements and Sec. 3-F-H.3. Waste Storage Area.
3213 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
3214 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-22.(f)(3)]

3215 3-D-F.3.c. BA-2 Uses

(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

(2) Special Exception: Sec. E-X-X

(3) Accessory: Refer to Sec. 3-E-I. Accessory Uses

Refer to Sec. 3-E-J. Temporary Uses

Refer to Sec. 3-F-H. Accessory Structures

3216 ~~Sec. 3-22. COMMERCIAL AND PROFESSIONAL OFFICE DISTRICT (ZONE BA-2)~~

3217 ~~(a) Area. All land designated as Zone BA-2 is subject to the regulations of this Section. Such areas~~
3218 ~~are established to provide for the development of commercial and professional offices and to~~
3219 ~~facilitate the change from residential to commercial usage. [Relocated to Sec. 3-D-F.3.a. Intent~~
3220 ~~of BA-2 Zoning District] A site plan shall be submitted to the Planning and Zoning Department for~~
3221 ~~review and approval prior to obtaining a building permit for all uses within this District.~~

3222 ~~(f) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3223 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Deleted and~~
3224 ~~portions relocated to Sec. 3-D-F.3.b.]~~

3225 ~~(1) Side lot line setbacks on property which abuts residential or agricultural districts shall not~~
3226 ~~be less than twenty five (25) feet. [Deleted and portions relocated to Sec. 3-D-~~
3227 ~~F.3.b.(3)(b)] If said lot is a corner lot, then setback shall be the same as the front setback.~~
3228 ~~[Relocated to Sec. 3-D-F.3.b. Footnote 2]~~

3229 ~~(2) Where the adjoining lot is also zoned for business, the building may be placed up to the~~
3230 ~~side lot line, providing the building is constructed in accordance with the regulations of the~~
3231 ~~applicable Building Code; in all other construction, the minimum side setback shall be~~
3232 ~~fifteen (15) feet. [Relocated to Sec. 3-D-F.3.b.(3)(b)]~~

3233 ~~(3) Rear lot line setbacks shall be twenty five (25) feet. [Relocated to Sec. 3-D-F.3.b.(3)(c)]~~
3234 ~~The rear lot area shall be accessible from a public street for emergency vehicles. If the rear~~
3235 ~~yard does not abut a public street, then access over private property shall be provided and~~
3236 ~~shall be not less than twenty (20) feet in width and shall be unobstructed at all times.~~
3237 ~~[Deleted and portions relocated to Sec. 3-D-F.3.b.(5)(b) Rear Access]~~

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

Part D Zoning Districts and Development Standards

- 3238 ~~(4) Front lot line setbacks shall in no case be less than twenty five (25) feet. [Deleted and~~
 3239 ~~portions relocated to Sec. 3-D-F.3.b.(3)(a)]~~
 3240 ~~(5) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 3241 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 3242 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 3243 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 3244 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 3245 ~~Environmental Protection. [Relocated to 3-D-A.4.a. Setback from Waterline, Aquatic~~
 3246 ~~Preserves or Outstanding Florida Waters]~~
 3247 ~~(6) Where a BA-2 district is adjacent to a lot line of property of a residential or agricultural~~
 3248 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~
 3249 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
 3250 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
 3251 ~~visible. [Deleted and rephrased in Sec. 3-D-F.3.b.(4)(a) Waste Disposal and/or Material~~
 3252 ~~Storage]~~
 3253 ~~(7) Height and size limitations.~~
 3254 ~~(i) One story construction not higher than twenty two (22) feet. [Deleted and~~
 3255 ~~portions relocated to Sec. 3-D-F.4.a.]~~
 3256 ~~(ii) Gross floor area limited to twenty five hundred (2,500) square feet per building.~~
 3257 ~~[Relocated to Sec. 3-D-F.3.b. Footnote 4]~~
 3258 ~~(8) Lot and building requirements and height and size limitations in the Subsections above~~
 3259 ~~shall not be applicable where there are existing structures at the time of rezoning; however,~~
 3260 ~~additions and alterations shall comply with the requirements of this Section. [Deleted]~~

3261 Sec. 3-D-F.4. Intermediate Business Zoning District (BB)

3262 3-D-F.4.a. Intent of BB Zoning District

3263 All land designated as BB is subject to the standards of this Section. Such areas are established to provide
 3264 for the development of Business facilities designated to accommodate trade generally supported by
 3265 vehicular traffic and related to needs generated by traffic demands. [Relocated from Sec. 3-25(a)]

3266 3-D-F.4.b. BB Land Development Standards

3267 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 3268 following minimum standards: [Relocated from Sec. 3-25(e)]

(1)	<u>Intensity:</u>	
(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Width:</u>	<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(3)	<u>Minimum Setbacks¹:</u>	
(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts: 25 feet [From Sec. 3-25.(e)(3)]</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

(b) Side ² :	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	25 feet [From Sec. 3-25.(e)(1)(i)]
	<u>From lot line when adjacent to a Commercial zoning district:</u>	0 feet ³ [From Sec. 3-25.(e)(1)(ii)]
(c) Rear:	<u>From lot line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-25.(e)(1)(ii)]
	<u>From lot line when adjacent to a Residential use:</u>	25 feet [From Sec. 3-25.(e)(2)]
	<u>From lot line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-25.(e)(2)]

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. 3-25.(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)]

- 3269 (4) Additional Standards:
- 3270 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3271 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3272 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
- 3273 Measurements and Sec. 3-F.H.3. Waste Storage Area.
- 3274 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 3275 than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-25.(e)(2)]

3276 **3-D-F.4.c. BB Uses**

(1) <u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2) <u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3) <u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
	<u>Refer to Sec. 3-E-J. Temporary Uses</u>
	<u>Refer to Sec. 3-F-H. Accessory Structures</u>

3277 **~~Sec. 3-25. INTERMEDIATE BUSINESS DISTRICT (ZONE BB)~~**

- 3278 ~~(a) Area. All land designated as Zone BB is subject to the regulations of this Section and Sec. 20.3-~~
- 3279 ~~10. Such areas are established to provide for the development of business facilities designated to~~
- 3280 ~~accommodate trade generally supported by vehicular traffic, and related to needs generated by~~
- 3281 ~~traffic demands. [Relocated to Sec. 3-D-F.4.a. Intent of BB Zoning District]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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Part D Zoning Districts and Development Standards

- 3282 (e) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3283 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~ [Deleted and
3284 portions relocated to Sec. 3-D-F.4.b.]
3285 (1) ~~Side Lot Setbacks:~~
3286 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~
3287 ~~shall be not less than twenty five (25) feet from side property lines.~~
3288 [Deleted and portions relocated to Sec. 3-D-F.4.b.(3)(b)] ~~If said lot is a corner lot, then~~
3289 ~~setbacks should be the same as the front setback.~~ [Relocated to Sec. 3-D-F.4.b.
3290 Footnote 2]
3291 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~
3292 ~~to the side lot line, providing the building is constructed in accordance with the~~
3293 ~~regulations of the applicable Building Code;~~ [Relocated to Sec. 3-D-F.4.b.
3294 Footnote 3] ~~in all other construction, the minimum side setback shall be fifteen~~
3295 ~~(15) feet.~~ [Deleted and portions relocated to Sec. 3-D-F.4.b.(3)(b)]
3296 (2) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~
3297 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~
3298 [Deleted and portions relocated to Sec. 3-D-F.4.b.(3)(c)] ~~If the rear yard does not abut~~
3299 ~~a public street, then access over private property shall be provided. Access shall be not~~
3300 ~~less than fifteen (15) feet in width, and shall be unobstructed at all times.~~ [Deleted and
3301 portions relocated to Sec. 3-D-F.4.b.(4)(b) Rear Access]
3302 (3) ~~Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
3303 ~~amended, and shall in no case be less than twenty five feet from front property line.~~
3304 [Deleted and portions relocated to Sec. 3-D-F.4.b.(3)(a)]
3305 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3306 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3307 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3308 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3309 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3310 ~~Environmental Protection.~~ [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or
3311 Outstanding Florida Waters]
3312 (5) ~~Where a business district is adjacent to a lot line of property of a residential or agricultural~~
3313 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than~~
3314 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
3315 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
3316 ~~visible.~~ [Deleted and rephrased in Sec. 3-D-F.4.b.(4)(a) Waste Disposal and/or Material
3317 Storage]

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

Part D Zoning Districts and Development Standards

3318 DIVISION G TIER 2 COMMERCIAL ZONING DISTRICTS

3319 Sec. 3-D-G.1. Light Intermediate Business Zoning District (BB-1)

3320 3-D-G.1.a. Intent of BB-1 Zoning District

3321 *All land designated as BB-1 is subject to the standards of this Section. Such areas are established to*
 3322 *provide for the development of sales and entertainment facilities designed to accommodate trade generally*
 3323 *supported by vehicular traffic and related to the needs generated by major Residential areas. **[Relocated***
 3324 *from **Sec. 3-26.(a)**]*

3325 **(1) General Provisions.**

3326 **(a)** *With respect to any parcel zoned BB-1 on November 1, 1999, any use permitted under this*
 3327 *Section may be undertaken or continued thereon and may lawfully continue thereafter.*
 3328 **[Relocated from **Sec. 3-26.(g)(1)**]**

3329 **(b)** *With respect to any parcel zoned BB-1 on November 1, 1999, any Non-Conforming use*
 3330 *then in existence thereon may lawfully continue thereafter, subject to the provisions and*
 3331 *limitations set forth in Part B Non-Conformities hereof. **[Relocated from **Sec. 3-26.(g)(2)**]***

3332 **(c)** *No parcel shall be rezoned to BB-1 unless application therefore has been filed on or before*
 3333 *November 1, 1999. **[Relocated from **Sec. 3-26.(g)(3)**]***

3334 3-D-G-1.b. BB-1 Development Standards

3335 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 3336 *following minimum standards: **[Relocated from **Sec. 3-26.(f)**]***

(1) Intensity:

(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table

(2) Minimum Lot Dimensions:

(a) Lot Width: Not Applicable

(b) Lot Depth: Not Applicable

(3) Minimum Setbacks¹:

(a) Front: From lot line when adjacent to all zoning districts: 25 feet [From **Sec. 3-26.(f)(3)**]

(b) Side²: From lot line when adjacent to all Residential or Agricultural zoning districts: 25 feet [From **Sec. 3-26.(f)(1)(i)**]

From lot line when adjacent to a Commercial zoning district: 0 feet³ [From **Sec. 3-26.(f)(1)(ii)**]

From lot line when adjacent to all other zoning districts: 15 feet [From **Sec. 3-26.(f)(1)(ii)**]

(c) Rear: 25 feet [From **Sec. 3-26.(f)(2)**]

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

Part D Zoning Districts and Development Standards

20 feet [From Sec. 3-26.(f)(2)]

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)]
- 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)]

- 3337 (4) Additional Standards:
- 3338 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3339 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3340 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to [Sec. 3-A.6.](#)
- 3341 [Measurements and Sec. 3-F.H.3. Waste Storage Area.](#)
- 3342 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 3343 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-26.(f)(2)]

3344 **3-D-G.1.c. BB-1 Uses**

- (1) Permitted and Conditional uses: Refer to [Part E Use Types and Standards](#)
- (2) Special Exception: [Sec. E-X-X](#)
- (3) Accessory: Refer to [Sec. 3-E-I. Accessory Uses](#)
Refer to [Sec. 3-E-J. Temporary Uses](#)
Refer to [Sec. 3-F-H. Accessory Structures](#)

3345 **Sec. 3-26. LIGHT INTERMEDIATE BUSINESS DISTRICT (ZONE BB-1)**

- 3346 (a) ~~Area. All land designated as Zone BB-1 is subject to the standards of this Section and [Sec. 20.3-](#)~~
- 3347 ~~10. Such areas are established to provide for the development of sales and entertainment facilities~~
- 3348 ~~designed to accommodate trade generally supported by vehicular traffic and related to the needs~~
- 3349 ~~generated by major residential areas. [Relocated to Sec. 3-D-G.1.a. Intent of BB-1 Zoning~~
- 3350 ~~District]~~
- 3351 ~~A site plan shall be submitted to the Planning and Zoning Department for review and approval prior~~
- 3352 ~~to obtaining a building permit for all uses within this District.~~
- 3353 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
- 3354 ~~be located so as to comply with the following minimum requirements. [Rev. 04/22/08](#) [Relocated to~~
- 3355 ~~Sec. 3-D-G.1.b. BB-1 Land Development Standards]~~
- 3356 (1) Side Lot Setbacks:
- 3357 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~
- 3358 ~~shall be not less than twenty five (25) feet. [Deleted and portions relocated to~~
- 3359 ~~Sec. 3-D-G.1.b.(3)(b)] If said lot is a corner lot, then the setback shall be the same~~
- 3360 ~~as the front setback. [Relocated to Sec. 3-D-G.1.b. Footnote 2]~~
- 3361 (ii) ~~Where the adjoining lot is also zoned for business the building may be placed up~~
- 3362 ~~to the side lot line providing the building is constructed in accordance with the~~

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

Part D Zoning Districts and Development Standards

- 3363 ~~regulations of the applicable building code. [Relocated to Sec. 3-D-G.1.b.~~
3364 ~~Footnote 3] In all other construction, the minimum side setback shall be fifteen~~
3365 ~~(15) feet. [Deleted and portions relocated to Sec. 3-D-G.1.b.(3)(b)]~~
3366 ~~(2) Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet when adjacent to~~
3367 ~~multi-family and single-family residences. [Deleted and portions relocated to Sec. 3-D-~~
3368 ~~G.1.b.(3)(c)] If the rear yard does not abut a public street, then access over private property~~
3369 ~~shall be provided. Access shall be not less than twenty (20) feet in width and shall be~~
3370 ~~unobstructed at all times. [Deleted and portions relocated to Sec. 3-D-G.1.b.(4)(b) Rear~~
3371 ~~Access]~~
3372 ~~(3) Front line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and shall~~
3373 ~~in no case be less than twenty-five (25) feet. [Deleted and portions relocated to Sec. 3-~~
3374 ~~D-G.1.b.(3)(a)]~~
3375 ~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3376 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3377 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3378 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3379 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3380 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3381 ~~Outstanding Florida Waters]~~
3382 ~~(5) Where a business district is adjacent to a lot line of property of a residential or agricultural~~
3383 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than~~
3384 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
3385 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
3386 ~~visible. [Deleted and rephrased in Sec. 3-D-G.1.b.(4)(a) Waste Disposal and/or~~
3387 ~~Material Storage]~~
3388 ~~(g) General Provisions.~~
3389 ~~(1) With respect to any parcel zoned BB-1 on November 1, 1999, any use permitted under this~~
3390 ~~Section may be undertaken or continued thereon, and may lawfully continue thereafter.~~
3391 ~~[Relocated to Sec. 3-D-G.1.a.(1)(a)]~~
3392 ~~(2) With respect to any parcel zoned BB-1 on November 1, 1999, any non-conforming use~~
3393 ~~then in existence thereon may lawfully continue thereafter, subject to the provisions and~~
3394 ~~limitations set forth in Section 20.3-11 hereof. [Relocated to Sec. 3-D-G.1.a.(1)(b)]~~
3395 ~~(3) No parcel shall be rezoned to BB-1 unless application therefore has been filed on or before~~
3396 ~~November 1, 1999. [Relocated to Sec. 3-D-G.1.a.(1)(c)]~~

3397 Sec. 3-D-G.2. Community Business Zoning District (BB-2)

3398 3-D-G.2.a. Intent of BB-2 Zoning District

3399 All lands designated as BB-2 are subject to the standards of this Section. Such areas are established to
3400 provide for the shopping and limited service and recreational needs of several neighborhoods, a community,
3401 or a substantial land area. [Relocated from Sec. 3-26.1.(a)]

3402 3-D-G.2.b. BB-2 Development Standards

3403 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
3404 following minimum standards: [Relocated from Sec. 3-26.1.(e)]

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

Part D Zoning Districts and Development Standards

(1)	<u>Intensity:</u>		
(a)	Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table		
(2)	<u>Minimum Lot Dimensions:</u>		
(a)	<u>Lot Width:</u>		<u>Not Applicable</u>
(b)	<u>Lot Depth:</u>		<u>Not Applicable</u>
(3)	<u>Minimum Setbacks¹:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-26.1.(e)(3)]</u>
(b)	<u>Side²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-26.1.(e)(1)(i)]</u>
		<u>From lot line when adjacent to a Commercial zoning district:</u>	<u>0 feet³ [From Sec. 3-26.1.(e)(1)(ii)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-26.1.(e)(1)(ii)]</u>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Residential use:</u>	<u>25 feet [From Sec. 3-26.1.(e)(2)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-26.1.(e)(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. 3-26.1.(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)]*

- 3405 (4) Additional Standards:
- 3406 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3407 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3408 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to [Sec. 3-A.6.](#)
- 3409 [Measurements](#) and [Sec. 3-F.H.3. Waste Storage Area](#).
- 3410 (b) Rear Access. *If the rear yard does not abut a public street, then access shall be not less*
- 3411 *than 15 feet [CP72] in width and shall be unobstructed at all times. [From Sec. 3-*
- 3412 *26.1.(e)(2)]*

3413 **3-D-G.2.c. BB-2 Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>

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(3) Accessory: [Refer to Sec. 3-E-I. Accessory Uses](#)

[Refer to Sec. 3-E-J. Temporary Uses](#)

[Refer to Sec. 3-F-H. Accessory Structures](#)

3414 **Sec. 3-26.1. COMMUNITY BUSINESS DISTRICT (ZONE BB-2)**

3415 ~~(a) — **Area.** All lands designated as Zone BB-2 are subject to the regulations of this Section and Sec.~~
3416 ~~20.3-10. Such areas are established to provide for the shopping and limited service and~~
3417 ~~recreational needs of several neighborhoods, a community, or a substantial land area. [Relocated~~
3418 ~~to Sec. 3-D-G.2.a. Intent of BB-2 Zoning District] Retail stores are intended to include general~~
3419 ~~merchandise, fashion, durable goods, and personal service. A site plan shall be submitted to the~~
3420 ~~Development Review Committee for review and approval prior to obtaining a building permit for all~~
3421 ~~uses within this District.~~

3422 ~~(e) — **Lot and Building Requirements.** The principal building(s), accessory structures and other uses shall~~
3423 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~
3424 ~~Sec. 3-D-G.2.b. BB-2 Land Development Standards]~~

3425 ~~(1) — **Side Lot Setbacks:**~~

3426 ~~(i) — Side lot setbacks on property which abuts residential or agricultural districts shall~~
3427 ~~be not less than twenty-five (25) feet from side property lines. [Deleted and~~
3428 ~~portions relocated to Sec. 3-D-G.2.b.(3)(b)] If said lot is a corner lot, then~~
3429 ~~setbacks should be the same as the front setback. [Relocated to Sec. 3-D-G.2.b.~~
3430 ~~Footnote 2]~~

3431 ~~(ii) — Where the adjoining lot is also zoned for business, the building may be placed up~~
3432 ~~to the side lot line, providing the building is constructed in accordance with the~~
3433 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-G.2.b.~~
3434 ~~Footnote 3] in all other construction, the minimum side setback shall be fifteen~~
3435 ~~(15) feet. [Deleted and portions relocated to Sec. 3-D-G.2.b.(3)(b)]~~

3436 ~~(2) — Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~
3437 ~~less than twenty-five (25) feet when adjacent to multi-family and single-family residences.~~
3438 ~~[Deleted and portions relocated to Sec. 3-D-G.2.b.(3)(c)] If the rear yard does not abut~~
3439 ~~a public street, then access over private property shall be provided. Access shall be not~~
3440 ~~less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and~~
3441 ~~portions relocated to Sec. 3-D-G.2.b.(4)(b) Rear Access]~~

3442 ~~(3) — Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
3443 ~~amended, and shall in no case be less than twenty-five feet from front property line.~~
3444 ~~[Deleted and portions relocated to Sec. 3-D-G.2.b.(3)(a)]~~

3445 ~~(4) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3446 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3447 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3448 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3449 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3450 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3451 ~~Outstanding Florida Waters]~~

3452 ~~(5) — Where a business district is adjacent to a lot line of property of a residential or agricultural~~
3453 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~
3454 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~

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3455 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
3456 ~~visible.~~ [Deleted and rephrased in Sec. 3-D-G.2.b.(4)(a) Waste Disposal and/or
3457 **Material Storage]**

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Part D Zoning Districts and Development Standards

3458 DIVISION H TIER 3 COMMERCIAL ZONING DISTRICTS

3459 Sec. 3-D-H.1. Specialty Business Zoning District (BB-3)

3460 3-D-H.1.a. Intent of BB-3 Zoning District

3461 All lands designated as BB-3 are subject to the standards of this Section. Such areas are established to
 3462 provide areas for the development of special Commercial facilities which require access by motor vehicles
 3463 of all types including tractor-trailer units. **[Relocated from Sec. 3-26.2.(a)]**

3464 3-D-H.1.b. BB-3 Development Standards

3465 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 3466 following minimum standards: **[Relocated from Sec. 3-26.2.(e)]**

(1) Intensity:

(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table

(2) Minimum Lot Dimensions:

(a) Lot Width: Not Applicable

(b) Lot Depth: Not Applicable

(3) Minimum Setbacks¹:

(a) Front: From lot line when adjacent to all zoning districts: 25 feet [From Sec. 3-26.2.(e)(3)]

(b) Side²: From lot line when adjacent to all Residential or Agricultural zoning districts: 25 feet [From Sec. 3-26.2.(e)(1)(i)]

From lot line when adjacent to a Commercial zoning district: 0 feet³ [From Sec. 3-26.2.(e)(1)(ii)]

From lot line when adjacent to all other zoning districts: 15 feet [From Sec. 3-26.2.(e)(1)(ii)]

(c) Rear: From lot line when adjacent to a Residential use: 25 feet [From Sec. 3-26.2.(e)(2)]

From lot line when adjacent to all other zoning districts: 20 feet [From Sec. 3-26.2.(e)(2)]

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. 3-26.2.(e)(1)(i)]

Notes/Legend:

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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. 3-26.2.(e)(1)(ii)]

- 3467 (4) Additional Standards:
3468 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
3469 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
3470 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
3471 Measurements and Sec. 3-F.H.3. Waste Storage Area.
3472 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
3473 than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-26.2.(e)(2)]

3-D-H.1.c. BB-3 Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
(2) Special Exception: Sec. E-X-X
(3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
Refer to Sec. 3-E-J. Temporary Uses
Refer to Sec. 3-F-H. Accessory Structures

Sec. 3-26.2. ~~SPECIALTY BUSINESS DISTRICT (ZONE BB-3)~~

- 3475 ~~(a) Area. All land designated as Zone BB-3 is subject to the regulations of this Section and Sec. 20.3-~~
3476 ~~10. Such areas are established to provide areas for the development of special commercial facilities~~
3477 ~~which require access by motor vehicles of all types including tractor trailer units. A site plan shall~~
3478 ~~be submitted to the Development Review Committee for review and approval prior to obtaining a~~
3479 ~~building permit for all uses within this District. [Relocated to Sec. 3-D-H.1.a. Intent of BB-3 Zoning~~
3480 ~~District]~~
3481 ~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3482 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~
3483 ~~Sec. 3-D-H.1.b. BB-3 Land Development Standards]~~
3484 (1) ~~Side Lot Setbacks:~~
3485 (i) ~~Side lot setbacks on property which abuts residential or agricultural districts shall~~
3486 ~~be not less than twenty five (25) feet from side property lines. [Deleted and~~
3487 ~~portions relocated to Sec. 3-D-H.1.b.(3)(b)] If said lot is a corner lot, then~~
3488 ~~setbacks should be the same as the front setback. [Relocated to Sec. 3-D-H.1.b.~~
3489 ~~Footnote 2]~~
3490 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~
3491 ~~to the side lot line, providing the building is constructed in accordance with the~~
3492 ~~regulations of the applicable Building Code; [Relocated to Sec. 3-D-H.1.b.~~
3493 ~~Footnote 3] in all other construction, the minimum side setback shall be fifteen~~
3494 ~~(15) feet. [Deleted and portions relocated to Sec. 3-D-H.1.b.(3)(b)]~~
3495 (2) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~
3496 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~
3497 ~~[Deleted and portions relocated to Sec. 3-D-H.1.b.(3)(c)] If the rear yard does not abut~~
3498 ~~a public street, then access over private property shall be provided. Access shall be not~~
3499

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

Part D Zoning Districts and Development Standards

- 3500 *less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and*
 3501 *portions relocated to Sec. 3-D-H.1.b.(4)(b) Rear Access]*
 3502 ~~(3) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
 3503 ~~amended, and shall in no case be less than twenty-five feet from front property line.~~
 3504 **[Deleted and portions relocated to Sec. 3-D-H.1.b.(3)(a)]**
 3505 ~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 3506 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 3507 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 3508 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 3509 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 3510 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
 3511 ~~Outstanding Florida Waters]~~
 3512 ~~(5) Where a business district is adjacent to a lot line of property of a residential or agricultural~~
 3513 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~
 3514 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~
 3515 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
 3516 ~~visible. [Deleted and rephrased in Sec. 3-D-H.1.b.(4)(a) Waste Disposal and/or~~
 3517 ~~Material Storage]~~

3518 Sec. 3-D-H.2. Heavy Business Zoning District (BB-4)

3519 3-D-H.2.a. Intent of BB-4 Zoning District

3520 *All lands designated as Zone BB-4 are subject to the standards of this Section. Such areas are established*
 3521 *to provide for those uses such as Retail Sales, General and Personal Services, which may require outside*
 3522 *storage of materials or equipment. Businesses are intended to serve clients and customers from a regional*
 3523 *area providing access for large delivery trucks and tractor trailers. [Relocated from Sec. 3-26.3.(a)]*

3524 3-D-H.2.b. BB-4 Development Standards

3525 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 3526 *following minimum standards: [Relocated from Sec. 3-26.3.(e)]*

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Lot Dimensions:</u>		
	(a)	<u>Lot Width:</u>	<u>Not Applicable</u>
	(b)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(3)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts: 25 feet [From Sec. 3-26.3.(e)(3)]</u>
	(b)	<u>Side²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district: 25 feet [From Sec. 3-26.3.(e)(1)(i)]</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 lot line when adjacent to a Commercial zoning district:</u>	<u>0 feet³ [From Sec. 3-26.3.(e)(1)(ii)]</u>
	<u>From lot line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-26.3.(e)(1)(ii)]</u>
<u>(c) Rear:</u>	<u>From lot line when adjacent to a Residential use:</u>	<u>25 feet [From Sec. 3-26.3.(e)(2)]</u>
	<u>From lot line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-26.3.(e)(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. 3-26.3.(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. 3-26.3.(e)(1)(ii)]

- 3527 (4) Additional Standards:
- 3528 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3529 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3530 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
- 3531 Measurements and Sec. 3-F.H.3. Waste Storage Area.
- 3532 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 3533 than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-26.3.(e)(2)]

3534 **3-D-H.2.c. BB-4 Uses**

- | | |
|--|--|
| <u>(1) Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| <u>(2) Special Exception:</u> | <u>Sec. E-X-X</u> |
| <u>(3) Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3535 **Sec. 3-26.3. HEAVY BUSINESS DISTRICT (ZONE BB-4)**

3536 (a) ~~Area. All land designated as Zone BB-4 is subject to the regulations of this Section and Sec. 20.3-~~

3537 ~~10. Such areas are established to provide for those uses such as retail or wholesale, repair and~~

3538 ~~service, which may require outside storage of materials or equipment. Businesses are intended to~~

3539 ~~serve clients and customers from a regional area providing access for large delivery trucks and~~

3540 ~~tractor trailers. [Relocated to Sec. 3-D-H.2.a. Intent of BB-4 Zoning District] A site plan shall be~~

3541 ~~submitted to the Development Review Committee for review and approval prior to obtaining a~~

3542 ~~building permit for all uses within this District.~~

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

Part D Zoning Districts and Development Standards

- 3543 ~~(e) — *Lot and Building Requirements. The principal building(s), accessory structures and other uses shall*~~
3544 ~~*be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to*~~
3545 ~~*Sec. 3-D-H.2.b. BB-4 Land Development Standards]*~~
3546 ~~(1) — *Side Lot Setbacks:*~~
3547 ~~(i) — *Side lot setbacks on property which abuts residential or agricultural districts shall*~~
3548 ~~*be not less than twenty five (25) feet from side property lines. [Deleted and*~~
3549 ~~*portions relocated to Sec. 3-D-H.2.b.(3)(b)] If said lot is a corner lot, then*~~
3550 ~~*setbacks should be the same as the front setback. [Relocated to Sec. 3-D-H.2.b.*~~
3551 ~~*Footnote 2]*~~
3552 ~~(ii) — *Where the adjoining lot is also zoned for business, the building may be placed up*~~
3553 ~~*to the side lot line, providing the building is constructed in accordance with the*~~
3554 ~~*regulations of the applicable Building Code; [Relocated to Sec. 3-D-H.2.b.*~~
3555 ~~*Footnote 3] in all other construction, the minimum side setback shall be fifteen*~~
3556 ~~*(15) feet. [Deleted and portions relocated to Sec. 3-D-H.2.b.(3)(b)]*~~
3557 ~~(2) — *Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not*~~
3558 ~~*less than twenty five (25) feet when adjacent to multi-family and single-family residences.*~~
3559 ~~*[Deleted and portions relocated to Sec. 3-D-H.2.b.(3)(c)] If the rear yard does not abut*~~
3560 ~~*a public street, then access over private property shall be provided. Access shall be not*~~
3561 ~~*less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and*~~
3562 ~~*portions relocated to Sec. 3-D-H.2.b.(4)(b) Rear Access]*~~
3563 ~~(3) — *Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as*~~
3564 ~~*amended, and shall in no case be less than twenty-five feet from front property line.*~~
3565 ~~*[Deleted and portions relocated to Sec. 3-D-H.2.b.(3)(a)]*~~
3566 ~~(4) — *All structures shall be set back a minimum of 50 feet landward from the ordinary high water*~~
3567 ~~*line or mean high water line, whichever is applicable; for waters designated as Aquatic*~~
3568 ~~*Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks*~~
3569 ~~*shall not apply to structures on lots or parcels located landward of existing bulkheads*~~
3570 ~~*permitted by the St. Johns River Water Management District or Florida Department of*~~
3571 ~~*Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or*~~
3572 ~~*Outstanding Florida Waters]*~~
3573 ~~(5) — *Where a business district is adjacent to a lot line of property of a residential or agricultural*~~
3574 ~~*classification, no materials, garbage containers or refuse shall be allowed nearer than thirty*~~
3575 ~~*(30) feet to such a residential or agricultural district. Garbage or refuse shall be*~~
3576 ~~*containerized and such containers shall be enclosed or screened so as not to be readily*~~
3577 ~~*visible. [Deleted and rephrased in Sec. 3-D-H.2.b.(4)(a) Waste Disposal and/or*~~
3578 ~~*Material Storage]*~~

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

Part D Zoning Districts and Development Standards

3579 Sec. 3-D-H.3. Commercial Recreation Zoning District (BB-5)

3580 3-D-H.3.a. Intent of BB-5 Zoning District

3581 All land designated as BB-5 is subject to the standards of this Section. Such areas are established to
 3582 provide for Commercial activities that require centralized locations within a large service area. **[Relocated**
 3583 **from Sec. 3-26.4.(a)]**

3584 3-D-H.3.b. BB-5 Development Standards

3585 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 3586 following minimum standards: **[Relocated from Sec. 3-26.4.(e)]**

<u>(1) Intensity:</u>			
<u>(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>			
<u>(2) Minimum Lot 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>(3) Minimum Setbacks¹:</u>			
<u>(a)</u>	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-26.4.(e)(3)]</u>
<u>(b)</u>	<u>Side²:</u>	<u>From lot 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 lot line when adjacent to a Commercial zoning district:</u>	<u>0 feet³ [From Sec. 3-26.4.(e)(1)(ii)]</u>
		<u>From lot 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 lot line when adjacent to a Residential use:</u>	<u>25 feet [From Sec. 3-26.4.(e)(2)]</u>
		<u>From lot 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-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. 3-26.4.(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)]

3587 (4) Additional Standards:

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

Part D Zoning Districts and Development Standards

- 3588 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
3589 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
3590 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to [Sec. 3-A.6.](#)
3591 [Measurements](#) and [Sec. 3-F.H.3. Waste Storage Area.](#)
3592 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
3593 than 15 feet in width and shall be unobstructed at all times. [From [Sec. 3-26.4.\(e\)\(2\)](#)]

3-D-H.3.c. BB-5 Uses

- | | |
|--|---|
| (1) <u>Permitted and Conditional uses:</u> | Refer to Part E Use Types and Standards |
| (2) <u>Special Exception:</u> | Sec. E-X-X |
| (3) <u>Accessory:</u> | Refer to Sec. 3-E-I. Accessory Uses |
| | Refer to Sec. 3-E-J. Temporary Uses |
| | Refer to Sec. 3-F-H. Accessory Structures |

~~Sec. 3-26.4. COMMERCIAL RECREATION DISTRICT (ZONE BB-5)~~

- 3595 ~~(a) Area. All land designated as Zone BB-5 is subject to the regulations of this Section and Sec. 20.3-
3596 10. Such areas are established to provide for commercial activities that require centralized locations
3597 within a large service area. [Relocated to [Sec. 3-D-H.2.a. Intent of BB-5 Zoning District](#)] A site
3598 plan shall be submitted to the Development Review Committee for review and approval prior to
3599 obtaining a building permit for all uses within this District. [Deleted, as this repeats Article 2
3600 Procedures for Development Review]
3601 ~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3602 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~
3603 ~~[Sec. 3-D-H.2.b. BB-5 Land Development Standards](#)]~~
3604 ~~(1) Side Lot Setbacks:~~
3605 ~~(i) Side lot setbacks on property which abuts residential or agricultural districts shall~~
3606 ~~be not less than twenty five (25) feet from side property lines. [Deleted and~~
3607 ~~portions relocated to [Sec. 3-D-H.3.b.\(3\)\(b\)](#)] If said lot is a corner lot, then
3608 ~~setbacks should be the same as the front setback. [Relocated to [Sec. 3-D-H.3.b.](#)~~
3609 ~~Footnote 2]~~
3610 ~~(ii) Where the adjoining lot is also zoned for business, the building may be placed up~~
3611 ~~to the side lot line, providing the building is constructed in accordance with the~~
3612 ~~regulations of the applicable Building Code; [Relocated to [Sec. 3-D-H.3.b.](#)~~
3613 ~~Footnote 3] in all other construction, the minimum side setback shall be fifteen~~
3614 ~~(15) feet. [Deleted and portions relocated to [Sec. 3-D-H.3.b.\(3\)\(b\)](#)]~~
3615 ~~(2) Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~
3616 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~
3617 ~~[Deleted and portions relocated to [Sec. 3-D-H.3.b.\(3\)\(c\)](#)] If the rear yard does not abut~~
3618 ~~a public street, then access over private property shall be provided. Access shall be not~~
3619 ~~less than fifteen (15) feet in width, and shall be unobstructed at all times. [Deleted and~~
3620 ~~portions relocated to [Sec. 3-D-H..b.\(4\)\(b\) Rear Access](#)]~~
3621 ~~(3) Front line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
3622 ~~amended, and shall in no case be less than twenty five (25) feet from front property line.~~
3623 ~~[Deleted and portions relocated to [Sec. 3-D-H.3.b.\(3\)\(a\)](#)]~~
3624~~~~

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

Part D Zoning Districts and Development Standards

3625 ~~(4) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 3626 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 3627 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 3628 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 3629 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 3630 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
 3631 ~~Outstanding Florida Waters]~~
 3632 ~~(5) — Where a business district is adjacent to a lot line of property of a residential or agricultural~~
 3633 ~~classification, no materials, garbage containers or refuse shall be allowed nearer than thirty~~
 3634 ~~(30) feet to such a residential or agricultural district. Garbage or refuse shall be~~
 3635 ~~containerized and such containers shall be enclosed or screened so as not to be readily~~
 3636 ~~visible. [Deleted and rephrased in Sec. 3-D-H.3.b.(4)(a) Waste Disposal and/or~~
 3637 ~~Material Storage]~~

3638 Sec. 3-D-H.4. Shopping Center Zoning District (BSC)

3639 3-D-H.4.a. Intent of BSC Zoning District

3640 All land designated as BSC is subject to the standards of this Section. Such areas are established to provide
 3641 for planned Commercial facilities with depth rather than strip type commercial development. This District
 3642 shall be used for the purpose of providing a variety of goods and services and not used for single purpose
 3643 activities. [Relocated from Sec. 3-27.(a)]

3644 3-D-H.4.b. BSC Development Standards

3645 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 3646 following minimum standards: [Relocated from Sec. 3-27.(f)]

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Lot Dimensions:

(a) Lot Width: Not Applicable

(b) Lot Depth: Not Applicable

(3) Minimum Setbacks¹:

(a) Front: From lot line when adjacent to all zoning districts: 25 feet [From Sec. 3-27.(f)(4)]

(b) Side ²: From lot line when adjacent to a Residential or Agricultural zoning district: 25 feet [From Sec. 3-27.(f)(2)(i)]

From lot line when adjacent to a Commercial zoning district: 0 feet³ [From Sec. 3-27.(f)(2)(ii)]

From lot line when adjacent to all other zoning districts: 15 feet [From Sec. 3-27.(f)(2)(ii)]

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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>	<u>From lot line when adjacent to a Residential use:</u>	25 feet [From Sec. 3-27.(f)(3)]
		<u>From lot line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-27.(f)(3)]

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. 3-27.(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)]**

- 3647 (4) Additional Standards:
- 3648 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 3649 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
- 3650 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to [Sec. 3-A.6.](#)
- 3651 [Measurements and Sec. 3-F.H.3. Waste Storage Area.](#)
- 3652 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 3653 than 15 feet in width and shall be unobstructed at all times. **[From Sec. 3-27.(f)(3)]**
- 3654 (c) Rezone. The minimum area for consideration for rezoning to the BSC District classification
- 3655 is 5 acres with 300 feet of street frontage. However, an area which is less than 5 acres and
- 3656 may or may not have street frontage may nonetheless be rezoned to BSC District
- 3657 classification if such area: **[From Sec. 3-27.(f)(1)]**
- 3658 i. Has contiguity with an area already within the BSC District which contains 5 or
- 3659 more acres and has at least 300 feet of street frontage and is then being used for
- 3660 purposes allowed by the BSC District; and **[From Sec. 3-27.(f)(1)(i)]**
- 3661 ii. The area to be rezoned will be used for a purpose permitted within the BSC District
- 3662 consistent with the then use of the contiguous 5- or more acre area within the BSC
- 3663 District. **[CP73][From Sec. 3-27.(f)(1)(ii)]**

3664 **3-D-H.4.c. BSC Uses**

- | | | |
|------------|--|--|
| <u>(1)</u> | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| <u>(2)</u> | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| <u>(3)</u> | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3665 **Sec. 3-27. SHOPPING CENTER DISTRICT (ZONE BSC)**

- 3666 ~~(a) Area. All land designated as Zone BSC is subject to the regulations of this Section and Sec. 20-3-~~
- 3667 ~~40. Such areas are established to provide for planned commercial facilities with depth rather than~~
- 3668 ~~strip type commercial development. The district shall be used for the purpose of providing a variety~~

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

Part D Zoning Districts and Development Standards

- 3669 ~~of goods and services and not used for single purpose activities.~~ [Relocated to Sec. 3-D-H.4.a.
3670 **Intent of BSC Zoning District]**
- 3671 (f) ~~Lot and Building Requirement~~ *The principal building(s), accessory structures and other uses shall*
3672 *be located so as to comply with the following minimum requirements.* ~~Rev. 04/22/08s.~~ [Relocated
3673 to Sec. 3-D-H.4.b. **BSC Land Development Standards]**
- 3674 (1) ~~Minimum Lot Size and Street Frontage Requirements.~~ *Minimum area for consideration to*
3675 *rezoning to BSC District classification is five acres and 300 feet of street frontage.*
3676 *However, an area which is less than five acres which area may or may not have street*
3677 *frontage may nonetheless be rezoned to BSC District classification if such area:*
- 3678 (i) ~~Has contiguity with an area already within the BSC district classification which~~
3679 ~~contains five or more acres and has at least 300 feet of street frontage and is then~~
3680 ~~being used for purposes permitted by the BSC District classification; and~~
- 3681 (ii) ~~The area to be rezoned will be used for a purpose permitted within the BSC District~~
3682 ~~classification consistent with the then use of the contiguous five or more acre area~~
3683 ~~within the BSC District classification.~~
- 3684 **[Deleted and portions relocated to Sec. 3-D-H.4.b.(4)(c) Rezone]**
- 3685 (2) ~~Side Lot Setbacks:~~
- 3686 (i) ~~Side lot line setbacks on property which abuts residential or agricultural districts~~
3687 ~~shall be not less than twenty five (25) feet from side property lines.~~ [Deleted and
3688 portions relocated to Sec. 3-D-H.4.b.(3)(b)] *If said lot is a corner lot, then*
3689 *setbacks should be the same as the front setback.* [Relocated to Sec. 3-D-G.1.b.
3690 **Footnote 2]**
- 3691 (ii) ~~Where the adjoining lot is also zoned for business, the building may be placed up~~
3692 ~~to the side lot line, providing the building is constructed in accordance with the~~
3693 ~~regulations of the applicable Building Code;~~ [Relocated to Sec. 3-D-H.4.b.
3694 **Footnote 3]** *in all other construction, the minimum side setback shall be fifteen*
3695 *(15) feet.* [Deleted and portions relocated to Sec. 3-D-H.4.b.(3)(b)]
- 3696 (3) ~~Rear lot line setbacks shall not be less than twenty (20) feet from rear property line, or not~~
3697 ~~less than twenty five (25) feet when adjacent to multi-family and single-family residences.~~
3698 [Deleted and portions relocated to Sec. 3-D-H.4.b.(3)(c)] *If the rear yard does not abut*
3699 *a public street, then access over private property shall be provided. Access shall be not*
3700 *less than fifteen (15) feet in width, and shall be unobstructed at all times.* [Deleted and
3701 portions relocated to Sec. 3-D-H.4.b.(4)(b) Rear Access]
- 3702 (4) ~~Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
3703 ~~amended, and shall in no case be less than twenty-five feet from front property line.~~
3704 [Deleted and portions relocated to Sec. 3-D-H.4.b.(3)(a)]
- 3705 (5) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3706 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3707 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3708 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3709 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3710 ~~Environmental Protection.~~ [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or
3711 **Outstanding Florida Waters]**

3712 Sec. 3-D-H.5. Planned Commercial Development Zoning District (PCD)

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

Part D Zoning Districts and Development Standards

3713 3-D-H.5.a. Intent of PCD Zoning District

3714 *It is the intent of this District to encourage the development of land as multiple planned Commercial sites;*
 3715 *encourage flexible and creative concepts of site planning; utilize shared on-site facilities such as parking*
 3716 *and loading areas; accomplish a more desirable environment than would be possible through the strict*
 3717 *application of the minimum standards of conventional Commercial zoning districts such as a cohesive*
 3718 *signage program or drainage and access points; and to provide a stable environment and use which is*
 3719 *compatible with the character of surrounding areas. **[Relocated from Sec. 3-31.(a)]***

3720 3-D-H.5.b. Applicability

3721 *This Section applies to properties rezoned to a PCD, modifications to an approved PCD, or unless stated*
 3722 *otherwise in the Code.*

3723 3-D-H.5.c. Design Objectives

3724 *The design intent of a PCD is to encourage flexible and creative concepts of site planning, predominantly*
 3725 *consisting of multiple Commercial uses with support services, such as Office, Retail, and Recreational, for*
 3726 *the population and/or workforce of the planned development. It is encouraged to share facilities and*
 3727 *integrate uses.*

3728 *A minimum of 2 primary land use types, as indicated in Sec. 3-D-H.5.c.(1) Mix of Land Uses shall be*
 3729 *provided in each PCD.*

3730 (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 Space¹:</u>	<u>10</u>	<u>20</u>
<u>Footnote:</u>		
<u>1</u>	<u>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.</u>	

3731 (2) Design Standards. Refer to Sec. 3-F-F. Architectural Design Guidelines and Sec. 3-D-R.11. Design
 3732 Standards for Master Planned Communities and apply where applicable.

3733 3-D-H.5.d. PCD Development Standards

3734 *The principal buildings, accessory structure(s), and other uses shall be located so as to comply with the*
 3735 *following minimum requirements.*

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Site Size:

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

Part D Zoning Districts and Development Standards

(a)	<u>Acreage:</u> [CP74]	<u>5 acres</u>
(3)	<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>
(4)	<u>Minimum Setbacks¹:</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-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.

3736

<u>3-D-H.5.e. PCD Uses</u>		
(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

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Sec. 3-31. PLANNED COMMERCIAL DEVELOPMENT DISTRICT (ZONE PCD)

~~(a) *Intent and purpose.* It is the intent of this district to permit Planned Commercial Developments which are intended to encourage the development of land as planned commercial sites; encourage flexible and creative concepts of site planning; accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional commercial zoning districts and to provide a stable environment and use which is compatible with the character of surrounding areas. [Relocated to Sec. 3-D-H.5.a. Intent of PCD Zoning District]~~

~~(c) *Minimum Waterfront Setback.* 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-A.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

3750

DIVISION I INDUSTRIAL ZONING DISTRICTS

3751

Sec. 3-D-I.1. Intent of Industrial Zoning Districts

3752

The Industrial Zoning Districts provide areas suitable for the operation and protection of a range of smaller-
to larger-scale Commercial and Industrial businesses and processes and minimize the impacts and noise
of Non-Residential uses on adjacent Residential neighborhoods.

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3755

The following zoning districts fall within a 3-tier classification system based on their intensity of either serving
the Residential neighborhood or providing a range of sales, services, and office activities.

3756

<u>Classification System</u>	<u>Zoning District</u>
<u>Tier 1 – Low Intensity</u>	<u>Industrial Select Zoning District (IS)</u>
	<u>Light Industrial Zoning District (IA)</u>
<u>Tier 2 – Medium Intensity</u>	<u>Heavy Industrial Zoning District (IB)</u>
	<u>Business Park Zoning District (BP)</u>
<u>Tier 3 – High Intensity</u>	<u>Planned Industrial Development Zoning District (PID)</u>

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

Part D Zoning Districts and Development Standards

3757 DIVISION J TIER 1 INDUSTRIAL ZONING DISTRICTS

3758 Sec. 3-D-J.1. Industrial Select Zoning District (IS)

3759 3-D-K.1.a. Intent of IS Zoning District

3760 All land designated as IS is subject to the standards of this Section. This industrial district is intended for
 3761 locations which are not feasible for some Light or Heavy industrial development because of proximity to
 3762 residential areas. The standards for this District are intended to encourage development compatible with
 3763 surrounding or abutting Residential districts, with suitable Open Space, landscaping, and parking areas.
 3764 Consequently, development is limited to those administrative, wholesaling, and manufacturing activities
 3765 that can be carried on in a relatively unobtrusive manner. **[Relocated from Sec. 3-28.(a)]**

3766 3-D-J.1.b. IS Development Standards

3767 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 3768 following minimum standards: **[Relocated from Sec. 3-28.(f)]**

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Lot Dimensions:</u>		
	(a)	<u>Lot Width:</u>	<u>100 feet</u>
	(b)	<u>Lot Depth:</u>	<u>200 feet</u>
(3)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u> <u>25 feet</u> [From Sec. 3-28.(f)(3)]
	(b)	<u>Side²:</u>	<u>From lot line when adjacent to Residential or Agricultural districts:</u> <u>25 feet</u> [From Sec. 3-28.(f)(1)] <u>Adjacent to all other districts:</u> <u>15 feet</u>
	(c)	<u>Rear:</u>	<u>From lot line when adjacent to Multi-Family or Single-Family districts:</u> [From Sec. 3-28.(a)(2)] <u>25 feet</u> [From Sec. 3-28.(f)(2)]
		<u>From lot line when adjacent to any zoning districts:</u>	<u>20 feet</u> [From Sec. 3-28.(a)(2)]

Footnotes:

1 Refer to Sec. 3-D-A.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 lot line setback shall be the same as the front lot line setback.
[From Sec. 3-28.(f)(1)]

- 3769 (4) Additional Standards:
3770 (a) Waste Disposal and/or Material Storage. Where an Industrial zoning district is adjacent to
3771 a lot with a Residential or an Agricultural zoning district, no garbage containers, outdoor
3772 storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
3773 Measurements and Sec. 3-F.H.3. Waste Storage Area.
3774 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
3775 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-28.(f)(2)]

3-D-J.1.c. IS Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
(2) Special Exception: Sec. E-X-X
(3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
Refer to Sec. 3-E-J. Temporary Uses
Refer to Sec. 3-F-H. Accessory Structures

3777 **Sec. 3-28. Industrial Select (Zone IS)**

- 3778 (a) ~~Area. All land designated as Zone IS is subject to the regulations of this Section, as well as Sec.~~
3779 ~~20.3-10. This industrial district is intended for locations which are not feasible for some light or~~
3780 ~~heavy industrial development because of proximity to residential areas. The regulations for this~~
3781 ~~district are intended to encourage development compatible with surrounding or abutting residential~~
3782 ~~districts, with suitable open space, landscaping, and parking areas. Consequently, development is~~
3783 ~~limited to those administrative, wholesaling, and manufacturing activities that can be carried on in~~
3784 ~~a relatively unobtrusive manner. A site plan conforming to the requirements of this chapter shall be~~
3785 ~~submitted to the Planning and Zoning Department for administrative review and approval prior to~~
3786 ~~obtaining a building permit for all uses within this District. [Relocated to Sec. 3-D-K.1.a. Intent of~~
3787 ~~IS Zoning District]~~
3788 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3789 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
3790 (1) ~~Side lot line setbacks on property which abuts residential or agricultural districts shall be~~
3791 ~~not less than twenty five (25) feet. [Relocated to Sec. 3-D-J.1.b.(3)(b) Minimum side lot~~
3792 ~~line] If it is a corner lot, the side lot line setback shall be the same as the front lot line~~
3793 ~~setback. [Relocated to Sec. 3-D-J.1.b. and Sec. 3-D-J.2.b. Footnote 2]~~
3794 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet from multifamily and~~
3795 ~~single family residences. [Deleted and portions relocated to Sec. 3-D-J.1.b.(3)(c)~~
3796 ~~Minimum rear lot line] If the rear yard does not abut a public street, then access shall be~~
3797 ~~not less than 20 feet in width and shall be unobstructed at all times. [Relocated to Sec. 3-~~
3798 ~~D-J.1.b.(4)(b) Rear Access]~~
3799 (3) ~~Front lot line setbacks shall in no case be less than 25 feet. [Deleted and portions~~
3800 ~~relocated to Sec. 3-D-J.1.b.(3)(a) Minimum front lot line]~~
3801 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3802 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3803 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~

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

Part D Zoning Districts and Development Standards

3804 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 3805 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 3806 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
 3807 ~~Outstanding Florida Waters]~~
 3808 ~~(5) Where a district is adjacent to a lot line of property of a residential or agricultural~~
 3809 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than 15~~
 3810 ~~feet to such a residential or agricultural district. Garbage or refuse shall be screened so as~~
 3811 ~~not to be readily visible. [Deleted and replaced with new text in Sec. 3-D-J.1.b.(4)(a)~~
 3812 ~~Waste Disposal and/or Material Storage]~~

3813 **Sec. 3-D-J.2. Light Industrial Zoning District (IA)**

3814 **3-D-J.2.a. Intent of IA Zoning District**

3815 *All land designated as IA is subject to the standards of this Section. Such areas are established to provide*
 3816 *for the development of Industrial activities of a light manufacturing and wholesaling nature.* [Relocated
 3817 *from Sec. 3-29.(a)]*

3818 **3-D-J.2.b. IA Development Standards**

3819 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 3820 *following minimum standards: [Relocated to Sec. 3-29.(g)]*

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Lot Dimensions:</u>		
	(a)	<u>Lot Width:</u>	<u>100 feet</u>
	(b)	<u>Lot Depth:</u>	<u>200 feet</u>
(3)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u> <u>25 feet [From Sec. 3-29.(g)(3)]</u>
	(b)	<u>Side²:</u>	<u>From lot line when adjacent to Residential or Agricultural districts:</u> <u>25 feet [From Sec. 3-29.(g)(1)]</u>
			<u>From lot line when adjacent to all other districts:</u> <u>15 feet</u>
	(c)	<u>Rear:</u>	<u>From lot line when adjacent to any zoning district:</u> <u>20 feet [From Sec. 3-29.(g)(2)]</u>

Footnotes:
 1 Refer to Sec. 3-D-A.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 lot line setback shall be the same as the front lot line setback.
[From Sec. 3-29(f)(1)]

- 3821 (4) Additional Standards:
3822 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
3823 adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,
3824 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
3825 Measurements and Sec. 3-F.H.3. Waste Storage Area.
3826 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
3827 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-29.(g)(2)]

3828 **3-D-J.2.c. IA Uses**

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3829 **Sec. 3-29. Light Industrial (Zone IA)**

- 3830 ~~(a) Area. All land designated as Zone IA is subject to the regulations of this Section and Sec. 20.3-10. Such~~
3831 ~~areas are established to provide for the development of industrial activities of a light manufacturing and~~
3832 ~~wholesaling nature. [Relocated to Sec. 3-D-K.1.a. Intent of IA Zoning District] A site plan conforming to~~
3833 ~~the requirements of this section shall be submitted to the Planning and Zoning Department for~~
3834 ~~administrative review and approval prior to obtaining a building permit for all uses within this District.~~
3835 ~~(g) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3836 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~
3837 ~~Sec. 3-D-J.2.b. Land Development Standards]~~
3838 ~~(1) Side lot line setbacks on property which abuts residential or agricultural districts shall be~~
3839 ~~not less than twenty-five (25) feet. [Deleted and portions relocated to Sec. 3-D-J.2.b.(1)]~~
3840 ~~If said lot is a corner lot, then the setback shall be the same as the front yard. [Relocated~~
3841 ~~to Sec. 3-D-J.2.b.(1)]~~
3842 ~~(2) Rear lot line setbacks shall be twenty (20) feet. [Deleted and portions relocated to Sec.~~
3843 ~~3-D-J.2.b.(3)(c) Minimum rear lot line] If the rear yard does not abut a public street, then~~
3844 ~~access to the rear of the lot shall be not less than twenty (20) feet in width and shall be~~
3845 ~~unobstructed at all times. [Relocated to Sec. 3-D-J.2.b.(2).(b).]~~
3846 ~~(3) Front lot line setbacks shall in no case be less than twenty-five (25) feet. [Deleted and~~
3847 ~~portions relocated to Sec. 3-D-J.2.b.(3) Setbacks]~~
3848 ~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3849 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3850 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3851 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3852 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3853 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3854 ~~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

3855 ~~(5) — Where a district is adjacent to a lot line of property of a residential or agricultural~~
3856 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than~~
3857 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
3858 ~~screened so as not to be readily visible. [Deleted and replaced with new text in Sec. 3-~~
3859 ~~D-J.2.b.(4)(a) Waste Disposal and/or Material Storage]~~

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

Part D Zoning Districts and Development Standards

3860 DIVISION K TIER 2 INDUSTRIAL ZONING DISTRICTS

3861 Sec. 3-D-K.1. Heavy Industrial Zoning District (IB)

3862 **3-D-K.1.a. Intent of IB Zoning District**

3863 All land designated as IB is subject to the standards of this Section. Such areas are established in order to
3864 provide adequate areas for activities of a Heavy industrial nature. **[Relocated from Sec. 3-30.(a)]**

3865 **3-D-K.1.b. IB Development Standards**

3866 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
3867 following minimum standards: **[Relocated from Sec. 3-30.(g)]**

(1) Intensity:

(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table

(2) Minimum Lot Dimensions:

(a) Lot Width: 200 feet

(b) Lot Depth: 200 feet

(3) Minimum Setbacks¹:

(a) Front: From lot line when adjacent to any zoning district: 25 feet [From Sec. 3-30.(g)(3)]

(b) Side ²: From lot line when adjacent to a Residential or Agricultural zoning district. [From Sec. 3-30.(g)(1)] 40 feet

(c) Rear: From lot line when adjacent to any zoning district: 20 feet

(c) Rear: From lot line when adjacent to any zoning district: 20 feet [From Sec. 3-30.(g)(2)]

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. 3-30.(g)(1)]

(4) Additional Standards:

(a) 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. Measurements and Sec. 3-F.H.3. Waste Storage Area.

(b) 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. 3-30.(g)(2)]

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

Part D Zoning Districts and Development Standards

3875 3-D-K.1.c. IB Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

3876 **Sec. 3-30. Heavy Industrial (Zone IB)**

- 3877 (a) ~~Area. All land designated as Zone IB is subject to the regulations of this Section and Sec. 20.3-10.~~
3878 ~~Such areas are established in order to provide adequate areas for activities of a heavy industrial~~
3879 ~~nature. [Relocated to sec. 3-D-K.1.a. Intent of IB Zoning District] site plan conforming to the~~
3880 ~~requirements of this chapter shall be submitted to the Planning and Zoning Department for~~
3881 ~~administrative review and approval prior to obtaining a building permit for all uses within this District.~~
3882 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
3883 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08 [Relocated to~~
3884 ~~sec. 3-D-K.1.b. Land Development Standards]~~
3885 (1) ~~Side lot setbacks on property which abuts residential or agricultural districts shall be not~~
3886 ~~less than 20 feet. [Relocated and proposed new dimension to Sec. 3-D-K-a.b.(3)(b)~~
3887 ~~Minimum side lot line] If said lot is a corner lot, the setback shall be the same as for the~~
3888 ~~front lot. [Relocated to Sec. 3-D-K-a.b. Footnote 2]~~
3889 (2) ~~Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-K.1.b.(3)(c)~~
3890 ~~Minimum rear lot line] If the rear yard does not abut a public street, then access shall be~~
3891 ~~not less than twenty (20) feet in width and shall be unobstructed at all times. [Relocated~~
3892 ~~to Sec. 3-D-K.1.b.(4)(b) Rear Access]~~
3893 (3) ~~Front lot line setbacks shall in no case be less than twenty five (25) feet. [Relocated to~~
3894 ~~Sec. 3-D-K.1.b.(3)(b)]~~
3895 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
3896 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
3897 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
3898 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
3899 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
3900 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
3901 ~~Outstanding Florida Waters]~~
3902 (5) ~~Where a district is adjacent to a lot line of property of a residential or agricultural~~
3903 ~~classification, no materials, garbage containers, or refuse shall be allowed nearer than~~
3904 ~~fifteen (15) feet to such a residential or agricultural district. Garbage or refuse shall be~~
3905 ~~screened so as not to be readily visible. [Deleted and replaced with new text in Sec. 3-~~
3906 ~~D-K.1.b.(4)(a) Waste Disposal and/or Material Storage]~~

3907 Sec. 3-D-K.2. Business Park Zoning District (BP)

3908 3-D-K.2.a. Intent of BP Zoning District

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

Part D Zoning Districts and Development Standards

3909 This district is intended for locations that are not feasible for some Light or Heavy Industrial development
 3910 because of proximity to Residential areas. The standards for this District are intended to encourage
 3911 development of high intensity Commercial type uses to be compatible with surrounding or abutting
 3912 Residential districts, with suitable Open Space, landscaping, and parking areas that can be carried out in a
 3913 relatively unobtrusive manner. **[Relocated from Sec. 3-30.1.(a) Intent]**

3914 3-D-K.2.b. BP Development Standards

3915 The principal buildings, accessory structure(s), and other uses shall be located so as to comply with the
 3916 following minimum standards. **[Relocated from Sec. 3-30.1.(h) Lot and Building Requirements]**

<u>(1) Intensity:</u>			
<u>(a)</u> Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table			
<u>(2) 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>(3) Minimum Setbacks¹:</u>			
<u>(a)</u>	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>20[CP75] feet [From Sec. 3-30.1.(h)(1)(i)]</u>
<u>(b)</u>	<u>Side²:</u>	<u>From lot 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 lot line when adjacent to any zoning district:</u>	<u>15 feet³ [From Sec. 3-30.1.(h)(1)(ii)b.]</u>
<u>(c)</u>	<u>Rear:</u>	<u>From lot 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 lot line when adjacent to any zoning district:</u>	<u>20 feet [From Sec. 3-30.1.(h)(1)(iv)b.]</u>
<u>(4) Maximum Height:</u>			
<u>(a)</u>	<u>Development in BP Zoning District:</u>	<u>Setback ≥ 325 feet from lot line when adjacent to a Residential use:</u>	<u>100 feet⁴ [From Sec. 3-30.1.(h)(3)]</u>
<u>(b)</u>	<u>Development in BP Zoning District:</u>	<u>Setback < 325 feet from lot 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 > 35 feet [From Sec. 3-30.1.(h)(3)]</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-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.](#)
-
- 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_{\[MK76\]}.](#)
-
- 4 [Refer to Sec. 3-D-K.b.\(4\)\(c\) Additional Height.](#)
-

- 3917 (5) Additional Standards:
- 3918 (a) Rear Access. *If the rear yard does not abut a public street, then alternate access to the*
- 3919 *rear yard from the front shall be provided. Access shall not be less than 20 feet in width*
- 3920 *and shall be unobstructed at all times. [Relocated from Sec. 3-30.1.(h)(2)]*
- 3921 (b) Off-Street Parking. *[CP77]Parking shall be located at the side or rear of buildings, although*
- 3922 *no more than 2 rows of parking and 1 driveway shall be allowed in front of buildings.*
- 3923 *[Relocated from Sec. 3-30.1.(h)(5)]*
- 3924 *[Relocated from Sec. 3-30.1.(h)(3)]*
- 3925 (c) Additional Height. *[CP78]The Board through a Special Exception shall have the authority*
- 3926 *to approve building heights over 100 feet in certain cases if it is determined that visual*
- 3927 *impacts will not negatively affect nearby properties. Increased construction standards shall*
- 3928 *apply for the additional height over 35 feet. Refer to Chapter 5 Building Heights and Areas*
- 3929 *of the Florida Building Code. [Relocated from Sec. 3-30.1.(h)(3)]*
- 3930 (d) Waste Disposal and/or Material Storage. *Where a Non-Residential zoning district is*
- 3931 *adjacent to a lot with a Residential or an Agricultural zoning district, no garbage containers,*
- 3932 *outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.*
- 3933 *Measurements and Sec. 3-F.H.3. Waste Storage Area.*

3934 **3-D-K.2.c. BP Uses**

-
- (1) Permitted and Conditional uses: [Refer to Part E Use Types and Standards](#)
-
- (2) Special Exception: [Sec. E-X-X](#)
-
- (3) Accessory: [Refer to Sec. 3-E-I. Accessory Uses](#)
-
- [Refer to Sec. 3-E-J. Temporary Uses](#)
-
- [Refer to Sec. 3-F-H. Accessory Structures](#)
-

3935 **Sec. 3-30.1 Business Park (Zone BP)**

- 3936 (a) ~~Intent. This district is intended for locations that are not feasible for some light or heavy industrial~~
- 3937 ~~development because of proximity to residential areas. The regulations for this district are intended~~
- 3938 ~~to encourage development compatible with surrounding or abutting residential districts, with~~
- 3939 ~~suitable open space, landscaping and parking areas. Consequently, development is limited to those~~
- 3940 ~~administrative, wholesaling and manufacturing activities that can be carried on in a relatively~~
- 3941 ~~unobtrusive manner. [Relocated to Sec. 3-D-K.2.a. Intent of BP Zoning District]~~
- 3942 (h) ~~Lot and Building Requirements. The principal buildings, accessory structures, and other uses shall~~
- 3943 ~~be located so as to comply with the following minimum requirements. [Relocated to Sec. 3-D-~~
- 3944 ~~K.2.b. Land Development Standards]~~
- 3945 (1) ~~Setbacks. All setbacks shall be measured from the lot line.~~
- 3946 (i) ~~Front: 20 feet [Deleted and portions relocated to Sec. 3-D-K.2.b.(3)(a)]~~
- 3947 (ii) ~~Side:~~

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

Part D Zoning Districts and Development Standards

- 3948 a. ~~Abutting a residential or agricultural district:~~ 30 feet
3949 ~~[Deleted and portions relocated to Sec. 3-D-K.2.b.(3)(b)]~~
3950 b. ~~All others:~~ 0 feet if structure meets the building code's fire
3951 ~~resistance standards in Table 600; 15 feet if not~~
3952 ~~constructed to the building code's fire resistance~~
3953 ~~standards~~
3954 ~~[Deleted and portions relocated to Sec. 3-D-K.1.b. Footnote 3]~~
3955 (iii) ~~Corner lots: On corner lots, the setback from any street shall be the same as the~~
3956 ~~setback from the street serving as the front street.~~
3957 (iv) ~~Rear:~~
3958 a. ~~Abutting a residential or agricultural district:~~ 30 feet
3959 ~~[Deleted and portions relocated to Sec. 3-D-K.2.b.(3)(c)]~~
3960 b. ~~All others:~~ 20 feet
3961 ~~[Deleted and portions relocated to Sec. 3-D-K.2.b.(3)(c)]~~
3962 (v) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary~~
3963 ~~high water line or mean high water line, whichever is applicable; for waters~~
3964 ~~designated as Aquatic Preserves or Outstanding Florida Waters, the setback will~~
3965 ~~be 100 feet. These setbacks shall not apply to structures on lots or parcels located~~
3966 ~~landward of existing bulkheads permitted by the St. Johns River Water~~
3967 ~~Management District or Florida Department of Environmental Protection.~~
3968 ~~[Relocated to 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]~~
3969 (2) ~~Rear yard access. If the rear yard does not abut a public street, then alternate access to~~
3970 ~~the rear yard from the front shall be provided. Access shall not be less than twenty feet in~~
3971 ~~width and shall be unobstructed at all times. [Relocated to Sec. 3-D-K.2.b.(5)(a) Rear~~
3972 ~~Access]~~
3973 (3) ~~Height limitation. The maximum height within the BP District is one hundred feet provided~~
3974 ~~the development is no closer than 325 feet to any property line of land with a single family~~
3975 ~~zoning or land use designation. [Relocated to Sec. 3-D-K.2.b.(4) Maximum Height]~~
3976 ~~Where the proposed development is less than 325 feet from land having a single family~~
3977 ~~zoning or land use designation, an additional five feet of building setback for every one foot~~
3978 ~~of building height over thirty-five feet shall be required. [Relocated to Sec. 3-D-K.2.b.(4)~~
3979 ~~Maximum Height] The Board shall have the authority to approve building height over one~~
3980 ~~hundred feet in certain cases if it is determined that visual impacts will not negatively affect~~
3981 ~~nearby properties. Increased construction standards shall apply for the additional height~~
3982 ~~over thirty-five feet. Consult Table 500 of the building code. [Relocated to Sec. 3-D-~~
3983 ~~K.2.b.(5)(c) Additional Height]~~
3984 (5) ~~Off street parking. Parking shall be at the side or rear of buildings, although no more than~~
3985 ~~two rows of parking and one driveway shall be allowed in front of buildings. [Relocated to~~
3986 ~~Sec. 3-D-K.2.b.(5)(b) Off-Street Parking]~~
3987 (i) ~~Waste Disposal and/or Material Storage. Where land zoned BP is adjacent to property of a~~
3988 ~~residential or agricultural zoning or land use designation, no material storage, garbage containers~~
3989 ~~or refuse shall be allowed nearer than twenty-five feet to such property. All waste storage and~~
3990 ~~collection areas, refuse and recycling receptacles and similar uses shall be screened on three sides~~
3991 ~~with a minimum six-foot high opaque fence or wall. [Deleted and replaced with new text in Sec.~~
3992 ~~3-D-K.2.b.(4)(d) Waste Disposal and/or Material Storage]~~

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

Part D Zoning Districts and Development Standards

3993 DIVISION L TIER 3 PLANNED INDUSTRIAL DEVELOPMENT
3994 ZONING DISTRICTS

3995 Sec. 3-D-L.1. Planned Industrial Development Zoning District (PID)

3996 3-D-L.1.a. Intent of PID Zoning District

3997 *It is the intent of this District to the development of land as planned Industrial sites and accomplish a more*
3998 *desirable environment than would be possible through the strict application of the minimum standards of*
3999 *conventional Industrial zoning districts, and to provide a stable environment and use which is compatible*
4000 *with the character of surrounding areas. **[Relocated from Sec. 3-32.(a).]***

4001 3-D-L.1.b. Applicability

4002 This Section applies to properties rezoned to a PID, modifications to an approved PID, or unless stated
4003 otherwise in the Code.

4004 3-D-L.1.c. Design and Mix of Land Uses

4005 The design intent of a PID is to encourage flexible and creative concepts of site planning **[Relocated from**
4006 **Sec. 3-32.(a).]**, predominantly consisting of Industrial uses with support services, such as Office, Retail,
4007 and Recreational, for the population and/or workforce of the planned development. It is encouraged to
4008 collocate related industrial uses when master planning a site.

4009 A minimum of 2 primary land use types, as indicated in the Table below, shall be provided in each PID.

4010 (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 Space¹:</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.

4011 3-D-L.1.d. PID Land Development Standards

4012 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4013 following minimum standards.

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

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

Part D Zoning Districts and Development Standards

(2)	<u>Minimum Site Size:</u>	
(a)	<u>Acreage:</u> [CP79]	<u>5 acres</u>
(3)	<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>
(4)	<u>Minimum Setbacks¹:</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-A.3.a.\(1\) Aquatic Preserves or Outstanding Florida Waters.](#)

4014

3-D-L.1.e. PID Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

4015

Sec. 3-32. Planned Industrial Development District (~~Zone~~ PID)

4016

(a) ~~Intent and purpose. It is the intent of this district to permit Planned Industrial Developments which are intended to encourage the development of land as planned industrial sites; [Relocated to Sec. 3-D-L.1.a. Intent of PID Zoning District] encourage flexible and creative concepts of site planning; [Relocated to Sec. 3-D-L.1.c. Design and Mix of Land Uses] accomplish a more desirable environment than would be possible through the strict application of the minimum requirements of conventional industrial zoning districts and to provide a stable environment and use which is compatible with the character of surrounding areas. [Relocated to Sec. 3-D-L.1.a. Intent of PID Zoning District]~~

4024

(b) ~~Permitted Uses. All uses included in the Industrial Select (IS), the Light Industrial (IA), and the Heavy Industrial (IB) Zoning Districts, one residential dwelling per parcel as an accessory use to the permitted industrial use for the purpose of providing security for the industrial use, and enclosed storage for recreational vehicles, boats and automobiles, including sale of propane and vehicle gas facilities associated with said use. The use of any storage areas shall be limited to dead storage whether interior to the buildings or outdoor. No activities shall occur within a storage use which the average person could construe to include the manufacture, repair or sale of goods or services or occupancy for living, whether permanent or temporary. Any of these uses proposed for the site must be approved by the Board of County Commissioners at the time of zoning approval. (Rev. 04/24/18) [Deleted and created new Sec. 3-D-L.2.c. to reference the appropriate use sections]~~

4034

(c) ~~Minimum Waterfront Setback. 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~~

4036

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

Part D Zoning Districts and Development Standards

- 4037 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads permitted by~~
4038 ~~the St. Johns River Water Management District or Florida Department of Environmental Protection.~~
4039 **[Relocated to 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters]**
- 4040 (d) Planned Industrial Development approval procedure. Approval for a Planned Industrial
4041 Development is obtained through a two-step process. The first step is an approval of the
4042 Preliminary Site Plan, including use or uses of the site, and rezoning of the land. The second step
4043 consists of Final Site Plan approval along with the Developer's Commitment Agreement.
- 4044 (e) Planned Industrial Development zoning and preliminary site plan approval. The applicant shall
4045 submit to the Planning and Zoning Department a request for Planned Industrial Development
4046 Zoning Classification and a Preliminary Site Plan containing the following exhibits:
- 4047 (1) A vicinity map showing the location of the proposed development and the relationship to
4048 surrounding streets and driveways.
- 4049 (2) A site plan indicating location of all buffer areas, wetlands, parking areas, driveway
4050 locations and landscaping concepts.
- 4051 (3) Detailed explanation of the proposed use of the property.
4052 The Planning Commission will hold a public hearing on the request and forward their
4053 recommendations to the Board of County Commissioners.
4054 The Board of County Commissioners, in approving any Planned Industrial Development
4055 rezoning, may impose special conditions or safeguards so as to insure the proposed
4056 development will not have an adverse impact on the public interest.
- 4057 (f) Final site plan approval. The applicant shall submit the final site plan for approval within thirty (30)
4058 months from the date of Preliminary Site Plan approval.
- 4059 (1) A Final Site Plan containing all the required submittals in accordance with Sec.
4060 20.333~~(d)~~ MK801(d) of this Article.
- 4061 (2) A completed Developer's Commitment Agreement containing all conditions imposed
4062 during Preliminary Site Plan approval.
4063 The Final Site Plan and the Developer's Commitment Agreement will be reviewed by the
4064 Development Review Committee prior to the issuance of any building permit.
- 4065 (g) Revisions of Planned Industrial Development final site plan. Any major or substantial change in
4066 the approved PID, which affects the intent and character of the development or permitted uses
4067 shall be reviewed and approved by the Board of County Commissioners. If the requested changes
4068 are deemed to have a substantial effect on adjacent property owners, the Board of County
4069 Commissioners shall cause a public hearing to be held prior to official action on said requested
4070 change.
4071 Minor changes that do not affect the intent or character of the development may be approved by
4072 the Planning and Zoning Director.
- 4073 (h) Planned Industrial Development Time Limitations.
- 4074 (1) If substantial construction, as determined by the Planning and Zoning Director has not
4075 begun within four (4) years after approval of the Planned Industrial Development under this
4076 Section, the approval of the Planned Industrial Development will lapse.
- 4077 (2) At its discretion and for good cause, the Board of County Commission may extend for one
4078 (1) additional year the period for beginning construction. If the approved Planned Industrial
4079 Development lapses under this provision, the Planning and Zoning Director shall cause
4080 the Planned Industrial Development District to be removed from the Official Zoning Map,
4081 mail a notice by registered mail of revocation to the owner, and reinstate the zoning district
4082 which was in effect prior to the approval of the Planned Industrial Development.

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

Part D Zoning Districts and Development Standards

- 4083 *(i) Deviation from the Development Plan. Any unapproved deviation from the accepted Development*
4084 *Plan shall institute a breach of agreement between the applicant and the County.*
4085 *Such deviation may cause the Board of County Commissioners to immediately revoke the*
4086 *Development Plan until such time as the deviations are corrected or become a part of the accepted*
4087 *Development Plan. [CP81]*
- ~~(l) Conditional Uses. The following uses are permitted in the PID Zoning District, subject to the~~
4088 ~~conditions provided in Section 20.3.5. A PID zoning application may request the following~~
4089 ~~conditional uses in addition to the conditional uses permitted in Industrial Select (IS), the Light~~
4090 ~~Industrial District (IA) and the Heavy Industrial District (IB) Zoning Districts, subject to applicable~~
4091 ~~conditions of Section 3.5 of the Article III of the Land Development Code, providing that any~~
4092 ~~conditional use proposed for the site must be approved by the Board of County Commissioners at~~
4093 ~~the time of zoning approval.~~
4094
4095 ~~(1) Land Clearing Debris Disposal Facility (Amended 6/98 Ord. 98-27)~~
4096 ~~(2) Mini-warehouse, except locations may be approved on a major collector.~~
4097 ~~(3) Multi-story mini-warehouses, except location may be approved on a major collector.~~
4098 ~~(4) Recreational vehicle and boat storage which is not enclosed shall be located in that area~~
4099 ~~of the PID established for said use, provided that at least twenty (20) percent of the site~~
4100 ~~shall be in open space. Landscape buffers and other vegetative areas located within the~~
4101 ~~area of the PID designated for said use may be used to achieve the twenty (20) percent~~
4102 ~~requirement.~~
4103 ~~(5) One residential dwelling per parcel as an accessory use to a permitted conditional use for~~
4104 ~~the purpose of providing security for the use. [Deleted and created new Sec. 3-D-L.2.c.~~
4105 ~~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

4106 DIVISION M PUBLIC OWNERSHIP ZONING DISTRICTS

4107 Sec. 3-D-M.1. Intent of Public Ownership (PO) Zoning Districts

4108 The Public Ownership zoning districts provide areas suitable to encourage and provide a coordinated land
 4109 planning approach to the sale, rent, lease, purchase, management, or alteration of publicly owned or
 4110 operated lands.

4111 The following zoning districts fall within the Public Ownership classification system based on their level of
 4112 services on publicly owned or operated properties, including buildings, facilities, and yards.

<u>Classification System</u>	<u>Zoning District</u>
<u>Public Ownership</u>	<u>Public Ownership Zoning District (PO-1)</u>
	<u>Public Ownership Zoning District (PO-2)</u>
	<u>Public Ownership Zoning District (PO-3)</u>
	<u>Public Ownership Zoning District (PO-4)</u>

4113 Sec. 3-D-M.2. *Public Ownership Zoning District (PO-1)*

4114 3-D-M.2.a. Intent of PO-1 Zoning District

4115 All land designated as PO-1 is subject to the standards of this Section. This District is primarily concerned
 4116 with, although not limited to, the planning of public buildings and facilities. [From Sec. 3-34.(a)]

4117 3-D-M.2.b. PO-1 Development Standards

4118 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 4119 following minimum requirements:

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u> 25 feet [From Sec. 3-34.(g)(5)]
	(b)	<u>Side²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u> 25 feet [From Sec. 3-34.(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

	<u>From lot line when adjacent to Business[CP82] zoning district:</u>	<u>Constructed in accordance with applicable Florida Building Code standards:</u>	<u>0 feet [From Sec. 3-34.(g)(3)(ii)]</u>
		<u>All other construction:</u>	<u>15 feet [From Sec. 3-34.(g)(3)(ii)]</u>
(c) Rear:	<u>From lot 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-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. 3-24.(g)(3)(i)]**

- 4120 (3) **Additional Standards:**
- 4121 (a) 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. Measurements](#) and [Sec. 3-F.H.3. Waste Storage Area](#).
- 4122
- 4123
- 4124
- 4125 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less than 25 feet in width and shall be unobstructed at all times. **[From Sec. 3-34.(g)(4)]**
- 4126
- 4127 (c) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent land within the Residential FLU categories. For all development commenced on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For developments that commence after this date, the provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall apply. **[From Sec. 3-34.(g)(8)]**
- 4128
- 4129
- 4130
- 4131

4132 **3-D-M.2.c. PO-1 Uses**

- | | |
|--|--|
| (1) <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

3-D-M.2.d. Location and Access of Uses in Residential Land Use

- 4133 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road functional classifications and intensity of site development, which is combined square footage of all*
- 4134 *buildings:*
- 4135

- | | |
|---|---|
| (1) <u>Government Office Buildings and Annex Buildings:</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

(2)	<u>Police Stations:</u>	<i>Institutional Map Series</i> [CP83]
(3)	<u>Fire Stations:</u>	<i>Institutional Map Series</i>
(4)	<u>Libraries:</u>	<i>Institutional Map Series</i>
(5)	<u>Post Offices:</u>	<i>Institutional Map Series</i>
(6)	<u>Elementary, Middle, and High Schools:</u>	<i>Institutional Map Series</i>
(7)	<u>Colleges and Universities:</u>	<i>Institutional Map Series</i>
(8)	<u>Vocational Schools and Training Centers:</u>	<i>Institutional Map Series</i>
(9)	<u>Public Owned or Operated Hospitals:</u>	<i>Institutional Map Series</i>
(10)	<u>Transit Stations:</u>	<i>Institutional Map Series</i>

4136 [From Sec. 3-34.(h)]

4137 **Sec. 3-34. PUBLIC OWNERSHIP (ZONE PO-1)**

4138 ~~(a) — Area. All land designated as Zone PO-1 is subject to the regulations of this Section. Such areas~~
 4139 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~
 4140 ~~management, or alteration of publicly owned or operated property. This district is primarily~~
 4141 ~~concerned with, although not limited to planning of public buildings and facilities. [Deleted and~~
 4142 ~~portions relocated to Sec. 3-D-M.2.a. Intent PO-1 Zoning District]~~

4143 ~~(g) — Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
 4144 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4145 ~~(3) — Side Lot Line Setbacks.~~

4146 ~~(i) — Side lot line setbacks on property which abuts residential or agricultural districts~~
 4147 ~~shall not be less than twenty five (25) feet. If said lot is a corner lot, then the side~~
 4148 ~~setback shall be the same as the front setback. (amended 2/94 – Ord. 94-03)~~

4149 ~~(ii) — Where the adjoining lot is also zoned for business, the building may be placed up~~
 4150 ~~to the side lot line, provided the building is constructed in accordance with the~~
 4151 ~~regulations of the applicable Building Code; in all other construction, the minimum~~
 4152 ~~side yard setback shall be fifteen (15) feet. (amended 2/94 – Ord. 94-03)~~

4153 **[Relocated to Sec. 3-D-M.2.b.(2)]**

4154 ~~(4) — Rear lot line setbacks shall be twenty (20) feet. If the rear yard does not abut a public street,~~
 4155 ~~then access over private property shall be provided. Access shall not be less than twenty~~
 4156 ~~five (25) feet in width, and shall be unobstructed at all times. [Relocated to Sec. 3-D-~~
 4157 ~~M.2.b.(2)]~~

4158 ~~(5) — Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
 4159 ~~amended, and shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-~~
 4160 ~~M.2.b.(2)]~~

4161 ~~(6) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
 4162 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
 4163 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
 4164 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
 4165 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
 4166 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
 4167 ~~Outstanding Florida Waters]~~

4168 ~~(7) — Where a non-residential district is adjacent to a lot line of property of a residential or~~
 4169 ~~agricultural classification, no materials, garbage containers, or refuse 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

- 4170 nearer than fifteen (15) feet to such a residential or agricultural district. Garbage or refuse
4171 shall be containerized and such containers shall be enclosed or screened so as not to be
4172 readily visible from said residential or agricultural district. **[Deleted and replaced with new**
4173 **text in Sec. 3-D-M.2.b. PO-1 Land Development Standards]**
- 4174 ~~(8) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~
4175 ~~within the residential land use categories identified in Section 20.3.8 with a ten (10) foot~~
4176 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4177 ~~planting thirty (30) feet on center. [CP84] For all development commenced on or after~~
4178 ~~January 28, 2003, the provisions of this subsection shall not apply. For developments~~
4179 ~~that commence after this date, the provisions of Article VI of the Clay County Land~~
4180 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev.~~
4181 ~~02/08/11) [Deleted and portions relocated to Sec. 3-D-M.2.b. PO-1 Land Development~~
4182 ~~Standards]~~
- 4183 ~~(h) — Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4184 ~~road functional classifications and intensity of site development, which is combined square footage~~
4185 ~~of all buildings, shall be met:~~
- 4186 ~~(1) — Government Office Buildings and Annex Buildings~~
4187 ~~Local not permitted~~
4188 ~~Minor Collector and above no limit (amended 12/2/98 — Ord. 98-65)~~
- 4189 ~~(2) — Police Stations — Institutional Map Series~~
- 4190 ~~(3) — Fire Stations — Institutional Map Series~~
- 4191 ~~(4) — Libraries — Institutional Map Series~~
- 4192 ~~(5) — Post Offices — Institutional Map Series~~
- 4193 ~~(6) — Elementary, Middle, and High Schools — Institutional Map Series~~
- 4194 ~~(7) — Colleges and Universities — Institutional Map Series~~
- 4195 ~~(8) — Vocational Schools and Training Centers — Institutional Map Series~~
- 4196 ~~(9) — Public Owned or Operated Hospitals — Institutional Map Series (Amended 6/98 — Ord. 98-~~
4197 ~~27)~~
- 4198 ~~(10) — Transit Stations — Institutional Map Series (amended 1/05 — Ord. 05-3)~~
- 4199 **[Deleted and portions relocated to Sec. 3-D-M.2.d. Location and Access of Uses in**
4200 **Residential Land Use]**

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

Part D Zoning Districts and Development Standards

4201 Sec. 3-D-M.3. Public Ownership Zoning District (PO-2)

4202 **3-D-M.3.a. Intent of PO-2 Zoning District**

4203 All land designated as PO-2 is subject to the standards of this Section. This District is primarily concerned
4204 with, although not limited to, Parks and Recreation areas. [From Sec. 3-35.(a)]

4205 **3-D-M.3.b. PO-2 Development Standards**

4206 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4207 following minimum standards:

(1)	<u>Intensity:</u>		
(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>		
(2)	<u>Minimum Lot Size:</u>		
(a)	<u>Boat ramps, playgrounds, athletic fields and courts:</u>		1 acre [From Sec. 3-35.(g)(1)]
(b)	<u>Parks, campgrounds, marinas, and golf courses:</u>		5 acres [From Sec. 3-35.(g)(1)]
(3)	<u>Minimum Setbacks¹:</u>		
(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	25 feet [From Sec. 3-26.(f)(3)]
(b)	<u>Side²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	25 feet [From Sec. 3-26.(f)(1)(i)]
		<u>From lot line when adjacent to a Commercial zoning district:</u>	0 feet ³ [From Sec. 3-26.(f)(1)(ii)]
		<u>From lot line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-26.(f)(1)(ii)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Multi-Family or Single-Family use:</u>	25 feet [From Sec. 3-26.(f)(2)]
		<u>From lot line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-26.(f)(2)]
(d)	<u>Other Structures:</u>		
	<u>i. Tennis court:</u>	<u>From all lot lines:</u>	25 feet [From Sec. 3-35.(g)(8)]

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

Part D Zoning Districts and Development Standards

<u>ii.</u>	<u>Athletic field:</u>	<u>From all lot lines:</u>	<u>50 feet [From Sec. 3-35.(g)(8)]</u>
<u>iii.</u>	<u>Playground:</u>	<u>From all lot lines:</u>	<u>50 feet [From Sec. 3-35.(g)(8)]</u>
<u>iv.</u>	<u>Campground:</u>	<u>From all lot lines:</u>	<u>100 feet [From Sec. 3-35.(g)(8)]</u>
<u>v.</u>	<u>Outdoor attraction:</u>	<u>From all lot lines:</u>	<u>150 feet [From Sec. 3-35.(g)(8)]</u>
<u>vi.</u>	<u>All other:</u>	<u>From all lot lines:</u>	<u>25 feet [From Sec. 3-35.(g)(8)]</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.
- 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.

- 4208 (4) Additional Standards:
- 4209 (a) Access. Facilities shall be accessed from a hard surfaced public road directly to the
- 4210 entrance of the facility. The minimum required frontage on a public street to be used for
- 4211 the primary point of access shall be 100 feet. [From Sec. 3-35.(g)(4) and (2)]
- 4212 (b) Visual Barrier. Proposed Non-Residential development shall be buffered from adjacent
- 4213 land within the Residential FLU categories. For all development commenced on or after
- 4214 January 28, 2003, the provisions of this Subsubsection shall not apply. For developments
- 4215 that commence after this date, the provisions of Article 6 of the Clay County Land
- 4216 Development Code (Tree Ordinance) shall apply. [From Sec. 3-35.(g)(11)]
- 4217 (c) Fencing and Screening. Refer to Sec. 6-8 Perimeter Buffers.
- 4218 (d) Performance Standards. The operation of these facilities shall conform to all rules and
- 4219 standards of all governmental agencies having appropriate jurisdiction and to the
- 4220 performance standards of this Code. [From Sec. 3-35.(g)(6)]

4221 3-D-M.3.c. PO-2 Uses

- | | | |
|------------|--|--|
| <u>(1)</u> | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| <u>(2)</u> | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| <u>(3)</u> | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

4222 3-D-M.3.d. Location and Access of Uses in Residential Land Use

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Part D Zoning Districts and Development Standards

4223 Roadway and size limitations within the Residential *FLU* categories *shall meet* the following minimum road
4224 functional classifications and intensity of site development, which is combined square footage of all
4225 buildings.

(1)	<u>Boat ramps:</u>	Local - 2,500 square feet. Minor Collector and above - no limit.
(2)	<u>Campgrounds:</u>	Local - 2,500 square feet. Minor Collector and above - no limit.
(3)	<u>Parks:</u>	Local - 2,500 square feet. Minor Collector and above - no limit.
(4)	<u>Playgrounds:</u>	Local- 2500 square feet. Minor Collector and above - no limit.
(5)	<u>Athletic Fields and Courts:</u>	Local- 2500 square feet. Minor Collector and above - no limit.
(6)	<u>Marinas:</u>	Minor Collector - not permitted Major Collector - 5,000 square feet. Minor Arterial and above - no limit.
(7)	<u>Golf Courses:</u>	Local - not permitted Minor Collector - not permitted Major Collector - 5,000 square feet. Minor Arterial and above - no limit.
(8)	<u>Fairgrounds:</u>	Institutional Map Series.[CP85]
(9)	<u>Auditoriums and Arenas:</u>	Institutional Map Series.
(10)	<u>Outdoor Attractions:</u>	Institutional Map Series.

4226 [From Sec. 3-35.(h)]

4227 **Sec. 3-35. PUBLIC OWNERSHIP (ZONE PO-2)**

4228 (a) ~~Area. All land designated as Zone PO-2 is subject to the regulations of this Section. Such areas~~
4229 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~
4230 ~~management, or alteration of publicly owned or operated property. This district is primarily~~
4231 ~~concerned with, although not limited to parks and recreation areas. [Deleted and portions~~
4232 ~~relocated to Sec. 3-D-M.3.a. Intent of PO-2 Zoning District]~~

4233 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4234 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4235 (1) ~~Minimum Lot Area.~~

4236 (i) ~~Boat ramps, playgrounds, athletic fields and courts. One (1) acre.~~

4237 (ii) ~~Parks, campgrounds, marinas, and golf courses. Five (5) acres.~~

4238 [Relocated to Sec. 3-D-M.3.b.(2)]

4239 (2) ~~Frontage. The minimum required frontage on a public street to be used for the primary~~
4240 ~~point of access shall be one hundred (100) feet. [Deleted and portions relocated to Sec.~~
4241 ~~3-D-M.3.b. PO-2 Land Development Standards]~~

4242 (3) ~~Property Development Regulations. The building height, setbacks, and total floor area shall~~
4243 ~~be in accordance with Sec. 20.3-26. [Deleted and added BB-1 standards to Sec. 3-D-~~
4244 ~~M.3.b. PO-2 Land Development Standards]~~

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

Part D Zoning Districts and Development Standards

- 4245 (4) ~~Access. Access to said facilities shall be from a hard surfaced public road directly to the~~
4246 ~~entrance of the facility. [Deleted and portions relocated to Sec. 3-D-M.3.b. PO-2 Land~~
4247 ~~Development Standards]~~
- 4248 (5) ~~Lighting[CP86]. Lighting to illuminate buildings, area, or advertisement shall be so~~
4249 ~~designed so as to shine only on the subject use and directed away from public street.~~
4250 ~~[Deleted]~~
- 4251 (6) ~~Performance Standards. The operation of these facilities shall conform to all rules and~~
4252 ~~regulations of all governmental agencies having appropriate jurisdiction and to the~~
4253 ~~performance standards of this Ordinance. [Deleted and portions relocated to Sec. 3-D-~~
4254 ~~M.3.b. PO-2 Land Development Standards]~~
- 4255 (7) ~~Fencing and Screening.[CP87] Where deemed necessary by the Board of County~~
4256 ~~Commission to protect the general public, safety fences up to a height of ten (10) feet may~~
4257 ~~be required. The Commission may also require a landscape screen of at least seventy-five~~
4258 ~~(75) percent opaqueness to protect neighboring property from potential loss of use or~~
4259 ~~diminishment of land value or use. [Deleted]~~
- 4260 (8) ~~Setbacks. No structures or facilities shall be located closer to the property line than as~~
4261 ~~follows:~~
- 4262 (i) ~~Tennis Courts 25 feet~~
- 4263 (ii) ~~Athletic Fields 50 feet~~
- 4264 (iii) ~~Playgrounds 50 feet~~
- 4265 (iv) ~~Campgrounds 100 feet~~
- 4266 (v) ~~Outdoor Attraction 150 feet~~
- 4267 (vi) ~~Other Structures 25 feet~~
- 4268 ~~[Relocated to Sec. 3-D-M.3.b.(3)]~~
- 4269 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4270 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4271 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4272 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4273 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4274 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4275 ~~Outstanding Florida Waters]~~
- 4276 (11) ~~Visual Barrier. Proposed non-residential development shall be buffered from adjacent land~~
4277 ~~within the residential land use categories identified in Section 20.3.8 with a ten (10) foot~~
4278 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4279 ~~planting thirty (30) feet on center. [CP88] For all development commenced on or after~~
4280 ~~January 28, 2003, the provisions of this subsection shall not apply. For developments~~
4281 ~~that commence after this date, the provisions of Article VI of the Clay County Land~~
4282 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev.~~
4283 ~~02/08/14) [Deleted and portions relocated to Sec. 3-D-M.3.b. PO-2 Land Development~~
4284 ~~Standards]~~
- 4285 (h) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4286 ~~road functional classifications and intensity of site development, which is combined square footage~~
4287 ~~of all buildings, shall be met.~~
- 4288 (1) ~~Boatramps~~
- 4289 ~~Local 2,500 square feet.~~
- 4290 ~~Minor Collector and above no limit.~~
- 4291 (2) ~~Campgrounds~~

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

Part D Zoning Districts and Development Standards

- 4292 *Local – 2,500 square feet.*
 4293 *Minor Collector and above – no limit.*
 4294 (3) ~~— Parks~~
 4295 *Local – 2,500 square feet.*
 4296 *Minor Collector and above – no limit.*
 4297 (4) ~~— Playgrounds~~
 4298 *Local – 2500 square feet.*
 4299 *Minor Collector and above – no limit.*
 4300 (5) ~~— Athletic Fields and Courts~~
 4301 *Local – 2500 square feet.*
 4302 *Minor Collector and above – no limit.*
 4303 (6) ~~— Marinas~~
 4304 *Local – not permitted*
 4305 *Minor Collector – not permitted*
 4306 *Major Collector – 5,000 square feet.*
 4307 *Minor Arterial and above – no limit.*
 4308 (7) ~~— Golf Courses~~
 4309 *Local – not permitted*
 4310 *Minor Collector – not permitted*
 4311 *Major Collector – 5,000 square feet.*
 4312 *Minor Arterial and above – no limit.*
 4313 (8) ~~— Fairgrounds – Institutional Map Series.~~
 4314 (9) ~~— Auditoriums and Arenas – Institutional Map Series.~~
 4315 (10) ~~— Outdoor Attractions – Institutional Map Series.~~
 4316 (11) ~~— Amphitheaters – Institutional Map Series. (Amended 6/98 – Ord. 98-27)~~
 4317 **[Deleted and portions relocated to Sec. 3-D-M.3.d. Location and Access of Uses in**
 4318 **Residential Land Use]**

4319 Sec. 3-D-M.4. Public Ownership Zoning District (PO-3)

4320 3-D-M.4.a. Intent of PO-3 Zoning District

4321 All land designated as PO-3 is subject to the standards of this Section. This District is primarily concerned
 4322 with, although not limited to, capital improvements of a distinctly significant nature. **[From Sec. 3-36.(a)]**

4323 3-D-M.4.b. PO-3 Land Development Standards

4324 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 4325 following minimum standards:

(1)	<u>Intensity:</u>		
	(a)	Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table	
(2)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>
			25 feet [From Sec. 3-36.(e)(3)]

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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 ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-36.(e)(1)(i)]</u>
		<u>From lot line when adjacent to a Business zoning district:</u>	<u>0 feet³ [From Sec. 3-36.(e)(1)(ii)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>15 feet</u>
<u>(c)</u>	<u>Rear:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>20 feet [From Sec. 3-36.(e)(2)]</u>

Footnotes:

<u>1</u>	<u>Refer to Sec. 3-D-A.3.a.(1) Aquatic Preserves or Outstanding Florida Waters.</u>
<u>2</u>	<i>If it is a corner lot, then the side lot line setback shall be the same as the front lot line setback. [From Sec. 3-36.(e)(1)(i)]</i>
<u>3</u>	<i>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; in all other construction, the minimum side setback shall be 15 feet. [From Sec. 3-36.(e)(1)(ii)]</i>

- 4326 (3) Additional Standards:
- 4327 (a) 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. Measurements and Sec. 3-F.H.3. Waste Storage Area. [From Sec. 3-36.(e)(5)]*
- 4328
- 4329
- 4330
- 4331
- 4332 (b) Rear Access. *If the rear yard does not abut a public street, then access over private property shall be provided. Access shall not be less than 25 feet in width and shall be unobstructed at all times. [From Sec. 3-36.(e)(2)]*
- 4333
- 4334
- 4335 (c) Visual Barrier. *Proposed Non-Residential development shall be buffered from adjacent land within the Residential FLU categories. For all development commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For developments that commence after this date, the provisions of Article 6 of the Clay County Land Development Code (the Tree Protection and Landscaping Standards) will apply. [From Sec. 3-36.(e)(7)]*
- 4336
- 4337
- 4338
- 4339
- 4340
- 4341 (d) Performance Standards. *The development and operation of military installations, public airports, and heliports shall conform to all rules and standards of all governmental agencies having appropriate jurisdiction and to the performance standards of this Article. [CP89][From Sec. 3-36.(e)(6)]*
- 4342
- 4343
- 4344

3-D-M.4.c. PO-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>Special Exception:</u>	<u>Sec. E-X-X</u>

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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:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

4346 **Sec. 3-36. PUBLIC OWNERSHIP (ZONE PO-3)**

- 4347 ~~(a) Area. All land designated as Zone PO-3 is subject to the regulations of this Section. Such areas~~
4348 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~
4349 ~~management, or alteration of publicly owned or operated property. This district is primarily~~
4350 ~~concerned with, although not limited to, capital improvements of a distinctly significant nature.~~
4351 **[Deleted and portions relocated to Sec. 3-D-M.4.a. Intent of PO-3 Zoning District]**
- 4352 ~~(e) Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4353 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
- 4354 ~~(1) Side Lot Line Setbacks.~~
- 4355 ~~(i) Side lot line setbacks on property which abuts residential or agricultural districts~~
4356 ~~shall be not less than twenty five (25) feet. If said lot is a corner lot, then the side~~
4357 ~~setback shall be the same as the front setback. [Relocated to Sec. 3-D-M.4.b.(2)]~~
- 4358 ~~(ii) Where the adjoining lot is zoned for business, the building may be placed up to the~~
4359 ~~side lot line, providing the building is constructed with four (4) hour party walls as~~
4360 ~~defined by the applicable Building Code; in all other construction, the minimum~~
4361 ~~side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-M.4.b. Footnote 3]~~
- 4362 ~~(2) Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-M.4.b.(2)] If the~~
4363 ~~rear yard does not abut a public street, then access over private property shall be provided.~~
4364 ~~Access shall not be less than twenty five (25) feet in width, and shall be unobstructed at all~~
4365 ~~times. [Relocated to Sec. 3-D-M.4.b.(3)]~~
- 4366 ~~(3) Front lot line setbacks shall comply with Section 19, Subsection 4, Ordinance 82-45, as~~
4367 ~~amended, and shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-~~
4368 ~~M.4.b.(2)]~~
- 4369 ~~(4) All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4370 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4371 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4372 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4373 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4374 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1). Aquatic Preserves or~~
4375 ~~Outstanding Florida Waters]~~
- 4376 ~~(5) Where a non residential district is adjacent to a lot line of property of a residential or~~
4377 ~~agricultural classification, no materials, garbage containers, or refuse shall be allowed~~
4378 ~~nearer than fifteen (15) feet to such a residential or agricultural district. Garbage or refuse~~
4379 ~~shall be containerized and such containers shall be enclosed or screened so as not to be~~
4380 ~~readily visible from said residential or agricultural district. [Deleted and portions relocated~~
4381 ~~to Sec. 3-D-M.4.b. PO-3 Land Development Standards]~~
- 4382 ~~(6) The development and operation of military installations, public airports, and heliports shall~~
4383 ~~conform to all rules and regulations of all governmental agencies having appropriate~~
4384 ~~jurisdiction and to the performance standards of this Article. [Deleted and portions~~
4385 ~~relocated to Sec. 3-D-M.4.b. PO-3 Land Development Standards]~~
- 4386 ~~(7) Visual Barrier: Proposed non residential development shall be buffered from adjacent land~~
4387 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~

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

Part D Zoning Districts and Development Standards

4388 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4389 ~~planting thirty (30) feet on center.~~ [CP90] ~~For all development commenced on or after~~
4390 ~~January 28, 2003, the provisions of this subsection shall not apply. For developments~~
4391 ~~that commence after this date, the provisions of Article VI of the Clay County Land~~
4392 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev.~~
4393 ~~02/08/11) [Deleted and portions relocated to Sec. 3-D-M.4.b. PO-3 Land Development~~
4394 ~~Standards]~~

4395 Sec. 3-D-M.5. Public Ownership Zoning District (PO-4)

4396 3-D-M.5.a. Intent of PO-4 Zoning District

4397 All land designated as PO-4 is subject to the standards of this Section. This District is primarily concerned
4398 with, although not limited to, coordination with other public agencies in their future land planning effort.
4399 [From Sec. 3-37.(a)]

4400 3-D-M.5.b. PO-4 Development Standards

4401 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4402 following minimum standards:

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Lot Dimensions:

(a) Lot Size: Working Text [CP91]

(b) Lot Width: Working Text

(3) Minimum Setbacks¹:

(a) Front: Working Text

(b) Side: Working Text

(c) Rear: Working Text

Footnote:

1 [Refer to Sec. 3-D-A.3.a.\(1\) Aquatic Preserves or Outstanding Florida Waters.](#)

4403 3-D-M.5.c. PO-4 Uses

(1) Permitted and Conditional uses: [Refer to Part E Use Types and Standards](#)

(2) Special Exception: [Sec. E-X-X](#)

(3) Accessory: [Refer to Sec. 3-E-I. Accessory Uses](#)

[Refer to Sec. 3-E-J. Temporary Uses](#)

[Refer to Sec. 3-F-H. Accessory Structures](#)

4404 3-D-M.5.d. Location and Access of Uses in Residential Land Use

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

Part D Zoning Districts and Development Standards

4405 *Roadway and size limitations within the Residential FLU categories, the following minimum road functional*
 4406 *classifications and intensity of site development, which is combined square footage of all buildings, shall*
 4407 *be met.*

(1)	<i>Transfer Stations:</i>	<i>Institutional Map Series</i> [CP92]
(2)	<i>Recycling Centers:</i>	<i>Institutional Map Series.</i>
(3)	<i>Sanitary Landfill:</i>	<i>Institutional Map Series.</i>
(4)	<i>Correctional Facilities:</i>	<i>Institutional Map Series</i>

4408 **[From Sec. 3-37.(g)]**

4409 **Sec. 3-37. PUBLIC OWNERSHIP (ZONE PO-4)**

4410 ~~(a) — Area. All land designated as Zone PO-4 is subject to the regulations of this Section. Such areas~~
 4411 ~~are established to provide a coordinated land planning approach to the sale, rent, lease, purchase,~~
 4412 ~~management, or alteration of publicly owned or operated property. This district is primarily~~
 4413 ~~concerned with, although not limited to coordination with other public agencies in their future land~~
 4414 ~~planning effort. **[Deleted and portions relocated to Sec. 3-D-M.5.a. Intent of PO-4 Zoning**~~
 4415 ~~**District]**~~

4416 ~~(g) — Roadway and size limitations within the Residential Land Use Categories the following minimum~~
 4417 ~~road functional classifications and intensity of site development, which is combined square footage~~
 4418 ~~of all buildings, shall be met.~~

4419 ~~(1) — Transfer Stations — Institutional Map Series~~

4420 ~~(2) — Recycling Centers — Institutional Map Series~~

4421 ~~(3) — Sanitary Landfill — Institutional Map Series~~

4422 ~~(4) — Correctional Facilities — Institutional Map Series (Amended 6/98 — Ord. 98-27)~~

4423 **[Deleted and portions relocated to Sec. 3-D-M.5.d. Location and Access of Uses in**
 4424 **Residential Land Use]**

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

Part D Zoning Districts and Development Standards

4425 DIVISION N PRIVATE SERVICES ZONING DISTRICTS

4426 Sec. 3-D-N.1. Intent of Private Services (PS) Zoning Districts

4427 The Private Services zoning districts provide areas suitable to encourage and provide a coordinated land
 4428 planning approach to the sale, rent, lease, purchase, management, or alteration of private owned or
 4429 operated lands for the purposes of the private sector to provide non-profit and/or social services.

4430 The following zoning districts fall within the Private Services classification system based on their level of
 4431 services on privately owned or operated properties, including buildings, facilities, and yards.

<u>Classification System</u>	<u>Zoning District</u>
	<u>Private Services (PS-1)</u>
	<u>Private Services (PS-2)</u>
<u>Private Services</u>	<u>Private Services (PS-3)</u>
	<u>Private Services (PS-4)</u>
	<u>Private Services (PS-5)</u>

4432 Sec. 3-D-N.2. Private Services Zoning District (PS-1)

4433 **3-D-N.2.a. Intent of PS-1 Zoning District**

4434 *All land described as PS-1 is subject to the standards of this Section. Such areas are established to provide*
 4435 *adequate land for the private sector providing religious services and educational facilities. [From Sec. 3-*
 4436 *38.(a)]*

4437 **3-D-N.2.b. PS-1 Development Standards**

4438 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 4439 *following minimum standards: [Relocated from Sec. 3-38.(f)]*

<u>(1) Intensity:</u>			
<u>(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>			
<u>(2) Minimum Setbacks¹:</u>			
<u>(a)</u>	<u>Front:</u>	<u>From lot line when adjacent to any zoning district:</u>	<u>25 feet [From Sec. 3-38.(f)(3)]</u>
<u>(b)</u>	<u>Side²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-38.(f)(1)]</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 lot line when adjacent to Business^[CP93] 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 lot 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>
(c) Rear:	<u>From lot line when adjacent to any zoning district:</u>		<u>20 feet [From Sec. 3-38.(f)(2)]</u>
(3) Maximum Height:		<u>2 stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Florida Building Code</u>	<u>[From Sec. 3-38.(f)(6)]</u>
(a) Building:			

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. 3-38.(f)(1)]*

- 4440 (4) Additional Standards:
- 4441 (a) 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. Measurements and Sec. 3-F.H.3. Waste Storage Area. [From Sec. 3-38.(f)(5)]
- 4442
- 4443 (b) 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. 3-38.(f)(2)]
- 4444
- 4445 (c) Visual Barrier. [CP94] Proposed Non-Residential development shall be buffered from adjacent land within the Residential land use categories with a 10-foot landscaped area, minimum 6-foot-high opaque barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For developments that commence after this date, the provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall apply. [From Sec. 3-38.(f)(8)]
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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

Part D Zoning Districts and Development Standards

4454 (d) Lighting. Artificial lighting used to illuminate the premises and/or advertising copy shall be
4455 directed away from adjacent Residential or Agricultural districts. [From Sec. 3-38.(g)]

4456 3-D-N.2.c. PS-1 Uses

(1) Permitted and Conditional uses: Refer to Part E Use Types and Standards

(2) Special Exception: Sec. E-X-X

(3) Accessory: Refer to Sec. 3-E-I. Accessory Uses

Refer to Sec. 3-E-J. Temporary Uses

Refer to Sec. 3-F-H. Accessory Structures

4457 3-D-N.2.d. Location and Access of Uses in Residential Land Use

4458 Roadway and size limitations within the Residential FLU categories shall meet the following minimum road
4459 functional classifications and intensity of site development, which is combined square footage of all
4460 buildings:

(1)	Churches, Synagogues and Temples; together with educational, daycare and recreational facilities:	Local and above - no limit
(2)	Preschools:	Local - not permitted. Minor Collector - 3,500 square feet Major Collector and above - no limit
(3)	Private Schools:	Local - not permitted Minor Collector - 3,500 square feet Major Collector and above - no limit
(4)	Daycares:	Local - not permitted. Minor Collector - 3,500 square feet Major Collector and above - no limit
(5)	Seminaries:	Local - not permitted Minor Collector - not permitted Major Collector - 20,000 square feet Minor Arterial and above - no limit

4461 [From Sec. 3-38.(h)]

4462 Sec. 3-38. PRIVATE SERVICES (ZONE PS-1)

4463 (a) ~~Area. All land described as Zone PS-1 is subject to the regulations of this Section. Such areas are~~
4464 ~~established to provide adequate land for the private sector providing religious services and~~
4465 ~~educational facilities. A site plan conforming to the requirements of Section 6, Part 12, Ordinance~~
4466 ~~82-45, as amended, is required and shall be submitted to the Planning and Zoning Department for~~
4467 ~~administrative review and approval prior to obtaining a building permit. [Deleted and portions~~
4468 ~~relocated to Sec. 3-D-N.2.a. Intent PS-1 Zoning District]~~

4469 (f) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4470 ~~be located so as to comply with the following minimum requirements.~~

4471 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~
4472 ~~less than twenty five (25) feet. [Relocated to Sec. 3-D-N.2.b.(2)] If said lot is a corner lot,~~
4473 ~~the setback shall be the same as for a front lot line. [Relocated to Sec. 3-D-N.2.b.~~
4474 ~~Footnote 2] Where the adjoining lot is also zoned for business, the building may be placed~~

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

Part D Zoning Districts and Development Standards

- 4475 ~~up to the side lot line, providing the building is constructed in accordance with the~~
4476 ~~regulations of the applicable Building Codes; [Relocated to Sec. 3-D-N.2.b.(2)] where the~~
4477 ~~adjoining lot is an agricultural district that is used for business purposes, accessory~~
4478 ~~structures not exceeding 50% coverage of the side yard area, coverage being calculated~~
4479 ~~as the total area under roof, may be placed within five (5) feet of the side lot line, providing~~
4480 ~~the structures are constructed in accordance with the regulations of the applicable Building~~
4481 ~~Codes; in all other construction, the minimum side setback shall be fifteen (15) feet.~~
4482 ~~[Relocated to Sec. 3-D-N.2.b.(2)]~~
- (2) ~~Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-N.2.b.(2)]~~
4484 ~~Access shall be not less than twenty (20) feet in width and shall be unobstructed at all~~
4485 ~~times. [Deleted and portions relocated to Sec. 3-D-N.2.b. PS-1 Land Development~~
4486 ~~Standards]~~
- (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~
4488 ~~shall in no case be less than twenty-five (25) feet. [Relocated to Sec. 3-D-N.2.b.(2)]~~
- (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4489 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4490 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4491 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4492 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4493 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4494 ~~Outstanding Florida Waters]~~
- (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~
4496 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~
4497 ~~containers shall be enclosed or screened so as not to be readily visible from offsite.~~
4498 ~~[Deleted and rephrased in Sec. 3-D-N.2.b. PS-1 Land Development Standards]~~
- (6) ~~Height and Size Limitations.~~
- (i) ~~No structure shall exceed two stories or thirty-five (35) feet, whichever is more~~
4501 ~~restrictive, unless of fire resistance construction as specified by the applicable~~
4502 ~~Building Code.~~
- (ii) ~~Parking requirements shall comply with this chapter.~~
4504 ~~[Relocated to Sec. 3-D-N.2.b.(2)]~~
- (7) ~~Special Requirements. A six foot high solid fence or wall shall surround the play area of~~
4506 ~~preschool and day care centers. (Chain link, wood, brick for the purpose of retaining~~
4507 ~~children; shrubbery is not permitted as a substitute for a fence.) [Relocated to Sec. 3-E-~~
4508 ~~G.9.b.(2)(b)(iii)]~~
- (8) ~~Visual Barrier. Proposed non residential development shall be buffered from adjacent land~~
4510 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~
4511 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4512 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~
4513 ~~2003, the provisions of this subsection shall not apply. For developments that~~
4514 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~
4515 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
4516 ~~[Deleted and portions relocated to Sec. 3-D-N.2.b. PS-1 Land Development~~
4517 ~~Standards]~~
- (g) ~~Lighting. Artificial lighting used to illuminate the premises and/or advertising copy shall be directed~~
4519 ~~away from adjacent residential or agricultural districts. [Deleted and portions relocated to Sec.~~
4520 ~~3-D-N.2.b. PS-1 Land Development Standards]~~
- 4521

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

Part D Zoning Districts and Development Standards

- 4522 (h) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4523 ~~road functional classifications and intensity of site development, which is combined square footage~~
4524 ~~of all buildings, shall be met.~~
4525 (1) ~~Churches, Synagogues and Temples; together with educational, daycare and recreational~~
4526 ~~facilities.~~
4527 ~~Local and above no limit~~
4528 (2) ~~Preschools~~
4529 ~~Local not permitted.~~
4530 ~~Minor Collector 3,500 square feet.~~
4531 ~~Major Collector and above no limit.~~
4532 (3) ~~Private Schools~~
4533 ~~Local not permitted.~~
4534 ~~Minor Collector 3,500 square feet.~~
4535 ~~Major Collector and above no limit.~~
4536 (4) ~~Daycares~~
4537 ~~Local not permitted.~~
4538 ~~Minor Collector 3,500 square feet.~~
4539 ~~Major Collector and above no limit.~~
4540 (5) ~~Seminaries~~
4541 ~~Local not permitted.~~
4542 ~~Minor Collector not permitted.~~
4543 ~~Major Collector 20,000 square feet.~~
4544 ~~Minor Arterial and above no limit. (Amended 6/98 Ord. 98-27)~~
4545 [Deleted and portions relocated to Sec. 3-D-N.2.d. Location and Access of Uses in Residential Land
4546 Use]

4547 Sec. 3-D-N.3. Private Services Zoning District (PS-2)

4548 3-D-N.3.a. Intent of PS-2 Zoning District

4549 All land described as PS-2 is subject to the standards of this Section. Such areas are established to provide
4550 adequate land for the private sector providing social services and non-profit retreat facilities in open space
4551 areas with an emphasis on the enjoyment and preservation of the natural environmental amenities of the
4552 land. [From Sec. 3-39.(a)]

4553 3-D-N.3.b. PS-2 Development Standards

4554 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4555 following minimum standards: [Relocated from Sec. 3-39.(g)]

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Setbacks¹:

(a) <u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	25 feet [From Sec. 3-39.(g)(3)]
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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

Part D Zoning Districts and Development Standards

(b)	<u>Side</u> ² :	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>20 feet [From Sec. 3-39.(g)(1)]</u>
		<u>From lot line when adjacent to a Commercial zoning district:</u>	<u>0 feet³ [From Sec. 3-39.(g)(1)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-39.(g)(1)]</u>
(c)	<u>Rear</u> :	<u>From lot line when adjacent to all zoning districts:</u>	<u>20 feet [From Sec. 3-39.(g)(2)]</u>
(3)	<u>Maximum Height</u> :		
(a)	<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. 3-39.(g)(7)]</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.
- 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. 3-39.(g)(1)]

- 4556 (4) Additional Standards:
- 4557 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 4558 adjacent to a lot with a Residential or an Agricultural zoning district, garbage containers, or
- 4559 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
- 4560 Measurements and Sec. 3-F.H.3. Waste Storage Area. [From Sec. 3-39.(g)(6)]
- 4561 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 4562 than 20 feet in width and shall be unobstructed at all times. [From Sec. 3-39.(g)(2)]
- 4563 (c) Visual Barrier. [CP95]Proposed Non-Residential development shall be buffered from
- 4564 adjacent land within the Residential FLU categories identified in Section 20.3-8 with a 10-
- 4565 foot landscaped area, minimum 6-foot-high opaque barrier (fence or vegetation) and tree
- 4566 planting 30 feet on center. For all development commenced on or after January 28, 2003,
- 4567 the provisions of this Subsubsection shall not apply. For developments that commence
- 4568 after this date, the provisions of Article 6 of the Clay County Land Development Code (Tree
- 4569 Ordinance) shall apply. [From Sec. 3-39.(g)(8)]
- 4570 (d) Exemption. The provisions of Sec. 3-D-N.3.b.(2) shall not apply to the existing development
- 4571 on parcels numbered 42-04-25-008814-002-01, 42-04-25-008814-226-00 or 42-04-25-
- 4572 008814-225-00. For these parcels, the side lot line setback which abuts a Residential
- 4573 district shall not be less than 5 feet. [From Sec. 3-39.(g)(9)]

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

Part D Zoning Districts and Development Standards

4574 **3-D-N.3.c. PS-2 Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

4575 **3-D-N.3.d. Location and Access of Uses in Residential Land Use**

4576 *Roadway and size limitations within the Residential FLU categories shall meet the following minimum road*
 4577 *functional classifications and intensity of site development, which is combined square footage of all*
 4578 *buildings.*

(1)	<u>Clubs and Lodges:</u>	<u>Local - not permitted.</u> <u>Minor Collector and above - no limit.</u>
(2)	<u>Golf Courses- with or without driving ranges:</u>	<u>Local- not permitted.</u> <u>Minor Collector- 5,000 square feet.</u> <u>Major Collector and above- no limit.</u>
(3)	<u>Campgrounds/Recreational Parks:</u>	<u>Local – not allowed.</u> <u>Residential and Minor Collector – 50,000</u> <u>Major Collector and above – no limit.</u>
(4)	<u>Private Passive Parks:</u>	<u>Local- 2,500 square feet.</u> <u>Minor Collector and above- no limit.</u>
(5)	<u>Public and Private Water, Sewer, or Electric Facilities:</u>	<u>Local- 5,000 square feet.</u> <u>Minor Collector and above- no limit.</u> <u>Local- not permitted.</u>
(6)	<u>Outdoor Shooting Range - Shotguns only:</u>	<u>Minor Collector- 3,500 square feet.</u> <u>Major Collector and above- no limit.</u> <u>Local- not permitted.</u>
(7)	<u>Retreat Center:</u>	<u>Minor Collector- 5,000 square feet.</u> <u>Major Collector and above- no limit.</u> <u>Local- not permitted.</u>
(8)	<u>Recreational Facilities:</u>	<u>Minor Collector- 5,000 square feet.</u> <u>Major Collector and above- no limit.</u> <u>Local – 2,500 square feet.</u>
(9)	<u>Dog Park:</u>	<u>Minor Collector and above - no limit.</u>
(10)	<u>Youth Camps:</u>	<u>Local and above – no limit.</u>

4579 **[From Sec. 3-39.(i)]**

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

Part D Zoning Districts and Development Standards

4580 **Sec. 3-39. PRIVATE SERVICES (ZONE PS-2)**

4581 (a) ~~Area. All land described as Zone PS-2 is subject to the regulations of this Section. Such areas are~~
4582 ~~established to provide adequate land for the private sector providing social services and non-profit~~
4583 ~~retreat facilities in open space areas with an emphasis on the enjoyment and preservation of the~~
4584 ~~natural environmental amenities of the land. A site plan conforming to the requirements of Section~~
4585 ~~27, Ordinance 82-45, as amended, is required and shall be submitted to the Planning and Zoning~~
4586 ~~Department for administrative review and approval prior to obtaining a building permit. [Deleted~~
4587 ~~and portions relocated to Sec. 3-D-N.3.a. Intent of PS-2 Zoning District]~~

4588 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4589 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4590 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~
4591 ~~less than twenty (20) feet. Where the adjoining lot is also zoned for business, the building~~
4592 ~~may be placed up to the side lot line, providing the building is constructed with four (4) hour~~
4593 ~~party walls as defined by the applicable Building Code; in all other construction, the~~
4594 ~~minimum side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-N.3.b.(2)]~~

4595 (2) ~~Rear lot line setbacks shall be twenty (20) feet. [Relocated to Sec. 3-D-N.3.b.(2)] Access~~
4596 ~~shall be not less than twenty (20) feet in width and shall be unobstructed at all times.~~
4597 ~~[Relocated to Sec. 3-D-N.3.b.(3)]~~

4598 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~
4599 ~~shall be twenty five (25) feet. [Relocated to Sec. 3-D-N.3.b.(2)]~~

4600 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4601 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4602 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4603 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4604 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4605 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4606 ~~Outstanding Florida Waters]~~

4607 (5) ~~Corner lots. No structure erected on a corner lot shall be closer than thirty (30) feet to any~~
4608 ~~road. [Deleted][CP96]~~

4609 (6) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~
4610 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~
4611 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~
4612 ~~[Relocated to Sec. 3-D-N.3.b.(3)]~~

4613 (7) ~~Height and Size Limitations.~~

4614 (i) ~~No structure shall exceed two stories or thirty five (35) feet, whichever is more~~
4615 ~~restrictive, unless of fire resistance construction as specified by the applicable~~
4616 ~~Building Code.~~

4617 (ii) ~~Parking requirements shall comply with this chapter.~~
4618 ~~[Relocated to Sec. 3-D-N.3.b.(3)]~~

4619 (8) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~
4620 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~
4621 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4622 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~
4623 ~~2003, the provisions of this subsection shall not apply. For developments that~~
4624 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~
4625 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~

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

Part D Zoning Districts and Development Standards

- 4626 [Deleted and portions relocated to Sec. 3-D-N.3.b. PS-2 Land Development
4627 Standards]
4628 (9) ~~The provisions of Section 3-39(g)(1) and (g)(8) shall not apply to the existing development~~
4629 ~~on parcels numbered 42-04-25-008814-002-01, 42-04-25-008814-226-00 or 42-04-25-~~
4630 ~~008814-225-00. For these parcels, the side line setback which abuts a residential district~~
4631 ~~shall not be less than five (5) feet. (Rev. 02/08/11) [Relocated to Sec. 3-D-N.3.b.(4)]~~
4632 (i) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4633 ~~road functional classifications and intensity of site development, which is combined square feet of~~
4634 ~~all buildings, shall be met.~~
4635 (1) ~~Clubs and Lodges~~
4636 ~~Local not permitted~~
4637 ~~Minor Collector and above no limit (amended 12/2/98 Ord. 98-65)~~
4638 (2) ~~Golf Courses with or without driving ranges.~~
4639 ~~Local not permitted.~~
4640 ~~Minor Collector 5,000 square feet.~~
4641 ~~Major Collector and above no limit.~~
4642 (3) ~~Campgrounds/Recreational Parks~~
4643 ~~Local not allowed~~
4644 ~~Residential and Minor Collector 50,000~~
4645 ~~Major Collector and above no limit (Amended 8/04 Ord. 04-55)~~
4646 (4) ~~Private Passive Parks~~
4647 ~~Local 2,500 square feet.~~
4648 ~~Minor Collector and above no limit.~~
4649 (5) ~~Public and Private Water, Sewer, or Electric Facilities~~
4650 ~~Local 5,000 square feet.~~
4651 ~~Minor Collector and above no limit.~~
4652 (6) ~~Outdoor Shooting Range Shotguns only~~
4653 ~~Local not permitted.~~
4654 ~~Minor Collector 3,500 square feet.~~
4655 ~~Major Collector and above no limit.~~
4656 (7) ~~Retreat Center~~
4657 ~~Local not permitted.~~
4658 ~~Minor Collector 5,000 square feet.~~
4659 ~~Major Collector and above no limit.~~
4660 (8) ~~Recreational Facilities~~
4661 ~~Local not permitted.~~
4662 ~~Minor Collector 5,000 square feet.~~
4663 ~~Major Collector and above no limit. (Amended 6/98 Ord. 98-27)~~
4664 (9) ~~Dog Park~~
4665 ~~Local 2,500 square feet.~~
4666 ~~Minor Collector and above no limit (Ord. 03-16)~~
4667 (10) ~~Youth Camps~~
4668 ~~Local and above no limit (Amended 8/04 Ord. 04-55)~~
4669 [Deleted and portions relocated to Sec. 3-D-N.3.d. Location and Access of Uses in
4670 Residential Land Use]

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

Part D Zoning Districts and Development Standards

4671 Sec. 3-D-N.4. Private Services Zoning District (PS-3)

4672 3-D-N.4.a. Intent of PS-3 Zoning District

4673 All land described as PS-3 is subject to the standards of this Section. Such areas are established to provide
 4674 adequate land for the private sector providing health care services. [From Sec. 3-40.(a)]

4675 3-D-N.4.b. PS-3 Development Standards

(1) Intensity:

(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table

(2) Minimum Setbacks¹:

(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-40.(g)(3)]</u>
(b)	<u>Side ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-40.(g)(1)]</u>
		<u>From lot line when adjacent to a Business zoning district:</u>	<u>0 feet³ [From Sec. 3-40.(g)(1)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>15 feet [From Sec. 3-40.(g)(1)]</u>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Residential use or zoning district:</u>	<u>25 feet [From Sec. 3-40.(g)(2)]</u>
		<u>From lot line when adjacent to all other zoning districts:</u>	<u>20 feet [From Sec. 3-40.(g)(2)]</u>

(3) Maximum Height:

(a) Building: 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)]

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. 3-40.(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 lot line, providing the building is constructed in accordance with the standards of the applicable Building Code. **[From Sec. 3-40.(g)(1)]**

- 4676 (4) Additional Standards:
 4677 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
 4678 adjacent to a lot with a Residential or an Agricultural zoning district, garbage containers, or
 4679 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6.
 4680 Measurements and Sec. 3-F.H.3. Waste Storage Area. **[From Sec. 3-40.(g)(5)]**
 4681 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
 4682 than 20 feet in width and shall be unobstructed at all times. **[From Sec. 3-39.(g)(2)]**
 4683 (c) Visual Barrier. [CP97] Proposed Non-Residential development shall be buffered from
 4684 adjacent land within the Residential FLU categories with a 10-foot landscaped area,
 4685 minimum 6-foot-high opaque barrier (fence or vegetation) and tree planting 30 feet on
 4686 center. For all development commenced on or after January 28, 2003, the provisions of
 4687 this subsection shall not apply. For developments that commence after this date, the
 4688 provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall
 4689 apply. **[From Sec. 3-40.(g)(7)]**

3-D-N.4.c. PS-3 Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
 (2) Special Exception: Sec. E-X-X
 (3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
 Refer to Sec. 3-E-J. Temporary Uses
 Refer to Sec. 3-F-H. Accessory Structures

3-D-N.4.d. Location and Access of Uses in Residential Land Use

4692 Roadway and size limitations within the Residential FLU categories shall meet the following minimum road
 4693 functional classifications and intensity of site development, which is combined square footage of all
 4694 buildings.

(1)	<u>Hospitals and Related Adjacent Offices and Medical Facilities:</u>	<u>Institutional Map Series</u> [CP98] <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> <i>Minor Collector - not permitted.</i>
(3)	<u>Nursing Facility 2:</u>	<i>Major Collector - not permitted.</i> <i>Minor Arterial - 50,000 square feet.</i> <i>Major Arterial and above- no limit.</i> <i>Local - not permitted.</i>
(4)	<u>Animal Hospital or Veterinary Clinic:</u>	<i>Minor Collector - 5,000 square feet.</i> <i>Major Collector 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

4695 [From Sec. 3-40.(i)]

4696 **Sec. 3-40. PRIVATE SERVICES (ZONE PS-3)**

- 4697 (a) ~~Area. All land described as Zone PS-3 is subject to the regulations of this Section. Such areas are~~
4698 ~~established to provide adequate land for the private sector providing health care services. A site~~
4699 ~~plan conforming to the requirements of this chapter is required and shall be submitted to the~~
4700 ~~Planning and Zoning Department for administrative review and approval prior to obtaining a building~~
4701 ~~permit. [Deleted and portions relocated to Sec. 3-D-N.4.a. Intent of PS-3 Zoning District]~~
4702 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4703 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
4704 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~
4705 ~~less than twenty-five (25) feet. If said lot is a corner lot, then setbacks shall be the same~~
4706 ~~as for front yards. Where the adjoining lot is also zoned for business, the building may be~~
4707 ~~placed up to the side lot line, providing the building is constructed with four (4) hour party~~
4708 ~~walls as defined by the applicable Building Code; in all other construction, the minimum~~
4709 ~~side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-N.4.b.(2)]~~
4710 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet if adjacent to a~~
4711 ~~residence. Access shall be not less than twenty (20) feet in width and shall be unobstructed~~
4712 ~~at all times. [Relocated to Sec. 3-D-N.4.b.(4)]~~
4713 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~
4714 ~~shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-N.4.b.(2)]~~
4715 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4716 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4717 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4718 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4719 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4720 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4721 ~~Outstanding Florida Waters]~~
4722 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~
4723 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~
4724 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~
4725 ~~[Relocated to Sec. 3-D-N.4.b.(4)]~~
4726 (6) ~~Height and Size Limitations. No structure shall exceed two stories or thirty five (35) feet,~~
4727 ~~whichever is more restrictive, unless of fire resistance construction as specified by the~~
4728 ~~applicable Building Code. [Relocated to Sec. 3-D-N.4.b.(3)]~~
4729 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~
4730 ~~within the residential land use categories identified in Section 20.3-8 with a ten (10) foot~~
4731 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4732 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~
4733 ~~2003, the provisions of this subsection shall not apply. For developments that~~
4734 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~
4735 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
4736 ~~[Deleted and portions relocated to Sec. 3-D-N.4.b. PS-3 Land Development~~
4737 ~~Standards]~~
4738 (i) ~~Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4739 ~~road functional classifications and intensity of site development, which is combined square footage~~
4740 ~~of 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

- 4741 (1) ~~Hospitals and Related Adjacent Offices and Medical Facilities~~
4742 ~~Institutional Map Series~~
- 4743 (2) ~~Group Homes~~
4744 ~~Local not permitted.~~
4745 ~~Minor Collector not permitted.~~
4746 ~~Major Collector 25,000 square feet.~~
4747 ~~Minor Arterial and above no limit.~~
- 4748 (3) ~~Institutions for the Insane~~
4749 ~~Local not permitted.~~
4750 ~~Minor Collector not permitted.~~
4751 ~~Major Collector not permitted.~~
4752 ~~Minor Arterial 50,000 square feet.~~
4753 ~~Major Arterial and above no limit.~~
- 4754 (4) ~~Animal Clinics~~
4755 ~~Local not permitted.~~
4756 ~~Minor Collector 5,000 square feet.~~
4757 ~~Major Collector and above no limit. (Amended 6/98 Ord. 98-27)~~
- 4758 [Deleted and portions relocated to Sec. 3-D-N.4.d. Location and Access of Uses in
4759 Residential Land Use]

4760 Sec. 3-D-N.5. Private Services Zoning District (PS-4)

4761 3-D-N.5.a. Intent of PS-4 Zoning District

4762 All land described as PS-4 is subject to the standards of this Section. Such areas are established to provide
4763 adequate land for the private sector providing burial services. [Relocated from Sec. 3-41.(a)]

4764 3-D-N.5.b. PS-4 Development Standards

4765 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4766 following minimum standards: [Relocated from Sec. 3-41.(g)]

(1) Intensity:

(a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table

(2) Minimum Setbacks¹:

	<u>(a) Front:</u>	<u>From lot line when adjacent to all zoning districts:</u>	<u>25 feet [From Sec. 3-41.(g)(3)]</u>
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	<u>(b) Side ²:</u>	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	<u>25 feet [From Sec. 3-41.(g)(1)]</u>
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		<u>From lot line when adjacent to a Business zoning district:</u>	<u>0 feet³ [From Sec. 3-41.(g)(1)]</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 lot line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-41.(g)(1)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Residential use or zoning district:</u>	25 feet [From Sec. 3-41.(g)(2)]
		<u>From lot line when adjacent to all other zoning districts:</u>	20 feet [From Sec. 3-41.(g)(2)]
(3)	<u>Maximum Height:</u>		
	(a)	<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. 3-41.(g)(6)]</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. 3-41.(g)(1)]

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. 3-41.(g)(1)]

4767	(4)	<u>Additional Standards:</u>	
4768	(a)	<u>Waste Disposal and/or Material Storage.</u> Where a <u>Non-Residential zoning district</u> is adjacent to a lot with a <u>Residential or an Agricultural zoning district</u> , garbage containers, or outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to Sec. 3-A.6. Measurements and Sec. 3-F.H.3. Waste Storage Area. [From Sec. 3-41.(g)(5)]	
4769	(b)	<u>Rear Access.</u> 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. 3-41.(g)(2)]	
4770	(c)	<u>Visual Barrier.</u> [CP99] Proposed <u>Non-Residential development</u> shall be buffered from adjacent land within the <u>Residential FLU categories</u> with a 10-foot landscaped area, minimum 6-foot-high opaque barrier (fence or vegetation) and tree planting 30 feet on center. For all development commenced on or after January 28, 2003, the provisions of this Subsubsection shall not apply. For developments that commence after this date, the provisions of Article 6 of the Clay County Land Development Code (Tree Ordinance) shall apply. [From Sec. 3-41.(g)(7)]	
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3-D-N.5.c. PS-4 Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</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-E-J. Temporary Uses](#)

[Refer to Sec. 3-F-H. Accessory Structures](#)

4782 **3-D-N.5.d. Location and Access of Uses in Residential Land Use**

4783 Roadway and size limitations within the Residential land use categories shall meet the following minimum
4784 road functional classifications and intensity of site development, which is combined square footage of all
4785 buildings.

(1)	Funeral Homes:	Local - not permitted Minor Collector and above - no limit
(2)	Cemeteries:	Local - 2,500 square feet. Minor Collector and above - no limit.
(3)	Correctional Facilities:	Institutional Map Series. [CP100]

4786 [From Sec. 3-41.(i)]

4787 **Sec. 3-41. PRIVATE SERVICES (ZONE PS-4)**

4788 (a) ~~Area. All land described as Zone PS-4 is subject to the regulations of this Section. Such areas are~~
4789 ~~established to provide adequate land for the private sector providing burial services. A site plan~~
4790 ~~conforming to the requirements of this chapter is required and shall be submitted to the Planning~~
4791 ~~and Zoning Department for administrative review and approval prior to obtaining a building permit.~~
4792 [Deleted and portions relocated to Sec. 3-D-N.5.a. Intent of PS-4 Zoning District]

4793 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4794 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4795 (1) ~~Side lot line setback on property which abuts residential or agricultural districts shall not be~~
4796 ~~less than twenty five (25) feet. If said lot is a corner lot, then setbacks shall be the same~~
4797 ~~as for the front yard. Where the adjoining lot is also zoned for business, the building may~~
4798 ~~be placed up to the side lot line, providing the building is constructed with four (4) hour~~
4799 ~~party walls as defined by the applicable Building Code; in all other construction, the~~
4800 ~~minimum side setback shall be fifteen (15) feet. [Relocated to Sec. 3-D-N.5.b.(2)]~~

4801 (2) ~~Rear lot line setbacks shall be twenty (20) feet, or twenty five (25) feet if adjacent to a~~
4802 ~~residence. Access shall be not less than fifteen (15) feet in width and shall be unobstructed~~
4803 ~~at all times. [Relocated to Sec. 3-D-N.5.b.(4)]~~

4804 (3) ~~Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~
4805 ~~shall in no case be less than twenty five (25) feet. [Relocated to Sec. 3-D-N.5.b.(2)]~~

4806 (4) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4807 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4808 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4809 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4810 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4811 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4812 ~~Outstanding Florida Waters]~~

4813 (5) ~~No materials, garbage containers or refuse shall be allowed nearer than fifteen (15) feet to~~
4814 ~~a residential or agricultural district. Garbage or refuse shall be containerized and such~~
4815 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~
4816 [Relocated to Sec. 3-D-N.5.b.(4)]

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

Part D Zoning Districts and Development Standards

- 4817 ~~(6) — Height and Size Limitations. No structure shall exceed two stories or thirty-five (35) feet,~~
4818 ~~whichever is more restrictive, unless of fire resistance construction as specified by the~~
4819 ~~applicable Building Code. [Relocated to Sec. 3-D-N.5.b.(3)]~~
4820 ~~(7) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land~~
4821 ~~within the residential land use categories identified in Section 20.3.8 with a ten (10) foot~~
4822 ~~landscaped area, minimum six (6) foot high opaque barrier (fence or vegetation) and tree~~
4823 ~~planting thirty (30) feet on center. For all development commenced on or after January 28,~~
4824 ~~2003, the provisions of this subsection shall not apply. For developments that~~
4825 ~~commence after this date, the provisions of Article VI of the Clay County Land Development~~
4826 ~~Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
4827 ~~[Deleted and portions relocated to Sec. 3-D-N.5.b. PS-4 Land Development~~
4828 ~~Standards]~~
4829 ~~(i) — Roadway and size limitations within the Residential Land Use Categories the following minimum~~
4830 ~~road functional classifications and intensity of development, which is combined square footage of~~
4831 ~~all buildings, shall be met.~~
4832 ~~(1) — Funeral Homes~~
4833 ~~Local not permitted.~~
4834 ~~Minor Collector and above no limit. Rev. 04/22/08~~
4835 ~~(2) — Cemeteries~~
4836 ~~Local 2,500 square feet.~~
4837 ~~Minor Collector and above no limit.~~
4838 ~~(3) — Correctional Facilities~~
4839 ~~Institutional Map Series. (Amended 6/98 — Ord. 98-27)~~
4840 ~~[Deleted and portions relocated to Sec. 3-D-N.5.d. Location and Access of Uses in Residential Land~~
4841 ~~Use]~~

Sec. 3-D-N.6. Private Services Zoning District (PS-5)

3-D-N.6.a. Intent of PS-5 Zoning District

All land described as PS-5 is subject to the standards of this Section. Such areas are established to provide adequate land for the private sector to provide elderly care facilities. The purpose of this District is to help meet the needs of an aging population while protecting other uses from potentially adverse impacts. **[Relocated from Sec. 3-41.1.(a)]**

3-D-N.6.b. PS-5 Development Standards

The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the following minimum standards: **[Relocated from Sec. 3-41.1.(g)]**

(1)	<u>Intensity:</u>		
	(a)	<u>Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table</u>	
(2)	<u>Minimum Setbacks¹:</u>		
	(a)	<u>Front:</u>	<u>From lot line when adjacent to all zoning districts:</u> 50 feet [From Sec. 3-41.1.(i)(3)]

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

Part D Zoning Districts and Development Standards

(b)	<u>Side</u> ² :	<u>From lot line when adjacent to a Residential or Agricultural zoning district:</u>	50 feet [From Sec. 3-41.1.(i)(1)]
		<u>From lot line when adjacent to a Business zoning district:</u>	0 feet ³ [From Sec. 3-41.1.(i)(1)]
		<u>From lot line when adjacent to all other zoning districts:</u>	15 feet [From Sec. 3-41.1.(i)(1)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to all zoning districts:</u>	50 feet [From Sec. 3-41.1.(i)(2)]
(3)	<u>Maximum Height:</u>		
(a)	<u>Building:</u>		³ [EG101] stories or 35 feet, whichever is more restrictive, unless of fire resistance construction as specified by the applicable Florida Building Code [From Sec. 3-41.1.(i)(6)]

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. 3-41.1.(i)(1)]
- 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. 3-41.1.(i)(1)]

- 4851 (4) **Additional Standards:**
- 4852 (a) Waste Disposal and/or Material Storage. Where a Non-Residential zoning district is
- 4853 adjacent to a lot with a Residential or an Agricultural zoning district, garbage containers, or
- 4854 outdoor storage of refuse shall be placed within 15 feet of the lot line. Refer to [Sec. 3-A.6.](#)
- 4855 [Measurements](#) and [Sec. 3-F.H.3. Waste Storage Area.](#) [From Sec. 3-41.1.(i)(5)]
- 4856 (b) Rear Access. If the rear yard does not abut a public street, then access shall be not less
- 4857 than 15 feet in width and shall be unobstructed at all times. [From Sec. 3-41.1.(i)(2)]
- 4858 (c) Visual Barrier. [CP102]Proposed development shall be buffered from adjacent land within
- 4859 the Residential FLU categories with a 50-foot building setback. There shall be a minimum
- 4860 6-foot fence adjacent to Residential land use categories. Within the 50-foot setback there
- 4861 shall be a minimum of:
- 4862 (i) Natural buffer, provided there are sufficient trees to create a visual barrier from the
- 4863 adjacent residential lands; or
- 4864 (ii) A combination natural buffer as described above, with landscaping that would
- 4865 serve as a visual barrier from adjacent residential land uses.
- 4866 For all development commenced on or after January 28, 2003, the provisions of this
- 4867 subsection shall not apply. For developments that commence after this date, the

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

Part D Zoning Districts and Development Standards

4868 provisions of Article 6 of the Clay County Land Development Code (the Tree Protection
4869 and Landscaping Standards) shall apply. [From Sec. 3-41.1.(i)(7)]

4870 3-D-N.6.c. PS-5 Uses

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

4871 3-D-N.6.d. Location and Access of Uses in Residential Land Use

4872 Roadway and size limitations within the Residential FLU categories shall meet the following minimum road
4873 functional classifications and intensity of site development, which is combined square footage of all
4874 buildings.

		<i>Local - not permitted.</i>
(1)	<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>
(2)	<u>Nursing Facility 1:</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>
(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>

4875 [From Sec. 3-41.1.(k)]

4876 Sec. 3-41.1 PRIVATE SERVICES (PS-5)

4877 ~~(a) — Area. All land described as Zone PS-5 is subject to the regulations of this Section. Such areas are~~
4878 ~~established to provide adequate land for the private sector to provide elderly care facilities. The~~
4879 ~~purpose of this district is to help meet the needs of an aging population while protecting other uses~~
4880 ~~from potentially adverse impacts. [Deleted and portions relocated to Sec. 3-D-N.6.a. Intent of~~
4881 ~~PS-5 Zoning District]~~

4882 ~~(i) — Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
4883 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~

4884 ~~(1) — Side lot line setback on property which abuts residential or agricultural districts shall not be~~
4885 ~~less than fifty (50) feet. If said lot is a corner lot, then setbacks shall be the same as for the~~
4886 ~~front yard. Where the adjoining lot is also zoned for business, the building may be placed~~
4887 ~~up to the side lot line, providing the building is constructed in accordance with the~~
4888 ~~regulations of the applicable Building Code; in all other construction, the minimum setback~~
4889 ~~shall be fifteen (15) feet. [Relocated to Sec. 3-D-N.6.b.(2)]~~

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

Part D Zoning Districts and Development Standards

- 4890 ~~(2) — Rear lot line setbacks shall be fifty (50) feet. Access shall be unobstructed at all times.~~
4891 ~~[Relocated to Sec. 3-D-N.6.b.(4)]~~
- 4892 ~~(3) — Front lot line setbacks shall comply with Section 6, Ordinance 82-45, as amended, and~~
4893 ~~shall in no case be less than fifty (50) feet. [Relocated to Sec. 3-D-N.6.b.(2)]~~
- 4894 ~~(4) — All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
4895 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
4896 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~
4897 ~~shall not apply to structures on lots or parcels located landward of existing bulkheads~~
4898 ~~permitted by the St. Johns River Water Management District or Florida Department of~~
4899 ~~Environmental Protection. [Relocated to 3-D-A.3.a.(1) Aquatic Preserves or~~
4900 ~~Outstanding Florida Waters]~~
- 4901 ~~(5) — No materials, garbage containers or refuse shall be allowed nearer than fifty (50) feet to a~~
4902 ~~residential or agricultural district. Garbage or refuse shall be containerized and such~~
4903 ~~containers shall be enclosed or screened so as not to be readily visible from any district.~~
4904 ~~[Relocated to Sec. 3-D-N.6.b.(4)]~~
- 4905 ~~(6) — Height and Size Limitations. No structure shall exceed three stories or thirty five (35) feet,~~
4906 ~~whichever is more restrictive. [Relocated to Sec. 3-D-N.6.b.(3)]~~
- 4907 ~~(7) — Visual Barrier. Proposed development shall be buffered from adjacent land within the~~
4908 ~~residential land use categories identified in Section 20.3-8 with a fifty (50) foot building~~
4909 ~~setback. There shall be a minimum six (6) foot fence adjacent to residential land use~~
4910 ~~categories. Within the fifty (50) foot setback there shall be a minimum of:~~
4911 ~~(i) — Natural buffer, provided there are sufficient trees to create a visual barrier from the~~
4912 ~~adjacent residential lands; or~~
4913 ~~(ii) — A combination natural buffer as described above, with landscaping that would~~
4914 ~~serve as a visual barrier from adjacent residential land uses.~~
4915 ~~For all development commenced on or after January 28, 2003, the provisions of this~~
4916 ~~subsubsection shall not apply. For developments that commence after this date, the~~
4917 ~~provisions of Article VI of the Clay County Land Development Code (the Tree Protection~~
4918 ~~and Landscaping Standards) will apply. (Rev. 02/08/11) [Deleted and portions relocated~~
4919 ~~to Sec. 3-D-N.6.b. PS-5 Land Development Standards]~~
- 4920 ~~(k) — Roadway and size limitations within the Residential land use Categories the following minimum~~
4921 ~~road functional classifications and intensity of development, which is combined square footage of~~
4922 ~~all buildings, shall be met.~~
- 4923 ~~(1) — Independent Living Facility~~
4924 ~~Local not permitted.~~
4925 ~~Minor Collector not permitted.~~
4926 ~~Major Collector 50,000 square feet.~~
4927 ~~Minor Arterial and above no limit.~~
- 4928 ~~(2) — Assisted Living Facility~~
4929 ~~Local not permitted.~~
4930 ~~Minor Collector not permitted.~~
4931 ~~Major Collector 50,000 square feet.~~
4932 ~~Minor Arterial and above no limit.~~
- 4933 ~~(3) — Skilled Nursing Care Facility~~
4934 ~~Local not permitted.~~
4935 ~~Minor Collector not permitted.~~
4936 ~~Major Collector 50,000 square feet.~~

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

Part D Zoning Districts and Development Standards

4937 ~~Minor Arterial and above no limit.~~
4938 ~~(4)[CP103] Continuing Care Facility~~
4939 ~~Local not permitted.~~
4940 ~~Minor Collector not permitted.~~
4941 ~~Major Collector 50,000 square feet.~~
4942 ~~Minor Arterial and above no limit. (Amended 6/98 Ord. 98-27)~~
4943 **[Deleted and portions relocated to Sec. 3-D-N.6.d. Location and Access of**
4944 **Uses in Residential Land Use]**

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

Part D Zoning Districts and Development Standards

4945 DIVISION O EXCAVATION ZONING DISTRICT

4946 Sec. 3-D-O.1. Intent of Excavation (EX) Zoning District

4947 The Excavation zoning district provides areas suitable to ^[MK104] further the clearly articulated, affirmatively
4948 expressed and actively supervised state police as expressed in Chapter 211. Florida Statutes. The criteria
4949 within this District are declared to be the minimum necessary to protect the health, safety, and welfare of
4950 the citizens of Clay County. [From Sec. 3-42.(a)]

4951 The following zoning district falls within the Excavation classification system based on its level of services
4952 on publicly owned or operated properties, including buildings, facilities, and yards.

<u>Classification System</u>	<u>Zoning District</u>
<u>Excavation</u>	<u>Excavation (EX)</u>

4953 Sec. 3-D-O.2. Excavation Zoning District (EX)

4954 3-D-O.2.a. Intent of EX Zoning District

4955 It is the intent of this District to provide for the control of excavation activities within Clay County in order to
4956 protect the natural resources of the County. [From Sec. 3-42.(a)]

4957 3-D-O.2.b. EX Development Standards

4958 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
4959 following minimum standards:

- (1) Intensity:
 - (a) Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table
- (2) Minimum Lot Size:
 - (a) 3 acres [From Sec. 3-42.(f)(1)]

- (3) Additional Standards:
 - (a) Access. Property shall have access to a paved public right-of-way. [From Sec. 3-42.(f)(2)]
 - (b) Location. Property shall be located outside an identified floodplain, floodway, or wetland. [From Sec. 3-42.(f)(3)]
 - (c) Buffer. Refer to Sec. 3-F-1.4. Excavation.
The following buffers shall be required where active mining operations are less than 2,000 feet from affected properties:
 - (d) 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

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

Part D Zoning Districts and Development Standards

4971 *plan that travel corridors will exist to allow for wildlife movement across or around impacted*
4972 *areas throughout the mining process.*

4973 3-D-O.2.c. EX Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

4974 **Sec. 3-42. EXCAVATION (ZONE EX)**

4975 ~~(a) Intent. It is the intent of this district to provide for the control of excavation activities within Clay~~
4976 ~~County in order to protect the natural resources of the County. It is the further intent of this district~~
4977 ~~to further the clearly articulated, affirmatively expressed and actively supervised state police as~~
4978 ~~expressed in Chapter 211, Florida Statutes. The criteria within this district are declared to be the~~
4979 ~~minimum necessary to protect the health, safety and welfare of the citizens of Clay County.~~
4980 **[Deleted and portions relocated to Sec. 3-D-O.1. and Sec. 3-D-O.2.a. Intent EX Zoning**
4981 **District]**

4982 ~~(f) Minimum Size and Other Criteria. (Amended 2/03 — Ord. 03-20)~~

4983 ~~(1) Minimum lot size is three (3) acres. [Relocated to Sec. 3-D-O.2.b.(2)]~~

4984 ~~(2) Access to a paved public right-of-way. [Relocated to Sec. 3-D-O.2.b.(3)]~~

4985 ~~(3) Located outside an identified floodplain, floodway, or wetland. [Relocated to Sec. 3-D-~~
4986 ~~O.2.b.(3)]~~

4987 ~~(4) The following buffers shall be required where active mining operations are less than 2,000~~
4988 ~~feet from affected properties:~~

4989 ~~(i) A 200 foot perimeter buffer shall be required where any active mining location is~~
4990 ~~adjacent to residential land uses. The buffer shall include at a minimum:~~

4991 ~~a. A row of evergreen canopy trees which are not less than ten feet high at~~
4992 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~
4993 ~~thirty feet apart, and planted within ten feet of the property line; and,~~

4994 ~~b. A privacy fence or masonry wall, architecturally finished on all sides, a~~
4995 ~~minimum height of six feet, and if a block wall, painted on all sides; and,~~

4996 ~~c. Turf grass, low growing evergreen plants or evergreen ground cover~~
4997 ~~planted over the balance of the buffer. [Relocated to Sec. 3-F-I.3.b.~~
4998 ~~Excavation]~~

4999 ~~d. In lieu of the requirements of A, B, and C above, a naturally vegetative~~
5000 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~
5001 ~~maintain an 85% opacity during all seasons and a minimum width of one~~
5002 ~~hundred feet, and may be permitted with the Zoning Director's approval.~~
5003 ~~Sections lacking opacity can be planted to achieve a continuous visual~~
5004 ~~screen, or a landscaped berm of at least six feet in height that obscures~~
5005 ~~the view from adjacent property at the time of planting. [Relocated to Sec.~~
5006 ~~3-F-I.3.b.(1) Alternate Buffer 1]~~

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

Part D Zoning Districts and Development Standards

- 5007 e. ~~If D, above is not a feasible option due to the lack of wooded areas along~~
5008 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~
5009 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~
5010 ~~foot buffer along the property line with an additional zone that is at least~~
5011 ~~75 feet in width provided landward of the buffer area. This additional zone~~
5012 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~
5013 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~
5014 ~~construction or they will be seeded and mulched. An erosion preventive~~
5015 ~~vegetative cover must be established within 3 months of seeding, be~~
5016 ~~adequately vegetated with grass or some other form of ground cover and~~
5017 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~
5018 ~~fifty foot buffer meet. [Relocated to Sec. 3-F.I.4.b.(3) Alternate Buffer 2]~~
5019 (ii) ~~A one hundred foot perimeter buffer shall be required where any active mining~~
5020 ~~location is adjacent to commercial and agricultural (excluding silviculture) land~~
5021 ~~uses. The buffer shall include at a minimum: [Relocated to Sec. 3-F-I.4.a. Width~~
5022 ~~of Buffer, Excavation]~~
5023 a. ~~A row of evergreen canopy trees which are not less than ten feet high at~~
5024 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~
5025 ~~thirty feet apart, and planted within ten feet of the property line; and,~~
5026 b. ~~A privacy fence or masonry wall, architecturally finished on all sides, a~~
5027 ~~minimum height of six feet, and if a block wall, painted on all sides; and,~~
5028 c. ~~Turf grass, low growing evergreen plants or evergreen ground cover~~
5029 ~~planted over the balance of the buffer. [Relocated to Sec. 3-F-I.3.b.~~
5030 ~~Excavation]~~
5031 d. ~~In lieu of the requirements of A, B, and C above, a naturally vegetative~~
5032 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~
5033 ~~maintain an 85% opacity during all seasons and a minimum width of~~
5034 ~~seventy five feet, and may be permitted with the Zoning Director's~~
5035 ~~approval. Sections lacking opacity can be planted to achieve a continuous~~
5036 ~~visual screen. [Relocated to Sec. 3-F-I.3.b.(1) Alternate Buffer 1]~~
5037 d. ~~If D, above is not a feasible option due to the lack of wooded areas along~~
5038 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~
5039 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~
5040 ~~foot buffer along the property line with an additional zone that is at least~~
5041 ~~75 feet in width provided landward of the buffer area. This additional zone~~
5042 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~
5043 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~
5044 ~~construction or they will be seeded and mulched. An erosion preventive~~
5045 ~~vegetative cover must be established within 3 months of seeding, be~~
5046 ~~adequately vegetated with grass or some other form of ground cover and~~
5047 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~
5048 ~~fifty foot buffer meet. [Relocated to Sec. 3-F.I.4.b.(3) Alternate Buffer 2]~~
5049 (iii) ~~A 200 foot buffer shall be required between any active mining location and~~
5050 ~~any jurisdictional wetland. A 50 foot buffer may be permitted if an~~
5051 ~~additional zone that is at least 75 feet in width is provided landward of the~~

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

Part D Zoning Districts and Development Standards

- 5052 ~~buffer area. This additional zone shall include a topsoil pile that will direct~~
5053 ~~drainage away from wetlands. The topsoil pile shall be naturally~~
5054 ~~revegetated within 30 days of their construction or they will be seeded and~~
5055 ~~mulched. An erosion preventive vegetative cover must be established~~
5056 ~~within 3 months of seeding, be adequately vegetated with grass or some~~
5057 ~~other form of ground cover and the topsoil pile zone shall include a silt~~
5058 ~~screen placed where the zone and fifty foot buffer meet. [Relocated to~~
5059 ~~Sec. 3-F.1.4.b.(3) Alternate Buffer 2]~~
- (iv) ~~A 100 foot buffer shall be required where any active mining location is adjacent to~~
5060 ~~a public road. The buffer shall include at a minimum:~~
- 5061 ~~A. A row of evergreen canopy trees which are not less than ten feet high at~~
5062 ~~the time of planting, a minimum of two inch caliper, spaced not more than~~
5063 ~~thirty feet apart, and planted within ten feet of the property line; and,~~
5064 ~~B. A wood privacy fence, chain link fence with slats and/or screen cloth, or~~
5065 ~~masonry wall, architecturally finished to the outside, a minimum height of~~
5066 ~~six feet.~~
- 5067 **[Relocated to Sec. 3-F-1.3.b. Excavation]**
- 5068 ~~C. In lieu of the requirements of A, B, and C above, a naturally vegetative~~
5069 ~~undisturbed wooded area shall be preserved. This wooded buffer shall~~
5070 ~~maintain an 85% opacity during all seasons and a minimum width of fifty~~
5071 ~~feet, and may be permitted with the Zoning Director's approval. Sections~~
5072 ~~lacking opacity can be planted to achieve a continuous visual screen.~~
- 5073 **[Relocated to Sec. 3-F-1.3.b.(1) Alternate Buffer 1]**
- 5074 ~~D. If D, above is not a feasible option due to the lack of wooded areas along~~
5075 ~~property lines, a 125 foot buffer of the following type may be allowed, also~~
5076 ~~in lieu of the requirements of A, B, and C above. This buffer includes a 50~~
5077 ~~foot buffer along the property line with an additional zone that is at least~~
5078 ~~75 feet in width provided landward of the buffer area. This additional zone~~
5079 ~~shall include a topsoil pile that will direct drainage away from wetlands.~~
5080 ~~The topsoil pile shall be naturally revegetated within 30 days of their~~
5081 ~~construction or they will be seeded and mulched. An erosion preventive~~
5082 ~~vegetative cover must be established within 3 months of seeding, be~~
5083 ~~adequately vegetated with grass or some other form of ground cover and~~
5084 ~~the topsoil pile zone shall include a silt screen placed where the zone and~~
5085 ~~fifty foot buffer meet. (Amended 2/03 — Ord. 03-20) [Relocated to Sec.~~
5086 ~~3-F.1.4.b.(3) Alternate Buffer 2]~~
- 5087 ~~(5) Environmentally Sensitive Areas shall be left undisturbed to the greatest extent possible,~~
5088 ~~and shall only be impacted if avoidance would substantively reduce the ability of the~~
5089 ~~applicant to mine the site. If such areas are impacted, the applicant will demonstrate how~~
5090 ~~such areas will be restored, and will also demonstrate through the phasing plan and site~~
5091 ~~plan that travel corridors will exist to allow for wildlife movement across or around impacted~~
5092 ~~areas throughout the mining process. (Amended 2/03 — Ord. 03-20) [Relocated to Sec. 3-~~
5093 ~~D-O.2.b.(3)]~~
- 5094

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

Part D Zoning Districts and Development Standards

5095 DIVISION P INCINERATORS ZONING DISTRICT

5096 Sec. 3-D-P.1. Intent of Incinerators (IN) Zoning District

5097 The Incinerators zoning district provides areas suitable based on reasonable locational, design, and
5098 operational criteria for incinerators in order that they be operated safely and that the impact thereof be
5099 limited to those areas set aside for Industrial development. Such criteria are declared hereby to be the
5100 minimum necessary to protect the health, safety, and welfare of the citizens of Clay County. [From Sec. 3-
5101 44.(a)]

5102 The following zoning district falls within the Incinerators classification system based on its level of services
5103 on publicly owned or operated properties, including buildings, facilities, and yards.

<u>Classification System</u>	<u>Zoning District</u>
<u>Incinerators</u>	<u>Incinerators (IN)</u>

5104 Sec. 3-D-P.2. Incinerators Zoning District (IN)

5105 3-D-P.2.a. Intent of IN Zoning District

5106 All land designated as IN is subject to the standards of this Section. It is the intent of this Section to control
5107 the location of incinerators within Clay County with a primary emphasis on areas set aside for Industrial
5108 development. [From Sec. 3-44.(a)]

5109 No lands shall be rezoned to the district classification provided in this Section except within areas within
5110 which Industrial uses or sanitary landfills may be operated consistent with the Clay County Comprehensive
5111 Plan. [From Sec. 3-44.(f)(1)]

5112 3-D-P.2.b. IN Development Standards

5113 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
5114 following minimum standards:

(1) Intensity:

(a) [Sec. 3-C-B.2.f. Non-Residential Future Land Use and Zoning District Intensity Table](#)

(2) Minimum Setback:

(a) <u>Incinerator:</u>	<u>From lot line when adjacent to lands not used or zoned for Industrial or sanitary landfill purposes:</u>	<u>500 feet [From Sec. 3-44.(f)(4)]</u>
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(3) Additional Standards:

(a) Access. Each incinerator shall have direct paved road access to a paved public road.
[From Sec. 3-44.(f)(2)]

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

Part D Zoning Districts and Development Standards

- 5118 (b) Location. *No incinerator may be located within any identified floodplain, floodway, or*
5119 *wetland. [From Sec. 3-44.(f)(3)]*
- 5120 (c) Buffer. *A visual buffer shall^[MK105] be established and maintained between the incinerator*
5121 *and any existing Residential, Commercial, or other Non-Industrial use immediately*
5122 *adjacent thereto. [From Sec. 3-44.(f)(4)]*
- 5123 (d) Design Criteria.
- 5124 i. *Each incinerator shall be designed so that it meets and continues to meet all*
5125 *applicable rule, standards of the applicable state and federal regulatory agencies.*
5126 *Each incinerator shall be fully permitted by each such agency prior to construction*
5127 *and/or continued operation. [From Sec. 3-44.(h)(1)]*
- 5128 ii. *Each incinerator shall be designed with adequate on-site controls and facilities to*
5129 *prevent and contain fires. [From Sec. 3-44.(h)(2)]*

5130 3-D-P.2.c. IN Uses

- | | | |
|-----|--|--|
| (1) | <u>Permitted and Conditional uses:</u> | <u>Refer to Part E Use Types and Standards</u> |
| (2) | <u>Special Exception:</u> | <u>Sec. E-X-X</u> |
| (3) | <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

5131 **Sec. 3-44. INCINERATORS (ZONE IN)**

- 5132 (a) ~~Intent. All land designated as Zone IN on the Zoning Atlas pursuant to this Article is subject to the~~
5133 ~~regulations of this Section. It is the intent of this Section to control the location of incinerators within~~
5134 ~~Clay County with a primary emphasis on areas set aside for industrial development. It is further the~~
5135 ~~intent of this Section to provide for reasonable locational, design and operational criteria for~~
5136 ~~incinerators in order that incinerators be operated safely and that the impact thereof be limited to~~
5137 ~~those areas set aside for industrial development. Such criteria are declared hereby to be the~~
5138 ~~minimum necessary to protect the health, safety and welfare of the citizens of Clay County.~~
5139 ~~[Deleted and portions relocated to Sec. 3-D-P.1. and Sec. 3-D-P.2.a. Intent IN Zoning District]~~
- 5140 (f) Locational Criteria.
- 5141 (1) ~~No lands shall be rezoned to the district classification provided in this Section except within~~
5142 ~~areas within which industrial uses or sanitary landfills may be operated consistent with the~~
5143 ~~Clay County Comprehensive Plan. [Relocated to Sec. 3-D-P.2.a. Intent of IN Zoning~~
5144 ~~District]~~
- 5145 (2) ~~Each incinerator must have direct paved road access to a paved public road. [Relocated~~
5146 ~~to Sec. 3-D-P.2.b.(3)]~~
- 5147 (3) ~~No incinerator may be located within any identified floodplain, floodway, or wetland.~~
- 5148 (4) ~~Each incinerator must be set back a minimum of five hundred (500) feet from each property~~
5149 ~~line not adjacent to lands used or zoned for industrial or sanitary landfill purposes.~~
5150 ~~[Relocated to Sec. 3-D-P.2.b.(2)] A visual buffer must be established and maintained~~
5151 ~~between the incinerator and any existing residential, commercial, or other non-industrial~~
5152 ~~land use immediately adjacent thereto. [Relocated to Sec. 3-D-P.2.b.(3)]~~
- 5153 (h) Design Criteria
- 5154 (1) ~~Each incinerator must be designed so that it meets and continues to meet all applicable~~
5155 ~~rules, regulations and requirements of the applicable state and federal regulatory agencies.~~

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

Part D Zoning Districts and Development Standards

5156 *Each incinerator must be fully permitted by each such agency prior to construction and/or*
5157 *continued operation.*
5158 ~~(2) — Each incinerator must be designed with adequate on-site controls and facilities to prevent~~
5159 ~~and contain fires.~~
5160 **[Relocated to Sec. 3-D-P.2.b.(3)]**
5161 ~~(j) [CP106] — Moratorium. The Board hereby declares its intention to establish by ordinance a permitting~~
5162 ~~process for incinerators subject to the provisions of this Section. The Board intends that said permit~~
5163 ~~process shall function integrally with the zoning process. Therefore, the Board hereby declares and~~
5164 ~~imposes a moratorium on rezoning under this Section until July 1, 1992, during which time said~~
5165 ~~permitting ordinance may be developed and adopted. During the period of moratorium, no~~
5166 ~~application for rezoning under this Section may be considered or submitted or considered by the~~
5167 ~~staff, the Planning Commission, or the Board. [Deleted]~~

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

Part D Zoning Districts and Development Standards

5168 DIVISION Q OVERLAYS AND SPECIAL STANDARDS

5169 Sec. 3-D-Q.1. Intent of Overlays and Special Standards

5170 The Overlays provide defined zoned areas that do not eliminate the underlying primary zoning, but
5171 expressly modify the standards of the underlying zoning only as indicated. [Relocated from Sec. 3-43.(a)]
5172 Where provisions of the Overlay and underlying district conflict, the Overlay shall have precedence.
5173 [Relocated from Sec. 3-45.(a)]

5174 The Special Standards provide standards intended to preserve and promote the peace, security, and
5175 economic success of a specific area. Where standards of the Special Standards conflict with those of a
5176 particular zoning designation, the standards of the Special Standards will have precedence. [Relocated
5177 from Sec. 3-47.(a)]

5178 The following Overlay districts fall within the Overlays and Special Standards classification system based
5179 on providing supplementary standards to the applicable underlying zoning district.

<u>Classification System:</u>	<u>Zoning District:</u>
	<u>Independent Community Overlay (ICO)</u>
<u>Overlays and Special Standards</u>	<u>Conservation Overlay (CO)</u>
	<u>Wells Road</u>

5180 Sec. 3-D-Q.2. Independent Community Overlay District (ICO)

5181 3-D-Q.2.a. Intent of ICO District

5182 *All land designated as ICO is subject to the standards of this Section. Such areas may be established in*
5183 *order to protect and encourage the improvement of owner-occupied, low-income housing areas that have*
5184 *existed as independent communities historically in accordance with FLU Policy 1.8.5 of the Clay County*
5185 *Comprehensive Plan. [Relocated from Sec. 3-43.(a)]*

5186 3-D-Q.2.b. Criteria for ICO

- 5187 (1) Boundary. *The community requesting Overlay approval shall be well defined and demonstrably*
5188 *homogenous and distinct or independent of surrounding land uses or neighborhoods, and*
5189 *predominantly Residential in nature. It shall possess a "community" character and community*
5190 *attributes, such as a focal center, Commercial, social, recreational and/or Place of Worship uses.*
- 5191 (2) Dwelling Units. *At least 30 percent of the dwelling units shall be substandard, as shown by a survey*
5192 *of building conditions.*
- 5193 (3) Household Incomes. *At least 30 percent of the households shall have incomes under 50 percent*
5194 *of the median income of Clay County, or at least 50 percent of the households shall have incomes*
5195 *under 80 percent of the median income 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

5196 (4) Funding and Incentives. *The community shall be eligible for Community Development Block Grant*
 5197 *(CDBG) or other funding, tax abatement, or other incentives which would enable rehabilitation and*
 5198 *upgrade of structures and/or infrastructure.*
 5199 **[Relocated from Sec. 3-43.(b)]**

3-D-Q.2.c. Application Standards

5201 The procedure for obtaining approval of an ICO shall refer to [Sec. 3-F-I. Application Submission Standards.](#)

3-D-Q.2.d. ICO Uses and Conditions

5203 (1) *Lots of Record*

5204 (a) Lot of Record. *For the purposes of the ICO, a lot of record shall mean a platted or non-*
 5205 *platted piece, parcel, plot, or tract of land described by metes and bounds or other similar*
 5206 *means in a legally recorded deed as of 12:01 a.m., July 1, 1991; provided, that with respect*
 5207 *to any such lot, the recording of a deed subsequent to said date only for the purpose of*
 5208 *correcting an error in the legal description or curing a defect in the chain of title shall not*
 5209 *operate to divest it of its status as a lot of record.*

5210 (b) Land Development Standards.

<u>i.</u> <u>Lots of Record Created Prior to October 23, 1973¹:</u>		
<u>A.</u> <u>Minimum Lot Dimensions:</u>		
<u>1.</u>	<u>Lot width:</u>	<u>50 feet [From Sec. 3-43.(d)(1)(ii)(a)]</u>
<u>2.</u>	<u>Lot depth:</u>	<u>75 feet [From Sec. 3-43.(d)(1)(ii)(a)]</u>
<u>3.</u>	<u>Lot size:</u>	<u>5,000 square feet [From Sec. 3-43.(d)(1)(ii)(a)]</u>
<u>B.</u> <u>Minimum Setbacks:</u>		
<u>1.</u>	<u>Front:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
<u>2.</u>	<u>Side:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
<u>3.</u>	<u>Rear:</u>	<u>Apply setbacks of the lot's current underlying zoning district, if applicable</u>
<u>ii.</u> <u>Lots of Record Created Between October 23, 1973, and June 30, 1991¹:</u>		
<u>A.</u> <u>Minimum Lot Dimensions:</u>		
<u>1.</u>	<u>Lot size:</u>	<u>Shall be consistent with the underlying zoning district standards</u>

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

Part D Zoning Districts and Development Standards

		<u>in effect at that time</u> [From Sec. 3-43.(d)(1)(ii)(b)]
<u>B.</u>	<u>Minimum Setbacks:</u>	
<u>1.</u>	<u>Front:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>2.</u>	<u>Side:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>3.</u>	<u>Rear:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>iii.</u>	<u>Lots of Record Created on or after July 1, 1991:</u>	
<u>A.</u>	<u>Minimum Setbacks:</u>	
<u>1.</u>	<u>Front:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>2.</u>	<u>Side:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>3.</u>	<u>Rear:</u>	<u>Shall</u> be consistent with the underlying zoning district <u>standards</u> in effect at that time [From Sec. 3-43.(d)(1)(ii)(b)]
<u>Footnotes:</u>		
<u>1</u>	One dwelling unit may be constructed on unimproved lots of record provided the <u>applicable land development standards</u> are met.	

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

Part D Zoning Districts and Development Standards

5212 (c) Permitted Uses Shall be consistent with the underlying zoning district. However, Non-
5213 Commercial Agricultural uses, such as the keeping of horses, pigs, chickens, and the like,
5214 shall be permitted only in communities where they have historically been kept and are
5215 currently being kept as common practice acceptable to community members, and shall
5216 conform to the following:

	<u>i.</u>	<u>Dimensional Use Standards:</u>	
	<u>A.</u>	<u>Minimum setbacks:</u>	
	<u>1.</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's underlying zoning district, if applicable</u>
	<u>2.</u>	<u>Animal enclosure or insect hive:</u>	<u>From any adjacent Residential dwelling under separate ownership or occupancy:</u> 100 feet ² [From Sec. 3-43.(d)(1)(iii)]
			<u>From any Residential dwelling under separate ownership or occupancy when separated by an existing street or roadway:</u> 150 feet ² [From Sec. 3-43.(d)(1)(iii)(b)]
	<u>B.</u>	<u>Maximum number of animals^{1,3:}</u>	
	<u>1.</u>	<u>Per 1/2 acre of land:</u>	1 insect hive or 1 adult customary farm animal [From Sec. 3-43.(d)(1)(iii)]
	<u>2.</u>	<u>Per 1/5 acre of land:</u>	1 domestic animal [From Sec. 3-43.(d)(1)(iii)]

Footnotes:

1 Non-Commercial 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)]**

2 If said Residential 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)]**

3 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

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

Part D Zoning Districts and Development Standards

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)]

- 5217 (2) Additional Use Standards:
5218 (a) Fencing. A fenced enclosure for any permitted customary farm animal shall be erected not
5219 less than 5 feet from adjoining properties, except as otherwise provided in this Article.
5220 [From Sec. 3-43.(d)(1)(iii)(a)]
5221 (b) Licensure. The keeping and maintenance of all animals as set forth herein shall conform
5222 with all State, County and Local standards and requirements affecting such concerns as,
5223 but not limited to, health, safety, drainage, and environmental protection. [From Sec. 3-
5224 43.(d)(1)(iii)(c)]
5225 (c) Non-Conformities.
5226 i. Primary dwelling units and customary accessory buildings existing as of July 1,
5227 1991, which are located on lots of size and dimension consistent with 3-D-
5228 Q.2.d.(1)(b)iii. above may be replaced if destroyed or damaged. Mobile homes are
5229 allowed. Alteration or expansion of such a dwelling unit is permitted. [From Sec.
5230 3-43.(d)(3)]
5231 ii. Additional dwelling units existing on Non-Conforming lots may not be expanded or
5232 replaced. No additional dwelling units may be constructed or moved on a lot where
5233 a dwelling unit already exists unless the existing lot can be divided to create a
5234 separately deeded conforming lot or an heirs or homestead exemption lot of a size
5235 meeting the requirements set forth in item e below. [From Sec. 3-43.(d)(4)]
5236 (d) Water and Sewer. New dwelling units must connect to existing water and sewer service, if
5237 available, or must be able to secure a septic tank permit. [From Sec. 3-43.(d)(5)]
5238 (e) Heirs and Homestead Exemptions. Refer to Sec. 3-C-D.1. Heirs Exemption and Sec. 3-C-
5239 D.2. Homestead Exemption. Permits in the RR and AR FLU Categories, which are allowed
5240 as a result of the policy, shall be included in the Countywide cap of 250 Single-Family
5241 permits for Agriculture/Residential areas. [From Sec. 3-10.(h)(5)]

5242 Sec. 3-43. INDEPENDENT COMMUNITY OVERLAY (ZONE ICO)

- 5243 (a) ~~Intent. All land designated as Zone ICO is subject to the regulations of this Section as well as Sec.~~
5244 ~~20.3-10. Such areas may be established in order to protect and encourage the improvement of~~
5245 ~~owner-occupied, low-income housing areas that have existed as independent communities~~
5246 ~~historically in accordance with Future Land Use Policy 1.8.5 of the Clay County Comprehensive~~
5247 ~~Plan. This overlay zone does not eliminate the underlying primary zoning, but expressly modifies~~
5248 ~~the requirements of the underlying zoning only as indicated. [Deleted and portions relocated to~~
5249 ~~Sec. 3-D-Q.1. and Sec. 3-D-Q.2.a. Intent of ICO District]~~
5250 (b) ~~Criteria For Overlay Zone.~~
5251 (1) ~~The community requesting overlay approval must be well defined and demonstrably~~
5252 ~~homogenous and distinct or independent of surrounding land uses or neighborhoods, and~~
5253 ~~predominantly residential in nature. It must possess a "community" character and~~
5254 ~~community attributes, such as a focal center, commercial, social, recreational and/or~~
5255 ~~church uses.~~
5256 (2) ~~At least thirty (30) percent of the dwelling units must be substandard, as shown by a survey~~
5257 ~~of building conditions.~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part D Zoning Districts and Development Standards

- 5258 (3) ~~At least thirty (30) percent of the households must have incomes under 50 percent of the~~
5259 ~~median income of Clay County, or at least fifty (50) percent of the households must have~~
5260 ~~incomes under eighty (80) percent of the median income of Clay County.~~
5261 (4) ~~The community must be eligible for CDBG or other funding, tax abatement or other~~
5262 ~~incentives which would enable rehabilitation and upgrade of structures and/or~~
5263 ~~infrastructure.~~
5264 **[Relocated to Sec. 3-D-Q.2.b. Criteria for ICO]**
5265 (c) ~~Procedure for Approval of Independent Community Overlay. The procedure for obtaining approval~~
5266 ~~of an Independent Community Overlay shall be as follows:~~
5267 (1) ~~The applicant shall submit the request for approval of an Independent Community Overlay~~
5268 ~~with the following exhibits:~~
5269 (i) ~~A vicinity map(s) showing the Independent Community Overlay, relationship to~~
5270 ~~surrounding streets and thoroughfares, existing zoning on the site and surrounding~~
5271 ~~areas, and existing land uses on the site and surrounding areas.~~
5272 (ii) ~~A boundary survey map indicating with reasonable certainty the location of the~~
5273 ~~proposed overlay.~~
5274 (iii) ~~A list showing the parcel identification numbers of all parcels which would be~~
5275 ~~included in the overlay zone.~~
5276 (iv) ~~A survey of existing building conditions showing the number and locations,~~
5277 ~~addresses and ownership of substandard dwelling units, and their potential for~~
5278 ~~rehabilitation according to the definitions in Housing Policy 1.2.2 of the Clay County~~
5279 ~~Comprehensive Plan. A location map showing parcel boundaries and location of~~
5280 ~~substandard units shall be included. The criteria for determining whether a dwelling~~
5281 ~~unit is substandard based on external structural conditions are found in Table 14~~
5282 ~~of the Housing Element of the Clay County Comprehensive Plan. The survey~~
5283 ~~results may be verified by Clay County staff using the criteria in the Standard~~
5284 ~~Existing Buildings Code (SBCGT) after the application for ICO status is received~~
5285 ~~and/or approved.~~
5286 (v) ~~A survey or other documentation which indicates the number and percent of~~
5287 ~~households within the proposed overlay boundaries with incomes under fifty (50)~~
5288 ~~percent of the median income of Clay County, and the number and percent of~~
5289 ~~households with incomes under eighty (80) percent of the median income of Clay~~
5290 ~~County.~~
5291 (vi) ~~Such other documents or statistical information deemed necessary or pertinent to~~
5292 ~~the application by the applicant or County officials.~~
5293 (2) ~~Thereafter, the application shall be processed as any other zoning application in~~
5294 ~~accordance with the provisions of these Regulations. The County may request further~~
5295 ~~information as necessary to enable informed consideration of the request, and may~~
5296 ~~approve, disapprove, or modify and approve the proposed Independent Community~~
5297 ~~Overlay.~~
5298 **[Relocated to Sec. 3-F-K. Application Submission Standards]**
5299 (d) ~~Permitted Uses and Conditions.~~
5300 (1) ~~Lots of Record~~
5301 (i) ~~For the purposes of the independent community overlay, a lot of record shall mean~~
5302 ~~a platted or non-platted piece, parcel, plot, or tract of land described by metes and~~
5303 ~~bounds or other similar means in a legally recorded deed as of 12:01 a.m., July 1,~~
5304 ~~1991; provided, that with respect to any such lot, the recording of a deed~~

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

Part D Zoning Districts and Development Standards

- 5305 *subsequent to said date only for the purpose of correcting an error in the legal*
5306 *description or curing a defect in the chain of title shall not operate to divest it of its*
5307 *status as a lot of record. [Deleted and portions relocated to Sec. 3-D-*
5308 *Q.2.d.(1)(a)]*
- (ii) ~~One dwelling unit may be constructed on unimproved lots of record provided the~~
5309 ~~following criteria are met: [Deleted and portions relocated to Footnote 1]~~
5310 ~~a. For lots of record created prior to October 23, 1973, lot size must be no~~
5311 ~~less than five thousand (5,000) square feet, lot width must be no less than~~
5312 ~~fifty (50) feet, and lot depth must be no less than seventy-five (75) feet.~~
5313 ~~Front building lines and setbacks from side and rear property lines shall~~
5314 ~~conform to the requirements of Sec. 20.3-7 and other applicable sections~~
5315 ~~of this Article. [Deleted and portions relocated to Sec. 3-D-Q.2.d.(1)(b)]~~
5316 ~~b. For lots of record created between October 23, 1973, and June 30, 1991,~~
5317 ~~lot size must be consistent with the minimums applicable to the property~~
5318 ~~on June 30, 1991. Front building lines and setbacks must be consistent~~
5319 ~~with the underlying zoning district regulations in effect at that time (see~~
5320 ~~Sec. 20.3-11). [Deleted and portions relocated to Sec. 3-D-Q.2.d.(1)(b)]~~
5321
- (iii) ~~Permitted uses must be consistent with the underlying zoning district. However,~~
5322 ~~non-commercial agricultural uses, such as the keeping of horses, pigs, chickens~~
5323 ~~and the like, shall be permitted only in communities where they have historically~~
5324 ~~been kept and are currently being kept as common practice acceptable to~~
5325 ~~community members, and shall conform to the following: [Relocated to Sec. 3-D-~~
5326 ~~Q.2.d.(1)(c)]~~
5327
- ~~The breeding, raising, grazing, and keeping of animals, fowl, and insects including,~~
5328 ~~but not limited to, customary farm animals similar to horses, cattle, goats, pigs,~~
5329 ~~rabbits, insects, or poultry and domestic animals similar to dogs, cats, or birds.~~
5330 ~~[Relocated to Sec. 3-D-Q.2.d.(1)(c) Footnote 1] Provided, however, that no more~~
5331 ~~than one (1) insect hive or one (1) adult customary farm animal [Relocated to Sec.~~
5332 ~~3-D-Q.2.d.(1)(c)] six (6) months of age or older [Relocated to Sec. 3-D-~~
5333 ~~Q.2.d.(1)(c) Footnote 1], per each one-half (1/2) acre (21,780 sq. ft.) of land, and~~
5334 ~~no more than one (1) domestic animal [Relocated to Sec. 3-D-Q.2.d.(1)(c)] six~~
5335 ~~(6) months of age or older [Relocated to Sec. 3-D-Q.2.d.(1)(c) Footnote 1] per~~
5336 ~~each one-fifth (1/5) acre (8,712 sq. ft.) [Relocated to Sec. 3-D-Q.2.d.(1)(c)] shall~~
5337 ~~be raised, grazed, kept, or maintained, and provided further, that no animal pen,~~
5338 ~~stall, stable, cage, kennel, or other similar animal enclosure, nor insect hive shall~~
5339 ~~be nearer than one hundred (100) feet from any residential dwelling under different~~
5340 ~~ownership or occupancy. [Relocated to Sec. 3-D-Q.2.d.(1)(c)] If said residential~~
5341 ~~dwelling is constructed subsequent to any of the aforementioned animal~~
5342 ~~enclosures or hives, which may be located on an abutting lot or parcel, then the~~
5343 ~~one hundred (100) foot separation shall be deemed non-applicable and the~~
5344 ~~appropriate property setbacks as established herein, shall apply. [Relocated to~~
5345 ~~Sec. 3-D-Q.2.d.(1)(c) Footnote 2] The farm or domestic animals or hives~~
5346 ~~referenced herein shall be raised, grazed, kept, or otherwise maintained upon the~~
5347 ~~same parcel upon which the main residence is located, or may be upon another~~
5348 ~~parcel which lies immediately abutting the parcel upon which the main residence~~
5349 ~~is located. [Relocated to Sec. 3-D-Q.2.d.(1)(c) Footnote 3]~~
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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

Part D Zoning Districts and Development Standards

- 5352 ~~The keeping of animals as set forth herein shall be subject to the following~~
5353 ~~restrictions:~~
- 5354 ~~a. A fenced enclosure for any permitted customary farm animal shall be~~
5355 ~~erected not less than five (5) feet from adjoining properties, except as~~
5356 ~~otherwise provided for below. [Relocated to Sec. 3-D-Q.2.d.(1)(c)]~~
- 5357 ~~b. No animal shelter, stall, stable, kennel, cage, hive, or other similar~~
5358 ~~enclosure shall be less than one hundred fifty (150) feet from the~~
5359 ~~residential dwelling of a different property owner when such dwelling is~~
5360 ~~separated by an existing street or roadway. [Relocated to Sec. 3-D-~~
5361 ~~Q.2.d.(1)(c)]~~
- 5362 ~~c. The keeping and maintenance of all animals as set forth herein shall~~
5363 ~~conform with all State, County and Local regulations and requirements~~
5364 ~~affecting such concerns as, but not limited to, health, safety, drainage and~~
5365 ~~environmental protection. [Relocated to Sec. 3-D-Q.2.d.(1)(c)]~~
- 5366 ~~(2) Lots recorded on or after July 1, 1991.~~
- 5367 ~~(i) Lot size and dimensions must be consistent with the underlying zoning~~
5368 ~~district. Front building lines and setbacks must be consistent with the underlying zoning~~
5369 ~~district. [Deleted and portions relocated to Sec. 3-D-Q.2.d.(1)(b)]~~
- 5370 ~~(ii) Permitted uses must be consistent with the underlying zoning district.~~
- 5371 ~~(3) Primary dwelling units and customary accessory buildings existing as of July 1, 1991, which~~
5372 ~~are located on lots of size and dimension consistent with (c)(1)(ii)(a) or (c)(1)(ii)(b) above~~
5373 ~~may be replaced if destroyed or damaged. Mobile homes are allowed. Alteration or~~
5374 ~~expansion of such a dwelling unit is permitted. [Relocated to Sec. 3-D-Q.2.d.(1)(c)]~~
- 5375 ~~(4) Additional dwelling units existing on non-conforming lots may not be expanded or replaced.~~
5376 ~~No additional dwelling units may be constructed or moved on a lot where a dwelling unit~~
5377 ~~already exists unless the existing lot can be divided to create a separately deeded~~
5378 ~~conforming lot or an heirs or homestead exemption lot of a size meeting the requirements~~
5379 ~~set forth in item (6) below. [Relocated to Sec. 3-D-Q.2.d.(1)(c)]~~
- 5380 ~~(5) New dwelling units must connect to existing water and sewer service, if available, or must~~
5381 ~~be able to secure a septic tank permit. [Relocated to Sec. 3-D-Q.2.d.(1)(c)]~~
- 5382 ~~(6) Future Land Use Element Policies 1.9.6 (heirs exemption) and 1.9.7 (homestead~~
5383 ~~exemption) of the Clay County 2040 Comprehensive Plan will be applicable to the lots~~
5384 ~~within the overlay zone. Within the overlay zone heirs lots must be at least one (1) acre in~~
5385 ~~size, and homestead lots must be at least two and one-half (2-1/2) acres in size. No more~~
5386 ~~than two (2) such lots may be sold or transferred within a single calendar year without~~
5387 ~~conformance to subdivision requirements. [Deleted]~~

5388 Sec. 3-D-Q.3. Conservation Overlay (CO)

5389 3-D-Q.3.a. Intent of CO District

5390 All land designated as CO is subject to the standards of this Section. Such areas have been established in
5391 order to protect wetland areas from the adverse effects of development in accordance with FLU Policy 1.1.6
5392 and Conservation Policy 1.5.13 of the Clay County Comprehensive Plan. [Relocated from Sec. 3-45.(a)]

5393 3-D-Q.3.b. Boundary Determination of CO

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

Part D Zoning Districts and Development Standards

- 5394 (1) The CO District consists of those areas underlain by hydric soils as defined by the Soil Conservation
 5395 Service (SCS) and as referenced by Rule 40C-4 of the St. Johns River Water Management District
 5396 (SJRWMD) for Clay County listed below:

Soil #	Soil Name
11	Allanton and Rutledge mucky fine sands
12	Surrency fine sand, depressional
25	Maurepas muck, frequently flooded
27	Santee fine sandy loam, frequently flooded
28	Rutledge-Osier complex, frequently flooded
29	Surrency fine sand, frequently flooded
38	Meadowbrook fine sand, frequently flooded
39	Osier fine sand, occasionally flooded
42	Plummer fine sand, depressional
46	Sapelo-Meadowbrook complex, frequently flooded
49	Meggett fine sandy loam, frequently flooded
52	Allanton fine sand, frequently flooded
58	Wesconnett fine sand, frequently flooded
61	Santee fine sandy loam, frequently flooded

- 5397 (2) The depiction of the Conservation Land Use Category on the adopted FLUM is intended as a
 5398 generalized locator only. To better determine the extent of the CO District, a property owner or
 5399 authorized agent may rely upon the limits as depicted in the SCS County Soil Survey Atlas or the
 5400 owner or agent may request a field determination of hydric soil boundaries from the Soil
 5401 Conservation Service either by hand delivery or certified mail. If the SCS Soil Survey Atlas is not
 5402 utilized, the following information shall be submitted to the Planning and Zoning Department:
 5403 (a) A survey or proposed plat of the parcel with accompanying legal description and parcel
 5404 identification number from the property appraiser's office.
 5405 (b) The delineation of hydric soils on the survey as approved by the SCS.
 5406 **[Relocated from Sec. 3-45.(b)]**

3-D-Q.3.d. CO Uses and Conditions

- 5407 (1) Land Development Standards. Lot and building requirements shall be consistent with the
 5408 underlying zoning district.
 5409 (2) Uses. Use of the lands within the CO District shall be consistent with the underlying zoning provided
 5410 the underlying zoning is an AR or other Residential zoning district, or a Residential component of
 5411 a PUD as defined in Sec. 1-15.P.(18). All applicable regulatory permits shall be obtained prior to
 5412 any use within the CO District.
 5413 (a) Permitted Uses.

i.	<u>Residential development:</u>	<u>1 unit per 100 acres¹</u> [From Sec. 3-45.(c)]
ii.	<u>Boardwalks and nature trails</u> [From Sec. 3-45.(c)]	

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

Part D Zoning Districts and Development Standards

iii.	Silvicultural activities utilizing <u>Best Management Practices (BMP)</u> [From Sec. 3-45.(c)]
iv.	Use as a stormwater “treatment wetland” pursuant to applicable state permits [From Sec. 3-45.(c)]
v.	Passive recreation [From Sec. 3-45.(d)]
Footnotes:	
1	Subject to obtaining permits from <u>DER, COE, and/or SJRWMD</u> [EG107]. [Relocated from Sec. 3-45.(c)(1)]

5414 (b) Conditional Uses.

i.	Home Occupations	<u>Refer to Sec. 3-E-1.5.</u>
ii.	Mobile Home for Medical Hardship	<u>Refer to Sec. 3-E-1.6.</u>
iii.	Swimming Pool <u>and Spa</u> (Residential)	<u>Refer to Sec. 3-F.H.5.</u>

5415 **Sec. 3-45. CONSERVATION OVERLAY (ZONE CO)**

5416 (a) ~~Intent. All land with a Conservation Overlay zoning designation is subject to the regulations of this~~
 5417 ~~Section as well as Sec. 20.3-10. Such areas have been established in order to protect wetland~~
 5418 ~~areas from the adverse effects of development in accordance with Future Land Use Policy 1.1.6~~
 5419 ~~and Conservation Policy 1.5.13 of the Clay County Comprehensive Plan. The Conservation~~
 5420 ~~Overlay will add regulations to those already in place for said land pursuant to the underlying zoning~~
 5421 ~~district. Where provisions of the Overlay and underlying district conflict, the Overlay will have~~
 5422 ~~precedence. [Deleted and portions relocated to Sec. 3-D-Q.1. and Sec. 3-D-Q.3.a. Intent of CO~~
 5423 ~~District]~~

5424 (b) ~~Determination of Conservation Boundaries.~~

5425 (1) ~~The Conservation Overlay Zone consists of those areas underlain by hydric soils as~~
 5426 ~~defined by the Soil Conservation Service (SCS) and as referenced by Rule 40C-4 of the~~
 5427 ~~St. Johns River Water Management District for Clay County listed below:~~

Soil #	Soil Name
11	Allanton and Rutledge mucky fine sands
12	Surrency fine sand, depressional
25	Maurepas muck, frequently flooded
27	Pamlico muck
28	Santee fine sandy loam, frequently flooded
29	Rutledge Osier complex, frequently flooded
38	Surrency fine sand, frequently flooded
39	Meadowbrook fine sand, frequently flooded
42	Osier fine sand, occasionally flooded
46	Plummer fine sand, depressional
49	Sapelo-Meadowbrook complex, frequently flooded
52	Meggett fine sandy loam, frequently flooded
58	Allanton fine sand, frequently flooded

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

Part D Zoning Districts and Development Standards

- 5442 61 ~~Wesconnett fine sand, frequently flooded~~
- 5443 (2) ~~The depiction of the Conservation Land Use Category on the adopted Future Land Use~~
5444 ~~Map is intended as a generalized locator only. To better determine the extent of the~~
5445 ~~Conservation Overlay Zone, a property owner or authorized agent may rely upon the limits~~
5446 ~~as depicted in the SCS County Soil Survey Atlas or the owner or agent may request a field~~
5447 ~~determination of hydric soil boundaries from the Soil Conservation Service either by hand~~
5448 ~~delivery or certified mail. If the SCS Soil Survey Atlas is not utilized, the following~~
5449 ~~information shall be submitted to the Planning and Zoning Department:~~
- 5450 (i) ~~A survey or proposed plat of the parcel with accompanying legal description and~~
5451 ~~parcel identification number from the property appraiser's office.~~
- 5452 (ii) ~~The delineation of hydric soils on the survey as approved by the SCS.~~
- 5453 **[Deleted and portions relocated to Sec. 3-D-Q.3.b. Boundary Determination of CO]**
- 5454 (c) ~~Uses Permitted by Right.~~
- 5455 (1) ~~Residential development at a density of one unit per one hundred (100) acres will be~~
5456 ~~allowed subject to obtaining permits from DER, COE, and/or SJRWMD.~~
- 5457 (2) ~~Boardwalks and nature trails.~~
- 5458 (3) ~~Silvicultural activities utilizing BMP's.~~
- 5459 (4) ~~Use as a stormwater "treatment wetland" pursuant to applicable state permits.~~
- 5460 **[Relocated to Sec. 3-D-Q.3.d. CO Uses and Conditions]**
- 5461 (d) ~~Consistency with Underlying Districts. Use of the lands within the Conservation Overlay shall be~~
5462 ~~consistent with the underlying zoning provided the underlying zoning is an Agricultural/Residential~~
5463 ~~or other residential zoning district, or a residential component of a PUD as defined in Sec. 20-3-33.~~
5464 ~~In addition, passive recreation shall be allowed. All applicable regulatory permits must be obtained~~
5465 ~~prior to any use within the Conservation Overlay. [Relocated to Sec. 3-D-Q.3.d. CO Uses and~~
5466 ~~Conditions]~~
- 5467 (e) ~~Conditional Uses. The following uses are permitted in the Conservation Overlay subject to the~~
5468 ~~conditions in Sec. 20-3-5. All applicable regulatory permits must be obtained prior to use.~~
- 5469 (1) ~~Home Occupations~~
- 5470 (2) ~~Mobile Home for Medical Hardship~~
- 5471 (3) ~~Swimming Pools (residential)~~
- 5472 **[Relocated to Sec. 3-D-Q.3.d. CO Uses and Conditions]**
- 5473 (f) ~~Prohibited Uses. Any use not specifically permitted in paragraphs (c), (d), and (e) above. [Deleted]~~
- 5474 (g) ~~Lot and Building Requirements. These requirements shall be consistent with the underlying zoning~~
5475 ~~district. [Relocated to Sec. 3-D-Q.3.d. CO Uses and Conditions]~~

5476 Sec. 3-D-Q.4. Wells Road Special Standards

5477 3-D-Q.4.a. Intent of Wells Road Special Standards

5478 The standards of this Section are intended to preserve and promote the peace, security, and economic
5479 success of the densely populated lands adjacent to portions of Wells Road as well as the intensive
5480 Commercial activities and high employment therein. These standards are in addition to those already in
5481 place for such lands based upon their respective zoning district. **[Relocated from Sec. 3-47.(a)]**

5482 3-D-Q.4.b. Applicability

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

Part D Zoning Districts and Development Standards

5483 The standards of this Section shall apply to any parcel of land that lies in whole or in part within 500 feet of
5484 any portion of the right-of-way of the section of Wells Road extending from the municipal limits of the Town
5485 of Orange Park west to a line across the width of said right-of-way that is perpendicular to the centerline
5486 thereof and passes through the point on said centerline that lies 750 feet west of the intersection of the
5487 centerlines of Wells Road and State Road 21, all as now established. **[Relocated from Sec. 3-47.(b)]**

5488 3-D-Q.4.c. Wells Road Uses and Conditions

- 5489 (1) Uses. Large lounges are prohibited on any parcel of land to which this Section is applicable under
5490 Sec. 3-D-Q.4.b. Applicability.
- 5491 (2) Sunset. Any other provisions of this Article to the contrary notwithstanding, any large lounge in
5492 active operation on any parcel of land to which this Section is applicable under Sec. 3-D-Q.4.b.
5493 Applicability as of the effective date of this Section shall be deemed to be a Non-Conforming use
5494 of land until the date that is 5 calendar years following the effective date of this Section, whereupon
5495 it shall become unlawful and must cease operations. During the 5-year period of non-conformity,
5496 such use may lawfully continue, subject to the provisions and limitations set forth in Part B Non-
5497 Conformities hereof.^[CP108]

5498 ~~Sec. 3-47 SPECIAL REGULATIONS FOR WELLS ROAD~~

- 5499 ~~(a) Intent. The regulations of this Section 3-47 are intended to preserve and promote the peace,
5500 security and economic success of the densely populated lands adjacent to portions of Wells Road
5501 as well as the intensive commercial activities and high employment therein. These regulations are
5502 in addition to those already in place for such lands based upon their respective zoning designations.
5503 Where regulations of this Section 3-47 conflict with those of a particular zoning designation, the
5504 regulations of this Section 3-47 will have precedence. **[Deleted and portions relocated to Sec.**
5505 **3-D-Q.1. and Sec. 3-D-Q.4.a. Intent of Wells Road Special Standards]**~~
- 5506 ~~(b) Applicability. The regulations of this Section 3-47 apply to any parcel of land that lies in whole or in
5507 part within 500 feet of any portion of the right of way of the section of Wells Road extending from
5508 the municipal limits of the Town of Orange Park west to a line across the width of said right of way
5509 that is perpendicular to the centerline thereof and passes through the point on said centerline that
5510 lies 750 feet west of the intersection of the centerlines of Wells Road and State Road 21, all as now
5511 established. **[Deleted and portions relocated to Sec. 3-D-Q.4.b. Applicability]**~~
- 5512 ~~(c) Definitions. As used in subsections (d) and (e), the following terms and phrases shall have the
5513 meanings herein ascribed:~~
- 5514 ~~(1) Alcoholic beverage establishment means a place, business or other establishment selling
5515 and serving alcoholic beverages for consumption on premises. **[Relocated to Sec. 1-**
5516 **15.A.(19)]**~~
- 5517 ~~(2) Alcoholic beverages means distilled spirits and all beverages containing one-half of 1
5518 percent or more alcohol by volume. **[Relocated to Sec. 1-15.A.(18)]**~~
- 5519 ~~(3) Large lounge means any alcoholic beverage establishment to both of the following criteria
5520 apply:~~
- 5521 ~~(i) it is operating under a 4COP quota license issued by the Florida Division of
5522 Alcoholic Beverages and Tobacco or its successor in function; and,~~
- 5523 ~~(ii) the area of its licensed premises is greater than 4,750 square feet.~~
- 5524 **[Relocated to Sec. 1-15.L.(7)]**
- 5525 ~~(4) Licensed premises means the licensed premises of an alcoholic beverage establishment
5526 within the meaning of Section 561.01(11), Florida Statutes, or its successor in function.~~

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

Part D Zoning Districts and Development Standards

5527 [Relocated to Sec. 1-15.L.(9)]
5528 ~~(d) Prohibited Use. Large lounges are prohibited on any parcel of land to which this Section 3-47 is~~
5529 ~~applicable under subsection (b). [Deleted and portions relocated to Sec. 3-D-Q.4.c. Wells Road~~
5530 ~~Uses and Conditions]~~
5531 ~~(e) Sunset. Any other provisions of this Article III to the contrary notwithstanding, any large lounge in~~
5532 ~~active operation on any parcel of land to which this Section 3-47 is applicable under subsection (b)~~
5533 ~~as of the effective date of this Section 3-47 shall be deemed to be a nonconforming use of land~~
5534 ~~until the date that is five calendar years following the effective date of this Section 3-47, whereupon~~
5535 ~~it shall become unlawful and must cease operations. During the five year period of nonconformity,~~
5536 ~~such use may lawfully continue, subject to the provisions and limitations set forth in Section 3-11~~
5537 ~~hereof. [Deleted and portions relocated to Sec. 3-D-Q.4.c. Wells Road 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

5538 DIVISION R MASTER PLANNED COMMUNITIES

5539 Sec. 3-D-R.1. General Provisions of the Master Planned Communities

5540 3-D-R.1.a. Purpose and intent

5541 The Clay County Comprehensive Plan establishes goals, objectives, and policies to guide implementation
5542 of the Branan Field (BF) and the Lake Asbury Master Planned Areas (LAMPAs) (hereby known as the Master
5543 Planned Communities), with the intent to:

- 5544 (1) protect natural resources, which include environmental sensitive lands;
5545 (2) achieve desirable development patterns with variety of housing types;
5546 (3) establish good transportation planning principles with an efficient and safe roadway network; and
5547 (4) provide adequate public facilities to meet the needs of the communities.

5548 3-D-R.1.b. Implementation of the Plan

5549 In order to implement the Master Planned Communities consistent with the Plan, Division R provides
5550 general development guidelines and standards which apply to these communities. Those specific district
5551 or zone standards, design features, and other development standards pertinent to each Master Planned
5552 Community can be found in Divisions S and T.

5553 Sec. 3-D-R.2. Applicability

5554 The provisions of this Division shall apply to all existing, new development, and/or redevelopment of existing
5555 uses within the boundaries of the Master Planned Communities.

5556 Sec. 3-D-R.3. Conflict

5557 3-D-R.3.a. Conflicting Standards

5558 Where there is a conflict between the text and graphics in this Division, the text is in conflict with other
5559 Divisions of the Land Development Code or any State provisions, the standards in the applicable Master
5560 Planned Community Division shall govern and control.

5561 3-D-R.3.b. Silent Standards

5562 When the standards in Divisions R, S and T are silent on an issue that would otherwise be governed by
5563 other codes of the County, those codes shall prevail. To the extent that there is internal conflict, the stricter
5564 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

5565 Sec. 3-D-R.4. Application Requirements

5566 3-D-R.4.a. Application

5567 In addition to the application submittal requirements in [Article 2 Procedures for Development Review of this Code](#), applications specific to the Planned Communities shall include, but are not limited to the following:

- 5568 (1) jurisdictional wetland delineation (a minimum of 200 feet in width or a minimum of 25 feet from the
5569 jurisdictional wetland line, whichever is greater); ~~and~~
5570 (2) building elevations when applicable that specifically demonstrate how the project meets [the](#)
5571 [Architectural Design Guidelines in Part F Division F](#). ~~A design book may replace individual sheets~~
5572 of building elevations.
5573

5574 3-D-R.4.b. Procedures

5575 Project review and approval shall be in compliance with [Article 2 Procedures for Development Review of](#)
5576 [this Code](#). Refer to [Sec. 3-F-I. Application Requirements](#). ~~[Relocated from Sec. 3-33A.I.2.a. Application~~
5577 Requirements]

5578 Sec. 3-D-R.5. Modifications

5579 3-D-R.5.a. Determination of Modifications

5580 Any proposed major or substantial change in the approved project which affects the intent of the
5581 development, the [intensity](#) or land use pattern, the internal circulation, or similar substantial changes shall
5582 be reviewed by the [Planning and Zoning Director](#) or his/her designee. Any modifications to an approved
5583 development order and any addition to or expansion of an existing use shall require the same application,
5584 review and approval for the original approval of the use.

5585 (1) [Major change](#). A major change is defined as an increase in dwelling units which equates to a
5586 change of 5 [percent](#) or 50 units, whichever is greater. For ~~Non-Residential~~ projects, a change
5587 which results in an increase of 5 [percent](#) or 60,000 square feet, whichever is greater, is determined
5588 to be substantial. ~~[Relocated from Sec. 3-33A.I.2.f. Modifications]~~

5589 (2) Minor change. Changes in these areas that are not major or substantial may be approved by the
5590 Director of Planning and Zoning ~~or his/her designee~~. Minor changes in the site plan of an
5591 administrative approved development order which are consistent with the standards and/or
5592 conditions of approval, and which do not result in additional external impacts, including but not
5593 limited to, a minor shift in the location of a building or structure, the realignment of parking spaces
5594 and aisles, and the relocation of a driveway, may be approved by the [Planning and Zoning Director](#)
5595 or his/her designee pursuant to [Article 2 Procedures for Development Review](#) of this Code.
5596 ~~[Relocated from Sec. 3-33A.I.2.f. Modifications]~~

5597 3-D-R.5.b. Pre-application Meeting

5598 A pre-application meeting with the [Planning and Zoning Director](#) or his/her designee is required to
5599 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

5600 Sec. 3-D-R.6. Variance

5601 *A landowner may apply to the Board of Adjustment for a variance in accordance with the procedures and*
5602 *standards provided generally for variances as set forth in Sec. 12-10 of Article 12, Administrative,*
5603 *Amendment and Enforcement. This procedure shall be allowed only for specific and measurable standards*
5604 *that the applicant contends to cause a hardship due to unique site characteristics. [Relocated from Sec.*
5605 *3-33A.1.2.g. Variances]*

5606 Sec. 3-D-R.7. Appeal

5607 3-D-R-7.a. Appeal

5608 *Questions of interpretation which do not involve specific and measurable standards may be appealed to*
5609 *the Planning Commission and Board of County Commissioners subject to applicable requirements as set*
5610 *forth in Sec. 12-12 of Article 12 Administration, Amendment and Enforcement. [Relocated from Sec. 3-*
5611 *33A.1.2.e. Appeal]*

5612 3-D-R.7.b. Appeal procedures

5613 *Such an appeal may be filed within 45 days of the written issuance of interpretation by the Director of*
5614 *Planning and Zoning Director or his/her designee. The Director shall schedule a public hearing within*
5615 *21~~[[MK109]~~ days from receipt of the appeal. The appeal hearing shall follow the procedures and public*
5616 *notification of a quasi-judicial hearing pursuant to Sec. 12-14 of Article 12 Administration, Amendment and*
5617 *Enforcement. [Relocated from Sec. 3-33A.1.2.e. Appeal]*

5618 Sec. 3-D-R.8. Homeowners' or Property Owners' Association

5619 3-D-R.8.a. Homeowners' or Property Owners' Association

5620 *Homeowners' Associations (HOAs) or Property Owners' Associations (POAs) are required for all*
5621 *Residential or Non-Residential developments.*

5622 3-D-R.8.b. Formation

5623 *(1) Residential. HOAs shall be established prior to the construction of 50 percent of the lots within a*
5624 *development. [Relocated from Sec. 3-33A.1.2.i.]*

5625 *(2) Non-Residential. Concurrent with the first recorded plat of a Non-Residential development, a POA*
5626 *shall be established.*

5627 3-D-R.8.c. Covenants and Restrictions

5628 *All properties within a development shall be subject to a declaration of covenants and restrictions, which*
5629 *provide the formation of a single master association. The covenants and other relevant documents shall be*
5630 *submitted to the Clay County Attorney's Office for review and approval prior to the recordation of the first*
5631 *plat or pursuant to a condition or approval of a development order.*

5632 3-D-R.8.d. Responsibility of a Homeowners' Association (HOA)

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

Part D Zoning Districts and Development Standards

- 5633 (1) Maintenance responsibilities shall be that of the developer until such time that such responsibilities
5634 are turned over to a functional HOA.
- 5635 (2) The HOA shall formally assume maintenance responsibility, submitted to the County a fully
5636 executed indemnification and maintenance guarantee regarding common areas and facilities, and
5637 shall be invested with the power to levy recurring assessments on property within the development
5638 sufficient to fund the cost of such maintenance, and to compel the payment of such assessments
5639 through lien and foreclosure, whereupon such association shall bear such responsibility.
- 5640 (3) The HOA shall be responsible for the maintenance in perpetuity of commonly owned facilities
5641 including but not limited to retention, neighborhood parks, private alleys and streets, and buffers.
- 5642 (4) The HOA shall levy assessments on property owners that are adequate to maintain commonly
5643 owned facilities. The HOA shall carry insurance covering common areas and facilities. [From Sec.
5644 3-33A.I.2.i. Homeowners Associations, some current texts are reorganized in this Section,
5645 and deleted redundant text, where applicable.]

5646 Sec. 3-D-R.9. Interpretation Flexibility

5647 3-D-R.9.a. Interpretation of Code

5648 The Planning and Zoning Director or his/her designee, in conference with other Department heads, may
5649 consider and approve minor deviations from specific including use, building arrangement, street layout,
5650 parking location, pedestrian corridor location, landscape buffer width, and tree type. [Relocated from Sec.
5651 3-33A.I.2.j. Interpretation Flexibility]

5652 3-D-R.9.b. Criteria

5653 In considering whether an administrative approval of a request for deviations of the Code, the Director shall
5654 utilize the following criteria to make a decision for an approval or a denial of the applicant's request(s):

5655 (1) The request(s) will not create additional conflicts with other standards of this Article, and will be
5656 consistent with the purpose and intent of the Master Planned community;

5657 (2) The request(s) will not create a detrimental effect on the overall design and will be consistent with
5658 the general layout, development pattern, vehicular and/or pedestrian circulation; and

5659 (3) If the request(s) is/are granted, the improved outcome is apparent.

5660 3-D-R.9.c. Through Street Criteria

5661 In addition to Subsection b. above, the following criteria shall apply to a request for deviation of a through
5662 street:

5663 (1) The through street spacing requirement may be relaxed when the presence of an existing wetland
5664 or an existing development (prior to plan adoption) would prevent the placement of the connection
5665 at that location. In that event, the connection shall be placed outside the wetland boundary, or if
5666 the configuration of the wetland area or existing development practically prohibits through streets,
5667 then that connection may be eliminated. [Relocated from Sec. 3-33A.I.7.a.ii.A. Residential and
5668 from Sec. 3-33B.C.I.13.a.ii.A. Residential, Street Pattern]

5669 Sec. 3-D-R.10. Adequate Public Facilities

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

Part D Zoning Districts and Development Standards

5670 All developments shall be subject to the requirements as set forth in [Part F, Division B, Adequate Public](#)
5671 [Facilities.](#)

5672 Sec. 3-D-R.11. Master Planned Community Design Standards

5673 3-D-R.11.a. Description

5674 These design standards emphasize the importance of the pedestrian, while allowing for conveniences
5675 associated with the vehicular traffic circulation. Streets within the Master Planned Communities FLU
5676 categories that allow a mix of Residential and Commercial uses should be designed for slower speeds to
5677 encourage pedestrian safety.

5678 (1) Applicability. The design standards shall apply to the following FLU or Zoning categories: BF CC,
5679 BF AC, LA AC, LA VC, LA IVC, and any FLU category that the Planning and Zoning or his/her
5680 designee may deem necessary to improve the aesthetic appearance of the proposed development
5681 or redevelopment.

5682 (2) Site Design Layout. Generally, there are 3 types of Commercial/Retail and Office development that
5683 may comprise of the following site design layout:

5684 (a) Shopping Street. This type of layout focuses on clustering of buildings in blocks with the
5685 front side of the buildings oriented towards the internal shopping streets. The accumulated
5686 square footage of multiple tenants is generally under 100,000 square feet. The majority of
5687 the required parking is located at the rear, with access to the buildings through pedestrian
5688 walkways. A smaller percentage of parking can be located on the side of the building,
5689 and/or in the front of the building internal to the shopping streets.

5690 (b) Conventional Shopping Centers (aka Parks Center). This type of layout provides
5691 landscaped pedestrian corridors within parking lots with a significant amount of landscaped
5692 area. Parking is mainly provided at the rear of the Center. Pedestrian Corridors, which are
5693 wide shaded walkways are the main design feature of the Center and connect the parking
5694 lot to the main entrance of the principal buildings. The accumulated square footage of a
5695 Park Center is usually under 100,000 square feet.

5696 (c) Large-Scale Single Tenant (Big Box). This type of layout usually consists of an individual
5697 building that is over 100,000 square feet, and parking is located at the front of the building.
5698 The building shall have wide sidewalks in the front, pedestrian corridors that link parking
5699 areas to the building, direct pedestrian links to adjacent shopping areas, and a significant
5700 landscaped area component. Loading activities are located at the rear of the building.

5701 **[Relocated from Sec. 3-33A.III.5.a. General, BF Community and BF Activity Center**
5702 **Standards]**

5703 3-D-R.11.b. Alternative Option

5704 A development may have the option of combining a Shopping Street with a Single Tenant building >75,000
5705 square feet, and shall comply with the following standards and applicable requirements of [Sec. 3-D-R.11.c.](#)
5706 [Design Standards.](#)

5707 (1) Location. One Single Tenant building may be located at any of the following:

5708 (a) Terminal of Shopping Street. Building shall have its main entrance fronting at the terminal
5709 of a Shopping Street; or

5710 (b) Separate Lot. If such a building is located on a separate lot contiguous to the Shopping
5711 Street, then the lot shall be connected to a Pedestrian Corridor from the Shopping Street.

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

Part D Zoning Districts and Development Standards

- 5712 (2) Access. In both options, the Single Tenant building may have a separate access from an arterial or collector street.
- 5713
- 5714 (3) Limited Percentage. The Single Tenant building shall not exceed 40 percent of the total floor area of the development.
- 5715

3-D-R.11.c. Design Standards

5717 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>Not Applicable</u>	<u>Not Applicable</u>
<u>Internal Shopping Street</u>	✓	✓	<u>Not Applicable</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>	✓	✓	✓

- 5718 (1) Block Lengths:
- (a) Maximum Length:
- | | |
|---|---|
| i. <u>BF CC and BF AC:</u> | <u>500 feet with a pedestrian or vehicular cut-through</u>
[Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout] |
| ii. <u>LAMPA Non-Residential districts:</u> | <u>800 feet with a pedestrian or vehicular cut-through</u>
[Relocated from LAMPA Sec. 3-33B.C.1.5.a.] |
- (b) Cut-Through Establishment. Shall be achieved by placing a Civic Space, walkway, or driveway linking rear parking areas to internal streets.
- (c) Cut-Through Exemption.
- i. A block that is less than 500 feet may be exempt from a cut-through, however, sidewalks shall be provided between the ends of buildings and the side lot lines.
[Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout and LAMPA Sec. 3-33B.C.1.5.a. Street Layout, Shopping Street Standards]
- ii. Where an internal street is existing prior to the time of original Master Plan adoption, and where the lot dimensions do not allow room for such an internal

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- 5728 street. In this case, development may be accessed by adjacent streets, with
 5729 shared and limited access points required whenever possible.
- 5730 iii. When freestanding buildings on separate lots linked by internal streets do not have
 5731 access to such internal streets from adjacent properties, temporary access may
 5732 be allowed from adjacent non-internal streets. **[Relocated from BF Sec. 3-
 5733 33A.III.5.b.i. Street Layout and from LAMPA Sec. 3-33B.C.I.5.a.i. Shopping
 5734 Street Standards]**
- (2) Internal Shopping Street.
- 5735 (a) Travel Lanes. There shall be 2 travel lanes with on-street parking at least on 1 side of the
 5736 street;
- 5737 (b) On-street Parking. Shall be allowed in front of buildings in the form of a single row of parallel
 5738 or diagonal parking spaces; and
- 5739 (c) Median. A landscape median may be included in the middle of the street.
 5740 **[Relocated from BF Sec. 3-33A.III.5.b.i. Street Layout and LAMPA Sec. 3-33B.C.I.5.a.i.
 5741 Street Layout, Shopping Street Standards]**
- (3) Connectivity.
- 5742 (a) Access. Each street or building shall connect to adjacent parcels, where applicable. Any
 5743 necessary stub street shall be shown on the approved Site Plan for future connection.
- 5744 i. To implement the future connection between the subject lot and the adjacent lot,
 5745 an access easement for the portion of the stub street where it terminates at the lot
 5746 line, shall be recorded prior to the issuance of a Certificate of Occupancy of the
 5747 first building of the subject lot.
- 5748 (b) Large-Scale Single Tenant. An individual building, if located in a Shopping Street or Park
 5749 Center layout, shall be located pursuant to Sec. 3-D-R.11.b. Alternate Option.
- (4) Building Arrangement.
- 5750 (a) Clustering.
- 5751 i. Buildings shall be clustered on both sides of a shopping street with entrances
 5752 oriented to that street; or
- 5753 ii. clustered the buildings on 1 side of a street that face a Park or Civic Space on the
 5754 other side of the street.
- 5755 iii. There shall be a minimum of 75 percent of building frontage within a block.
 5756 **[Relocated from BF Sec. 3-33A.III.5.b.ii. Building Arrangement and LAMPA Sec. 3-
 5757 33B.C.I.5.a.ii. Building Arrangement]**
- (5) Building Frontage and Entrance.
- 5758 (a) Shopping Street Layout. Front entrances of each building shall be oriented towards the
 5759 internal street. There shall be a minimum of 75 percent of building frontage within a block.
 5760 **[Relocated from BF Sec. 3-33A.III.5.b.ii. Building Arrangement and LAMPA Sec. 3-
 5761 33B.C.I.5.a.ii. Building Arrangement]**
- 5762 (b) Large-Scale Single Tenant. Shall front on a public street right-of-way. If located as part of
 5763 a Shopping Street or Park Center Layout, refer to Sec. 3-D-R.11.b. Alternate Option.
- 5764 (c) All building entrances shall be designed according to Part F, Division F Architectural
 5765 Design Guidelines.
- (6) Height Limitation. The following height standards shall apply:

<u>Residential FLU Category or Sub Zone</u>	<u>Maximum Height</u>
---	-----------------------

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Part D Zoning Districts and Development Standards

<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> [MK110]

5771 [Relocated from BF Sec. 3-33A.III.5.i. Height Limitations and LAMPA Sec. 3-33B.C.I.11.
5772 Height Limitations]

5773 (7) Building Design. Refer to Part F, Division F Architectural Design Guidelines.

5774 (8) Parking. In addition to the standards of Sec. 8-12. Parking Standards of this Code, the following
5775 standards shall apply to all site design layouts, unless noted otherwise.

5776 (a) Shopping Street and Park Center. Parking shall comply with the following:

- | | |
|------------------------------|---|
| <u>i. 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. Side:¹</u> | <u>A maximum of 25 percent of the required parking shall be located on 1 side of a building.</u> [MK111] |
| <u>iii. Rear:</u> | <u>A minimum of 60 percent of the required parking shall be located at the rear of a building.</u> |

Footnote:

1 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]

5777 (b) Large-Scale Single Tenant. Parking shall comply with Sec. 8-12. Parking Requirements of
5778 this Code.

5779 (9) Sidewalk.

5780 (a) Location. Shall be provided on both sides of internal streets. Sidewalks may be placed
5781 either against the building side with the Foundation Planting abutting the internal street,
5782 or on the other side of the Foundation Planting. [Relocated from BF Shopping Street
5783 Sec. 3-33A.III.5.b.iv., Park Center 3-33A.III.5.c.ii; Big Box 3-33A.III.5.e.iii. Sidewalks
5784 and LAMPA Sec. 3-33B.C.I.5.a.iv. Sidewalks]

5785 (b) Minimum Width:

- | | |
|--------------------------------|---|
| <u>i. Infront of Building:</u> | <u>All areas unless 10 feet stated otherwise:</u> |
|--------------------------------|---|

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ARTICLE ~~III~~ 3 ZONING ~~DISTRICTS AND~~ LAND USES, AND
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		<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>
[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]			
(10)	<u>Pedestrian Corridor:</u>		
(a)	<u>Shopping Street and Park Center. A Pedestrian Corridor shall be provided for all site design layouts and subject to the following:</u>		
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 row or every 120 feet, whichever is less.</u>	
B.	<u>Minimum sidewalk within a Pedestrian Corridor:</u>	<u>Shopping Street:</u>	<u>5 feet</u>
		<u>Park Center:</u>	<u>6 feet</u>
		<u>LAMPA:</u>	<u>5 feet</u>
C.	<u>Minimum landscape strip:</u>	<u>Shopping Street:</u>	<u>On either side of the sidewalk: 8 feet</u>
		<u>Park Center:</u>	<u>On both sides of the sidewalk: 17 feet</u>
		<u>LAMPA:</u>	<u>12½ feet [Relocated from Sec. 3-33B.C.5.v. Pedestrian Corridor]</u>
		<u>Shopping Street:</u>	<u>On either side of the sidewalk: 8 feet</u>
iv.	<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 apart¹</u>
		<u>Park Center:</u>	<u>Shade Trees at a maximum of 30 feet apart¹</u>
	<u>Footnote:</u>		

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1 ~~The spacing of Shade Trees may exceed the 35-foot standard no more than 150 percent, if the Landscape Reviewer finds that wider spacing is needed due to tree species.~~

5791 [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]
5792

5793 (b) 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]
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<u>i.</u>	<u>Dimensional Standards:</u>	
<u>A.</u>	<u>Sidewalk within Pedestrian Corridor:</u>	<u>Minimum of 6 feet</u>
<u>B.</u>	<u>Landscape Strip:</u>	<u>Both sides of the sidewalk a minimum of 10 feet</u>
<u>C.</u>	<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>

5798 [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]
5799

WOKRING GRAPHIC: Plan view graphic showing a parking lot with dimensions for Large-Scale Single Tenant.

5800 (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]
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5805 (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.
5806
5807

5808 (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.
5809
5810

5811 (a) Buffer.

<u>i.</u>	<u>Right-of-Way Buffer:</u>	<u>Shopping Street:</u>	<u>Not Applicable</u>
		<u>Park Center and Large-Scale Single Tenant:</u>	<u>A minimum of 75 feet in width; Shade Tree¹ at a ratio of 1 tree per 1,000 square feet</u> <u>[Relocated from Sec. 3-33A.III.5.c.v. Buffers, Park Center]</u>
<u>ii.</u>	<u>Perimeter Buffer:</u>	<u>Shopping Street:</u>	<u>Not Applicable</u>

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Part D Zoning Districts and Development Standards

Park Center and Large-Scale Single Tenant: A minimum of 30 feet in width; Shade Tree spacing at 30 feet apart

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.*

5812 **[Relocated from BF Sec. 3-33A.III.5.c.v. Park Center Buffers and 5.e.vi. Big Box**
5813 **Buffers]**
5814 iii. *At least 50 percent of the planted or preserved trees within the perimeter and right-*
5815 *of-way buffers shall be a minimum 4-inch caliper, with trees under 5 inches in*
5816 *caliper being counted as small for Tree Protection and Landscaping Standards*
5817 *calculation purposes. [Relocated from BF Sec. 3-33A.III.5.c.v. Park Center*
5818 *Buffers and 5.e.vi. Big Box Buffers]*
5819 (b) Building Facade Landscaping. *Buildings shall be designed to incorporate landscaping by*
5820 *varying building setbacks to accommodate raised planters, sidewalk cutouts, or portable*
5821 *planters. [Relocated from BF Sec. 3-33A.III.5.b.vi. Shopping Street Landscaping]*
5822 (c). Foundation Planting. *A planting area with a minimum width of 10 feet may be provided as*
5823 *an alternative for planters and sidewalk cutouts.*
5824 i. Foundation Planting may be placed on the front and sides of the building.
5825 ii. The minimum length of Foundation Planting shall be 20 percent of the front of a
5826 building, and the side of a building, where applicable. One flowering tree or palm
5827 shall be planted for each 15 lineal feet of the length of the planting area.
5828 iii. Foundation planting may be located between the building and the sidewalk, or
5829 adjacent to the street when the sidewalk abuts the building. [Relocated from BF
5830 Sec. 3-33A.III.5.b.vi. Landscaping]
5831 (d) Street Trees.
5832 *Street trees shall be placed in sidewalk cutouts along internal streets at a spacing that is*
5833 *at least an average of 40 feet on center. [Relocated from BF Sec. 3-33A.III.5.b.vi.*
5834 *Landscaping]*

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5835	(e) <u>Parking Area Landscape</u>	
	i. <u>Minimum Percentage</u>	<i>15 percent of the parking lot shall be landscaped area</i> [Relocated from BF Sec. 3-33A.III.5.c.iv. Landscaping]
	ii. <u>Landscape Island</u>	<u>1 landscape island at each end of a row of parking spaces, and at every 10 spaces.</u>
	iii. <u>Landscape Median</u>	<u>Shall be provided along driveways and also in Parking Area pursuant to Sec. 3-D-R.10. Pedestrian Corridor.</u>

WORKING GRAPHIC: Insert a graphic, plan view, showing 10 parking spaces with a 10-foot island and 15 feet in length.

- 5836 iv. Deviation of Spacing Interval. The required distance may be increased to 1 island per a maximum of 12 spaces if:
- 5837 A. the width of each terminal island that is adjacent to the row of parking
- 5838 spaces is increased from the required minimum width to 1 additional foot;
- 5839 and/or
- 5840 B. it is to allow a preserved tree to remain in its original location.
- 5841 v. Landscape Island and Median Dimensional Standards.
- 5842

<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>
<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>

- 5843 (12) Park or Civic Space. Park or Civic areas which are utilized to replace the requirement of having
- 5844 buildings on 1 side of a Shopping Street shall have an average width of at least 75 feet and a
- 5845 minimum width of 40 feet.
- 5846 (a) Shade Tree Planting. Shall include Shade Trees at the ratio of 1 per 1,500 feet and include
- 5847 a sidewalk traversing the area.
- 5848 (b) Exemption. For freestanding buildings that are less than 7,500 square feet in size, the
- 5849 minimum 40-foot width is required but the average 75-foot width is not required.
- 5850 **[Relocated from BF Sec. 3-33A.III.5.b.vi. Landscaping]**
- 5851 (13) Retention Area.
- 5852 (a) Location. Retention areas, which may be a water body or detention area, when adjacent
- 5853 to a street frontage, shall only occupy a maximum of 50 percent of the street.
- 5854 (b) Calculation. At least 50 percent of retention areas shall be utilized for the calculation of
- 5855 required trees within buffers. Such facilities shall visually and functionally complement the
- 5856 Park/Civic Space through the use of pedestrian bridges, boardwalks, and docks; fountains

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- 5857 for aeration and improved appearance, and shall include Shade Trees and other planted
5858 or preserved vegetation around the retention areas.
5859 (c) Encroachment. Retention areas may encroach into a landscape buffer a maximum of 10
5860 feet, and if planting is allowed to be placed in the slope of the retention areas, those plants
5861 may be allowed to be counted towards the buffer planting requirement. [Relocated from
5862 BF Sec. 3-33A.III.5.b.vi. Landscaping]
5863 (14) Lighting. Refer to Part F, Division G Exterior Lighting of this Code.

5864 ~~Sec. 3-33A.I. GENERAL STANDARDS Branan Field Current Code~~

5865 ~~I. GENERAL STANDARDS~~

- 5866 1. ~~Definition. These land development regulations are the implementing mechanisms of the Branan~~
5867 ~~Field Master Plan and will be applicable within the geographical boundaries of the Master Plan area as~~
5868 ~~shown on the Future Land Use Map in the 2040 Comprehensive Plan. [Deleted as the current text is~~
5869 ~~not a definition]~~
5870 2. ~~Plan Administration.~~
5871 a. ~~Application Requirements. Applications for development review shall include, at a~~
5872 ~~minimum, a narrative, site plan, jurisdictional wetland/BF PCN delineation (the BF PCN~~
5873 ~~being defined as a minimum of 200 feet in width or a minimum of 25 feet from the~~
5874 ~~jurisdictional wetland line, whichever is greater), survey, and building elevations when~~
5875 ~~applicable that specifically demonstrate how the project meets the LDRs. [Relocated to~~
5876 ~~Sec. 3-D-R.4. Plan Requirements]~~
5877 b. ~~Project Review. All projects will undergo separate conceptual and final reviews by the~~
5878 ~~County's staff Development Review Committee, with representatives of specific County~~
5879 ~~departments reviewing items pertinent to their responsibilities. Applications shall be~~
5880 ~~considered by the DRC no later than 22 days from the date of submittal.~~
5881 c. ~~Project Approval. Project approval shall be given by the Directors of Planning and Zoning,~~
5882 ~~with written confirmation of compliance from other County department heads as required~~
5883 ~~in these regulations. Conceptual approval is granted for a period of three years.~~
5884 ~~Conceptual plans will be guided by the LDRs in effect at the time of approval. Final~~
5885 ~~applications shall be considered by the DRC consistent with the DRC submittal schedule.~~
5886 ~~Approval of specific plats, construction drawings, and other detailed submittals shall~~
5887 ~~continue to be the responsibility of the relevant department head. For residential~~
5888 ~~developments, a plan book showing how the homes will meet the standards set forth in~~
5889 ~~this document will be required prior to final approval. [Deleted. Deferred to Article 2]~~
5890 d. ~~Conflicts. To the extent that these LDRs may conflict with or may not be consistent with~~
5891 ~~other applicable County laws, ordinances, rules or regulations, these LDRs shall govern~~
5892 ~~and control. When the LDRs are silent on an issue that would otherwise be governed by~~
5893 ~~other codes of the County, those codes shall prevail. To the extent that there is internal~~
5894 ~~conflict, the stricter provision shall prevail. [Relocated to Sec. 3-D-R.3. Conflicts]~~
5895 e. ~~Appeal. Questions of interpretation which do not involve specific and measurable~~
5896 ~~standards may be appealed to the Planning Commission and Board of County~~
5897 ~~Commissioners. Such an appeal may be filed within 45 days of the written issuance of~~
5898 ~~interpretation by the Director of Planning. The Director of Planning must schedule a public~~
5899 ~~hearing within 21 days from receipt of the appeal. The appeal hearing shall be a quasi-~~
5900 ~~judicial, de novo hearing and shall allow expert testimony. Public notice shall be no less~~
5901 ~~than two columns by ten inches (1/8 page) in size and shall be advertised in a newspaper~~

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

Part D Zoning Districts and Development Standards

- 5902 ~~of general circulation at least seven days prior to the hearing.~~ [Relocated to Sec. 3-D-R.7.
- 5903 **Appeal]**
- 5904 ~~f. Modifications. Any proposed major or substantial change in the approved project which~~
- 5905 ~~affects the intent of the development, the density or land use pattern, the internal~~
- 5906 ~~circulation, or similar substantial changes shall be reviewed by the DRC consistent with~~
- 5907 ~~section (a) above. A major change is defined as an increase in dwelling units which~~
- 5908 ~~equates to a change of 5% or 50 units, whichever is greater. For non-residential projects,~~
- 5909 ~~a change which results in an increase of 5% or 60,000 square feet, whichever is greater,~~
- 5910 ~~is determined to be substantial. Changes in these areas that are not major or substantial~~
- 5911 ~~may be approved by the Directors of Planning and Zoning.~~ [Relocated to Sec. 3-D-R.5.
- 5912 **Modifications]**
- 5913 ~~g. Variances. A landowner may apply to the Board of Adjustment for a variance in accordance~~
- 5914 ~~with the procedures and standards provided generally for variances under the Zoning~~
- 5915 ~~Code. This procedure shall be allowed only for specific and measurable standards that~~
- 5916 ~~the applicant contends to cause a hardship due to unique site characteristics.~~ [Relocated
- 5917 ~~to Sec. 3-D-R-6. Variance]~~
- 5918 ~~h. Land Uses. Land uses within Branan Field are limited to those designations on the Branan~~
- 5919 ~~Field Future Land Use Map, but may also include the Planned Community designation~~
- 5920 ~~which shall be subject to the development standards set forth in any such Planned~~
- 5921 ~~Community DRI Development Order and Planned Unit Development zoning which shall~~
- 5922 ~~take precedence over these land development regulations.~~ [Relocated to Sec. 3-D-S.4.d.
- 5923 **Branan Field Land Uses, Existing Developments]**
- 5924 ~~i. Homeowners Associations. Homeowners Associations (HOAs) are required for all~~
- 5925 ~~residential subdivisions. HOAs shall formally assume maintenance responsibility,~~
- 5926 ~~submitted to the county a fully executed indemnification and maintenance guarantee~~
- 5927 ~~regarding common areas and facilities, and shall be invested with the power to levy~~
- 5928 ~~recurring assessments on property within the development sufficient to fund the cost of~~
- 5929 ~~such maintenance, and to compel the payment of such assessments through lien and~~
- 5930 ~~foreclosure, whereupon such association shall bear such responsibility. HOAs shall be~~
- 5931 ~~responsible for the maintenance in perpetuity of commonly owned facilities including but~~
- 5932 ~~not limited to retention, neighborhood parks, private alleys and streets, and buffers. HOAs~~
- 5933 ~~shall be established prior to the construction of 50% of the lots within a development.~~
- 5934 ~~Maintenance responsibilities shall be that of the developer until such time that such~~
- 5935 ~~responsibilities are turned over to a functional HOA. Covenants and restrictions on~~
- 5936 ~~properties shall be required, and shall set forth participation and financial obligations~~
- 5937 ~~pertaining to HOAs. HOAs shall levy assessments on property owners that are adequate~~
- 5938 ~~to maintain commonly owned facilities. HOAs shall carry insurance covering common~~
- 5939 ~~areas and facilities.~~ [Relocated to Sec. 3-D-R.8. Homeowners and Property Owners
- 5940 **Association]**
- 5941 ~~j. Interpretation Flexibility. The Planning and Zoning Directors may consider and approve~~
- 5942 ~~deviations from specific LDR requirements including use, building arrangement, street layout,~~
- 5943 ~~parking location, pedestrian corridor location, landscape buffer width, and tree type. However~~
- 5944 ~~such approval shall only be granted if a compelling need and an improved outcome are~~
- 5945 ~~apparent, and if the intent of the regulations is upheld and in fact exceeded, particularly in~~
- 5946 ~~regard to pedestrian orientation.~~ [Relocated to Sec. 3-F-R.9.a. Interpretation of Code,
- 5947 **Interpretation Flexibility]**

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

Part D Zoning Districts and Development Standards

5948 **Sec. 3-33B.C.13.a.ii.A. Residential Street Pattern.**

5949 ~~A.—Residential. The pattern of streets in new residential subdivisions shall provide for the~~
5950 ~~continuation of existing collector and in some cases local streets from adjoining areas,~~
5951 ~~or for their proper projection where adjoining land is not subdivided. All street stubs~~
5952 ~~shall be provided with a cul-de-sac that reaches the adjoining property line and is~~
5953 ~~constructed at the same time that the other roads are constructed for a particular~~
5954 ~~project or phase of a project, and the restoration and extension of the street shall be~~
5955 ~~the responsibility of any future developer of the abutting land unless physical~~
5956 ~~constraints of the land prevent such connection. [Relocated to/consolidated under~~
5957 ~~Sec. 3-F-C.2.a.(3) Street Stubs, Street Pattern]~~

5958 ~~The design of a development shall allow for through streets at least every twenty-five~~
5959 ~~hundred feet along the periphery. As an alternative, developments shall allow for~~
5960 ~~through streets at least every three thousand feet with a separate pedestrian~~
5961 ~~connection midway between street connections. The Planning and Zoning Director~~
5962 ~~may utilize averaging to provide flexibility in administering this standard. The through~~
5963 ~~street spacing requirement shall be relaxed when the presence of an existing wetland~~
5964 ~~or an existing development (prior to plan adoption) would prevent the placement of the~~
5965 ~~connection at that location. In that event, the connection shall be placed outside the~~
5966 ~~wetland boundary, or if the configuration of the wetland area or existing development~~
5967 ~~practically prohibits through streets, then that connection may be eliminated.~~
5968 ~~[Relocated to/consolidated under Sec. 3-D-R-9. Interpretation Flexibility]~~

5969 **5.—BF Community and BF Activity Center Standards.**

5970 ~~The following standards shall apply within the BF Community and BF Activity Center land uses:~~

5971 ~~a.—General. Buildings and parking areas shall be arranged in a way that emphasizes the importance~~
5972 ~~of the pedestrian, while allowing for conveniences associated with the automobile. Free-standing~~
5973 ~~stores and shopping centers will be arranged along pedestrian oriented “shopping streets,” instead~~
5974 ~~of in the middle of parking lots. As an alternative, conventional shopping centers will have~~
5975 ~~pedestrian corridors within parking lots along with a significant amount of landscaped area. These~~
5976 ~~designs will encourage walking and also create a much more attractive appearance than a~~
5977 ~~conventional strip shopping center. While individual stores over 100,000 square feet (“big boxes”)~~
5978 ~~need not be arranged along internal streets in this manner, they shall have wide sidewalks in front~~
5979 ~~of them, shall have pedestrian corridors that link parking areas to the store, shall have direct~~
5980 ~~pedestrian links to adjacent shopping areas, and will also have a significant landscaped area~~
5981 ~~component. [Relocated to Sec. 3-D-R.11.a. Description]~~

5982 ~~b.—“Shopping Street” Standards (Freestanding commercial buildings under 100,000 square feet in size~~
5983 ~~and shopping centers with multiple tenants).~~

5984 ~~i.—Street Layout. Development shall be arranged along internal shopping streets within a~~
5985 ~~development. Block length for such streets shall be a maximum of five hundred feet, with block~~
5986 ~~limits defined as through side streets and pedestrian walkways or civic spaces (not applicable~~
5987 ~~to freestanding buildings). For shopping streets on parcels less than 500 feet, driveways or~~
5988 ~~pedestrian walkways linking rear parking areas to internal streets or sidewalks shall be~~
5989 ~~provided between the ends of buildings and the side property lines. Shopping streets shall~~
5990 ~~connect adjacent parcels in the case of freestanding buildings, and such connections must be~~
5991 ~~shown on submitted site plans. Shopping streets shall include two travel lanes and on-street~~
5992 ~~parking lane(s) on at least one side of the street. Streets may also include a landscape median.~~

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- 5993 ~~The only exception to the requirement of an internal street is if existing (at the time of original~~
5994 ~~Master Plan adoption) property dimensions do not allow room for such an internal street. In~~
5995 ~~this case, development may be accessed by adjacent streets, with shared and limited access~~
5996 ~~points required whenever possible. When freestanding buildings on separate lots linked by~~
5997 ~~internal streets do not have access to such internal streets from adjacent properties, temporary~~
5998 ~~access may be allowed from adjacent non-internal streets. [Relocated to Sec. 3-D-R.11.C.(1)~~
5999 ~~and (2) Block Length and Internal Shopping Street]~~
6000 ~~ii. Building Arrangement. Buildings shall be placed close to the shopping street, with entrances~~
6001 ~~oriented to that street. Buildings shall be clustered on both sides of a shopping street, or~~
6002 ~~clustered buildings on one side of a street shall face a linear park/civic space on the other side~~
6003 ~~of the street. Clustering shall be achieved in the following manner. Freestanding buildings on~~
6004 ~~separate and adjacent lots shall be placed as close together as possible and shall provide a~~
6005 ~~shared access driveway on the non-clustered side. For shopping centers, buildings shall~~
6006 ~~occupy at least 75 percent of linear frontage within a block. [Relocated to Sec. 3-D-R.11.c.(4)~~
6007 ~~Building Arrangement]~~
6008 ~~iii. Parking. Parking shall be located primarily to the rear of buildings, but will also be allowed on~~
6009 ~~one side of a building (in the case of shopping centers, in conformance with the 75% frontage~~
6010 ~~limitation set in item ii above). Parking will be allowed in front of buildings in the form of a single~~
6011 ~~row of parallel or diagonal on-street parking along internal shopping streets. Side parking areas~~
6012 ~~shall have a streetwall (wall or hedge at least 42" in height) adjacent to the internal street that~~
6013 ~~will screen the parking area and continue the line of front building facades. [Relocated to Sec.~~
6014 ~~3-D-R.11.c.(8) Parking]~~
6015 ~~iv. Sidewalks. A sidewalk is required on both sides of internal streets. This sidewalk shall be a~~
6016 ~~minimum width of ten feet, except where sidewalks are not adjacent to building sides with an~~
6017 ~~entrance, minimum width shall be six feet. Sidewalks within park/civic areas must be at least~~
6018 ~~eight feet wide. Sidewalks shall be placed on the parking lot and street sides of freestanding~~
6019 ~~buildings, and shall also connect to building entrances. Sidewalks may be placed either on the~~
6020 ~~building side of the required landscape strip or on the other side of the landscape strip.~~
6021 ~~[Relocated to Sec. 3-D-R.11.c.(9) Sidewalk]~~
6022 ~~v. Pedestrian Corridors. For parking lots where the distance between parking spaces and~~
6023 ~~storefront sidewalks exceeds 200 feet, pedestrian corridors are required. Pedestrian corridors~~
6024 ~~should run with at least every other double parking row or every 120 feet, whichever is less.~~
6025 ~~Pedestrian corridors shall be clearly identified when crossing driveways through the use of~~
6026 ~~raised speed humps, crosswalk striping, different pavement patterns, or similar techniques.~~
6027 ~~Sidewalks within pedestrian corridors shall be at least five feet in width, with a landscape strip~~
6028 ~~on either side that is at least five feet wide. This landscape strip shall include planted palm~~
6029 ~~trees no more than 15 feet apart, and/or parking lot shade trees no more than 30 feet apart,~~
6030 ~~placed within landscape islands. The spacing of shade trees may exceed the 30 foot standard~~
6031 ~~no more than 150%, if the Landscape Reviewer finds that wider spacing is needed due to tree~~
6032 ~~species. [Relocated to Sec. 3-D-R.11.c.(10)(a) Pedestrian Corridor]~~
6033 ~~vi. Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~
6034 ~~standards shall apply. Buildings should be designed to incorporate landscaping into store~~
6035 ~~frontage. This can be done by means of raised planters, sidewalk cutouts, or portable~~
6036 ~~planters, or by varying building setbacks that can easily accommodate landscape planters.~~
6037 ~~Street trees shall be placed along internal shopping streets at a spacing that is at least an~~
6038 ~~average of 40 feet on center. [Relocated to Sec. 3-D-R.11.(b) Foundation Planting]~~
6039 ~~Freestanding buildings must provide either a landscape strip with parking lot or street trees~~

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

Part D Zoning Districts and Development Standards

6040 placed with a spacing that is no more than 30 feet on center that is at least ten feet in width
6041 ~~on the front and sides of the building.~~ **[Relocated to Sec. 3-D-R.11.(c)(11)(c) Foundation**
6042 **Planting]** A minimum five-foot wide sidewalk shall be placed on either side of the
6043 landscape strip facing any parking areas, entrances, and adjacent streets. As an
6044 alternative, ~~the landscape strip may be eliminated from areas facing the parking lot,~~
6045 entrances, and adjacent streets if a minimum ten-foot wide sidewalk is provided with
6046 parking lot or street trees in cutouts or landscape islands spaced no more than 30 feet on
6047 center. ~~The spacing of trees within the building landscape strip may exceed the 30-foot~~
6048 ~~standard no more than 150%, if the Landscape Reviewer finds that wider spacing is~~
6049 ~~needed due to tree species. For shopping centers with multiple tenants, street trees shall~~
6050 ~~be approved parking lot trees and may also include Washingtonian Palm trees, or similar~~
6051 ~~tall palms. All landscape islands in parking lots shall have shade trees.~~ **[Relocated to**
6052 **Sec. 3-D-R.11.(c)(11)(a) Buffer, Footnote]** ~~Park/civic areas utilized instead of buildings~~
6053 ~~on one side of a shopping street must have an average width of at least 75 feet and a~~
6054 ~~minimum width of 40 feet, include shade trees at the ratio of one per 1,500 feet, and include~~
6055 ~~a sidewalk traversing the area. For freestanding buildings that are less than 7,500 square~~
6056 ~~feet in size, the minimum 40-foot width is required but the average 75-foot width is not~~
6057 ~~required. **[Relocated to Sec. 3-D-R.11.c.(12)]** At least 50% of retention lands shall be~~
6058 ~~utilized for the calculation of required trees within buffers. Such facilities must shall be~~
6059 ~~visually and functionally complement the park/civic space through the use of pedestrian~~
6060 ~~bridges, boardwalks, and docks; provide fountains for aeration and improved appearance;~~
6061 ~~like in appearance and provide visual screening of interior parking through the placement~~
6062 ~~of shall include shade trees and other landscaping planted or preserved around the~~
6063 ~~retention facility. **[Relocated to Sec. 3-D-R.11.(c)(13) Retention Area]**~~
6064 ~~e. "Park Center" for commercial buildings under 100,000 square feet in size and shopping~~
6065 ~~centers with multiple tenants (not including freestanding buildings).~~
6066 ~~i. Street Layout. Development shall front along an internal street within a development.~~
6067 ~~**[Deleted]**~~
6068 ~~ii. Sidewalks. A minimum ten-foot wide sidewalk is required along the building side of~~
6069 ~~internal streets. **[Deleted and consolidated in Sec. 3-D-R.11.c.(9) Sidewalk]**~~
6070 ~~iii. Pedestrian Corridors. For parking lots where the distance between parking spaces~~
6071 ~~and storefront sidewalks exceeds 200 feet, landscaped pedestrian corridors shall be~~
6072 ~~provided. Pedestrian corridors should run with at least every other double parking row~~
6073 ~~or every 120 feet, whichever is less. Pedestrian corridors shall be clearly identified~~
6074 ~~when crossing driveways through the use of raised speed humps, crosswalk striping,~~
6075 ~~different pavement patterns or similar techniques. Sidewalks within landscaped~~
6076 ~~pedestrian corridors shall be at least six feet in width, with a landscape strip on both~~
6077 ~~sides that is at least 17 feet wide. Shade trees must be planted on both sides of the~~
6078 ~~sidewalk at least 20 feet apart but no more than 35 feet apart. Pedestrian connections~~
6079 ~~at the same spacing shall also be provided perpendicular to the main pedestrian~~
6080 ~~corridors by enlarging landscape islands, however such perpendicular connections~~
6081 ~~shall only require walkways and not additional landscaping. **[Deleted. Consolidated**~~
6082 ~~**under Sec. 3-D-R.11.c.(10) Pedestrian Corridor.]**~~
6083 ~~iv. Landscaping. In addition to the County's Landscaping and Tree requirements, the~~
6084 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~
6085 ~~internal streets at a spacing that is at least an average of forty feet on center. Street~~
6086 ~~trees shall be approved parking lot trees and may also include Washingtonian Palm~~

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

Part D Zoning Districts and Development Standards

6087 ~~trees, or similar tall palms. All landscape islands in parking lots shall have shade trees,~~
 6088 ~~planted or preserved at a minimum caliper of four inches. Trees less than five inches~~
 6089 ~~in caliper shall be counted as small trees for Tree Protection and Landscaping~~
 6090 ~~Standards calculation purposes. At least 15% of the parking lot shall be landscaped~~
 6091 ~~area (not including the perimeter and right-of-way buffers). **[Deleted. Consolidated**~~
 6092 ~~**under Sec. 3-D-R.11.c.(11) Landscaping.]**~~
 6093 ~~v. **Buffers.** Perimeter buffers shall be at least 30 feet in width and include shade trees~~
 6094 ~~planted or preserved at least every 30 feet. The spacing of shade trees may exceed~~
 6095 ~~the 30-foot standard no more than 150%, if the Landscape Reviewer finds that wider~~
 6096 ~~spacing is needed due to tree species. Right-of-way buffers shall be at least 75 feet~~
 6097 ~~and include shade trees planted or preserved at a ratio of at least one tree per 1000~~
 6098 ~~square feet. **[Deleted, Consolidated under Sec. 3-D-R.11.c.(11)(a) Buffer.]**~~
 6099 ~~In addition, shade trees must be located between the sidewalk and the principal~~
 6100 ~~thoroughfare, with a minimum spacing of 30 feet. The spacing of shade trees may~~
 6101 ~~exceed the 30-foot standard no more than 150%, if the Landscape Reviewer finds that~~
 6102 ~~wider spacing is needed due to tree species. **[Deleted, Consolidated under Sec. 3-**~~
 6103 ~~**D-R.11.c.(11)(b) Building Facade Landscaping.]** Retention facilities may occupy up~~
 6104 ~~to 30% of the park/civic space. At least 50% of retention lands shall be utilized for the~~
 6105 ~~calculation of required trees within buffers. Such facilities shall visually and functionally~~
 6106 ~~complement the park/civic space through the use of pedestrian bridges, boardwalks,~~
 6107 ~~and docks; provide fountains for aeration and improved appearance, and shall include~~
 6108 ~~shade trees and other landscaping planted or preserved around the retention facility.~~
 6109 ~~At least 50 percent of the planted or preserved trees within the perimeter and right-of-~~
 6110 ~~way buffers must be a minimum four-inch caliper, with trees under five inches in caliper~~
 6111 ~~being counted as small for Tree Protection and Landscaping Standards calculation~~
 6112 ~~purposes.~~
 6113 ~~**[Deleted, Consolidated under Sec. 3-D-R.11.c.(13) Retention Area.]**~~
 6114 ~~d. "Hybrid Alternative" for shopping centers with multiple tenants.~~
 6115 ~~Such shopping centers may include components of both shopping streets and park centers. The~~
 6116 ~~size of required landscaped areas is reduced as the hybrid achieves more of the shopping street~~
 6117 ~~elements in accordance with the following table.~~

Percentage of Building Space in Shopping Street Design	Right-of-Way Buffer Minimum Width	Perimeter Buffer Minimum Width	Pedestrian Corridor Minimum Width	Parking Lot Landscape Percentage	Parking Lot Island Minimum 4" Trees
0-25% (Park Center)	75'	30'	40'	15%	Yes
26-39%	50'	20'	30'	12%	Yes

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40-50%	35'	10'	20'	N/A	No
60-100% (Shopping Street)	20'	0'	15'	N/A	No

6118 **[Deleted Hybrid Option, no longer applicable]**

- 6119 e. ~~“Big Boxes” (commercial buildings over 100,000 square feet in size).~~
- 6120 i. ~~Street Layout. “Big boxes” and grocery stores are not conducive to the human scale of a~~
- 6121 ~~walkable shopping street, and therefore these uses are not subject to the requirement of~~
- 6122 ~~locating on a street with buildings on both sides (although there are no prohibitions against~~
- 6123 ~~this). It is preferable that a shopping center terminates at an entrance to a larger building, so~~
- 6124 ~~that pedestrian traffic can help to support both the larger use and the smaller shopping center~~
- 6125 ~~uses. **[Deleted. Provided new text to address Big Box 3-D-R-11.(a) Description]**~~
- 6126 ii. ~~Building Arrangement. Big boxes shall generally be located in the rear of the site. Interior~~
- 6127 ~~parking shall be screened through the use of shopping street “liner” buildings along an internal~~
- 6128 ~~street located between the parking area and the principal thoroughfare(s) that provides access~~
- 6129 ~~to the big box. Retention facilities may occupy no more than half of the linear frontage along~~
- 6130 ~~the principal thoroughfare of access, provided that such facilities are park-like in appearance~~
- 6131 ~~and provide visual screening of interior parking through the placement of shade trees and other~~
- 6132 ~~landscaping around the retention facility. **[Deleted. Provided new text to address Big Box**~~
- 6133 ~~**3-D-R-11.c.(4) Building Arrangement and b.(13) Retention Area]**~~
- 6134 iii. ~~Sidewalks. Storefront sidewalk areas shall have an overall average width of at least 15 feet.~~
- 6135 ~~The storefront shall be the area in front of the building and any other sides of the building where~~
- 6136 ~~entrances exist. Sidewalk width may be reduced to no less than ten feet provided that this~~
- 6137 ~~width is limited to no more than ten percent of the storefront. **[Deleted and consolidated**~~
- 6138 ~~**under 3-D-R-13.c.(9) Sidewalk]**~~
- 6139 iv. ~~Pedestrian Corridors. At least three landscaped pedestrian corridors are required in principal~~
- 6140 ~~parking areas to link peripheral parking areas with storefront entrances. One of these corridors~~
- 6141 ~~should be a central pedestrian mall. The others should in general be distributed to provide~~
- 6142 ~~walking routes from all parking areas. If the pedestrian corridor is located diagonally across~~
- 6143 ~~the parking area, the corridor should run through landscape islands on each parking row.~~
- 6144 ~~Pedestrian corridors shall be clearly identified when crossing driveways through the use of~~
- 6145 ~~raised speed humps, crosswalk striping, different pavement patterns or similar techniques.~~
- 6146 ~~Sidewalks within landscaped pedestrian corridors shall be at least six feet in width, with a~~
- 6147 ~~landscape strip on both sides that is an average of ten feet in width. Shade trees must be~~
- 6148 ~~planted on both sides of the sidewalk at least 20 feet apart but no more than 35 feet apart.~~
- 6149 ~~Alternatively, Washingtonian Palm trees, or similar tall palms, must be planted on both sides~~
- 6150 ~~of the sidewalk no more than 10 to 20 feet apart. Additionally, parking lot pedestrian corridors~~
- 6151 ~~must connect storefront sidewalks to adjacent properties to existing or future development.~~
- 6152 ~~**[Deleted and consolidated under Sec. 3-D-R.11.c.(10) Pedestrian Corridor]**~~
- 6153 v. ~~Landscaping. In addition to the County’s Landscaping and Tree requirements, the following~~
- 6154 ~~standards shall apply. Trees shall be placed with a spacing averaging twenty feet on center~~
- 6155 ~~or less. The Tree Protection and Landscaping Standard requiring a landscape island for each~~
- 6156 ~~100 feet of parking row shall be relaxed when the following conditions are met.~~

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Part D Zoning Districts and Development Standards

- 6157 A.—~~In no case shall an unbroken row of parking exceed 150 feet.~~
6158 B.—~~For every landscape island not meeting the 100 foot spacing requirement, an additional~~
6159 ~~150 square feet must be added to an adjacent landscape island.~~
6160 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6161 ~~Cart corrals within the parking area shall be located adjacent to landscape islands. Planted or~~
6162 ~~preserved shade trees within the landscape islands must have a caliper of at least four inches.~~
6163 ~~For the purposes of the Tree Protection and Landscaping Standards, four inch trees shall be~~
6164 ~~considered “small” trees, and medium trees shall be at least six inches in caliper. At least 15%~~
6165 ~~of the parking lot shall be landscaped area (not including the perimeter or right-of-way buffers).~~
6166 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6167 ~~As an alternative to the Tree Protection and Landscaping Standards requirement of shade~~
6168 ~~trees within landscape islands, the main storefront driveway shall be lined with~~
6169 ~~Washingtonian Palm trees, or similar tall palms, which shall be placed in endcap islands (the~~
6170 ~~end of parking rows in front of the storefront) and in sidewalk cutouts in front of the building.~~
6171 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6172 vi.—~~Buffers. Perimeter buffers shall be at least 30 feet in width and include shade trees planted or~~
6173 ~~preserved at least every 30 feet. The spacing of shade trees may exceed the 30 foot standard~~
6174 ~~no more than 150%, if the Landscape Reviewer finds that wider spacing is needed due to tree~~
6175 ~~species. Right-of-way buffers shall be at least 75 feet and include shade trees planted or~~
6176 ~~preserved at a ratio of at least one tree per 1000 square feet. In addition, shade trees must be~~
6177 ~~located between the sidewalk and the internal street, with a minimum spacing of 30 feet. The~~
6178 ~~spacing of shade trees may exceed the 30 foot standard no more than 150%, if the Landscape~~
6179 ~~Reviewer finds that wider spacing is needed due to tree species. At least 50 percent of the~~
6180 ~~planted or preserved trees within the perimeter and right of way buffers must be a minimum~~
6181 ~~four inch caliper, with trees under five inches in caliper being counted as small for Tree~~
6182 ~~Protection and Landscaping Standards calculation purposes. Retention facilities may occupy~~
6183 ~~up to 30% of the required park/civic area. At least 50% of retention lands shall be utilized for~~
6184 ~~the calculation of required trees within buffers. Such facilities shall visually and functionally~~
6185 ~~complement the park/civic space through the use of pedestrian bridges, boards, docks, or~~
6186 ~~similar features; provide fountains for aeration and improved appearance; and shall include~~
6187 ~~shade trees and other landscaping planted and/or preserved around the retention facility.~~
6188 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6189 f.—~~Office and Industrial freestanding buildings. Freestanding office and industrial buildings must~~
6190 ~~provide either a landscape strip that is at least ten feet in width on the front and sides of the building.~~
6191 ~~A minimum five foot wide sidewalk shall be placed on either side of this landscape strip. As an~~
6192 ~~alternative, the landscape strip may be eliminated from areas facing the parking lot, entrances, and~~
6193 ~~adjacent streets if a minimum ten foot wide sidewalk is provided with parking lot or street trees~~
6194 ~~within cut-outs or landscape islands spaced no more than 30 feet on center. The spacing of shade~~
6195 ~~trees within the landscape strip may exceed the 30 foot standard no more than 150%, if the~~
6196 ~~Landscape Reviewer finds that wider spacing is needed due to tree species. Buildings with bays~~
6197 ~~shall provide for landscape islands between bays that will include shade trees.~~
6198 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6199 g.—~~Office and Industrial parks or complexes. Office and industrial buildings shall have a sidewalk and~~
6200 ~~landscaped area between the building and the street that the buildings front on. Street trees shall~~
6201 ~~be located between the sidewalk and the street, planted at a minimum of thirty feet on center.~~
6202 ~~Parking areas shall be provided to the rear of buildings and on the side of the building, set back~~

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

Part D Zoning Districts and Development Standards

6203 behind the front façade of the building. Side parking areas shall have a streetwall (wall or hedge
6204 of at least 42" in height) continuing the front façade line of surrounding buildings.
6205 **[Deleted and consolidated under Sec. 3-D-R.11.c.(11) Landscaping]**
6206 ~~h. Convenience Stores and Service Stations. Driveway openings shall be limited to the maximum~~
6207 ~~needed for safe egress in and out of the property. There shall be no more than 20 fueling stations~~
6208 ~~(each fueling station serving one vehicle). All pump islands shall be contained under one canopy.~~
6209 ~~Buildings must have pitched roofs. A minimum five-foot wide landscape strip shall be located~~
6210 ~~adjacent to the building, with shrubs of at least four feet in height spaced less than five feet apart,~~
6211 ~~and ground cover. Right-of-way buffers for these uses shall be ten feet in width. Landscaping~~
6212 ~~within the buffer shall conform to Article VI, Section 6-6. **[Deleted. Relocate this use to Part E]**~~
6213 ~~i. Height Limitations. Height limits in residential categories and the BF Rural Activity Center shall be~~
6214 ~~45 feet. Thirty five feet within 150 feet from residential land use boundary, and 52 feet between~~
6215 ~~150 and 300 feet from residential land use boundary. Beyond 300 feet from a residential land use~~
6216 ~~boundary, no structure shall protrude through a transitional height plane beginning 35 feet above~~
6217 ~~the buildable area boundary nearest to a boundary of a residential land use and extending inward~~
6218 ~~over the commercial district at an angle of 45 degrees. This standard protects areas within~~
6219 ~~residential land use from the visual intrusion of tall buildings. **[Relocated to/tabularized in Sec. 3-**~~
6220 ~~**D-R.11.c.(6) Height Limitation]**~~

6221 **Sec. 3-33B.C.1.4. LAMPA**

6222 ~~4. Block Length Limitations. To promote walkability in neighborhoods, block lengths shall be limited~~
6223 ~~in the following manner. The base maximum block length is 1000 feet. This block length may be~~
6224 ~~exceeded to a maximum block length that is fifteen times the average lot width of a development,~~
6225 ~~not to exceed 1,500 feet. The maximum block length as set above may be exceeded by no more~~
6226 ~~than one-half if a park or civic space is at the end of a block or if a midblock pedestrian and bicycle~~
6227 ~~connection is provided. Block length limitations are not applicable where golf course links,~~
6228 ~~greenways, or wetlands limit intersecting streets. In these instances, developments shall provide~~
6229 ~~for definitive pedestrian ways and bicycle paths in place of intersecting streets. **[Deleted.**~~
6230 ~~**Inconsistencies in block length Sec. 3-33B.C.1.4. states 1,000 feet, but Sec. 3-33.B.for**~~
6231 ~~**Shopping Streets states 800 feet.]**~~
6232 ~~5. Commercial Standards. Buildings and parking areas shall be arranged in a way that *emphasizes*~~
6233 ~~*the importance of the pedestrian, while allowing for conveniences associated with the automobile.*~~
6234 ~~The preferable arrangement for free standing stores and shopping centers will be pedestrian~~
6235 ~~oriented "shopping streets," instead of in the middle of parking lots. As an alternative, conventional~~
6236 ~~shopping centers will be allowed with a strong pedestrian emphasis, including landscaped~~
6237 ~~pedestrian corridors within parking lots, and also with a significant amount of landscaped area.~~
6238 ~~These designs will encourage walking and also create a much more attractive appearance than a~~
6239 ~~conventional strip shopping center. While individual stores over 100,000 square feet ("big boxes")~~
6240 ~~need not be arranged along internal streets in this manner, they shall have wide sidewalks in front~~
6241 ~~of them, shall have pedestrian corridors that link parking areas to the store, shall have direct~~
6242 ~~pedestrian links to adjacent shopping areas, and will also have a significant landscaped area~~
6243 ~~component. **[Relocated to Sec. 3-D-R.11.a. Description]**~~
6244 ~~a. "Shopping Street" Standards (Freestanding commercial buildings under 100,000 square feet~~
6245 ~~in size and shopping centers with multiple tenants).~~
6246 ~~i. Street Layout. Development shall be arranged along internal shopping streets within a~~
6247 ~~development. Block length for such streets shall be a maximum of 800 feet, with block~~
6248 ~~limits defined as through side streets and pedestrian walkways or civic spaces (not~~

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

Part D Zoning Districts and Development Standards

6249 applicable to freestanding buildings). For shopping streets on parcels less than 500 feet,
6250 driveways or pedestrian walkways linking rear parking areas to internal streets or sidewalks
6251 shall be provided between the ends of buildings and the side property lines. Shopping
6252 streets shall connect adjacent parcels in the case of freestanding buildings, and such
6253 connections must be shown on submitted site plans. Shopping streets shall include two
6254 travel lanes and on street parking lane(s) on at least one side of the street. Streets may
6255 also include a landscape median. The only exception to the requirement of an internal
6256 street is if existing (at the time of original Master Plan adoption) property dimensions do
6257 not allow room for such an internal street. In this case, development may be accessed by
6258 adjacent streets, with shared and limited access points required whenever possible. When
6259 freestanding buildings on separate lots linked by internal streets do not have access to
6260 such internal streets from adjacent properties, temporary access may be allowed from
6261 adjacent non-internal streets. [Relocated to/tabularized under Sec. 3-D-R.11.c.(1)
6262 **Block Lengths**]
6263 ii. ~~Building Arrangement.~~ When more than two buildings are proposed on a site, buildings
6264 shall be placed close to the shopping street, with entrances oriented to that street.
6265 Buildings shall be clustered on both sides of a shopping street, or clustered buildings on
6266 one side of a street shall face a linear park/civic space on the other side of the street.
6267 Clustering shall be achieved in the following manner. Freestanding buildings on separate
6268 and adjacent lots shall be placed as close together as possible and shall provide a shared
6269 access driveway on the non-clustered side. For shopping centers, buildings shall occupy
6270 at least 75 percent of linear frontage within a block. [Relocated to/tabularized under
6271 **Sec. 3-D-R.11.c.(4) Building Arrangement**]
6272 iii. ~~Parking.~~ Parking shall be located primarily to the rear of buildings, but will also be allowed
6273 on one side of a building (in the case of shopping centers, in conformance with the 75%
6274 frontage limitation set in item ii above). Parking will be allowed in front of buildings in the
6275 form of a single row of parallel or diagonal on-street parking along internal shopping
6276 streets. Side parking areas shall have a streetwall (wall or hedge at least 42" in height)
6277 adjacent to the internal street that will screen the parking area and continue the line of front
6278 building facades. [Relocated to/tabularized under **Sec. 3-D-R.11.c.(8) Parking**]
6279 iv. ~~Sidewalks.~~ A sidewalk is required on both sides of the shopping streets. This sidewalk
6280 shall be a minimum width of ten feet, except where sidewalks are not adjacent to building
6281 sides with an entrance, minimum width shall be six feet. Sidewalks within park/civic areas
6282 must be at least eight feet wide. Sidewalks shall be placed on the parking lot and street
6283 sides of freestanding buildings, and shall also connect to building entrances. Sidewalks
6284 may be placed either on the building side of the required landscape strip or on the other
6285 side of the landscape strip. [Deleted, consolidated under **Sec. 3-D-R.11.c.(9) Sidewalk**]
6286 v. ~~Pedestrian Corridors.~~ For parking lots where the distance between parking spaces and
6287 storefront sidewalks exceeds 200 feet, pedestrian corridors are required. Pedestrian
6288 corridors should run with at least every other double parking row or every 120 feet,
6289 whichever is less. Pedestrian corridors shall be clearly identified when crossing driveways
6290 through the use of raised speed humps, crosswalk striping, different pavement patterns,
6291 or similar techniques. Sidewalks within pedestrian corridors shall be at least five feet in
6292 width, with a landscape strip on either side that is at least five feet wide. This landscape
6293 strip shall include planted palm trees no more than 15 feet apart, and/or parking lot shade
6294 trees no more than 30 feet apart, placed within landscape islands. The spacing of shade
6295 trees may exceed the 30 foot standard no more than 150%, if the Landscape Reviewer

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

Part D Zoning Districts and Development Standards

- 6296 ~~finds that wider spacing is needed due to tree species.~~ [Consolidated in 3-D-R.11.c.(10)
- 6297 **Pedestrian Corridor]**
- 6298 ~~vi. Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~
- 6299 ~~standards shall apply. Buildings should be designed to incorporate landscaping into store~~
- 6300 ~~frontage. This can be done by means of raised planters, sidewalk cutouts, or portable~~
- 6301 ~~planters, or by varying building setbacks that can easily accommodate landscape planters.~~
- 6302 **[Relocated to/consolidated in Sec. 3-D-R.11.c.(11)(b) Building Facade Landscaping]**
- 6303 ~~Street trees shall be placed along internal shopping streets at a spacing that is at least an~~
- 6304 ~~average of 40 feet on center.~~ [Relocated to/consolidated in Sec. 3-D-R.11.c.(11)(d)
- 6305 **Street Tree]** ~~Freestanding buildings must provide either a landscape strip with parking lot~~
- 6306 ~~or street trees placed with a spacing that is no more than 30 feet on center that is at least~~
- 6307 ~~ten feet in width on the front and sides of the building. A minimum five-foot wide sidewalk~~
- 6308 ~~shall be placed on either side of the landscape strip facing any parking areas, entrances,~~
- 6309 ~~and adjacent streets. As an alternative, the landscape strip may be eliminated from areas~~
- 6310 ~~facing the parking lot, entrances, and adjacent streets if a minimum ten-foot wide sidewalk~~
- 6311 ~~is provided with parking lot or street trees in cut-outs or landscape islands spaced no more~~
- 6312 ~~than 30 feet on center. The spacing of trees within the building landscape strip may exceed~~
- 6313 ~~the 30-foot standard no more than 150%, if the Landscape Reviewer finds that wider~~
- 6314 ~~spacing is needed due to tree species.~~ [Deleted, as they are consolidated in Sidewalk
- 6315 ~~and Foundation Planting in Sec. 3-D-R.11.c.(9) and (11)] ~~For shopping centers with~~~~
- 6316 ~~multiple tenants, street trees shall be approved parking lot trees and may also include~~
- 6317 ~~Washingtonian Palm trees, or similar tall palms. All landscape islands in parking lots shall~~
- 6318 ~~have shade trees. Park/civic areas utilized instead of buildings on one side of a shopping~~
- 6319 ~~street must have an average width of at least 75 feet and a minimum width of 40 feet,~~
- 6320 ~~include shade trees at the ratio of one per 1,500 feet, and include a sidewalk traversing~~
- 6321 ~~the area.~~ [Relocated to Sec. 3-D-R.11.c.(12) Park and Civic Space] ~~For freestanding~~
- 6322 ~~buildings that are less than 7,500 square feet in size, the minimum 40-foot width is required~~
- 6323 ~~but the average 75-foot width is not required.~~ [Relocated to Sec. 3-D-R.11.c.(12) Park
- 6324 ~~and Civic Space] ~~Retention facilities may occupy no more than half of the linear frontage~~~~
- 6325 ~~along the shopping street, and shall not encroach on more than half of the depth of that~~
- 6326 ~~buffer. At least 50% of retention lands shall be utilized for the calculation of required trees~~
- 6327 ~~within buffers. Such facilities shall be visually and functionally designed to complement~~
- 6328 ~~the park/civic space through the use of pedestrian bridges, boardwalks, and docks;~~
- 6329 ~~provide fountains for aeration and improved appearance, and provide visual screening of~~
- 6330 ~~interior parking through the placement of shade trees and other landscaping planted or~~
- 6331 ~~preserved around the retention facility.~~ [Consolidated in Sec. 3-D-R.11.c.(13) Retention
- 6332 **Area]**
- 6333 ~~b. "Park Center" for commercial buildings under 100,000 square feet in size and shopping centers~~
- 6334 ~~with multiple tenants (not including freestanding buildings).~~
- 6335 ~~i. Street Layout. Development shall front along an internal street within a development.~~
- 6336 ~~ii. Sidewalks. An average 15-foot wide, minimum ten-foot wide sidewalk is required along~~
- 6337 ~~the building side of internal streets.~~ [Deleted and consolidated under Sec. 3-D-
- 6338 ~~R.11.c.(9) to keep widths of sidewalk consistent]~~
- 6339 ~~iii. Pedestrian Corridors. For parking lots where the distance between parking spaces and~~
- 6340 ~~storefront sidewalks exceeds 200 feet, landscaped pedestrian corridors shall be provided.~~
- 6341 ~~Pedestrian corridors should run with at least every other double parking row or every 120~~
- 6342 ~~feet, whichever is less. Pedestrian corridors shall be clearly identified when crossing~~

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Part D Zoning Districts and Development Standards

6343 ~~driveways through the use of raised speed humps, crosswalk striping, different pavement~~
6344 ~~patterns or similar techniques. Sidewalks within landscaped pedestrian corridors shall be~~
6345 ~~at least five feet in width, with a landscape strip on each side that is at least 12 ½ feet~~
6346 ~~wide. Shade trees must be planted on both sides of the sidewalk at least 20 feet apart but~~
6347 ~~no more than 35 feet apart. Pedestrian connections at the same spacing shall also be~~
6348 ~~provided perpendicular to the main pedestrian corridors by enlarging landscape islands;~~
6349 ~~however such perpendicular connections shall only require walkways and not additional~~
6350 ~~landscaping. [Relocated to Sec. 3-D-R.11.c.(10) Pedestrian Corridor] The pedestrian~~
6351 ~~corridor sidewalk shall have regularly spaced, sloped stub sidewalks that will allow~~
6352 ~~shoppers to wheel carts from the sidewalk into the parking lot. Cart corrals within the~~
6353 ~~parking area shall be located adjacent to landscape islands and landscape corridors.~~
6354 ~~vi. Landscaping. In addition to the County's Landscaping and Tree requirements, the~~
6355 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~
6356 ~~internal streets at a spacing that is at least an average of forty feet on center. Street trees~~
6357 ~~shall be approved parking lot trees and may also include Washingtonian Palm trees, or~~
6358 ~~similar tall palms. All landscape islands in parking lots shall have shade trees, planted or~~
6359 ~~preserved at a minimum caliper of four inches. Trees less than five inches in caliper shall~~
6360 ~~be counted as small trees for Tree Protection and Landscaping Standards calculation~~
6361 ~~purposes. At least 15% of the parking lot shall be landscaped area (not including the~~
6362 ~~perimeter and right of way buffers). [Relocated to/consolidated in Sec. 3-D-~~
6363 ~~R.11.c.(11)(d) Street Trees]~~
6364 ~~iv. Landscaping. In addition to the County's Landscaping and Tree requirements, the~~
6365 ~~following standards shall apply. Street trees shall be placed in sidewalk cutouts along~~
6366 ~~internal streets at a spacing that is at least an average of forty feet on center. Street trees~~
6367 ~~shall be approved parking lot trees and may also include Washingtonian Palm trees, or~~
6368 ~~similar tall palms. All landscape islands in parking lots shall have shade trees, planted or~~
6369 ~~preserved at a minimum caliper of four inches. Trees less than five inches in caliper shall~~
6370 ~~be counted as small trees for Tree Protection and Landscaping Standards calculation~~
6371 ~~purposes. At least 15% of the parking lot shall be landscaped area (not including the~~
6372 ~~perimeter and right of way buffers). [Relocated to/consolidated in Sec. 3-D-~~
6373 ~~R.11.c.(11)(d) Street Trees]~~
6374 ~~vi. Buffers. Perimeter buffers shall be at least 30 feet in width and include shade trees planted~~
6375 ~~or preserved at least every 30 feet. The spacing of shade trees may exceed the 30 foot~~
6376 ~~standard no more than 150%, if the Landscape Reviewer finds that wider spacing is~~
6377 ~~needed due to tree species. Right of way buffers shall be at least 75 feet and include~~
6378 ~~shade trees planted or preserved at a ratio of at least one tree per 1000 square feet. In~~
6379 ~~addition, shade trees must be located between the sidewalk and the principal thoroughfare,~~
6380 ~~with a minimum spacing of 30 feet. The spacing of shade trees may exceed the 30 foot~~
6381 ~~standard no more than 150%, if the Landscape Reviewer finds that wider spacing is~~
6382 ~~needed due to tree species. Retention facilities may occupy up to 30% of the park/civic~~
6383 ~~space. At least 50% of retention lands shall be utilized for the calculation of required trees~~
6384 ~~within buffers. Such facilities shall visually and functionally complement the park/civic~~
6385 ~~space through the use of pedestrian bridges, on boardwalks, on docks; provide fountains~~
6386 ~~for aeration and improved appearance, and shall include shade trees and other~~
6387 ~~landscaping planted or preserved around the retention facility. At least 50 percent of the~~
6388 ~~planted or preserved trees within the perimeter and right of way buffers must be a minimum~~
6389 ~~four inch caliper, with trees under five inches in caliper being counted as small for Tree~~

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

Part D Zoning Districts and Development Standards

6390
6391

~~*Protection and Landscaping Standards calculation purposes.*~~ [Relocated to Sec. 3-D-
R.11.c.(11)(a) Buffer]

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Part D Zoning Districts and Development Standards

6392 DIVISION S BRANAN FIELD MASTER PLAN COMMUNITY

6393 Sec. 3-D-S.1. Applicability

6394 The boundary of the Branan Field Master Plan with allocation of the FLU categories is identified on the
6395 FLUM Current 2040 BF FLUM Map-1.pdf (claycountygov.com). All the standards of this Division shall
6396 apply to the lands located within this geographical boundary.

6397 Sec. 3-D-S.2. Future Land Use

6398 3-D-S-2.a. FLU Categories and Zoning Districts

6399 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)

BF Master Planned Community (BF MPC)
(FLU/Zoning)

Neighborhood Center Zone

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)

6400 3-D-S.2.b. Development Standards

6401 The development standards of the Branan Field Master Plan are based on the FLU category of the parcel
6402 of land, unless stated otherwise herein. For each FLU intensity, refer to [Sec. 3-C-B.2 Intensity](#).

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Part D Zoning Districts and Development Standards

6403 Sec. 3-D-S.3. General Design Standards

6404 3-D-S.3.a. General Design Objectives and Standards

6405 Each FLU category may differ but generally share common design themes and objectives to achieve a
6406 unified community with a variety of uses that are located in close proximity and complement each other;
6407 each FLU and affiliated zones are created with its individual identity with a Residential, Non-Residential, or
6408 Mixed-Use component emulating a traditional town development.

6409 3-D-S.3.b. Specific Development Standards

6410 Development and design standards that are specific to a FLU/zoning district or its affiliated zones are
6411 located in each Section of Division S, Branan Field Master Planned Communities.

6412 3-D-S.3.c. Other Development Standards

6413 In addition to the general and specific development standards of these Divisions, other applicable technical
6414 standards shall be pursuant to:

- 6415 (1) [Sec. 3-F-F. Architectural Design Guidelines;](#)
6416 (2) [Sec. 3-F-G. Exterior Lighting;](#)
6417 (3) [Sec. 3-F-H. Accessory Structures;](#)
6418 (4) [Sec. 3-F-I. Landscaping;](#)
6419 (5) [Sec. 3-F-J. Parking; Sec. 8-12. Parking Requirements and Appendix A Parking Space](#)
6420 [Requirements;](#)
6421 (6) [Sec. 3-F-K. Application Submission Standards;](#)
6422 (7) [Article 6 Tree Ordinance and Sec. 3-D-S.14. Wetland-Upland Buffers and Density Transfer; and](#)
6423 (8) [Article 7 Signs.](#)

6424 Sec. 3-D-S.4. Existing Developments

6425 3-D-S.4.a. Residential and Non-Residential Lots of Records

6426 Lots of records or developments created prior to plan adoption and located within the boundary of the
6427 Branan Field Master Plan shall be exempt from standards of Divisions R and S, where applicable. These
6428 properties shall be subject to provisions of the 2015 Comprehensive Plan, Zoning Code, and other
6429 applicable standards in effect at the time of adoption of the Master Plan. [Relocated from Sec. 3-33A.IV.1.
6430 Residential, General Standards]

6431 3-D-S.4.b. Residential

6432 This shall include properties with Rural Residential, Urban Core, and Urban Fringe Zoning Designation and
6433 that are located within the BF Master Plan boundary. [Relocated from Sec. 3-33A.IV.1.a. Residential,
6434 General Standards]

6435 3-D-S.4.c. Non-Residential

6436 Expansion of such uses that exceed 1,000 square feet in size, and new building and parking areas shall
6437 be subject to the Code.

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Part D Zoning Districts and Development Standards

6438 (1) Properties with Zoning Designations of AG, AR, BB, BB-1, BB-2, BB-3, BB-4, BB-5 PS-1, PS-2,
6439 PS-3, PS-4, PO-1, PO-2, PO-3, and PO-4 prior to adoption of the Master Plan may develop
6440 consistent with permitted and conditional uses identified in each of these zoning categories at the
6441 time of Master Plan adoption. However, such uses shall meet parking, landscaping, architectural,
6442 and other applicable standards of Divisions R and S.

6443 (2) For areas that were under the PS-1, PS-2, PS-3, and PS-4 zoning districts prior to plan adoption
6444 and upon plan adoption were put into Residential land use and zoning where it is not feasible to
6445 designate such areas as Neighborhood Centers, applicants may obtain approval to expand from
6446 the Board of County Commissioners, providing that such use expansions will not result in a
6447 negative impact on adjacent Residential uses due to reasons of traffic, noise, and other measures
6448 of intensity. Such expansions may not exceed the property and building area by more than 2 times.
6449 **[Relocated from Sec. 3-33A.IV.2. Residential, General Standards]**

6450 **3-D-S.4.d. Branan Field Land Uses**

6451 Land uses within Branan Field are limited to those designations on the Branan Field FLUM but may also
6452 include the Planned Community designation which shall be subject to the development standards set forth
6453 in any such Planned Community DRI Development Order and Planned Unit Development zoning which
6454 shall take precedence over these land development standards. **[Relocated from Sec. 3-33A.I.2.h. Land**
6455 **Uses]**

6456 **Sec. 3-33A.I.2.h**

6457 ~~h. Land Uses. Land uses within Branan Field are limited to those designations on the Branan Field~~
6458 ~~Future Land Use Map, but may also include the Planned Community designation which shall be~~
6459 ~~subject to the development standards set forth in any such Planned Community DRI Development~~
6460 ~~Order and Planned Unit Development zoning which shall take precedence over these land~~
6461 ~~development regulations.~~ **[Relocated to Sec. 3-D-S.4.d. Branan Field Land Uses, Existing**
6462 **Developments]**

6463 **Sec. 3-33A.IV. General standards.**

6464 1. ~~Residential. Residential land uses, developed lots of record, developments created prior to plan~~
6465 ~~adoption, and properties designated Rural Residential, Urban Core and Urban Fringe within the~~
6466 ~~boundary of the Branan Field Master Plan on the Future Land Use Map shall be exempt from~~
6467 ~~requirements of the Master Plan and LDRs. These properties shall be subject to provisions of the~~
6468 ~~2015 Comprehensive Plan, Zoning Code, and other applicable regulations in effect at the time of~~
6469 ~~adoption of the Master Plan.~~ **[Relocated to Sec. 3-D-S.4.a. Existing Developments]**

6470 2. ~~Nonresidential. Existing nonresidential uses within the Branan Field Master Plan area at the time~~
6471 ~~of Master Plan adoption shall be exempt from requirements of the Master Plan and LDRs. These~~
6472 ~~properties shall be subject to provisions of the 2015 Comprehensive Plan, Zoning Code, and other~~
6473 ~~applicable regulations in effect at the time of adoption of the Master Plan. However when expansion~~
6474 ~~of such uses exceeds 1,000 square feet in size, new building and parking areas shall be subject to~~
6475 ~~the LDRs. Properties with zoning designations of AG, AR, BB, BB-1, BB-2, BB-3, BB-4, BB-5 PS-~~
6476 ~~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~~
6477 ~~consistent with permitted and conditional uses identified in each of these zoning categories at the~~
6478 ~~time of Master Plan adoption. However such uses must meet parking, landscaping, architectural,~~
6479 ~~and other applicable standards of the LDRs. Finally, for areas that were under the PS-1, PS-2, PS-~~
6480 ~~3, and PS-4 zoning districts prior to plan adoption and upon plan adoption were put into residential~~

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

Part D Zoning Districts and Development Standards

6481 ~~land use and zoning where it is not feasible to designate such areas as Neighborhood Centers,~~
6482 ~~applicants may obtain approval to expand from the Board of County Commissioners, providing that~~
6483 ~~such use expansions will not result in a negative impact on adjacent residential uses due to reasons~~
6484 ~~of traffic, noise, and other measures of intensity. Such expansions may not exceed the property~~
6485 ~~and building area by more than two times. — [Relocated to Sec. 3-D-S.4.c. Existing~~
6486 ~~Developments]~~

6487 Sec. 3-D-S.5. BF Rural Suburbs (BF RS)

6488 3-D-S.5.a. Description

6489 ~~The BF RS FLU category applies to much of the area west of the First Coast Expressway and is intended~~
6490 ~~to maintain the rural character of the area. Development within the BF RS is characterized predominately~~
6491 ~~by large lots served by wells and septic tanks. — [Relocated from Sec. 3-33A.II.1. BF Rural Suburbs (BF~~
6492 ~~RS)]~~

6493 3-D-S.5.b. Development Standards

6494 ~~The principal building(s), accessory building(s), and other lot uses shall be located so as to comply with the~~
6495 ~~following standards, except for intensity bonus point development, which shall conform with standards of~~
6496 ~~the BF Master Planned Community FLU category:~~

(1) Intensity:

<u>(a) Maximum:</u>	<i>1 unit per 5 acres</i>
	[Relocated from Sec. 3-33A.II.1.e. Density Requirements, BF RS] [Relocated from Sec. 3-33A.II.1.e. Density Requirements, BF RS]

<u>(b) Bonus Intensity:</u>	Refer to Part C, Division C, Intensity Bonus Programs
-----------------------------	---

(2) Minimum Lot Dimensions

<u>(a) Lot Size:</u>	<u>4 acres</u> [MK112]
<u>(b) Lot Width:</u>	<i>100 feet</i>
<u>(c) Lot Depth:</u>	<i>100 feet</i>
<u>(d) Lot Coverage:</u>	<i>30 percent</i>

(3) Minimum Setbacks (Principal Structure)

<u>(a) Front:</u>	<i>20 feet</i>
<u>(b) Side:</u>	<i>10 feet</i>
<u>(c) Side Street:</u>	<u>15 feet</u>

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

Part D Zoning Districts and Development Standards

(d)	<u>Rear:</u>	30 feet
(3)	<u>Minimum Setbacks (Accessory Structure)</u>	
(a)	<u>Front:</u>	30 feet
(b)	<u>Side:</u>	7.5 feet
(c)	<u>Side Street:</u>	<u>15 feet</u>
(d)	<u>Rear:</u>	7.5 feet
(e)	<u>Maximum Height:</u>	45 feet
(f)	<u>Minimum Living Area:</u>	1,200 <u>square</u> feet

6497 **[Relocated from Sec. 3-33A.II.1.f. Lot and Building Requirements]**

6498 **3-D-S.5.d. Intensity Bonus Programs**

6499 *Properties eligible for the Intensity Bonus Program in the BF RS FLU category may opt for 1 or a*
6500 *combination of the applicable programs pursuant to:*

<u>Sec. 3-C-C.2.</u>	<u>Clustering</u>
[CP113]	
<u>Sec. 3-C-C.3.</u>	<u>Intensity Increase Evaluation</u>
<u>Sec. 3-C-C.4.</u>	<u>Infill Traditional Neighborhood Development</u>
<u>Sec. 3-C-C.5.</u>	<u>Transfer of Development of Rights</u>
<u>Sec. 3-C-C.6.b.</u>	<u>Additional Intensity not to exceed 1 unit per acre.</u>
<u>Sec. 3-C-C.6.c.</u>	<u>Additional Intensity that exceeds 1.5 unit per 2 net acres</u>
<u>Sec. 3-C-C.6.d.</u>	<u>Intensity Increase from Transfer of Wetlands</u>
<u>Sec. 3-C-C.6.e.</u>	<u>Complementary Use Bonus Intensity</u>
<u>Sec. 3-C-C.6.f.</u>	<u>BF PCN and Open Space Set-Aside Bonus Intensity</u>
<u>Sec. 3-C-C.6.g.</u>	<u>Additional 25 Percent or 100 Units</u>
<u>Sec. 3-C-C.6.h.</u>	<u>Central Water and Sewer</u>
<u>Sec. 3-C-C.7.b.</u>	<u>Wetland-Upland Buffers</u>
<u>Sec. 3-C-C.7.c.</u>	<u>Upland Preservation</u>

6501 (1) Intensity Bonus Programs shall apply to those properties that were in the Rural Residential FLU on
6502 the 2015 Comprehensive Plan at the time of adoption of this Article and shall also include those
6503 properties that were greater than 200 acres and under common ownership as shown by the
6504 Property Appraiser tax rolls at the time of adoption of this Article. An increase of intensity up to 1
6505 unit per acre may be permitted pursuant to Sec. 3-C-C.6.b. Additional Intensity. **[Relocated from**
6506 **Sec. 3-33A.II.1.g. Density Bonus Program]**

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

Part D Zoning Districts and Development Standards

6507

3-D-S.5.c. BF RS Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

6508 **Branan Field Current Code**

6509 1. ~~**BF Rural Suburbs (BF RS).** The BF Rural Suburbs land use category applies to much of the area~~
6510 ~~west of the First Coast Expressway. The BF Rural Suburbs (BF RS) land use category is intended to~~
6511 ~~maintain the rural character of the area. Development within the BF Rural Suburbs is characterized~~
6512 ~~predominately by five-acre or larger lots served by wells and septic tanks, but densities of up to one~~
6513 ~~unit per gross acre are allowed through a density bonus program that requires the preservation of~~
6514 ~~environmentally sensitive lands and/or open space. Permitted uses include single family residential as~~
6515 ~~well as limited agricultural uses. [Relocated to Sec. 3-D-S.5.a. Description, BF Rural Suburbs (BF~~
6516 ~~RS)]~~

6517 e. ~~Density Requirements.~~ The maximum densities and minimum lot areas for residential uses shall
6518 be as follows:

6519 i. ~~Maximum Density: One (1) unit per five (5) gross acres~~ [Relocated to Sec. 3-D-S.5.d.
6520 Intensity]

6521 ii. ~~Minimum Lot Size: Four (4) acres~~ [Relocated to Sec. 3-D-S.5.e. Development Standards]

6522 iii. ~~Density Bonus.~~ Higher densities and smaller lot sizes may be obtained through the density
6523 ~~bonus program, as described in subsection g.~~ [Relocated to Sec. 3-D-S.5.d. Intensity]

6524 f. ~~Lot and Building Requirements.~~ The principal buildings, accessory buildings, and other lot uses
6525 shall be located so as to comply with the following requirements, except for density bonus point
6526 development, which shall conform with requirements of the BF Master Planned Community
6527 category:

6528 i. ~~Minimum lot width at building line: 100 feet~~

6529 ii. ~~Minimum lot depth: 100 feet~~

6530 iii. ~~Minimum front setback: 20 feet~~

6531 iv. ~~Minimum side setback: 10 feet~~

6532 v. ~~Minimum rear setback: 30 feet~~

6533 vi. ~~Minimum setback from all lot lines of accessory structures (except fences): side and rear: 7.5~~
6534 ~~feet; front: 30 feet (but in no event nearer to front line than the front of the principal building.)~~

6535 vii. ~~Maximum percent of lot coverage 30 percent (total for all primary and accessory buildings)~~

6536 viii. ~~Maximum percent of rear lot coverage 30 percent~~

6537 ix. ~~Minimum living area 1,200 sq. feet~~

6538 x. ~~Maximum height 45 feet.~~ [Relocated to/tabularized in Sec. 3-D-S.5.e. Development
6539 Standards]

6540 g. ~~Density Bonus Program.~~ Properties eligible for the Density Bonus Program [Relocated to Sec. 3-
6541 D-S.5.f.] include those properties that were in the Rural Residential land use on the 2015
6542 Comprehensive Plan at the time of adoption of these LDRs, and shall also include those properties
6543 that were greater than 200 acres and under common ownership as shown by the Property
6544 Appraiser tax rolls at the time of adoption of these LDRs. Additional density not to exceed one unit

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

Part D Zoning Districts and Development Standards

- 6545 ~~per gross acre (except under D — Additional Bonus) will be granted with the following conditions.~~
6546 **[Relocated to Sec. 3-D-S.5.f.(1) Intensity Bonus Program]**
- 6547 ~~i. *Minimum Open Space Required.* A minimum of thirty five percent open space is required,~~
6548 ~~with no more than 60% of this being wetland area. This shall be usable open space~~
6549 ~~intertwined throughout the community and shall include connected, paved or unpaved~~
6550 ~~walking trails and/or bike paths. [Relocated to Sec. 3-C-C.6. Additional Intensity]~~
- 6551 ~~ii. *Perimeter Buffer.*~~
- 6552 ~~A. *Buffer Width.* The development shall be designed to maintain a natural and rural character.~~
6553 ~~No additional buffers are required for proposed developments along lot lines that are~~
6554 ~~adjacent to an existing perimeter buffer. Perimeter buffers shall be required and shall~~
6555 ~~average 50 feet in width. Buffer width may be reduced to no less than 35 feet, if the~~
6556 ~~following conditions are met:~~
- 6557 ~~Item 1. Reduced buffers must include established vegetation.~~
6558 ~~Item 2. Areas included in calculation of overall average buffers shall not include~~
6559 ~~wetland or BF PCN. [Relocated to Sec. 3-C-C.6.b.(2) (a) Perimeter Buffer]~~
- 6560 ~~B. *Buffer Contents.* These buffers must include preserved or planted vegetation that provides~~
6561 ~~an effective visual screen (at least 85% opacity) from rights of way and adjacent properties. If~~
6562 ~~such a buffer is planted or supplemented, the 85% opacity standard must be met within three~~
6563 ~~years after planting. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer, Additional~~
6564 ~~Intensity] Where such buffers are planted or supplemented, a performance bond must be~~
6565 ~~provided to the County for the period of two years to ensure that planted vegetation is~~
6566 ~~established. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer, Additional Intensity]~~
6567 ~~Buffers shall not include roads, retention, or any other areas that are not vegetated, except for~~
6568 ~~utility easements at a maximum width of 15 feet when right of way is not available to serve lots~~
6569 ~~with utilities, and/or hiking or multi-purpose trails not to exceed a paved feet of eight feet.~~
6570 ~~Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for~~
6571 ~~the use of residents. [Relocated to Sec. 3-C-C.6.b.(2)(b) Perimeter Buffer]~~
- 6572 ~~C. *Buffers shall include native vegetation to ensure drought tolerance and survivability. [Deleted,*~~
6573 ~~refer to Sec. 6-3. Landscape Design, Table 2. Approved Plant List]~~
- 6574 ~~D. *Buffer Ownership and Control.* Such buffers may not be part of individual lots, but must be~~
6575 ~~common areas owned by homeowners' associations or deeded to the County or water~~
6576 ~~management district. [Relocated to Sec. 3-C-C.6.b.(2)(b)(v) Additional Intensity not to~~
6577 ~~exceed 1 du/acre, Perimeter Buffer]~~
- 6578 ~~iii. *BF MPC Standards.* Developments utilizing the density bonus program that achieve net densities~~
6579 ~~(less wetlands and parks/open space) that are higher than 1.5 units per two acres must meet~~
6580 ~~applicable development standards of the BF Master Planned Community. For developments with~~
6581 ~~more than 20% of lots smaller than 6,000 square feet, BF MPC Village Zone standards shall apply.~~
6582 ~~Other developments shall be subject to the BF MPC's Suburban Zone standards. Neighborhood~~
6583 ~~Centers are required and shall include, at a minimum, a centrally located primary neighborhood~~
6584 ~~park with facilities and required civic space. Neighborhood Centers that provide retail/office uses~~
6585 ~~as described in the BF MPC category are encouraged. [Relocated to Sec. 3-C-C.6.c. Additional~~
6586 ~~Intensity that exceeds 1.5du/2 net acres]~~
- 6587 ~~iv. *Central Water and Sewer.* Septic tanks and wells shall be allowed for single family units on existing~~
6588 ~~lots of record as of the adoption date of this plan. New commercial, except within the BF Rural~~
6589 ~~Activity Center as specified in the standards for this land use, must tie into central water and sewer.~~
6590 ~~Residential subdivisions may also be served by well and septic tanks meeting the following~~
6591 ~~standards: no more than fifty lots, an overall gross density of no greater than two and one-half~~

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

Part D Zoning Districts and Development Standards

- 6592 ~~units per acre, and no lots smaller than threequarters of an acre.~~ [Relocated to Sec. 3-C-C.6.h.
- 6593 **Central Water and Sewer]**
- 6594 ~~v. Density calculation. Higher density may be obtained in the following manner.~~
- 6595 ~~A. Base Density. One dwelling unit per 5 gross acres (density allocated to wetlands within~~
- 6596 ~~conservation easements may be transferred to upland areas).~~ [Relocated to Sec. 3-C-C.6.d.
- 6597 **Intensity Increase from Transfer of Wetlands]**
- 6598 ~~B. Complimentary Use Bonus. One dwelling unit per two gross acres will be allowed when~~
- 6599 ~~development is adjacent to one or more of the following land uses: BF Activity Center, BF~~
- 6600 ~~Community Center, BF Master Planned Community or any other land use that allows densities~~
- 6601 ~~of greater than two units per gross acre.~~ [Relocated to Sec. 3-C-C.6.e. **Complementary Use**
- 6602 **Bonus Intensity]**
- 6603 ~~In this case, "adjacent" requires that the property in question share a property boundary that is~~
- 6604 ~~at least one third of the perimeter of the property in question with one or more of the above~~
- 6605 ~~land uses. Lands across a road classified as collector or below shall be counted in this~~
- 6606 ~~calculation, however land across the BF PCN or a Conservation area shall not be counted.~~
- 6607 **[Relocated to Sec. 3-C-C.6.e.(1) Adjacency, Complementary Use Bonus Intensity]**
- 6608 ~~C. BF Primary Conservation Network and Open Space Setaside Bonus. Up to a maximum of one~~
- 6609 ~~dwelling unit for each gross acre beyond the Base Density, with density accumulated in the~~
- 6610 ~~following manner by the following types of land set asides. Ten units per acre of additional~~
- 6611 ~~density is available for each acre of new upland BF PCN lands that are immediately adjacent~~
- 6612 ~~to the existing BF PCN or that will function as a corridor providing for wildlife movement~~
- 6613 ~~between BF PCN lands. If BF PCN lands are not located on a site, four units per acre of~~
- 6614 ~~density is available for each acre of upland area dominated by ecologically sensitive~~
- 6615 ~~communities like longleaf pine, turkey oak, or sand hill communities. In the absence of these~~
- 6616 ~~two types of non-BF PCN density bonus lands, open space shall be forested areas or an~~
- 6617 ~~extension of required perimeter buffers, with two units per acre of density is available for each~~
- 6618 ~~upland acre preserved. Such lands must be contiguous areas that are at least two acres in~~
- 6619 ~~size, and shall be located so as not to create disconnected or isolated fragments. Average~~
- 6620 ~~width and depth of BF PCN bonus lands shall generally exceed 200 feet. All new density bonus~~
- 6621 ~~conservation lands will be preserved as permanent open space.~~
- 6622 **[Relocated to/tabularized under Sec. 3-C-C.6.f. BF PCN and Open Space Set-aside**
- 6623 **Bonus Intensity]**
- 6624 ~~D. Additional Bonus. Additional density not to exceed the lesser of 25 percent of maximum allowed~~
- 6625 ~~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~~
~~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.~~

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Part D Zoning Districts and Development Standards

6626

[Relocated to Sec. 3-C-C.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

6627 Sec. 3-D-S.6. BF Master Planned Community (BF MPC)

6628 3-D-S.6.a. Description

6629 *The BF MPC FLU and Zoning category is the principal suburban Residential category for the Master Plan*
6630 *Area. This community is characterized by a mix of Residential, Recreation, and Neighborhood Commercial*
6631 *uses within vegetative buffer, wetlands, and/or lakes, rather than physical barriers such as walls or fences.*
6632 *Civic buildings for education, community meetings, religion and culture serve as landmarks by being*
6633 *centrally located. This balanced mix of land uses allows for increased efficiency and economy by providing*
6634 *home, work, and service places in close proximity to each other. The development pattern is arranged in*
6635 *the form of villages, with 3 zones within each village, starting with the business and civic core known as the*
6636 *Neighborhood Center, which is surrounded by the denser Village Zone, and finally with the periphery of the*
6637 *Village being the Single-Family Suburban Zone. [Relocated from Sec. 3-33A.II.2. BF MPC]*
6638

6639 *Higher intensity and senior housing are encouraged to be located close to Neighborhood Centers, BF*
6640 *Community Centers, and BF Activity Centers, which shall provide travel opportunities for the least mobile*
6641 *residents. Intensity may be reduced based on distance from the Neighborhood Centers, BF Community*
6642 *Centers, and BF Activity Centers, placing housing with lower intensities near conservation areas, and*
6643 *higher intensities in close proximity to the centers.*
6644 **[Relocated from Sec. 3-33A.II.2.e. Density Requirements]**

6645 3-D-S.6.b. Land Use Mix

- 6646 (1) Neighborhood Center Zone. A small-scaled Business area with the following components:
6647 (a) Size. Range from 2 to 10 acres;
6648 (b) Civic Park. A central civic park, a minimum of 2,500 square feet in size.
6649 (c) Retail. A maximum of 8 acres of the total acreage of the Zone.
6650 (d) Location. Intersection of 2 collector roads or a collector and a local road, and shall be
6651 located within 1 mile walking distance of the nearest residential community.
6652 (e) Substitution. A BF Activity or BF Community Center may substitute for a Neighborhood
6653 Center.
6654 (f) Separation. A Neighborhood Center shall be separated by another center or a BF Activity
6655 or Community Center a minimum of 1 mile to ensure adequate services are provided for
6656 each community.
6657 (g) Exemption. Neighborhood Centers shall not be required when the surrounding
6658 development is less than 3 units per acre. [Relocated from Sec. 3-33A.II.2. BF Master
6659 Planned Community (BF MPC)]
6660 (2) Village Zone. A Residential area around the Neighborhood Center with the following components
6661 and development standards:
6662 (a) Housing Type. Multi-Family units, Single-Family Attached units, and smaller-lot Single-
6663 Family detached units.
6664 (b) Location. The Village Zone is also appropriate for areas close to designated BF Community
6665 Centers and BF Activity Centers. [Relocated from Sec. 3-33A.II.2. BF Master Planned
6666 Community (BF MPC)]
6667 (c) Open Space. A minimum of 5 percent of the total land area of each development shall be
6668 dedicated as upland Open Space. [Relocated from Sec. 3-33A.II.2.f.ii.Q. Open Space,
6669 Lot, Building, and Other Requirements]

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Part D Zoning Districts and Development Standards

- 6670 (3) *Suburban Zone. This Zone is intended to be an “outer ring” around the Village Zone and shall be*
 6671 *designated primarily for ~~Single-Family Detached units~~*
 6672 (a) *Housing Type. ~~Multi-Family units, Single-Family Attached units, and Single-Family~~*
 6673 *Detached units.*
 6674 (b) *Location. A Suburban Zone may be located adjacent to a Neighborhood Center.*
 6675 **[Relocated from Sec. 3-33.A.II.2. BF MPC]**
 6676 (c) *Open Space. A minimum of 10 percent of the total land area of each development shall be*
 6677 *dedicated as upland open space. [Relocated from Sec. 3-33A.II.2.f.ii.P. Open Space,*
 6678 *Lot, Building, and Other Requirements]*

3-D-S.6.c. Development Standards – Neighborhood Center

6680 *The principal buildings, accessory buildings, and other lot uses shall be located so as to comply with the*
 6681 *following standards for a Neighborhood Center. [Relocated from Sec. 3-33A.II.2.f.]*

(1) <u>Intensity:</u>	
(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) <u>Minimum Lot Dimensions:</u>	
(a) <u>Lot Size:</u>	1 acre ² [Relocated from Sec. 3-33A.II.2.f.i.G.]
(b) <u>Lot Width:</u>	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>

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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>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>0 feet</u>
<u>(c) Rear:</u>	<u>From lot line when adjacent to Residential zoning district or zone:</u>	<u>8 feet [Relocated from Sec. 3-33A.II.2f.i.B to E]</u>

Footnote:

¹ Not including Private or Public Schools, Places of Worship, and Multi-Family development parcels. [Relocated from Sec. 3-33A.II.2.f.ii.J. Maximum Lot Area]

6682 (4) Additional Standards.
 6683 (a) To ensure opportunities for small businesses as well as a walkable design, at least 25
 6684 percent of parcel within the Neighborhood Center shall be less than 12,500 square feet in
 6685 size, and additional 25 percent shall be less than 20,000 square feet. [Relocated from
 6686 Sec. 3-33A.II.f.ii.I. Small

3-D-S.6.d. Development Standards – Village Zone

6688 The principal buildings, accessory buildings, and other lot uses shall be located so as to comply with the
 6689 following standards for a Village Zone.

<u>(1) Intensity:</u>		
<u>(a) Minimum:</u>		<u>6 units per acre [Relocated from Sec. 3-33A.II.2.f.ii.A and B]</u>
<u>(b) Maximum:</u>		<u>12 units per acre [Relocated from Sec. 3-33A.II.2.e]</u>
<u>(c) Average:</u>		<u>5 units per acre ¹ [Relocated from Sec. 3-33A.II.2.e. Density Requirements]</u>
<u>(2) Minimum Lot Dimensions:</u>		
<u>(a) Detached Single-Family:</u>		
<u>i. Lot Size: ²</u>		<u>2,700 square feet</u>
<u>ii. Lot Width:</u>		<u>32 square feet</u>
<u>iii. Lot Depth:</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>(b)</u> <u>Attached Single-Family:</u>		
i.	<u>Lot Size:</u> ¹	1,350 square feet
ii.	<u>Lot Width:</u>	15 feet
iii.	<u>Lot Depth:</u>	<u>Not Applicable</u>
<u>(c)</u> <u>Multi-Family:</u> [MK114]		
<u>(d)</u>	<u>Maximum Lot Coverage:</u>	80 percent [Relocated from Sec. 3- 33A.II.2.f.ii.]
<u>(3)</u> <u>Minimum Setbacks:</u>		
<u>(a)</u> <u>Detached Single-Family:</u>		
i.	<u>Front:</u>	15 feet ²
		25 feet Maximum
ii.	<u>Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 7.5 feet
iii.	<u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 10 feet
<u>(b)</u> <u>Attached Single-Family:</u>		
i.	<u>Front:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 15 feet ³
ii.	<u>Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 5 feet
iii.	<u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 8 feet

Footnotes:

- ¹ To ensure that the intensity will not deviate substantially from the planned average of the BF MPC development, an average intensity of 3 units per acre is recommended, this average may not depart from the range of to 2 to 5 units per acre at any time. [Relocated from Sec. 3-33A.II.2.e. **Density Requirements**]
- ² Not including Private or Public Schools, Places of Worship, and Multi-Family development parcels. [Relocated from Sec. 3-33A.II.2.f.ii.J. **Maximum Lot Area**]

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Part D Zoning Districts and Development Standards

3 May be reduced by 5 feet if the unit has a front porch.

- 6690 (4) Additional Standards.
 6691 (a) Lot Size Variety. A minimum of 2 different lot widths within a Detached Single-Family
 6692 subdivision. The 2 lot widths shall vary by at least 25 percent. A minimum of 30 percent of
 6693 the lots shall have a different lot width as listed in Subsection 3-D-S.6.d.(2) Minimum Lot
 6694 Dimensions. [Relocated from Sec. 3-33A.II.2.f.ii.K. Lot Size Variety]
 6695 (b) Walkability. To ensure walkability, at least 75 percent of Single-Family lot sizes within a
 6696 development shall be less than 6,000 square feet. [Relocated from Sec. 3-33A.II.2.f.ii.K.
 6697 Lot Size Variety]
 6698 (c) Accessory Apartments. To promote housing diversity and affordable housing, no more
 6699 than 1 accessory structure and 1 garage apartment shall be allowed in conjunction with a
 6700 Single-Family home.
 6701 i. For the purposes of calculating intensity only, accessory units shall not be
 6702 recognized as a separate unit, and for concurrency purposes, shall be counted as
 6703 ½ of a unit. Accessory apartments shall conform to the following standards:

<u>A.</u>	<u>Ownership:</u>	The primary unit and the accessory unit shall remain under single ownership.
<u>B.</u>	<u>Form:</u>	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).
<u>C.</u>	<u>Size:</u>	Accessory apartments may not exceed 600 square feet.
<u>D.</u>	<u>Entrances:</u>	Entrances to garage apartments shall face the principal residence to which they are associated.

[Relocated from Sec. 3-33A.II.2.f.i.P. Accessory Apartments, Neighborhood Center, Lot, Building, and Other Requirements]

- 6704 (d) Civic and Open Space.
 6705 Civic Space. Developments with more than 200 units shall be required to have a central
 6706 Civic Space within a Neighborhood Park as set forth in Part F, Division E Parks and
 6707 Recreation. [Relocated from Sec. 3-33A.II.2.f.ii.O. Civic Space]
 6708 i. The park shall include a clubhouse or open-air pavilion. This structure shall be
 6709 constructed prior to the issuance of a building permit for more than 50 percent of
 6710 the lots and/or units of the development. [Relocated from Sec. 3-33A.II.2.f.ii.O.
 6711 Civic Space]
 6712 ii. Size of this structure shall comply with the following:
 6713
 6714

<u>Recreational Facilities</u>	<u>Within Each Development</u>
<u>Enclosed pavilion</u>	5 square feet per unit ¹
<u>Open-air pavilion</u>	10 square feet per unit ¹

Footnote:

1 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.

6715 [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

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6716 (e) *Open Space. A minimum of 5 percent upland open space is required for each*
 6717 *development. Open space may include parks, buffers, and other common areas.*
 6718 **[Relocated from Sec. 3-33A.II.2.f.ii.Q, Open Space, Village Zone MPC]**

6719 **3-D-S.6.e. Development Standards – Suburban Zone**

6720 *The principal buildings, accessory buildings, and other lot uses shall be located so as to comply with the*
 6721 *following standards for a Suburban Zone.*

(1)	<u>Intensity:</u>	
	(a) <u>Minimum:</u>	1 unit per 3 acre
	(b) <u>Maximum:</u>	6 units per acre
	(c) <u>Maximum:</u>	<u>Units with Rear Alley:</u> 7 units per acre
(2)	<u>Minimum Lot Dimensions:</u>	
	(a) <u>Detached Single-Family:</u>	5,500 square feet
		<u>Units with Rear Alley:</u> 3,500 square feet
	(b) <u>Lot Width:</u>	50 feet
		<u>Units with Rear Alley:</u> 40 feet
	(c) <u>Maximum Lot Coverage:</u>	50 percent
(3)	<u>Minimum Setbacks:</u>	
	(a) <u>Front:</u>	15 feet ¹
		<u>With attached or detached front facing garage:</u> 20 feet
	(b) <u>Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 5 feet
	(c) <u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 10 feet
	<u>Units with Alley:</u>	<u>From lot line when adjacent to a Non- Residential zoning district or zone:</u> 8 feet

Footnote:

1 May be reduced by 5 feet if the unit has a front porch.

6722 (4) Additional Standards.
 6723 (a) Lot Size Variety. A minimum of 2 different lot widths within a Detached Single-Family
 6724 subdivision. The 2 lot widths shall vary by at least 15 percent. A minimum of 25 percent of
 6725 the lots shall have a different lot width as listed in Subsection 3-D-S.6.e.(2) Minimum Lot
 6726 Dimensions. [Relocated from Sec. 3-33A.II.2.f.iii.J. Lot Size Variety]
 6727 (b) Civic and Open Space.

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

Part D Zoning Districts and Development Standards

6728 *Civic Space. Developments with more than 200 units shall be required to have a central*
 6729 *Civic Space within a Neighborhood Park as set forth in Part F, Division E Parks and*
 6730 *Recreation. [Relocated from Sec. 3-33A.II.2.f.iii.N. and O. Civic Space]*
 6731 *i. Refer to Subsection 3-D-S.6.d.(4)(d) Civic and Open Space for development*
 6732 *standards.*
 6733 *ii. Open Space. A minimum of 10 percent upland open space is required for each*
 6734 *development. Open space may include parks, buffers, and other common areas.*
 6735 *[Relocated from Sec. 3-33A.II.2.f.iii.P. Open Space]*

3-D-S.6.f. Design Standards

6737 (1) *The following minimum design standards, unless stated otherwise, shall apply to each Center or*
 6738 *Zone within the BF [MPC][MK115]:*

<u>Design Standards</u>	<u>Neighborhood Center</u>	<u>Village Zone</u>	<u>Suburban Zone</u>
<i>Block Lengths</i>	<u>Maximum 500</u> [CP116] <i>feet</i>	<u>Maximum 600 feet</u>	<u>Maximum 600 feet</u> <u>May expand up to</u> <u>1,000 feet²</u>
<u>Block percentage on street frontage</u>	<u>Minimum 65 percent</u>	<u>Not Applicable</u>	<u>Not Applicable</u>
<u>Alleys or rear courtyard</u>	<u>Refer to Sec. 3-F-C.3.c. Alleys and Interior Courtyards</u>	<u>Refer to Sec. 3-F-C.3.c. Alleys and Interior Courtyards</u>	<u>Refer to Sec. 3-F-C.3.c. Alleys and Interior Courtyards</u>
<i>Sidewalks¹</i>	<u>15 feet with a 7.5-foot clear zone</u>	<u>Not Applicable</u>	<u>Not Applicable</u>

Footnote:

¹ *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.*

² *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]*

6739 [Relocated from Sec. 3-33A.II.2.f.i.H. Design Standards Neighborhood Center, Lot, Building,
 6740 and Other Requirements]

6741 (2) *All Non-Residential buildings or structures shall comply with Part F, Division F Architectural Design*
 6742 *Guidelines.*

3-D-S.6.g. Parking and Loading

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6744 Parking and loading in the BF MPC shall be in accordance with Sec. 8-12 Parking Requirements and
 6745 Appendix A Parking Space Requirements, in addition to the following:

- 6746 (1) Where parking is accessed by alleys, parallel on-street parking is allowed in the front of the
 6747 buildings, but no driveways or curb cuts shall be located on the streets, except determined by the
 6748 Director of Planning and Zoning or his/her designee that it complies with the development
 6749 standards for the BF MPC. [Relocated from Sec. 3-33A.II.2.f.iii.L. Parking, Suburban Zone, Lot,
 6750 Building, and Other Requirements]
 6751 (2) In addition, parking for individual uses in the different Zones of the BF MPC shall comply with the
 6752 following, where applicable: [Relocated from Sec. Sec. 3-33A.II.2.f.i.K. Parking – Neighborhood
 6753 Center; Sec. 3-33A.II.2.f.ii. M. Parking – Village Zone; Sec. 3-33A.II.2.f.iii. L. Parking –
 6754 Suburban Zone]

<u>Parking Requirements</u>	<u>Neighborhood Center</u>	<u>Village Zone</u>	<u>Suburban Zone</u>
<u>Single-Family Detached unit:</u> <u>Accessed by rear alley or front-loaded garage¹</u>	<u>Not Applicable</u>	<u>✓</u>	<u>✓</u>
<u>Multi-Family, townhome, Non-Residential buildings:</u> <u>Courtyards in rear or on side of building.²</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>Rear access shall be by alleys</u>		<u>Minimum of 80 percent at the rear</u>	
<u>On-street parking in parallel or diagonal layout</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>
<u>Footnote:</u>			
<u>1</u>	<u>Front-loaded garages shall be allowed for Single-Family Detached units if located at the perimeter boundary of the development. [Relocated from Sec. 3-33A.II.2.f.ii.M. Parking, Village Zone]</u>		
<u>2</u>	<u>If located on the side of the building, the parking shall be screened using an opaque street wall or a hedge not exceeding 4 feet in height. [Relocated from Sec. 3-33A.II.2.f.i.K. Parking, Neighborhood Center]</u>		

6755 **3-D-S.6.h. BF MPC Uses**

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
- (2) Special Exception: Sec. E-X-X
- (3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
Refer to Sec. 3-E-J. Temporary Uses

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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-H. Accessory Structures](#)

- 6756 **2. ~~BF Master Planned Community (BF MPC).~~**
6757 ~~The BF Master Planned Community land use/zoning category is the principal suburban residential~~
6758 ~~category for the Master Plan Area. This community is characterized by a mix of residential,~~
6759 ~~recreation, and neighborhood commercial uses within clearly defined as tree screens, wetlands,~~
6760 ~~and/or lakes, rather than physical barriers such as walls or fences. Civic buildings for education,~~
6761 ~~community meetings, religion and culture serve as landmarks by being centrally located. This~~
6762 ~~balanced mix of land uses allows for increased efficiency and economy by providing home, work,~~
6763 ~~and service places in close proximity to each other. [Relocated to Sec. 3-D-S.6.a. Description~~
6764 ~~BF MPC] **Project density ranges between one unit per three gross acres (Contemporary**~~
6765 ~~Residential) to twelve units per gross acre, with an average density of five units per gross acre. To~~
6766 ~~ensure that the density will not deviate substantially from the planned average, this average may~~
6767 ~~not depart from the range of 2 to 5 units per gross acre at any time. [Relocated to Sec. 3-D-S.6.d.~~
6768 ~~Intensity] The development pattern is arranged in the form of villages, with three zones within each~~
6769 ~~village, starting with the business and civic core known as the Neighborhood Center, which is~~
6770 ~~surrounded by the denser Village zone, and finally with the periphery of the village being the single-~~
6771 ~~family Suburban zone. [Relocated to Sec. 3-D-S.6.a. Description, BF MPC]~~
- 6772 ~~The Neighborhood Center zone shall consist of a small-scale business area with a central civic park~~
6773 ~~area that is at least 2,500 square feet in size. [Relocated to Sec. 3- The Neighborhood Center shall~~
6774 ~~be between two and ten acres in size, with no more than 8 acres in retail commercial use and shall be~~
6775 ~~located around the intersection of a collector road and a collector road, or a collector road and a local~~
6776 ~~road. A designated BF Activity or BF Community Center may substitute for the Neighborhood Center.~~
6777 ~~Such a center is encouraged to be within a 1 mile walking distance of all dwellings. Neighborhood~~
6778 ~~Centers must be located at least one mile from another Neighborhood, BF Activity or BF Community~~
6779 ~~Center, unless the Neighborhood Center is utilized as a transition element for an existing BF Activity~~
6780 ~~or BF Community Center. Neighborhood Centers are not required when surrounding development is~~
6781 ~~less than 3 units per acre. [Relocated to Sec. 3-D-S.6.b. Land Use Mix~~
- 6782 ~~The Village zone shall be the residential area around the Neighborhood Center, and shall be~~
6783 ~~designated for multi-family units, single-family attached dwellings, and smaller lot single-family~~
6784 ~~utilizing the design standards of Traditional Neighborhood Developments. The Village zone is also~~
6785 ~~appropriate for areas close to designated BF Community Centers and BF Activity Centers.~~
6786 ~~[Relocated to Sec. 3-D-S.6.a.(2) Village Zone]~~
- 6787 ~~The Suburban zone is intended to be an “outer ring” around the Village zone, and shall be designated~~
6788 ~~primarily for single-family detached dwellings. A Suburban Zone may be located adjacent to a~~
6789 ~~Neighborhood Center. [Relocated to Sec. 3-D-S.6.a.(3) Suburban Zone]~~
- 6790 ~~d. Prohibited Uses or Activities.~~
- 6791 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted. Part E clarifies that uses~~
6792 ~~not shown in Use Matrices are prohibited unless determined by PZ Director that it may~~
6793 ~~be allowed]~~
- 6794 ~~e. Density Requirements. The density range in the BF Master Planned Community is between one~~
6795 ~~dwelling unit per three gross acres to 12 dwelling units per gross acre, with an average density of~~
6796 ~~three units per gross acre. To ensure that the density will not deviate substantially from the planned~~
6797 ~~average, this average may not depart from the range of two to five units per gross acre at any time.~~
6798 ~~[Relocated to Sec. 3-D-S.6.d.(1) and (e) (1) Intensity, Footnote 1 Village and Suburban Zones]~~

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6799 ~~Higher density and senior housing will be located close to Neighborhood Centers, BF Community~~
6800 ~~Centers, and BF Activity Centers, which will provide travel opportunities for the least mobile~~
6801 ~~residents. Density will be reduced based on distance from the Neighborhood Centers, BF~~
6802 ~~Community Centers and BF Activity Centers, placing housing with lower densities near~~
6803 ~~conservation areas, and higher densities in close proximity to the centers. [Relocated to Sec. 3-~~
6804 ~~D-S.6.a. Description]~~

6805
6806 ~~f. Lot, Building, and Other Requirements. The principal buildings, accessory buildings, and other~~
6807 ~~lot uses shall be located so as to comply with the following requirements:~~

6808 ~~i. Neighborhood Center~~

6809 ~~A. Minimum lot width at building line: 25 feet.~~

6810 ~~B. Minimum front setback: None.~~

6811 ~~C. Maximum front setback: 15 feet.~~

6812 ~~D. Minimum side setback: None~~

6813 ~~E. Minimum rear setback: 8 feet~~

6814 ~~F. Maximum percent of lot coverage 80 percent (total for all primary and accessory~~
6815 ~~buildings)~~

6816 ~~G. Maximum Lot Area: one acre (not including public schools). [Relocated to/tabularized~~
6817 ~~in Sec. 3-D-S-6.c. Development Standards, Neighborhood Center]~~

6818 ~~H. Design Standards. [Relocated to/tabularized in Sec. 3-D-S-6.f. Design Standards]~~

~~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-S-6.c. Intensity, 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 to/tabularized in Sec. 3-D-S-6.f. Design Standards]~~

~~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]~~

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~~Item 7. *Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet walls or partial roofs.*~~

[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].

[Relocated to/tabularized in Sec. 3-D-S-6.f. Design Standards and to Division 3-F-F. Architectural Design Guidelines]

~~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.*~~

[Relocated to Sec. 3-D-S.6.c.(4) Additional Standards, Neighborhood Center]

~~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.]**

~~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.]**

~~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*~~

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

Part D Zoning Districts and Development Standards

- 6837 ~~100 feet.~~ [Relocated to and consolidated/tabularized in Sec. 3-D-S.6.g. and footnote
6838 (2) Parking and Loading, BF MPC]
- 6839 ~~L. Block Lengths. To promote walkability, block lengths within the Neighborhood Center may~~
6840 ~~not exceed 500 feet.~~ [Relocated to/tabularized in Sec. 3-D-S.5.f. Design Standards]
- 6841 ~~M. Sidewalks. Sidewalks shall be a minimum of 15 feet in width, with a clear zone of seven~~
6842 ~~and one half feet. A street furniture zone of seven and one half feet shall be located~~
6843 ~~adjacent to the curb, and shall accommodate trash cans, utility poles, hydrants, benches,~~
6844 ~~bus shelters, street trees, and the like. A supplemental sidewalk zone of up to fifteen~~
6845 ~~additional feet may be located between the sidewalk and the building façade. The~~
6846 ~~supplemental sidewalk may be used for outdoor cafes and sidewalk sales and when such~~
6847 ~~activities occur, the outer edge of the supplemental sidewalk must be defined by movable~~
6848 ~~planters or fences with a maximum height of 36 inches.~~ [Consolidated/tabularized in
6849 Sec. 3-D-S.5.f. Footnote 1]
- 6850 ii. ~~Village Zone~~
- 6851 ~~A. Minimum Density: 6 units per gross acre~~
- 6852 ~~B. Maximum Density: 12 units per gross acre~~
- 6853 ~~C. Minimum Lot Size: 2,700 square feet for single family detached units; 1,350 square feet for~~
6854 ~~single family attached units.~~
- 6855 ~~D. Minimum Lot Width: 15 feet for single family attached units, 32 feet for single family detached~~
6856 ~~homes, 80 feet for multi-family structures.~~
- 6857 ~~E. Minimum Front Setback: 15 feet, 10 feet for front porches for single family detached; 5 feet for~~
6858 ~~all others.~~
- 6859 ~~F. Maximum Front Setback: 25 feet.~~
- 6860 ~~G. Minimum Side Setback: 5 feet~~
- 6861 ~~H. Minimum Rear Setback: 8 feet~~
- 6862 ~~I. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory buildings)~~
- 6863 ~~J. Maximum Lot Area: 20,000 square feet (not including public and private schools, places of~~
6864 ~~worship, and multiple-family development parcels).~~ [Relocated to/tabularized in Sec. 3-D-
6865 S.6.d. Development Standards, Village Zone and Footnote 1]
- 6866 ~~K. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing,~~
6867 ~~there shall be at least two different lot widths within a single family detached residential~~
6868 ~~subdivision. The two lot widths shall vary by at least 25%. At least 30% of the lots must have~~
6869 ~~a different lot width as described above. To ensure walkability and affordability, at least 75%~~
6870 ~~of single-family lot sizes within a development must be less than 6,000 square feet.~~
- 6871 [Relocated to/tabularized in Sec. 3-D-S.6.e.(4)(a) Additional Standards, Village Zone]
- 6872 ~~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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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT STANDARDS

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]

6873 ~~M. Parking. A minimum of 80% of all off-street parking places within a development shall be to~~
6874 ~~the rear of buildings and accessed by alleys. Front-loaded single-family detached lots will be~~
6875 ~~allowed along the perimeter boundary of the development. These lots may be served by curb~~
6876 ~~cuts with maximum 12 foot wide driveways and garages set back at least 8 feet behind the~~
6877 ~~front façade of the home. Commonly owned interior courtyards may be utilized for multi-family~~
6878 ~~and townhome development. On street parking shall be in the form of parallel or diagonal~~
6879 ~~parking. If located on the side of the structure the parking must be screened using solid~~
6880 ~~streetwalls not exceeding four feet in height or landscaping. For multi-family development,~~
6881 ~~parking between buildings may not exceed two parking rows as arranged perpendicular to the~~
6882 ~~street.~~ [Relocated to and consolidated/tabularized under Sec. 3-D-S.6.g. and footnote
6883 (1) and (2) Village Zone, Parking and Loading]

6884 ~~N. Block Lengths. To promote walkability, block lengths within the Village zone may not exceed~~
6885 ~~600 feet.~~ [Relocated to/tabularized in Sec. 3-D-S.6.f. Village Zone, Design Standards]

6886 ~~O. Civic Space. Developments with more than 200 units shall be required to have a central civic~~
6887 ~~space within a neighborhood park including a clubhouse or open air pavilion. This structure~~
6888 ~~shall be constructed prior to the issuance of a building permit for more than 50% of the lots~~
6889 ~~and/or units of the development. The developer and later the homeowners association shall~~
6890 ~~be responsible for construction and upkeep of the civic space. Structure size shall be set at~~
6891 ~~five square feet per unit for an enclosed building and ten square feet per unit for an open air~~
6892 ~~pavilion. Enclosed buildings and pavilions shall have a minimum size of 750 square feet.~~
6893 ~~Enclosed buildings and pavilions shall not be required to exceed 2,000 square feet.~~
6894 [Relocated to/tabularized in Sec. 3-D-S.6.d.(4)(d)i Additional Standards, Civic and Open
6895 Space, Village Zone]

6896 ~~P. Accessory Apartments. To promote housing diversity and affordable housing, no more than~~
6897 ~~one accessory structure and one garage apartment shall be allowed in conjunction with a~~
6898 ~~single-family home. For the purposes of calculating density only, accessory units will not be~~
6899 ~~recognized as a separate unit, and for concurrency purposes, shall be counted as one-half of~~
6900 ~~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.~~

~~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.~~

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

Part D Zoning Districts and Development Standards

- 6901 [Relocated to Sec. 3-D-S.6.d.(4)(c), Additional Standards, Accessory Apartments,
6902 Village Zone]
- 6903 ~~Q. Open Space. A minimum of five percent upland open space is required for each development.~~
6904 ~~Open space may include parks, buffers, and other common areas. [Relocated to Sec. 3-D-~~
6905 ~~S.6.d.(4)(d), Additional Standards, Civic and Open Space, Village Zone]~~
- 6906 ~~ii. Suburban Zone~~
- 6907 ~~A. Minimum Density: 1 unit per three gross acres.~~
- 6908 ~~B. Maximum Density: 6 units per gross acre; 7 units per gross acre with rear alleys.~~
- 6909 ~~C. Minimum Lot Size: 5,500 square feet; 3,500 with rear alleys.~~
- 6910 ~~D. Minimum Lot Width at Building Line: 50 feet; 40 feet with rear alley easement.~~
- 6911 ~~E. Minimum Front Setback: 10 feet for front porches; 15 feet for front façade, 20 feet~~
6912 ~~for both attached and detached front facing garages.~~
- 6913 ~~F. Minimum Side Setback: 5 feet.~~
- 6914 ~~G. Minimum Rear Setback: 10 feet; 8 feet with rear alleys.~~
- 6915 ~~H. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory buildings).~~
6916 ~~[Relocated to/tabularized in Sec. 3-D-S.6.e. Suburban Zone, Development Standards]~~
- 6917 ~~I. Garage Standards: Garages shall not block front entries. All front entries must be visible from~~
6918 ~~the street (measured as a straight line from the front door to the street). [Deleted, sufficient~~
6919 ~~standards requiring rear alley and architectural design guidelines]~~
- 6920 ~~J. Lot Size Variety. To promote a diversity of housing types and to encourage affordable housing~~
6921 ~~in subdivisions, there shall be at least two different lot widths. The two lot widths shall vary by~~
6922 ~~at least 15% (rounded to the nearest 10). At least 25% of the lots must have a different lot~~
6923 ~~width as described above. [Relocated to Sec. 3-D-S.6.e.(4)(a) Suburban Zone, Additional~~
6924 ~~Standards.]~~
- 6925 ~~K. Alleys. Alleys are encouraged, meeting standards set forth in Section 7. [Deleted,~~
6926 ~~consolidated under Alleys, General Development Standards]~~
- 6927 ~~L. Parking. Where alleys are present, all off-street parking places shall be to the rear of buildings.~~
6928 ~~In areas with alleys, parallel on-street parking is allowed, but no driveways or curb cuts are~~
6929 ~~allowed along streets, except as in accordance with access control standards. [Deleted,~~
6930 ~~consolidated under Sec. 3-D-S.6.g.(1) Parking and Loading]~~
- 6931 ~~M. Block Lengths. To promote walkability in neighborhoods, block lengths within the Suburban~~
6932 ~~zone shall be limited in the following manner. The base maximum block length is 600 feet.~~
6933 ~~This block length may be exceeded to a maximum block length that is ten times the average~~
6934 ~~lot width of a development, not to exceed 1,000 feet. The maximum block length as set above~~
6935 ~~may be exceeded by no more than one-half if one of the following conditions are met: if a park~~
6936 ~~or civic space is at the end of a block, or if a mid-block pedestrian and bicycle connection is~~
6937 ~~provided. In the event that topographical or parcel shape (at the time of adoption) prevent~~
6938 ~~conformity with this standard, pedestrian connections and emergency accessways in keeping~~
6939 ~~with the intent of this provision shall substitute for strict adherence. [Relocated to/tabularized~~
6940 ~~in Sec. 3-D-S.6.f. Design Standards and Footnote 2]~~
- 6941 ~~N. Civic Space. Developments with more than 200 units shall be required to have a central civic~~
6942 ~~space within a neighborhood park including a clubhouse or open air pavilion. This structure~~
6943 ~~shall be constructed prior to the issuance of a building permit for more than 50% of the lots~~
6944 ~~and/or units of the development. The developer and later the homeowners association shall~~
6945 ~~be responsible for construction and upkeep of the civic space. Structure size shall be set at~~
6946 ~~five square feet per unit for an enclosed building and ten square feet per unit for an open air~~
6947 ~~pavilion. Enclosed buildings and pavilions shall have a minimum size of 750 square feet.~~

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

Part D Zoning Districts and Development Standards

6948 ~~Enclosed buildings and pavilions shall not be required to exceed 2,000 square feet.~~ [Relocated
6949 and tabularized under Sec. 3-D-S.6.e.(4)(b) Civic and Open Space, Additional Standards,
6950 Suburban Zone]
6951 ~~P. Open Space. A minimum of ten percent upland open space is required for each development.~~
6952 ~~Open space may include parks, buffers, and other common areas.~~ [Relocated to Sec. 3-D-
6953 S.6.e.(4)(b), Civic and Open Space, Suburban Zone]

6954 Sec. 3-D-S.7. BF Primary Conservation Network (BF PCN)

6955 3-D-S.7.a. Description

6956 *The BF PCN depicted on the FLUM will interconnect natural resources throughout the Master Plan area*
6957 *protecting drainage systems and headwaters of the regional tributaries. This network will serve to separate*
6958 *and buffer adjacent land uses while providing for wildlife habitat and opportunities for passive recreation.*
6959 [Relocated from Sec. 3-33A.III.1. BF Primary Conservation Network (BF PCN)]

6960 3-D-S.7.b. Allowable Activities and Impacts

6961 *Pedestrian walkways, bicycle paths, boardwalks, docks built for water access, fences necessary to protect*
6962 *habitat areas, and similar uses as articulated in the conservation easement.*

6963 (1) *Impacts. Any impacts to the network shall be limited to the possible extent. All roadway and utility*
6964 *encroachments not shown on the adopted plan shall be avoided and/or minimized when practical.*

6965 Impacts may include:

6966 (a) *filling for roadway and utility construction for crossings shown on the adopted plan;*

6967 (b) *road crossings not shown on the adopted plan where no other practical alternatives exist;*

6968 (c) *excavation of stormwater management systems when accompanied by the dedication of*
6969 *additional land that is generally equivalent in quality and quantity for conservation; and*

6970 (d) *construction of the passive recreational facilities identified above.*

6971 (2) *BF PCN impacts to accommodate vertical development are allowed only in cases where there is*
6972 *no net loss of wetlands and where additional uplands are added. The quantity of upland additions*
6973 *to the BF PCN shall exceed 50 percent of impacted wetlands.* [Relocated from sec. 3-33A.III.1.a.

6974 Allowable Activities and Impacts, BF PCN]

6975 3-D-S.7.c. Boundary Determination

6976 *The boundary of the BF PCN shall be a minimum of 200 feet in width or 25 feet from the jurisdictional*
6977 *wetland line, whichever is greater.*

6978 (1) *Changes to the BF PCN boundary must be approved by the Board of County Commissioners.*

6979 (2) *Wetland systems not identified on the FLUM as BF PCN lands are eligible for inclusion within the*
6980 *BF PCN boundary only if these lands contain a viable creek system providing a functioning,*
6981 *reasonable connection to Black Creek. In the event that the width of the wetland identified as part*
6982 *of the BF PCN is less than 150 feet, then each owner of the property on each side of the wetland*
6983 *shall provide 50 percent of the additional width required so that the BF PCN attains the minimum*
6984 *required 200-foot width.* [Relocated from sec. 3-33A.III.1.b. Boundary Determination, BF PCN]

6985 3-D-S.7.d. Ownership and Control

6986 *Except for that portion of the BF PCN that lies within the BF Community Park Overlay, all natural vegetation*
6987 *and wetlands within the PCN shall be protected by a Conservation easement that is dedicated to the St.*

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

Part D Zoning Districts and Development Standards

6988 Johns River Water Management District, the Florida Fish and Wildlife Conservation Commission, an
6989 established private non-profit land trust, or the County. These lands shall be deeded to 1 of these agencies,
6990 the Homeowners' or Property Owners' Association, or retained by the landowner or developer, but shall
6991 not be deeded to individual Association.

6992 (1) Specific restrictions shall be placed on these lands prohibiting development or disturbance except
6993 for environmental management or the creation of hiking trails and other passive recreational uses
6994 described above. **[Relocated from sec. 3-33A.III.1.c. Ownership and Control]**

6995 ~~1. **BF Primary Conservation Network (BF PCN).** The BF PCN depicted on the Future Land Use Map~~
6996 ~~will interconnect natural resources throughout the Master Plan area protecting drainage systems and~~
6997 ~~headwaters of the regional tributaries. This network will serve to separate and buffer adjacent land~~
6998 ~~uses while providing for wildlife habitat and opportunities for passive recreation. **[Relocated to Sec. 3-**~~
6999 ~~**D-S.7.a. Description, BF PCN]**~~

7000 ~~a. **Allowable Activities and Impacts.** Pedestrian walkways, bicycle paths, boardwalks, docks built for~~
7001 ~~water access, fences necessary to protect habitat areas, and similar uses as articulated in the~~
7002 ~~conservation easement. **[Relocated to Sec. 3-D-S.7.b. Allowable Activities and Impacts]**~~
7003 ~~Impacts to the network may include filling of property or roadway and utility construction for~~
7004 ~~crossings shown on the adopted plan. **[Relocated to Sec. 3-D-S.7.b.(1) and (1)(a) Allowable**~~
7005 ~~**Activities and Impacts]**~~

7006 ~~Impacts to the network may also include road crossings not shown on the adopted plan where no~~
7007 ~~other practical alternatives exist. **[Relocated to Sec. 3-D-S.7.b.(1)(b)]**~~

7008 ~~excavation of stormwater management systems when accompanied by the dedication of additional~~
7009 ~~land that is generally equivalent in quality and quantity for conservation, and **[Relocated to Sec.**~~
7010 ~~**3-D-S.7.b.(1)(c) Allowable Activities and Impacts]**~~

7011 ~~construction of the passive recreational facilities identified above. **[Relocated to Sec. 3-D-**~~
7012 ~~**S.7.b.(1)(d) Allowable Activities and Impacts]**~~

7013 ~~All roadway and utility encroachments not shown on the adopted plan shall be avoided and/or~~
7014 ~~minimized when practical. **[Relocated to Sec. 3-D-S.7.b.(1) Allowable Activities and Impacts]**~~

7015 ~~BF PCN impacts to accommodate vertical development are allowed only in cases where there is~~
7016 ~~no net loss of wetlands and where additional uplands are added. The quantity of upland additions~~
7017 ~~to the BF PCN shall exceed 50% of impacted wetlands. Changes to the BF PCN boundary must~~
7018 ~~be approved by the Board of County Commissioners. **[Relocated to Sec. 3-D-S.7.b.(2) Allowable**~~
7019 ~~**Activities and Impacts]**~~

7020 ~~b. **Boundary Determination.** The boundary of the BF PCN (depicted on the Future Land Use Map)~~
7021 ~~shall be a minimum of 200 feet in width or 25 feet from the jurisdictional wetland line, whichever is~~
7022 ~~greater. **[Relocated to Sec. 3-D-S.7.c. Boundary Determination]**~~

7023 ~~Wetland systems not identified on the Future Land Use Map as BF PCN lands are eligible for~~
7024 ~~inclusion within the BF PCN boundary only if these lands contain a viable creek system providing~~
7025 ~~a functioning, reasonable connection to Black Creek. In the event that the width of the wetland~~
7026 ~~identified as part of the BF PCN is less than 150 feet, then each owner of the property on each~~
7027 ~~side of the wetland shall provide 50% of the additional width required so that the BF PCN attains~~
7028 ~~the minimum required 200-foot width. **[Relocated to Sec. 3-D-S.7.c.(2) Boundary Determination**~~
7029 ~~**BF PCN]**~~

7030 ~~Changes to the BF PCN boundary must be approved by the Board of County Commissioners.~~
7031 ~~**[Relocated to Sec. 3-D-S.7.c.(1) Boundary Determination BF PCN]**~~

7032 ~~c. **Ownership and Control.** Except for that portion of the BF PCN that lies within the BF Community~~
7033 ~~Park Overlay, all natural vegetation and wetlands within the PCN shall be protected by a~~

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Part D Zoning Districts and Development Standards

7034 ~~conservation easement that is dedicated to the St. Johns River Water Management District, the~~
 7035 ~~Florida Fish and Wildlife Conservation Commission, an established private non-profit land trust, or~~
 7036 ~~the County. These lands shall be deeded to one of these agencies, the homeowners' association,~~
 7037 ~~or retained by the landowner or developer, but shall not be deeded to individual homeowners.~~
 7038 **[Relocated to Sec. 3-D-S.7.d. Ownership and Control BF PCN]**
 7039 ~~Specific restrictions will be placed on these lands prohibiting development or disturbance except~~
 7040 ~~for environmental management or the creation of hiking trails and other passive recreational uses~~
 7041 ~~described above.~~ **[Relocated to Sec. 3-D-S.7.d.(1) Ownership and Control BF PCN]**

7042 Sec. 3-D-S.8. BF Rural Activity Center (RAC)

7043 3-D-S.8.a. Description

7044 The intent of this FLU category is to serve the daily Commercial needs of the BF Rural Suburban
 7045 community.

7046 3-D-S.8.b. Development Standards

7047 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 7048 following minimum standards:

(1) Minimum Lot Dimensions:

<u>(a) Lot Size:</u>	<u>3 acres</u>
<u>(b) Lot Width:</u>	<u>200 feet</u>
<u>(c) Lot Depth:</u>	<u>200 feet</u>
<u>(d) Maximum Lot Coverage:</u>	<u>30 percent¹</u>

(2) Minimum Setbacks:

<u>(a) Front:</u>	<u>25 feet</u>
<u>(b) Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district: 15 feet</u>
	<u>From lot line when adjacent to a Non- Residential zoning district: 30 feet</u>
<u>(c) Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district: 25 feet</u>
	<u>From lot line when adjacent to a Residential zoning district: 50 feet</u>

Footnotes:

1 Each building shall not exceed 35,000 square feet. [Relocated from Sec. 3-33A.III.2.e.i. Scale]

7049 **[Relocated from Sec. 3-33A.III.2.c. Density Requirements BF RAC]**

7050 (3) Additional Standards.

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

Part D Zoning Districts and Development Standards

- 7051 (a) *Building Arrangement.* Buildings may front on a collector or an internal street of the
 7052 development. If fronting on internal streets, the rear of buildings shall be visually screened
 7053 through landscape buffers from adjacent streets. [Relocated from Sec. 3-33A.III.2.e.ii.
 7054 **Building Arrangement BF RAC]**
 7055 (b) Blocks. Each development shall occupy at least 75 percent of frontage within a block. Block
 7056 length shall not exceed 500 feet. Block limits shall be defined as through side streets and
 7057 pedestrian walkways or Civic Spaces. [Relocated from Sec. 3-33A.III.2.e.ii. **Building**
 7058 **Arrangement BF RAC]**
 7059 (c) Building Design. Refer to Part F, Division F Architectural Design Guidelines.
 7060 (d) Sidewalk. Shall be provided in front of buildings with connection to the parking lot or other
 7061 amenities within the development.

-
- i. Infront of Buildings: ≤10 feet in width
-
- ii. For outdoor restaurant and Additional 15 feet in width, and defined with
outdoor retail display: movable planters, at 36 inches in height.
-

7062 [Relocated from Sec. 3-33A.III.2.d. Sidewalks BF RAC]

- 7063 (e) Parking and loading in the BF RAC shall be in accordance with Sec. 8-12 Parking
 7064 Requirements and Appendix A Parking Space Requirements. Location of parking shall be
 7065 limited to the following:
 7066 i. Front: A maximum of 10 percent of the total required parking may be located at
 7067 the front of the building(s), and in the form of a single row of parallel or diagonal
 7068 on-street parking along internal shopping streets.
 7069 ii. Side: For shopping centers, side parking areas may not exceed 75 percent of a
 7070 block. Side parking shall have a street wall or a hedge a minimum of 42 inches in
 7071 height.
 7072 iii. Rear. A minimum of 50 percent of the total required parking shall be located at the
 7073 rear of the building(s). [Relocated from Sec. 3-33A.III.2.e.(iii) **Parking BF RAC]**

7074 **3-D-S.8.c. BF RAC Uses**

-
- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
-
- (2) Special Exception: Sec. E-X-X
-
- (3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
Refer to Sec. 3-E-J. Temporary Uses
Refer to Sec. 3-F-H. Accessory Structures
-

7075 **Sec. 3-33A.III.2.c. BF RAC**

- 7076 ~~c. *Density Requirements.* The maximum intensity of development for land in the BF Rural Activity~~
 7077 ~~Center classification shall correspond to a floor area ratio (FAR) of 30 percent. [Relocated to Sec.~~
 7078 ~~**3-D-S.8.b. Development Standards]**~~
 7079 ~~d. *Sidewalks.* Sidewalks in front of buildings shall be a minimum of ten feet in width, with an optional~~
 7080 ~~zone of up to fifteen additional feet for outdoor cafes and sidewalk sales. When such activities~~
 7081 ~~occur, the outer edge of the additional sidewalk area must be defined by movable planters or by~~
 7082 ~~fences with a maximum height of 36 inches. [Relocated to Sec. 3-D-S.8.b.(3)(d) Sidewalk,~~
 7083 ~~**Development Standards]**~~

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Part D Zoning Districts and Development Standards

- 7084 e. **Design Standards.**
- 7085 i. ~~Scale. Building size shall not exceed 35,000 square feet.~~ [Relocated to Sec. 3-D-S.8.b.
- 7086 **Development Standards, Footnote 1]**
- 7087 ii. ~~Building Arrangement. Buildings may front on a collector roadway or an internal street. If~~
- 7088 ~~fronting on internal streets, the rear of buildings must be visually screened through landscape~~
- 7089 ~~buffers from adjacent collector roadways.~~ [Relocated to Sec. 3-D-S.8.b.(3)(a) **Building**
- 7090 **Arrangement, Additional Standards]**
- 7091 ~~Such buffers must be at least 50 feet wide, and the screening shall be of at least 85%, which~~
- 7092 ~~must be achieved within three years of planting. Buildings shall be clustered together to allow~~
- 7093 ~~for better pedestrian access and human scale. Freestanding buildings on separate and~~
- 7094 ~~adjacent lots shall be placed as close together as possible and shall provide a shared access~~
- 7095 ~~driveway on the non-clustered side. For shopping centers (multiple buildings on one parcel),~~
- 7096 ~~buildings shall occupy at least 75 percent of linear frontage within a block. Block length shall~~
- 7097 ~~not exceed 500 feet. Block limits shall be defined as through side streets and pedestrian~~
- 7098 ~~walkways or civic spaces.~~ [Relocated to Sec. 3-D-S.8.b.(3)(b) **Blocks, Additional**
- 7099 **Standards]**
- 7100 iii. ~~Parking. Surface parking shall be visually screened from public and/or private streets by~~
- 7101 ~~means of building placement and/or landscaping. Parking shall be located primarily to the rear~~
- 7102 ~~of buildings, but will also be allowed on one side of a building. In the case of shopping centers,~~
- 7103 ~~side parking areas may not exceed 75% of a block. Parking will be allowed in front of buildings~~
- 7104 ~~in the form of a single row of parallel or diagonal on-street parking along internal shopping~~
- 7105 ~~streets. Additional parking areas may be provided in front of buildings meeting the Pedestrian~~
- 7106 ~~Corridor, Landscaping, and Buffers standards associated with the Park Center shopping center~~
- 7107 ~~alternative found in the BF Community and BF Activity Center Standards section. Side parking~~
- 7108 ~~areas shall have a streetwall (wall or hedge at least 42" in height) adjacent to the internal street~~
- 7109 ~~that will screen the parking area and continue the line of front building facades.~~ [Relocated to
- 7110 **Sec. 3-D-S.8.b.(3)(e) Parking, Additional Standards]**
- 7111 iv. ~~Covered Entry Areas. Structures must include awnings, covered walkways, open colonnades,~~
- 7112 ~~or similar weather protection along building sides with customer entrances.~~ [Deleted but
- 7113 **referenced in Sec. 3-D-S.8.e.(3), consolidation of these design elements are under Sec.**
- 7114 **3-F.F. Architectural Guidelines]**
- 7115 v. ~~Architectural and Additional Standards. Reduction of building mass may be achieved by using~~
- 7116 ~~the following techniques:~~
- 7117 A. ~~Variation in the rooflines and form.~~
- 7118 B. ~~Use of ground level arcades and covered areas.~~
- 7119 C. ~~Use of protected and recessed entries.~~
- 7120 D. ~~Use of vertical elements (including architectural features such as pilasters, columns,~~
- 7121 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~
- 7122 ~~walls, to interrupt facades into modules of less than 60 feet. E. Use of pronounced wall~~
- 7123 ~~plane offsets and projections.~~
- 7124 E. ~~Use of focal points and vertical accents.~~
- 7125 F. ~~Inclusion of windows on elevations facing streets and pedestrian areas.~~
- 7126 G. ~~Retaining a clear distinction between roof, body and base of a building.~~
- 7127 H. ~~Office and Industrial buildings that are substantially screened by landscaping shall not have~~
- 7128 ~~to meet Items v.D, v.E, v.F, v.H.~~ [Deleted but referenced in **Sec. 3-D-S.8.e.(3),**

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

Part D Zoning Districts and Development Standards

- 7129 consolidation of these design elements are under Sec. 3-F.F. Architectural
7130 Guidelines]
- 7131 ~~vi. Building Entrances. Buildings may have their entrances from parking areas, but must also provide~~
7132 ~~an entrance to the internal street. Entrances oriented toward a minor collector roadway are~~
7133 ~~required when buildings front on such a road, unless buildings are visually screened from such~~
7134 ~~roadway, as described in Item 2. Building entrances shall be clearly articulated through the use of~~
7135 ~~architectural detailing. Entrances shall include at least two of the following features: raised above~~
7136 ~~the doorway cornice parapets, peaked roof forms, arches, display windows, and/or integrated~~
7137 ~~architectural details such as tile work, moldings, and planters. [Deleted but referenced in Sec. 3-~~
7138 ~~D-S.8.b.(3), Additional Standards indicating consolidation of these design elements are~~
7139 ~~under Sec. 3-F.F. Architectural Guidelines]~~
- 7140 ~~vii. Pedestrian Walkways. All uses shall be connected by pedestrian walkways.~~
7141 ~~[Deleted but referenced in Sec. 3-D-S.8.b.(3), Additional Standards indicating Additional~~
7142 ~~Standards indicating consolidation of these design elements are under Sec. 3-F.F.~~
7143 ~~Architectural Guidelines]~~
- 7144 ~~viii. Rooflines. Rooflines of structures including gas pump islands must be pitched or gabled at a~~
7145 ~~minimum 4:12 slope. Flat roofs must include parapet walls, partial roofs, awnings or mid-façade~~
7146 ~~sloping roofs. [Deleted but referenced in Sec. 3-D-S.8.b.(3), Additional Standards indicating~~
7147 ~~consolidation of these design elements are under Sec. 3-F.F. Architectural Guidelines]~~
- 7148 ~~ix. Exterior Walls. Exterior walls shall be constructed of stucco, natural brick or stone, finished~~
7149 ~~concrete, wood or other similar material including synthetic materials similar in appearance and~~
7150 ~~durability to those materials previously named on all sides. Exposed smooth concrete block or~~
7151 ~~metal finishes shall not be permitted. [Deleted but referenced in Sec. 3-D-S.8.b.(3), Additional~~
7152 ~~Standards indicating consolidation of these design elements are under Sec. 3-F.F.~~
7153 ~~Architectural Guidelines]~~
- 7154 ~~x. Architectural Style. Structures shall utilize elements associated with vernacular style architecture~~
7155 ~~of the southeastern United States including roof overhangs and front porches. [Deleted but~~
7156 ~~referenced in Sec. 3-D-S.8.b.(3), Additional Standards indicating consolidation of these~~
7157 ~~design elements are under Sec. 3-F.F. Architectural Guidelines]~~

7158 Sec. 3-D-S.9. BF Rural Neighborhood Center (BF RNC)

7159 3-D-S.9.a. Description

7160 The intent of the BF RNC FLU category is to serve daily retail needs of the rural Residential suburbs and
7161 is characterized by a variety of neighborhood scaled Retail and Office establishments. The proposed
7162 Commercial developments shall not be expanded along roadways or created at multiple Commercial
7163 corners at road intersections.

7164 3-D-S.9.b. Development Standards

7165 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
7166 following minimum standards:

(1) Minimum Lot Dimensions:

(a) Lot Size: 2 acres

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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 Width:</u>	<u>200 feet</u>
(c)	<u>Lot Depth:</u>	<u>250 feet</u>
(d)	<u>Maximum Lot Coverage:</u>	<u>30 percent ¹</u>
(2)	<u>Minimum Setbacks:</u>	
(a)	<u>Front:</u>	<u>25 feet</u>
(b)	<u>Side:</u>	<u>From lot line when adjacent to a Non-Residential zoning district: 15 feet</u>
		<u>From lot line when adjacent to a Non- Residential zoning district: 30 feet</u>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district: 25 feet</u>
		<u>From lot line when adjacent to a Residential zoning district: 50 feet</u>

Footnotes:

¹ Each building shall not exceed 10,000 square feet. [Relocated from Sec. 3-33A.III.7.e.i. Design Standards]

7167 **[Relocated from Sec. 3-33A.III.7.c.]**

7168 (3) Additional Standards.

7169 (a) Size Limitation. Individual uses in each building shall not exceed 5,000 square feet.

7170 i. Exception. Community Residential Homes; Place of Worship; Private and Public
 7171 School; or a Grocery Store (Retail Sales, General) that have an integrated drive-
 7172 through pharmacy, may have building square footage not to exceed 52,000 square
 7173 feet. [Relocated from Sec. 3-33A.III.7.e.i. Design Standards]

7174 (b) Block. Buildings in each block shall occupy at least 65 percent of the street frontage. The
 7175 percentage shall not apply to buildings equal to or less than 52,000 square feet.

7176 i. Block length shall not exceed 500 feet. Block limits shall be defined as through
 7177 side streets and pedestrian walkways or civic spaces. [Relocated from Sec. 3-
 7178 33A.III.7.e.iii. and Sec. 3-33A.III.7.g.]

7179 (c) Sidewalks. Shall be provided in front of buildings with a connection to the parking lot or
 7180 other amenities within the development, and subject to the following widths:

i.	<u>Infront of Buildings:</u>	<u>≤ 10 feet in width</u>
----	------------------------------	---------------------------

ii.	<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>
-----	---	--

7181 **[Relocated from Sec. 3-33A.III.7.d.]**

7182 (d) Parking and loading in the BF RAC shall be in accordance to Sec. 8-12 Parking
 7183 Requirements and Appendix A Parking Space Requirements. Location of parking shall
 7184 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

- 7185 i. Front: A maximum of 10 percent of the total required parking may be located at
 7186 the front of the building(s), and in the form of a single row of parallel or diagonal
 7187 on-street parking along internal shopping streets.
 7188 ii. Side: For shopping centers, side parking areas may not exceed 75 percent of a
 7189 block. Side parking shall have a street wall or a hedge a minimum of 42 inches in
 7190 height.
 7191 iii. Rear: A minimum of 50 percent of the total required parking shall be located at the
 7192 rear of the building(s). [Relocated from Sec. 3-33A.III.7.f. Parking]

3-D-S.9.c. BF RNC Uses

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

- 7194 **7. ~~BF Rural Neighborhood Center (BF RNC).~~** [Relocated to Sec. 3-D-S.9 BF RNC]
 7195 c. ~~Density Requirements.~~
 7196 ~~The maximum intensity of development for land in the Rural Neighborhood Classification shall~~
 7197 ~~correspond to a Floor Area Ratio (FAR) of 30%. [Relocated to Sec. 3-d-S.9.b. Development~~
 7198 ~~Standards]~~
 7199 d. ~~Sidewalks.~~
 7200 ~~Sidewalks in front of all buildings shall be a minimum of ten feet in width.~~ [Relocated to Sec. 3-
 7201 ~~D-S.9.b.(3) Sidewalks, Additional Standards]~~
 7202 e. ~~Design Standards.~~
 7203 i. ~~To retain the pedestrian scale of the BF Rural Neighborhood Center, no building footprint shall~~
 7204 ~~exceed 10,000 square feet, except adult living facilities and places of worship and schools,~~
 7205 ~~and except for grocery stores, including integrated pharmacies with drive thru, that shall not~~
 7206 ~~exceed 52,000 square feet, all other individual uses shall not exceed 5,000 square feet.~~
 7207 **[Relocated to Sec. 3-D-S.9.b.(3).(a) Size Limitation, Additional Standards]**
 7208 ii. ~~Doorways, windows and other openings in the façade of a building shall be present and shall~~
 7209 ~~be proportioned to reflect pedestrian scale and movement, and to encourage interest at the~~
 7210 ~~street level. [Deleted as this is a requirement under Architectural Design Guidelines in~~
 7211 ~~Part F]~~
 7212 iii. ~~To create a walkable environment, buildings shall be grouped close together. Within each~~
 7213 ~~block, building shall occupy at least 65 percent of street frontage, except that with respect to~~
 7214 ~~a grocery store, the buildings, any outdoor seating area and open space/ponds shall occupy~~
 7215 ~~at least 25 percent of store frontage. [Relocated to Sec. 3-D-S.9.e.(1) Development and~~
 7216 ~~Design Standards]~~
 7217 iv. ~~Commercial structures must have awnings, covered walkways, open colonnades, or similar~~
 7218 ~~weather protection.~~
 7219 v. ~~A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of the~~
 7220 ~~building shall be divided into distinct modules, of no longer than sixty feet, by indentations or~~
 7221 ~~projections of plane of the building at each increment by a minimum of 12 inches.~~

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

Part D Zoning Districts and Development Standards

- 7222 vi. ~~Buildings may have their entrances from parking areas, but must also provide an entrance to~~
7223 ~~the street, except that a grocery store may have a sole entrance from the parking areas. This~~
7224 ~~street entrance shall be clearly articulated through the use of architectural detailing. Entrances~~
7225 ~~shall include at least three of the following features: raised above the doorway cornice~~
7226 ~~parapets, peaked roof forms, arches, display windows, and/or integrated architectural details~~
7227 ~~such as tile work, moldings, or planters.~~
7228 vii. ~~Rooflines must be pitched or gabled at a minimum of 4:12 slope or, if flat, must include parapet~~
7229 ~~walls or partial roofs.~~
7230 ix. ~~Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone,~~
7231 ~~finished concrete, wood or other similar material including synthetic materials previously~~
7232 ~~named on all sides. Exposed smooth concrete block or metal finishes shall not be permitted.~~
7233 **[Deleted iv. through ix. as they are consolidated under Part F, Division F Architectural**
7234 **Design Guidelines.]**
7235 x. ~~Only wall and awning signs are allowed, except that if the property includes a grocery store,~~
7236 ~~there shall be permitted one (1) monument sign for the property. **[Deleted, consolidated**~~
7237 **under Article 7 Signs]**
7238 xi. ~~Convenience stores. Store size shall not exceed 5000 square feet. A streetwall consisting of~~
7239 ~~a continuous hedge three in height shall run along the length of all street property lines with~~
7240 ~~openings for access driveways. There shall be no gasoline pumps. A minimum five foot wide~~
7241 ~~landscape strip shall be located adjacent to the covered area of the building, with shrubs at~~
7242 ~~least three feet in height spaced not less than five feet apart, and ground cover. **[Deleted,**~~
7243 **either allow or not allow such a use. If allowed, need to make it feasible]**
7244 f. ~~Parking.~~
7245 ~~Parking spaces must be located to the rear or side of buildings, except on street parking and except~~
7246 ~~for grocery stores where parking spaces may be located at the front of the building if the side of the~~
7247 ~~building faces a street. On street parking shall be in the form of parallel or diagonal parking. If~~
7248 ~~located on the side of the structure the parking must be screened using solid streetwalls not~~
7249 ~~exceeding three feet in height or landscaping. Parking frontage along the street shall be limited to~~
7250 ~~400 feet. **[Deleted, proposed a minimum and a maximum percent for required parking**~~
7251 **locations. Refer to Sec. 3-D-S.9.b.(3)(d) Parking, Additional Standards]**
7252 g. ~~Block Lengths.~~
7253 ~~To promote walkability, *block lengths* within the BF Rural Neighborhood Center may not exceed~~
7254 ~~500 feet, except for centers with a grocery store. **[Relocated to Sec. 3-D-S.9.b.(3)(b) Block,**~~
7255 **Additional Standards]**
7256 h. ~~Sidewalk and Trail.~~
7257 ~~Sidewalks shall be required as per these land development regulations and connections shall be~~
7258 ~~provided to any existing or planned multi-use pathways. **[Deleted]**~~
7259 i. ~~Retail Limitation.~~
7260 ~~The limitation on the size of the portion of the Rural Neighborhood Center shall be determined~~
7261 ~~without regard to the stormwater management facilities constructed to serve the retail portion.~~
7262 **[Deleted, as stormwater is part of drainage study submitted by applicant and can be**
7263 **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

7264 Sec. 3-D-S.10. BF Community Center (BF CC)

7265

7266 3-D-S.10.a. Description

7267 *The BF Community Center FLU category is characterized by a variety of community-scaled Residential,*
 7268 *Restaurant, Office, and Commercial facilities (including grocery store, but excluding “big box” uses)*
 7269 *intended to generally serve a population of 25,000. It is the County’s intent to encourage a mix of uses*
 7270 *within the BF Community Center to serve the surrounding Residential community. **[Relocated from Sec.***
 7271 ***3-33A.III.3. BF Community Center (BF CC)]***

7272 3-D-S.10.b. Land Use Mix

7273 *The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total*
 7274 *land area of a BF CC. BF Community Centers are 30 to 50 acres in size and located at the intersections of*
 7275 *major collector and/or arterial roads. The mixture of uses indicated in the following table shall be applied to*
 7276 *the entire BF 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> ¹
<u>Civic Space/Parks:</u>	2 <u>percent</u>	20 <u>percent</u>

Footnote:

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 an intensity listed in Sec. 3-D-S.10.c.(1) below. **[Relocated from Sec. 3-33A.III.3.]**

7277 3-D-S.10.c. Development Standards

7278 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 7279 following minimum standards:

(1) Intensity:

(a) Minimum:

8 units per acre
[Relocated from Sec. 3-33A.III.3.]

(b) Maximum:

16 units per acre
[Relocated from Sec. 3-33A.III.4.c.ii.]

(2) 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 Size:</u>		<u>30 acres</u>
(b)	<u>Lot Width:</u>		<u>500 feet</u>
(c)	<u>Lot Depth:</u>		<u>800 feet</u>
(d)	<u>Maximum Lot Coverage:</u>		<u>80 percent</u> ¹
(3)	<u>Minimum Setbacks:</u>		
(a)	<u>Front:</u>		<u>25 feet</u>
(b)	<u>Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district:</u>	<u>15 feet</u>
		<u>From lot line when adjacent to a Non- Residential zoning district:</u>	<u>30 feet</u>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district:</u>	<u>25 feet</u>
		<u>From lot line when adjacent to a Residential zoning district:</u>	<u>50 feet</u>

Footnotes:

- 1 The maximum intensity for each Non-Residential development within the BF AC FLU category shall not exceed an average of 40 percent. **[Relocated from Sec. 3-33A.III.7.d. Density Requirements]**

7280 **[Relocated from Sec. 3-33A.III.7.c.]**

7281 **3-D-S.10.d. BF CC Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

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

Part D Zoning Districts and Development Standards

7282 **Sec. 3-33A.III.3-BF-CC**

7283 **3. BF Community Center (BF-CC).** ~~The BF Community Center land use category is characterized by a~~
7284 ~~variety of community scaled residential, restaurant, office and commercial facilities (including grocery~~
7285 ~~store, but excluding “big box” uses) intended to generally serve a population of 25,000. BF Community~~
7286 ~~Centers are 30 to 50 acres in size and located at the intersections of major collector and/or arterial~~
7287 ~~roads. [Relocated to Sec. 3-D-S.10.a. Description]~~

7288 ~~BF Community Centers are intended to be a minimum of 800 feet in depth and grouped so as not to~~
7289 ~~encourage strip development patterns. [Relocated to Sec. 3-D-S. 10.c. Development Standards]~~

7290 ~~A maximum of twenty percent of each BF Community Center may be developed to support multi-family~~
7291 ~~residential use at a density of eight to 16 units per acre. [Relocated to Sec. 3-D-S. 10.b. Land Use~~
7292 ~~Mix]~~

7293 ~~It is the County’s intent to encourage a mix of uses within the BF Community Center to serve the~~
7294 ~~surrounding residential community. The mixture of uses indicated in the following table are to be applied~~
7295 ~~to the entire BF Community Center, not individual parcels.~~

7296 ~~The quantification of uses within the Community Center land use designation shall be consistent with~~
7297 ~~the following:~~

Land Use	Minimum Required	Maximum Permitted
Office	10%	35%
Commercial/Retail	20%	60%
Residential	10%	25%
Public Parks and Open Space	2%	No Max.

7298 **[Relocated to Sec. 3-D-S.10.b. Land Use Mix]**

7299 ~~The intent of the Branan Field Master Plan is to develop a pedestrian friendly and walkable community.~~
7300 ~~The strip shopping centers of other corridors in the County are geared to the automobile. These~~
7301 ~~regulations promote a different approach to our commercial centers, reflecting the historical “Main~~
7302 ~~Street” of the Southeastern United States. Walkable shopping areas will create destinations where~~
7303 ~~people can walk to shopping areas from their homes, or park their cars and leave them behind while~~
7304 ~~visiting different shops or workplaces. Branan Field commercial areas will be destinations, with~~
7305 ~~attractive, tree-lined streets with shops and offices, with wide sidewalks and street life, while also having~~
7306 ~~convenient parking and vehicular access. [Deleted, reduced redundancy]~~

7307 ~~d. Density requirements. The maximum floor area ratio (FAR) for each nonresidential development~~
7308 ~~within the BF Community Center classification shall not exceed 80%, with an average not to exceed~~
7309 ~~40 percent. [Relocated to Sec. 3-D-S.10.c. Development Standards, Footnote 1]~~

7310 **Sec. 3-D-S.11. BF Activity Center (BF AC)**

7311 **3-D-S.11.a. Description**

7312 *BF Activity Centers are planned to accommodate a range of activities from employment-based Office and*
7313 *Light Industrial activities to Commercial services, Recreational facilities, and housing. Design shall*
7314 *emphasize walkability and strategic landscaping to create a human-scale, attractive built environment.*
7315 *These areas shall be high-intensity, design-unified areas containing a concentration of different urban*
7316 *functions and housing. The concentration of uses will provide the opportunity for the efficient provision of*
7317 *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

7318 *are generally designed to serve a regional population of at least 75,000.* [Relocated from Sec. 3-33A.III.4.
7319 **BF Activity Center (BF AC)]**

7320 **3-D-S.11.b. Land Use Mix**

7321 The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total
7322 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>	<u>10 percent</u>	<u>80 percent</u>
<u>Light Industrial:</u>	<u>10 percent</u>	<u>80 percent</u>
<u>Commercial</u>		
<u>Retail Sales, General:</u>	<u>2 percent</u>	<u>65 percent</u>
<u>Residential:</u>	<u>10 percent</u>	<u>15 percent ¹</u>
<u>Public and Civic:</u>	<u>5 percent</u>	<u>20 percent</u>
<u>Civic Space/Parks/Open Space:</u>	<u>5 percent</u>	<u>10 percent</u>

Footnote:

¹ Residential development may utilize the TND standards as set forth in Sec. 3-C-C.4.

7323 **[Relocated from Sec. 3-33A.III.4.]**

7324 **3-D-S.11.c. Development Standards**

7325 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
7326 following minimum standards:

<u>(1) Intensity:</u>		
<u>(a) Minimum:</u>		<u>8 units per acre</u>
		<u>20 units per acre</u>
<u>(b) Maximum:</u>		[Relocated from Sec. 3-33A.III.4.c.i. and ii.]
<u>(2) 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>

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

Part D Zoning Districts and Development Standards

	(c) <u>Lot Depth:</u>	<u>Not Applicable</u>
	(d) <u>Maximum Lot Coverage:</u>	<u>80 percent</u>
(4)	<u>Minimum Setbacks (Single-Family Detached):</u>	
	(a) <u>Front:</u>	<u>25 feet</u> ¹
	(b) <u>Side:</u>	<u>5 feet</u>
		<u>10 feet</u>
		<u>15 feet</u>
	(c) <u>Rear:</u>	<u>10 feet</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 stoops; and 20 feet for front facing garages. [Relocated from Sec. 3-33A.III.4.c. Density and Residential Design Standards]*

7327 **[Relocated from Sec. 3-33A.III.7.c.]**

- 7328 (5) Additional Standards.
- 7329 (a) Variation in Lot Size. *To promote a diversity of housing types, there shall be at least 2*
- 7330 *different lot widths. The two lot widths shall vary by at least 15 percent. At least 30 percent*
- 7331 *of the lots shall have a different lot width as described in Section 3-D-S.11.c. Development*
- 7332 *Standards. [Relocated from Sec. 3-33A.III.4.c.xi.K. Design Standards.]*
- 7333 (2) Lot Size Standards. *To ensure walkability and affordability, at least 75 percent of Single-*
- 7334 *Family lot sizes within a development shall be less than 6,000 square feet. [Relocated*
- 7335 *from Sec. 3-33A.III.4.c.xi.H. Design Standards]*
- 7336 (3) Housing Diversity. *No more than 1 accessory structure and 1 garage apartment shall be*
- 7337 *allowed in conjunction with a Single-Family Detached home.*
- 7338 i. *For the purposes of calculating intensity only, accessory units shall not be*
- 7339 *recognized as a separate unit, and for concurrency purposes, shall be counted as*
- 7340 *½ of a unit. Accessory apartments shall conform to the following standards:*

Ownership:	<i>The primary unit and the accessory unit shall remain under single ownership.</i>
Form:	<i>Accessory apartments in conjunction with Single-Family homes shall be in the form of a garage apartment (an apartment over a freestanding garage).</i>
Size:	<i>Accessory apartments may not exceed 600 square feet.</i>

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Entrances: Entrances to garage apartments shall face the principal residence to which they are associated.

- 7341 **[Relocated from Sec. 3-33A.III.4.c.xi.J. Design Standards]**
 7342 (4) Design Standards. Refer to Sec. 3-D-R.11. Master Planned Community Design Standards.
 7343 (5) Open Space. A minimum of 5 percent upland open space is required for each
 7344 development. Open Space may include parks, buffers, and other common areas. Refer to
 7345 Part F, Division G Parks and Recreation. [Relocated from Sec. 3-33A.III.4.c.xi.L. Open
 7346 Space]

3-D-S.11.d. BF AC Uses

- (1) Permitted and Conditional uses: Refer to Part E Use Types and Standards
 (2) Special Exception: Sec. E-X-X
 (3) Accessory: Refer to Sec. 3-E-I. Accessory Uses
Refer to Sec. 3-E-J. Temporary Uses
Refer to Sec. 3-F-H. Accessory Structures

Sec. 3-33A.III.4. BF AC

7349 **4. BF Activity Center (BF AC).** ~~BF Activity Centers are planned to accommodate a range of activities~~
 7350 ~~from employment-based office and light industrial activities to commercial services, recreational~~
 7351 ~~facilities, and housing. Design shall emphasize walkability and strategic landscaping to create a~~
 7352 ~~human-scale, attractive built environment. These areas shall be high-intensity, design-unified areas~~
 7353 ~~containing a concentration of different urban functions and housing. The concentration of uses will~~
 7354 ~~provide the opportunity for the efficient provision of public facilities and will minimize the need to provide~~
 7355 ~~buffers for incompatible uses. [Relocated to 3-D-S.11.a. Description]~~

7356 ~~BF Activity Centers may be designated to serve many different property owners, but will function in a~~
 7357 ~~manner to share facilities and services to reduce inefficiency and redundancy. These districts shall~~
 7358 ~~provide a high development quality that emphasizes pleasant, convenient, and satisfying work~~
 7359 ~~conditions, along with amenities such as recreational areas, restaurants, retail services, and convenient~~
 7360 ~~locations relative to residential areas.~~

7361 ~~BF Activity Centers are generally designed to serve a regional population of at least 75,000. A~~
 7362 ~~maximum of fifteen percent of each BF Activity Center may be developed to support multi-family~~
 7363 ~~residential uses at a density of 8 to 20 units per acre. [Relocated to Sec. 3-D-S.11.a. Description, BF~~
 7364 ~~RAC]~~

~~The quantification of uses within the BF Activity Center land use designation shall be consistent with the following:~~

<i>Land Use</i>	<i>Minimum Required</i>	<i>Maximum Permitted</i>
<i>Office and/or Light Industrial</i>	10%	80%
<i>Commercial/Retail</i>	2%	65%
<i>Residential</i>	10%	15%
<i>Public & Civic</i>	5%	20%
<i>Public Parks and Open Space</i>	5%	10%

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Part D Zoning Districts and Development Standards

- 7367 [Relocated to Sec. 3-D-S.11.d.(1) Land Use Mix, BF AC]
7368 Residential development within the Activity Center category may utilize TND
7369 standards. ~~[Deleted]~~
7370 e. ~~Density and Residential Design Standards.~~
7371 i. ~~Minimum Density: 8 units per gross acre~~
7372 ii. ~~Maximum Density: 20 units per gross acre in BF Activity Center; 16 units per gross acre in BF~~
7373 ~~Community Center. [Relocated to/tabularized in Sec. 3-D-S.11.d.(2) Intensity]~~
7374 iii. ~~Minimum Lot Size: 2,700 square feet for single family detached units; 1,350 square feet for~~
7375 ~~single family attached units~~
7376 iv. ~~Minimum Lot Width: 15 feet for single family attached units; 32 feet for single family detached~~
7377 ~~homes, 80 feet for multi-family structures. Single family attached structures shall not exceed~~
7378 ~~8 attached dwelling units. Structures shall not exceed 200 feet in width.~~
7379 v. ~~Minimum Front Setback from Right of Way: 15 feet front facade, 10 feet for front porches~~
7380 ~~and stoops; 20 feet for front facing garages~~
7381 vi. ~~Maximum Front Setback: 25 feet~~
7382 vii. ~~Minimum Side Setback: 5 feet; 10 feet for corner lots~~
7383 viii. ~~Minimum Rear Setback: 8 feet~~
7384 ix. ~~Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory buildings)~~
7385 [Relocated to/tabularized in Sec. 3-D-S.11.d.(2) Intensity and Sec. 3-D-S.11.e. Residential
7386 Development Standards]
7387 x. ~~Lot Size Standards. To ensure walkability and affordability, at least 75% of single family lot~~
7388 ~~sizes within a development must be less than 6,000 square feet. [Relocated to 3-D-S.11.e.~~
7389 ~~Residential Development Standards]~~
7390 xi. ~~Design Standards~~
7391 A. ~~Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet~~
7392 ~~walls or partial roofs.~~
7393 B. ~~Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone,~~
7394 ~~finished concrete, wood or other similar materials including synthetic materials similar in~~
7395 ~~appearance and durability to those materials previously named on all sides. Exposed smooth~~
7396 ~~concrete block or metal finishes shall not be permitted.~~
7397 C. ~~Front porches are required on all single family detached, single family attached and townhome~~
7398 ~~development. Porches must have a minimum width of four feet.~~
7399 D. ~~Each residence or building, in the case of multi-family developments, must have an entrance~~
7400 ~~facing the street. Single Family attached units, when constructed as 4 or more attached units,~~
7401 ~~may have 2 units with side entries per building.~~
7402 E. ~~Development and neighborhood signs are limited to monument signs that are less than six feet~~
7403 ~~in height and thirty feet in size.~~
7404 F. ~~Alleys are encouraged, but not required. Interior courtyards are required for all multifamily~~
7405 ~~developments. Alleys and interior courtyards must meet the standards set forth in Subsection~~
7406 ~~I., General Standards, paragraph 7.g. herein.~~
7407 G. ~~A minimum of 80% of all off-street parking places in a multi-family development shall be to the~~
7408 ~~rear of buildings and accessible by alleys. Alleys are encouraged, however front facing~~
7409 ~~garages for single family detached and single family attached lots will be allowed. These lots~~
7410 ~~may be served by curb cuts with maximum 12 foot wide driveways. Parallel on-street parking~~
7411 ~~is allowed, but no driveways or curb cuts are allowed along streets, except as provided above.~~
7412 ~~For multi-family development, parking between buildings may not exceed two parking rows as~~
7413 ~~arranged perpendicular to the street. Single family attached residential development must~~

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

Part D Zoning Districts and Development Standards

- 7414 provide a minimum of 5 spaces and a maximum of 5 spaces per residential unit in a parking
7415 courtyard in addition to the driveway and garage spaces per unit. These parking spaces may
7416 also be attributable to amenity parking within the development, but shall be available for
7417 residential and guest parking.
- 7418 ~~H. To promote walkability, block lengths may not exceed 600 feet, unless a pedestrian path or~~
7419 ~~neighborhood park is divides the length of the block, not to exceed 1,000 feet.~~
- 7420 ~~I. Developments with more than 200 units shall be required to have a central civic space within~~
7421 ~~a neighborhood park including a clubhouse or open air pavilion. This structure shall be~~
7422 ~~constructed prior to the issuance of a building permit for more than 50% of the lots and/or unit~~
7423 ~~of the development. The developer and later the homeowners association shall be responsible~~
7424 ~~for the construction and upkeep of the civic space. The pavilion size shall be set at five square~~
7425 ~~feet per unit for an enclosed building and ten square feet per unit for an open air pavilion.~~
7426 ~~Enclosed buildings and pavilions shall have a minimum size of 750 square feet. Enclosed~~
7427 ~~buildings shall not be required to exceed 2,000 square feet and pavilions shall not be required~~
7428 ~~to exceed 1,500 square feet. [Deleted xi. A through I, and consolidated under Part F,~~
7429 ~~Division F, Architectural Design Guidelines]~~
- 7430 ~~J. To promote housing diversity, no more than one accessory structure and one garage apartment~~
7431 ~~shall be allowed in conjunction with a single family detached home. For the purposes of~~
7432 ~~calculating density only, accessory units will not be recognized as a separate unit, and for~~
7433 ~~concurrency purposes, shall be counted as one-half of a unit. Accessory apartments shall~~
7434 ~~conform to the following standards: [REMINDER: Relocated to Sec. 3-E.1.2. ADU]~~
- 7435 ~~1. Ownership. The primary unit and the accessory unit must remain under single ownership.~~
7436 ~~2. Form. Accessory apartments in conjunction with single family homes must be in the form~~
7437 ~~of a garage apartment (an apartment over a freestanding garage).~~
7438 ~~3. Size. Accessory apartments may not exceed six hundred (600) square feet.~~
7439 ~~4. Entrances. Entrances to garage apartments and cottages may not face adjacent~~
7440 ~~residential properties, but shall face the principal residence to which they are associated.~~
- 7441 **[Relocated to Sec. 3-D-S.11.e. Residential Development Standards]**
- 7442 ~~K. To promote a diversity of housing types in subdivisions, there shall be at least two different lot~~
7443 ~~widths. The two lot widths shall vary by at least 15%. At least 30% of the lots must have a~~
7444 ~~different lot width as described above. [Relocated to Sec. 3-D-S.11.e.(1) Variation in Lot~~
7445 ~~Size, Residential Development Standards]~~
- 7446 ~~L. Open Space. A minimum of five percent upland open space is required for each development.~~
7447 ~~Open Space may include parks, buffers, and other common areas. [Relocated to Sec. 3-D-~~
7448 ~~S.11.g. Civic Space]~~
- 7449 ~~M. Recreation. See Subsection I. General Standards, paragraph 4. herein. [Deleted.~~
7450 ~~Consolidated under Part F, Division D Parks and Recreation]~~
- 7451 ~~d. Intensity Requirements. The maximum floor area ratio (FAR) for each nonresidential development~~
7452 ~~within the BF Activity Center classification shall not exceed 80%, with an average not to exceed 60~~
7453 ~~percent. [Relocated to Sec. 3-D-S.11.d.(2) Intensity]~~
- 7454
- 7455

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

Part D Zoning Districts and Development Standards

7456 Sec. 3-D-S.12. BF Mixed Use (BF MU)

7457 **3-D-S.12.a. Description**

7458 *The BF MU District is intended to be a focal point for economic activity characterized by a mix of Office,*
 7459 *Commercial, Light Industrial, high intensity Residential, Recreation, and neighborhood Commercial uses*
 7460 *providing a range of employment opportunities and integrated Residential development. This balanced mix*
 7461 *of land uses allows for increased efficiency and economy and the efficient provision of Public Facilities. BF*
 7462 *MU Districts are generally designed to serve a regional population of at least 75,000. The BF MU District*
 7463 *may be applied to parcels or a contiguous combination of parcels which total a minimum of 500 acres*
 7464 *adjacent to or located near major arterial roads. **[Relocated from Sec. 3-33A.III.6. BF MU]***

7465 **3-D-S.12.b. Land Use Mix**

7466 *The BF MU is organized to provide a functionally integrated development pattern consisting of three Sub-*
 7467 *categories: Gateway, Multi-field Recreational Complex, and Office/Industrial, with its individual*
 7468 *components as follows:*

<u>Sub-categories</u>	<u>Land Use Mix</u> ^[MK117]
Gateway	<u>Commercial and Residential uses</u> <u>Allow more Commercial intensity along or closest to Challenger Drive</u>
Multi-field Recreational Complex	<u>Recreational and Commercial uses</u>
Office/Industrial	<u>Office, Business or Professional and Light Industrial uses</u>

7469 **[Relocated from Sec. 3-33A.III.6. BF MU]**

7470 **3-D-S.12.c. Development Standards**

7471 *The principal and accessory buildings, and other lot uses shall be located so as to comply with the following*
 7472 *minimum standards: **[Relocated from Sec. 3-33A.III.6.f.vii.A Residential Standards]***

(1) <u>Intensity:</u>	
(a) <u>Minimum:</u>	<u>8 units per acre</u>
(b) <u>Maximum:</u>	[Relocated from Sec. 3-33A.III.6.] <u>16 units per acre</u>
(2) <u>Minimum Lot Dimensions (Non-Residential Building):</u>	
(a) <u>Lot Size:</u>	<u>Per Approved <u>BF</u>^[MK118] <u>MU</u></u>
(b) <u>Lot Width:</u>	<u>25 feet</u>
(c) <u>Lot Depth:</u>	<u>Per Approved <u>BF MU</u></u>
(d) <u>Maximum Lot Coverage:</u>	<u>80 percent</u> ¹
(3) <u>Minimum Lot Dimensions (Non-Residential):</u>	

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(a)	<u>Lot Size:</u>	<u>Per Approved BF MU²</u>
(b)	<u>Lot Width:</u>	<u>Per Approved BF MU²</u>
(c)	<u>Lot Depth:</u>	<u>Per Approved BF MU²</u>
(4)	<u>Minimum Setbacks (Residential):</u>	
(a)	<u>Front:</u>	<u>Per Approved BF MU²</u>
(b)	<u>Side:</u>	<u>From lot line when adjacent to any zoning districts</u> 0 ³
(c)	<u>Rear:</u>	<u>Per Approved BF MU²</u>
(d)	<u>Maximum Lot Coverage:</u>	<u>50 percent</u>
(5)	<u>Maximum Height (Non-Residential and Residential Buildings)</u>	
(a)	<u><=150 feet from Lot Line:</u>	<u>To adjacent Residential zoning district</u> 35 feet
(b)	<u>>150 to 300 feet from Lot Line:</u>	<u>To adjacent Residential zoning district</u> 52 feet
(c)	<u>> 300 feet from Lot Line, then increase 1-foot setback for every 1-foot vertical height:</u>	<u>To adjacent Residential zoning district</u> 75 feet

Footnote:

- 1 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]
- 2 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)]
- 3 Provide a minimum of 2-foot wide easement where necessary to accommodate access for maintenance purpose, if applicable.

7473 **[Relocated from 3-33A.III.6.f.vi. and viii.]**

7474 (6) Additional Standards.

- 7475 (a) Roadways. The proposed roadways with a BF MU development shall be designed as a
 7476 grid system, as property configuration limitations and topography allow, and the additional
 7477 standards as follows:
- 7478 i. Access to properties along Challenger Drive shall be limited to rear service
 7479 driveways from the interior roadway network. No more than 2 access points to
 7480 Challenger Drive shall be permitted.
 - 7481 ii. Roundabouts shall not be required.
 - 7482 iii. When any planned 4-lane road is constructed initially with only 2 lanes, sidewalks
 7483 shall only be required to be constructed on 1 side of the lanes and the sidewalks
 7484 for the other side shall be constructed when the remaining lanes are constructed.

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Part D Zoning Districts and Development Standards

- 7485 [Relocated from Sec. 3-33A.III.6.f.1. Roadway Standards, BF MU
 7486 Development Standards]
- 7487 (b) Curbs. *Miami curbs shall be permitted in the BF MU district on all streets classified as local*
 7488 *and private streets. Both entrance roads from Challenger Drive shall have a minimum 6*
 7489 *inch-high curb, meeting FDOT Type F. [Relocated from Sec. 3-33A.III.6.f.ii. Curbs, BF*
 7490 *MU Development Standards]*
- 7491 (c) Residential and Non-Residential building design shall comply with applicable sections of
 7492 Part F, Division F Architectural Design Guidelines.
- 7493 i. To retain the pedestrian-scale of the BF MU Residential areas, no building footprint
 7494 shall exceed 20,000 square feet. Individual uses shall not exceed 5,000 square
 7495 feet. [Relocated from Sec. 3-33A.III.6.vii.B. Residential Standards]
- 7496 (d) Parking and Loading. Parking and loading in the BF MU shall be in accordance with Sec.
 7497 8-12 Parking Requirements and Appendix A Parking Space Requirements. Location of
 7498 parking shall be limited to the following:
- 7499 i. Front. A maximum of 10 percent of the total required parking, and in the form of a
 7500 single row of parallel or diagonal on-street parking along internal shopping streets
 7501 shall be permitted in the front of the building(s).
- 7502 ii. Side. For shopping centers, side parking areas may not exceed 75 percent of a
 7503 block. Side parking shall have a street wall or a hedge a minimum of 42 inches in
 7504 height.
- 7505 iii. Rear. A minimum of 50 percent of the total required parking shall be permitted at
 7506 the rear of the building(s).
- 7507 iv. All off-street loading facilities shall be located at the rear or side of the building and
 7508 visually screened from any abutting public or approved private street or Residential
 7509 property. [Relocated from Sec. 3-33A.III.6.f.iii.B. Parking and Loading
 7510 Facilities]
- 7511 (e) Buffers.
 7512 Buffers shall be installed between properties with different BF FLU categories and right-of-
 7513 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</u> <u>buffer¹</u>
<u>Right-of-Way Buffer</u>	<u>Width: 25 feet</u> <u>Buffer shall be placed between sidewalk and</u> <u>street, 1 shade tree at 30 feet on center¹</u>
<u>Footnotes:</u>	
<u>1</u>	<u>Trees within buffers shall not be spaced exceeding 45 feet if the Planning and</u> <u>Zoning Director or his/her designee finds that wider spacing is needed due to</u> <u>tree species. [Relocated from Sec. 3-33A.III.6.f.v.B. Buffers]</u>

7514 [Relocated from Sec. 3-33A.III.6.f.v.A. Buffers, BF MU]

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7515 (f) Landscaping in Parking Area. Any landscape in a parking area shall meet the requirements
 7516 of Article 6 Tree Ordinance, where applicable. For standards calculation purposes, at least
 7517 10 percent of the parking lot shall be landscaped area (not including the perimeter and
 7518 right-of-way buffers). [Relocated from Sec. 3-33A.III.6.f.iii.A. and 3-33A.III.6.f.iv.E.]
 7519 (g) Interior Landscaping. In addition to the standards as set forth in Table 4. Minimum Shade
 7520 Coverage Standards of Article 6 Tree Ordinance, Non-Residential developments shall
 7521 comply as [MK119] follows:

		<u>Raised planters, sidewalk cutouts for tree wells, or planters.</u>
i.	<u>Commercial > 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 center¹. [Relocated from Sec. 3-33A.III.6.f.iv.A.]</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>
ii.	<u>Commercial and Industrial < 100,000 square feet:</u>	<u>Trees to be planted at 30 feet on center¹.</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 [MK120], or 1 tree per each landscape island.</u>
		<u>Landscape strip to be installed between sidewalk and the street.</u> <u>Trees to be planted at 30 feet on center¹.</u>
iii.	<u>Commercial and Industrial Planned Developments:</u>	<u>Parking shall be located only on the side or rear of the building. Side parking areas shall have a 4-foot-high street wall or a hedge continuing from the front facade of the buildings to screen parking area. [Relocated from Sec. 3-33A.III.6.f.iv.C.]</u>

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.]

7522 **[Information for this Table is from Sec. 3-33A.III.6.f.iv.A, B, and C]**

7523 (h) Outdoor Storage. All outdoor storage areas for vehicles shall comply with the following
 7524 requirements. The remainder of the required landscaped areas shall be covered with turf

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

Part D Zoning Districts and Development Standards

7525 *grass, ground cover, or other landscape materials acceptable to the Planning and Zoning*
 7526 *Director or his/her designee.* [Relocated from Sec. 3-33A.III.6.f.iv.D.5. Landscaping BF
 7527 **MU]**

<u>i.</u>	<u>Landscape Buffer:</u>	<u>Width of 25 feet</u> <i>12 tree points per 100 lineal feet or fraction thereof, evenly spaced.</i>
<u>ii.</u>	<u>Tree Planting:</u>	[Relocated from Sec. 3-33A.III.6.f.iv.D.2 Landscaping]
<u>iii.</u>	Visual Screening:	<u>Option of wall, opaque fence, or hedge</u> <u>42 inches;</u> <i>2 shrubs or vines at every 10 feet of the wall or fence, planted on the exterior side.</i>
<u>iv.</u>	<u>Height of and planting for Wall or Fence:</u>	<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 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]

7528 **[Relocated from Sec. 3-33A.III.6.f.iv.D.1-4 Landscaping BF MU]**

- 7529 (i) Civic and Open Space. *Developments with more than 200 Residential units shall be*
 7530 *required to have a central Civic Space within a Neighborhood Park as set forth in Part F,*
 7531 Division E Parks and Recreation.
 7532 i. The park shall include a clubhouse or open-air pavilion. *This structure shall be*
 7533 *constructed prior to the issuance of a building permit for more than 50 percent of*
 7534 *the lots and/or units of the development.*
 7535 ii. Size of this structure shall comply with the following:

<u>Recreational Facilities</u>	<u>Within Each Development</u>
<u>Enclosed pavilion</u>	<i>5 square feet per unit ¹</i>
<u>Open-air pavilion</u>	<i>10 square feet per unit ¹</i>

Footnote:

¹ 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.

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

Part D Zoning Districts and Development Standards

- 7536 [Relocated from Sec. 3-33A.III.6.f.vii.F. BF MU]
- 7537 (j) Retention Facilities. *Retention facilities such as a lake including lake easements, may*
7538 *occupy up to 30 percent of Park/Civic Space in Non-Residential areas. At least 50 percent*
7539 *of retention lands shall be utilized for required landscaping.*
- 7540 i. Amenities. *Such facilities shall visually and functionally complement the Park/Civic*
7541 *Space through the use of pedestrian bridges, boardwalks, and docks; provide*
7542 *fountains for aeration and improved appearance, and shall include shade trees*
7543 *and other landscaping planted or preserved around the retention facility.*
7544 [Relocated from Sec. 3-33A.III.6.f.v.C. Retention facilities]
- 7545 (k) Signs. *Signs in the BF MU FLU category shall be pursuant to Article 7 Signs, and apply*
7546 *the following specific standards:*
- 7547 i. *All freestanding signs shall be monument signs. All Non-Residential signs shall be*
7548 *channel letter style.*
- 7549 ii. *Residential signs shall be limited to monument signs and allowed a sign area of*
7550 *30 square feet. [Relocated from Sec. 3-33A.III.6.f.vi.A. and B. Signs]*

7551 **3-D-S.12.d. BF MU Uses**

(1) <u>Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
(2) <u>Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
(3) <u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
	<u>Refer to Sec. 3-E-J. Temporary Uses</u>
	<u>Refer to Sec. 3-F-H. Accessory Structures</u>

7552 **Sec. 3-33A.III.6. BF MU**

7553 ~~6. **Branan Field Mixed Use (BF MU).** *The BF MU District is intended to be a focal point for economic*~~
7554 ~~*activity characterized by a mix of office, commercial, retail, light industrial, high density residential,*~~
7555 ~~*recreation, and neighborhood commercial uses providing a range of employment opportunities and*~~
7556 ~~*integrated residential development. BF MU uses should be defined, whenever possible, by natural*~~
7557 ~~*buffers such as tree screens, wetlands, and/or lakes. Design shall emphasize walkability and strategic*~~
7558 ~~*landscaping to create a human-scale, attractive built environment. This balanced mix of land uses*~~
7559 ~~*allows for increased efficiency and economy and the efficient provision of public facilities. The BF MU*~~
7560 ~~*district may be applied to parcels or a contiguous combination of parcels which total a minimum of 500*~~
7561 ~~*acres adjacent to or located near major arterial roads.*~~ [Relocated to Sec. 3-D-S.12.a. Description
7562 **BF MU]**

7563 ~~Residential uses shall have a high quality urban character, shall be integrated in the community, and~~
7564 ~~shall encourage a live/work environment. Types of residential units may include single family attached,~~
7565 ~~townhouse and multi-family units, as well as apartments over retail and office uses. Residential density~~
7566 ~~ranges between 8 and 16 units per gross acre.~~ [Relocated to Sec. 3-D-S.12.c. Development
7567 **Standards]**

7568 ~~Non-residential development in the BF MU district may be designated to serve many different property~~
7569 ~~owners, but is encouraged to function in a manner to share facilities and services to reduce inefficiency~~
7570 ~~and redundancy. Non-residential development shall provide a high development quality that~~
7571 ~~emphasizes pleasant, and satisfying work conditions, along with amenities such as recreational areas,~~

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

Part D Zoning Districts and Development Standards

7572 ~~restaurants, retail services, and convenient locations relative to residential areas. A vibrant street life~~
7573 ~~shall be encouraged for residents, employees and tourists through outdoor cafés, use of plazas for art~~
7574 ~~exhibits, festivals, farmer's markets and concerts in addition to the rich mix of uses within the district.~~
7575 ~~BF MU non-residential districts are generally designed to serve a regional population of at least 75,000.~~
7576 **[Relocated to Sec. 3-D-S.12.a. Description BF MU]**

7577
7578 ~~A Concept Plan shall be submitted to the Director of Planning and Zoning prior to any BFMU~~
7579 ~~development which shall at a minimum provide a layout plan that addresses:~~
7580 ~~a. an integrated street layout in accordance with the roadway provisions herein;~~
7581 ~~b. a bicycle and pedestrian plan, showing bike lanes, multipurpose trails and sidewalk system;~~
7582 ~~and~~
7583 ~~c. the spatial organization of generalized uses of the BFMU area, including office, industrial, retail,~~
7584 ~~commercial, recreation and residential uses and including consistency with the designation of~~
7585 ~~the Gateway and Multi-field Recreation Complex designations on the Future Land Use Map.~~

7586 ~~Changes to the concept plan may be approved by the Director of Planning and Zoning when such~~
7587 ~~changes are consistent with the intent of this code and the Branan Field Master Plan.~~
7588 **[Deleted, application requirements and modifications are addressed in Division R]**

7589 ~~The BFMU will be organized to provide an aesthetically superior and functionally integrated "Gateway"~~
7590 ~~district, Multi-field Recreational Complex and Office/Industrial District. [Relocated to Sec. 3-D-S.12.b.~~
7591 ~~Land Use Mix]~~

7592 ~~The Gateway district will include Commercial/Retail/Residential uses within the area depicted on the~~
7593 ~~Branan Field Master Plan Map. The pattern of development within the BFMU shall locate the more~~
7594 ~~intense Commercial/Retail uses along or closest to Challenger Drive. [Relocated to/tabularized in~~
7595 ~~Sec. 3-D-S.12.b. Land Use Mix]~~

7596 ~~The Multi-field Recreational Complex shall include sporting fields for baseball and soccer and may~~
7597 ~~include other ball sports, passive recreation, restaurants, souvenirs and athletic facilities. [Relocated~~
7598 ~~to/tabularized in Sec. 3-D-S.12.b. Land Use Mix]~~

7599 ~~The Office/Light Industrial district shall provide a high development quality that emphasizes pleasant,~~
7600 ~~convenient, and satisfying work conditions, along with amenities such as recreation areas.~~
7601 ~~The Office/Light Industrial area shall be away from Challenger Drive. [Relocated to/tabularized in~~
7602 ~~Sec. 3-D-S.12.b. Land Use Mix]~~

7603 ~~e. Prohibited Uses or Activities.~~
7604 ~~i. Any use or activity not permitted in a, b, or c above. [Deleted since it is consolidated under~~
7605 ~~Part E, Division A]~~

7606 ~~f. BF MU Development Standards. Development within the BF MU shall adhere to the Branan Field Land~~
7607 ~~Development Regulations except as specifically modified herein. [Relocated and replaced with new~~
7608 ~~text in Sec. 3-D-S.12.c. Development Standards]~~

7609 ~~i. Roadway Standards. The Roadway Standards set forth in Section 7 of the Branan Field LDRs~~
7610 ~~shall apply to the BF MU district with the following exceptions:~~

7611 ~~A. The connectivity index shall not apply, however the roads shall be designed as a grid or modified~~
7612 ~~grid system insofar as property configuration limitations and topography allow. Access to properties~~
7613 ~~along Challenger Drive shall be limited to rear service driveways from the interior roadway network.~~
7614 ~~No more than two access points to Challenger Drive shall be permitted, as depicted on the Concept~~
7615 ~~Plan.~~

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

Part D Zoning Districts and Development Standards

- 7616 ~~B. Roundabouts shall not be required.~~
- 7617 ~~C. Sidewalks on both sides of all streets shall be five feet wide. To the extent that any planned~~
- 7618 ~~four lane road is constructed initially with only two lanes, sidewalks shall only be required to be~~
- 7619 ~~constructed on one side of the lanes and the sidewalks for the other side shall be constructed~~
- 7620 ~~when the remaining lanes are constructed. [Relocated to Sec. 3-D-S.12.c.(6)(a) Roads]~~
- 7621 ~~ii. Curbs. A. Miami curbs shall be permitted in BF MU district on all streets classified as local and~~
- 7622 ~~private streets. Both entrance roads from Challenger Drive shall have a minimum 6 inch high curb,~~
- 7623 ~~meeting Florida Department of Transportation Type F. [Relocated to Sec. 3-D-S.12.c.(6)(b)~~
- 7624 ~~Curbs]~~
- 7625 ~~iii. Parking and Loading Facilities.~~
- 7626 ~~A. Parking requirements must meet the requirements of Section 1.15 of the Branan Field Land~~
- 7627 ~~Development Regulations. [Relocated to Sec. 3-D-S.12.c.(6)(d) Parking and Loading]~~
- 7628 ~~B. All off street loading facilities shall be located at the rear or side of the building and visually~~
- 7629 ~~screened from any abutting public or approved private street or residential property.~~
- 7630 ~~[Relocated to Sec. 3-D-S.12.c.(6)(d) Parking and Loading]~~
- 7631 ~~iv. Landscaping. In addition to the County's Landscaping and Tree requirements, the following~~
- 7632 ~~standards shall apply.~~
- 7633 ~~A. Commercial and office uses over 100,000 gross square feet in floor area shall provide raised~~
- 7634 ~~planters, sidewalk cutouts, or portable planters or may vary building setbacks to accommodate~~
- 7635 ~~landscape planters. Street trees shall be placed in sidewalk cutouts along streets at a spacing~~
- 7636 ~~that is at least an average of forty feet on center. Street trees shall be approved parking lot~~
- 7637 ~~trees and may also include Washingtonian Palm trees, or similar tall palms. All landscape~~
- 7638 ~~islands in parking lots shall have shade trees, planted or preserved at a minimum caliper of~~
- 7639 ~~four inches. Trees less than five inches in caliper shall be counted as small trees for Tree~~
- 7640 ~~Protection and Landscaping. [Relocated to/tabularized under Sec. 3-D-S.12.c.(6)(g) Interior~~
- 7641 ~~Landscaping]~~
- 7642 ~~B. Freestanding retail, commercial, office and industrial buildings under 100,000 gross square~~
- 7643 ~~feet in floor area must provide a landscape strip that is at least ten feet in width on the front~~
- 7644 ~~and sides of the building. A minimum five foot wide sidewalk shall be placed on either side of~~
- 7645 ~~this landscape strip. As an alternative, the landscape strip may be eliminated from areas facing~~
- 7646 ~~the parking lot, entrances, and adjacent streets if a minimum ten foot wide sidewalk is provided~~
- 7647 ~~with parking lot or street trees within cutouts or landscape islands spaced no more than 30 feet~~
- 7648 ~~on center. The spacing of shade trees within the landscape strip may exceed the 30 foot~~
- 7649 ~~standard no more than 150%, if the Planning and Zoning Director finds that wider spacing is~~
- 7650 ~~needed due to tree species. [Relocated to/tabularized under Sec. 3-D-S.12.c.(6)(g) Interior~~
- 7651 ~~Landscaping]~~
- 7652 ~~C. Office and Industrial Parks or Complexes. Office and industrial buildings shall have a sidewalk~~
- 7653 ~~and landscaped area between the building and the street that the buildings front on. Street~~
- 7654 ~~trees shall be located between the sidewalk and the street, planted at a minimum of thirty feet~~
- 7655 ~~on center. Parking areas shall be provided to the rear of buildings and on the side of the~~
- 7656 ~~building, set back behind the front façade of the building. Side parking areas shall have a~~
- 7657 ~~streetwall (wall or hedge of at least 42" in height) continuing the front façade line of surrounding~~
- 7658 ~~buildings. [Relocated to/tabularized under Sec. 3-D-S.12.c.(6)(g) Interior Landscaping]~~
- 7659 ~~D. In the case of car, boat, or similar sales uses, storage or activity areas shall be visually~~
- 7660 ~~screened from adjacent streets and properties using the following screening standards;~~
- 7661 ~~1. The landscape area shall be at least 25 feet wide. [Relocated to/tabularized in Sec. 3-~~
- 7662 ~~D-S.12.c.(6)(h) Outdoor Storage]~~

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

Part D Zoning Districts and Development Standards

- 7663 2. ~~Sufficient canopy trees shall be planted or preserved to receive at least twelve (12) tree~~
7664 ~~points per one hundred (100) lineal feet or fraction thereof and arranged so that the trees~~
7665 ~~are distributed along the distance. [Relocated to/tabularized in Sec. 3-D-S.12.c.(6)(h)~~
7666 ~~Outdoor Storage]~~
- 7667 3. ~~The landscaping shall include a masonry wall, solid fence, berm or hedge that is~~
7668 ~~maintained between thirty (30) and forty eight (48) inches in height above grade at the time~~
7669 ~~of planting, spaced not more than thirty six (36) inches apart and maintained so as to form~~
7670 ~~a continuous visual screen thirty (30) inches in height above grade, under normal growing~~
7671 ~~conditions within one year after planting. Relocated to/tabularized in Sec. 3-D-~~
7672 ~~S.12.c.(6)(h) Outdoor Storage]~~
- 7673 4. ~~In order to break the visual monotony of a masonry or wood wall, when such walls are~~
7674 ~~used, at least two (2) shrubs or vines shall be planted abutting the wall within each ten (10)~~
7675 ~~feet but not necessarily evenly spaced ten (10) feet apart. Such shrubs or vines shall be~~
7676 ~~planted along the street side of the screen, shall be a minimum of twenty four (24) inches~~
7677 ~~in height above grade at the time of planting and maintained so as to form a visual screen~~
7678 ~~thirty (30) inches in height above grade under normal growing conditions within one year~~
7679 ~~after planting. [Relocated to/tabularized in Sec. 3-D-S.12.c.(6)(h) Outdoor Storage]~~
- 7680 5. ~~The remainder of the required landscaped areas shall be landscaped with turf grass,~~
7681 ~~ground cover or other landscape materials. [Relocated to/tabularized in Sec. 3-D-~~
7682 ~~S.12.c.(6)(h) Outdoor Storage]~~
- 7683 E. ~~For standards calculation purposes, at least 10% of the parking lot shall be landscaped~~
7684 ~~area (not including the perimeter and right-of-way buffers). [Relocated to/tabularized in~~
7685 ~~3-D-S.12.c.(6)(d) Parking and loading]~~
- 7686 v. ~~Buffers:~~
- 7687 A. ~~Perimeter buffers between Branan Field land use categories, shall be at least 30 feet in width~~
7688 ~~and include shade trees planted or preserved at least every 30 feet. The spacing of shade~~
7689 ~~trees may exceed the 30 foot standard no more than 150%, if the Director of Planning and~~
7690 ~~Zoning finds that wider spacing is needed due to tree species. [Relocated to/tabularized~~
7691 ~~under Sec. 3-D-S.12.c.(6)(e) Buffers]~~
- 7692 B. ~~Right of way buffers shall be necessary when there is a gap in the continuity of buildings or~~
7693 ~~landscape buffers along a street including when a building is setback more than 25 feet from~~
7694 ~~the street edge, or property line, whichever is greater, or when stormwater management basins~~
7695 ~~are located along the street frontage. The buffer shall be at least 25 feet in width and include~~
7696 ~~shade trees planted or preserved at a ratio of at least one tree per 1000 square feet. In addition,~~
7697 ~~shade trees must be located between the sidewalk and the principal thoroughfare, with a~~
7698 ~~minimum spacing of 30 feet. The spacing of shade trees may exceed the 30 foot standard no~~
7699 ~~more than 150%, if the Director of Planning and Zoning finds that wider spacing is needed due~~
7700 ~~to tree species. [Relocated to/tabularized under Sec. 3-D-S.12.c.(6)(e) Buffers]~~
- 7701 C. ~~Retention facilities may occupy up to 30% of Park/Civic Space in non residential areas. At~~
7702 ~~least 50% of retention lands shall be utilized for required trees within buffers. Such facilities~~
7703 ~~shall visually and functionally complement the park/civic space through the use of pedestrian~~
7704 ~~bridges, boardwalks, and docks; provide fountains for aeration and improved appearance, and~~
7705 ~~shall include shade trees and other landscaping planted or preserved around the retention~~
7706 ~~facility. [Relocated to Sec. 3-D-S.12.c.(6)(j) Retention Facilities]~~
- 7707 D. ~~At least 50% of the planted or preserved trees within the perimeter and right-of-way buffers~~
7708 ~~must be a minimum four inch caliper, with trees less than 5 inches in caliper counted as small~~
7709 ~~for Tree Protection and Landscaping Standards calculations purposes. [Deleted. Should the~~

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Part D Zoning Districts and Development Standards

- 7710 Standards for Florida Fancy or Florida No. 1 Grade as given in most recent edition of
7711 the State of Florida, Department of Agriculture and Consumer Services "Grades and
7712 Standards for Nursery Plants"]
- 7713 ~~vi. Signs. The Sign Standards set forth in Section 13 of the Branan Field LDRs shall apply to the BF~~
7714 ~~MU district with the following exceptions:~~
- 7715 ~~A. All free standing signs shall be monument signs. All commercial signs shall be channel letter~~
7716 ~~style. No cabinet signs shall be permitted.~~
- 7717 ~~B. Residential development and neighborhood identification signs are limited to monument signs~~
7718 ~~that are less than six feet in height and thirty square feet in size. If lighted, these signs shall~~
7719 ~~be externally lighted.~~
- 7720 ~~C. Place-making markers for the purpose of general directions may be provided consistent with~~
7721 ~~paragraph e. ix. F. of these regulations. [Relocated to Sec. 3-D-S.12.c.(6)(k) Signs]~~
- 7722 ~~vii. Residential Standards.~~
- 7723 ~~A. Residential Lot Setbacks and Other Requirements.~~
- 7724 ~~1. Minimum Lot Width at Building Line: 25 feet.~~
- 7725 ~~2. Minimum Front Setback:~~
- 7726 ~~3. Minimum Side Setback: None.~~
- 7727 ~~4. Maximum Percent of Lot Coverage: The average lot coverage shall be 50%, all primary~~
7728 ~~and accessory buildings shall be calculated.~~
- 7729 ~~B. To retain the pedestrian scale of the BF MU residential areas, no building footprint shall exceed~~
7730 ~~20,000 square feet. Individual uses shall not exceed 5,000 square feet. [Relocated~~
7731 ~~to/tabularized under Sec. 3-D-S.12.c.(6)(c) Development Standards BF MU]~~
- 7732 ~~C. Height Limitations. Height limits of thirty five feet within 150 feet from residential use boundary,~~
7733 ~~and 52 feet between 150 and 300 feet from residential land use boundary. Beyond 300 feet~~
7734 ~~from a residential use boundary, no structure shall protrude through a transitional height plane~~
7735 ~~beginning 35 feet above the buildable area boundary nearest to a boundary of a residential~~
7736 ~~use and extending inward over the commercial area at an angle of 45 degrees. This standard~~
7737 ~~protects areas within residential land use from the visual intrusion of tall buildings.~~
7738 ~~[Relocated to/tabularized under Sec. 3-D-S.12.c.(5) Maximum Height]~~
- 7739 ~~D. Design standards for residential development:~~
- 7740 ~~1. Doorways, windows, and other openings in the façade of a residential building shall be~~
7741 ~~present and shall be proportioned to reflect pedestrian scale and movement, and~~
7742 ~~encourage interest at the street level.~~
- 7743 ~~2. To create a walkable environment, residential buildings shall be grouped close together.~~
7744 ~~Within each block residential buildings shall occupy at least 65 percent of the street~~
7745 ~~frontage.~~
- 7746 ~~3. Apartment buildings shall have a balcony or porch for each unit facing the street;~~
7747 ~~townhouses and single family attached shall provide a change in plane at a minimum of~~
7748 ~~every 60 feet.~~
- 7749 ~~4. Residential buildings may have their entrances from parking areas, but must also provide~~
7750 ~~an entrance to the street. The street entrance shall be clearly articulated through the use~~
7751 ~~of architectural detailing. Entrances shall include at least two of the following features:~~
7752 ~~pediment raised above the doorway parapets with cornice, peaked roof forms, side lites~~
7753 ~~and/or transoms, arched doorways. The architectural details shall be consistent with the~~
7754 ~~architectural style of the building as a whole.~~
- 7755 ~~5. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include~~
7756 ~~parapet walls or partial roofs.~~

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Part D Zoning Districts and Development Standards

- 7757 ~~6. Exterior walls shall be constructed of finished materials such as stucco, natural brick or~~
7758 ~~stone, finished concrete, wood or other similar material including synthetic materials similar~~
7759 ~~in appearance and durability to those materials previously named on all sides. Exposed~~
7760 ~~smooth concrete block or metal finishes shall not be permitted.~~
7761 ~~7. Front porches are required for all single family attached and townhome development.~~
7762 ~~Front stoops and porches must have a minimum width of four feet and floor level at least~~
7763 ~~18 inches higher than the top of curb.~~
7764 ~~8. Front stoops and porches shall be consistent with prudent utility practice.~~
7765 **[Deleted. The building design is in Part F Division F Architectural Design Guidelines.]**
7766 ~~E. Parking spaces are allowed either in garages, driveways, or carports on single lots, and for multi-~~
7767 ~~family, townhome, and other high density residential uses the parking may be in commonly owned~~
7768 ~~courtyards, or may be located to the rear or side of buildings. If located on the side of the structure~~
7769 ~~the parking must be screened using solid streetwalls not exceeding four feet in height or~~
7770 ~~landscaping. **[Deleted, consolidated and replaced with new text under Sec. 3-D-S.12.c.(6)(d)**~~
7771 **Parking and Loading]**
7772 ~~F. Developments with more than 200 residential units shall be required to have a central civic space~~
7773 ~~within a neighborhood park including a clubhouse or open air pavilion. This structure shall be~~
7774 ~~constructed prior to the issuance of a building permit for more than 50% of the lots and/or units of~~
7775 ~~the development. The developer and later the homeowners association shall be responsible for~~
7776 ~~construction and upkeep of the civic space. The pavilion size shall be set at five square feet per~~
7777 ~~unit for an enclosed building and ten square feet per unit for an open air pavilion. Enclosed buildings~~
7778 ~~and pavilions shall have a minimum size of 750 square feet. Enclosed buildings shall not be~~
7779 ~~required to exceed 2,000 square feet and pavilions shall not be required to exceed 1,500 square~~
7780 ~~feet. **[Relocated to/tabularized under 3-D-S.12.c.(6)(i) Civic and Open Space]**~~
7781 ~~viii. Design Standards for Non-Residential Development.~~
7782 ~~A. Non-Residential Intensity Requirements. The maximum floor area ratio (FAR) for each non-~~
7783 ~~residential development within the BFMU non-residential classification shall not exceed 80%, with~~
7784 ~~an average not to exceed 50 percent. Lot coverage is the total of all primary and accessory~~
7785 ~~structures. **[Relocated to/tabularized in Sec. 3-D-S.12.c.(6)(c) Development Standards]**~~
7786 ~~B. Non-Residential Architectural and Additional Standards.~~
7787 ~~1. Reduction of building mass shall be achieved by using the following techniques:~~
7788 ~~(a) Variation in the rooflines and form.~~
7789 ~~(b) Use of ground level arcades and covered areas.~~
7790 ~~(c) Use of protected and recessed entries.~~
7791 ~~(d) Use of vertical elements (including architectural features such as pilasters, columns,~~
7792 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~
7793 ~~walls, to interrupt facades into modules of less than 60 feet.~~
7794 ~~(e) Use of pronounced wall plane offsets and projections.~~
7795 ~~(f) Use of focal points and vertical accents.~~
7796 ~~(g) Inclusion of storefront and other windows on elevations facing streets and pedestrian~~
7797 ~~areas.~~
7798 ~~(h) Retaining a clear distinction between roof, body and base of a building.~~
7799 ~~(i) Office and Industrial buildings that are substantially screened by landscaping shall not have~~
7800 ~~to meet Items (d),(e),(f) and (h) above.~~
7801 ~~2. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet~~
7802 ~~walls or partial roofs. HVAC and other rooftop equipment should be screened from view.~~

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

Part D Zoning Districts and Development Standards

- 7803 3. ~~Exterior walls shall be constructed of finished materials such as stucco; natural brick or stone;~~
7804 ~~colored, sand blasted, or stained textured masonry; scored concrete masonry units; textured~~
7805 ~~tilt up concrete panels; wood; or other similar material including synthetic materials similar in~~
7806 ~~appearance and durability to those materials previously named on all sides. Exposed smooth~~
7807 ~~concrete block, corrugated or other metal finishes, untextured tilt up concrete panels,~~
7808 ~~prefabricated steel panels and the like, shall not be permitted. Roofs shall be covered by metal,~~
7809 ~~concrete or clay tile, or architectural shingles.~~
- 7810 4. ~~At least one building entrance must face the street and be clearly articulated through the use~~
7811 ~~of architectural detailing. Customer entrances shall be clearly defined and include at least three~~
7812 ~~of the following features: canopies/porticoes; overhangs; recesses/projections; arcades; raised~~
7813 ~~above the doorway cornice parapets; peaked roof forms; arches; outdoor patios; display~~
7814 ~~windows; integrated architectural details such as tile work, moldings, planters; and/or~~
7815 ~~landscaped sitting areas.~~
- 7816 5. ~~Fenestration. For commercial buildings and for facades on office and industrial buildings that~~
7817 ~~face the street or a parking area, doorways and windows shall be proportioned to reflect~~
7818 ~~pedestrian scale and movement, and to encourage interest at the street level. The street level~~
7819 ~~façade of each commercial use shall provide windows between the height of three feet and~~
7820 ~~eight feet above the walkway grade, for no less than 60 percent of the horizontal length of the~~
7821 ~~building façade for each store.~~
- 7822 6. ~~Covered Entry areas. Commercial structures must include awnings, covered walkways, open~~
7823 ~~colonnades, or similar weather protection. Such features shall be applied to the front of the~~
7824 ~~building, and to the sections of the sides of building where direct pedestrian links from adjacent~~
7825 ~~or nearby shopping areas exist or are planned. **[Deleted, consolidated under Part F,**~~
7826 ~~**Division F. Architectural Design Guidelines]**~~
- 7827 7. ~~Convenience Stores and Service Stations. Driveway openings shall be limited to the maximum~~
7828 ~~needed for safe egress in and out of the property. There shall be no more than 20 fueling stations~~
7829 ~~(each fueling station serving one vehicle). All pump islands shall be contained under one canopy,~~
7830 ~~which shall be not higher than 17 feet. All under canopy lighting shall be recessed. Buildings must~~
7831 ~~have pitched roofs. A minimum five foot wide landscape strip shall be located adjacent to the~~
7832 ~~building, with shrubs of at least four feet in height spaced less than five feet apart, and ground~~
7833 ~~cover. Landscaping within the buffer shall conform to Article VI, Section 6.6. **[Relocated this use**~~
7834 ~~**to Part E]**~~
- 7835 8. ~~Height Limitations. *Height limits of thirty five feet within 150 feet from residential use boundary,*~~
7836 ~~*and 52 feet between 150 and 300 feet from residential land use boundary. Beyond 300 feet*~~
7837 ~~*from a residential use boundary, no structure shall protrude through a transitional height plane*~~
7838 ~~*beginning 35 feet above the buildable area boundary nearest to a boundary of a residential*~~
7839 ~~*use and extending inward over the commercial area at an angle of 45 degrees. This standard*~~
7840 ~~*protects areas within residential land use from the visual intrusion of tall buildings. **[Relocated***~~
7841 ~~**to Sec. 3-D-S.12.c.(5) Maximum Height]**~~
- 7842 C. ~~All building entrances, pathways and other pedestrian areas shall be lit to two foot candles with~~
7843 ~~pedestrian scale lighting (e.g., wall mounted, sidewalk lamps, bollards, low voltage landscape up~~
7844 ~~lighting, etc.). **[Deleted, consolidated under Part F, Division G – Exterior Lighting]**~~
- 7845 D. ~~Building Placement: Buildings shall be located to foster a walkable, urban atmosphere.~~
- 7846 1. ~~Setbacks for non residential structures:~~
- 7847 (a) ~~Minimum Lot *Width* at Building Line: *25 feet.*~~
- 7848 (b) ~~Minimum *Front Setback*: *The minimum necessary to meet prudent utility standards and to*~~
7849 ~~*protect street trees.*~~

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

Part D Zoning Districts and Development Standards

- 7850 ~~(c) Minimum Side Setback: None.~~
- 7851 ~~(d) Maximum Percent of Lot Coverage: The average lot coverage shall be 50%, all primary~~
- 7852 ~~and accessory buildings shall be calculated. [Relocated to Sec. 3-D-S.12.c.(2),(3) and~~
- 7853 ~~(4)]~~
- 7854 2. A “Big Box”, commercial uses of 100,000 square feet or more, shall be accompanied by
- 7855 “outparcel” development that encompasses 60% of the street frontage, and as such, shall
- 7856 provide the “windows on the street” for the big box. The out-parcel buildings shall face the
- 7857 street and have a customer doorway on the principal street. Parking shall be permitted to the
- 7858 side and rear of the outparcels. Parking shall be permitted between the big box and the
- 7859 outparcels. Landscaping shall be provided within the parking lot consistent with these
- 7860 regulations. In lieu of meeting the 60% glazing requirement on the “Big Box”, the architecture
- 7861 may incorporate colonnades, high quality faux windows with shutters (not painted on the wall),
- 7862 pilasters, changes in texture and plane and changes in roof line. Buildings shall be detailed to
- 7863 identify the base, body and roofline of the building. Multiple stores shall be identified by
- 7864 demarcation of each story. **[Deleted and consolidated under Sec. 3-R-11. Master Planned**
- 7865 **Community Design Standards]**
- 7866 E. Street Lighting. Lighting along pedestrian corridors and sidewalks within commercial
- 7867 developments shall be in the form of decorative streetlights, with a height between 10 and 16 feet.
- 7868 **[Deleted and consolidated under Part F, Division G Exterior Lighting]**
- 7869 F. Additional BF MU Guidelines shall be submitted to the Planning and Zoning Director prior to any
- 7870 construction in the BF MU for review and approval, to address the following:
- 7871 1. an integrated street lighting plan, including fixture style and pole heights;
- 7872 2. Sign and place marking design guidelines in order to provide a uniform sign format;
- 7873 3. Generalized landscape plan identifying a compatible mix of trees types that promote seasonal
- 7874 color and species diversity; and
- 7875 4. Generalized location and size of neighborhood and community parks.
- 7876 **[Deleted, consolidated under Part F for future consolidation of application requirements**
- 7877 **under Article 2]**
- 7878 f. Conflicts. In the event of conflicts or inconsistencies between the Branran Field Master Plan Land
- 7879 Development Regulations and these BF MU standards, the BF MU Regulations shall prevail. Silence
- 7880 or a lack of inclusion shall be addressed by the Branran Field Land Development Regulations, and in
- 7881 the event that it is silent, then the Clay County Land Development Regulations shall prevail. **[Deleted,**
- 7882 **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

7883 DIVISION T LAKE ASBURY MASTER PLAN AREA

7884 Sec. 3-D-T.1. Applicability

7885 The boundary of the Lake Asbury Master Plan Area (LAMP A) with allocation of the FLU categories is
7886 identified on the FLUM [Current 2040 LA FLUM Map.pdf \(claycountygov.com\)](#). All the standards of this
7887 Division shall apply to the lands located within this geographical boundary.

7888 Sec. 3-D-T.2. Future Land Use and Zoning District

7889 3-D-T.2.a. Overlay Design Standards

7890 Each land use category within the LAMP A has zoning districts and has standards in the form of an overlay.
7891 The ~~standards in Sec. 3-D-R.11. Master Planned Community Design Standards~~ shall apply to all
7892 development within the LAMP A boundary. ~~[Relocated from Sec. 3-33B.B. Zoning Districts LAMP A]~~

7893 3-D-T.2.b. Base Zoning Standards

7894 The base zoning reflects uses and intensity within the LAMP A boundary. Certain zoning districts other than
7895 the base zoning are identified as consistent with each FLU category, subject to approval under the rezoning
7896 standards in [Article 2 Procedures for Development Review of this Code](#).

7897 [Relocated from Sec. 3-33B.B. Zoning Districts LAMP A]

7898 3-D-T.2.c. FLU Categories and Zoning Districts

7899 Within the Lake Asbury Master Planned Area (LAMP A), there are n 9 FLU categories and base zoning
7900 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

7901 3-D-T.2.d. FLU Intensity

7902 For the allowable intensity of each FLU and Zoning District, refer to [Sec. 3-C-B.2 Intensity](#).

7903 3-D-T.2.e. Intensity Transfer

7904 For transfer of intensity from the wetland-upland buffer areas, refer to [Sec. 3-D-T.14. LA Wetland-Upland](#)
7905 [Buffers](#)

7906 3-D-T.2.f. FLU Consistency

7907 Other zoning districts permitted in the [LAMPA FLU category](#) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-
7908 3, PS-4, and PS-5. [Relocated from [Sec. 3-33B.B.1. Lake Asbury Master Planned Community \(LA](#)
7909 [MPC\) Land Use](#)]

7910 Sec. 3-D-T.3. General Design Standards

7911 3-D-T.3.a. General Design Objectives and Standards

7912 [Each FLU category may differ but generally share common design themes and objectives to achieve a](#)
7913 [unified community with a variety of uses that are located in close proximity and complement each other;](#)
7914 [each FLU and affiliated zones are created with its individual identity with a Residential, Non-Residential, or](#)
7915 [Mixed-Use component emulating a traditional town development.](#)

7916 3-D-T.3.b. Other Development Standards

7917 In addition to Design Standards in [Sec. 3-D-R.11.](#) and specific development standards of this Division,
7918 other applicable technical standards shall be complied with:

- 7919 (1) [Sec. 3-F-F. Architectural Design Guidelines;](#)
- 7920 (2) [Sec. 3-F-G. Exterior Lighting;](#)
- 7921 (3) [Sec. 3-F-H. Accessory Structures;](#)
- 7922 (4) [Sec. 3-F-I. Landscaping;](#)
- 7923 (5) [Sec. 3-F-J. Parking; Sec. 8-12. Parking; and Appendix A Parking Space Requirements;](#)
- 7924 (6) [Sec. 3-F-K. Application Submission Standards;](#)
- 7925 (7) [Article 6 Tree Ordinance and Sec. 3-D-S.14. Wetland-Upland Buffers and Intensity Transfer; and](#)
- 7926 (8) [Article 7 Signs.](#)

7927 Sec. 3-D-T.4. Existing Developments

7928 3-D-T.4.a. Vested Rights

7929 [A Residential or Non-Residential property shall be vested and may not be subject to any standards of](#)
7930 [Division R Master Planned Communities and this Division, if the property meets the description under](#)
7931 [Subsections \(b\) and \(c\).](#)

7932 3-D-T.4.b. Residential

- 7933 (1) *Subdivisions Those with a preliminary plat approval as of October 24, 2006 are vested from the*
7934 *standards of this Master Development Plan.*

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

Part D Zoning Districts and Development Standards

- 7935 (2) Existing Lots of Record (LOR). ~~Those that are~~ recorded in the public records of Clay County as of
7936 October 24, 2006 are vested from the standards of the Master Development Plan for up to 3
7937 Residential units.
- 7938 (3) Development of up to 3 Residential Units per LOR. Shall be subject to the zoning district applicable
7939 to the LOR on October 23, 2006 and the non-LAMPA land development standards applicable at
7940 the time of development.
- 7941 (4) Zoning District and FLU Category. If the zoning district applicable on October 23, 2006 provides a
7942 range of lot sizes based on FLU category, the lot size standards for the LOR shall be the size
7943 associated with the FLU category for the LOR on October 23, 2006.
- 7944 (5) Wells and Septic. Residential homes on lots of record may be served by individual wells and septic
7945 systems. [Relocated from Sec. 3-33B.9.a. and c. Residential]

7946 3-D-T.4.c. Non-Residential

- 7947 (1) Existing Non-Residential Uses. Those uses located within the LAMPA at the time of Master Plan
7948 adoption shall be exempt from the standards of the Master Plan and Divisions R and T of this
7949 Article.
- 7950 (2) Applicable Standards. These properties shall be subject to the provisions of the 2015^[EG122]
7951 Comprehensive Plan, Zoning Code, and other applicable standards in effect at the time of adoption
7952 of the Master Plan.
- 7953 (3) Building Expansion. If expansion of existing building square footage is proposed, then new building
7954 and parking areas shall be subject to the parking, landscaping, architectural, and other applicable
7955 standards of the LAMPA in effect at the time of the expansion.
- 7956 (4) Zoning. Properties with zoning districts of AG, AR, BA-2, BA-1, BA, BB, BB-1, BB-2, BB-3, BB-4,
7957 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
7958 Plan may develop consistent with permitted and conditional uses identified in each of these zoning
7959 districts at the time of development. However, such uses shall meet parking, landscaping,
7960 architectural, and other applicable standards of the LAMPA in effect at the time of development.
7961 [Relocated from Sec. 3-33.B.9.b.]

7962 ~~9. Existing Development.~~

- 7963 ~~a. Residential. Subdivisions with a preliminary plat approval as of October 24, 2006 are vested from~~
7964 ~~the requirements of this Master Development Plan. Existing Lots of Record (LOR) recorded in the~~
7965 ~~public records of Clay County as of October 24, 2006 are vested from the requirements of the~~
7966 ~~Master Development Plan for up to 3 residential units. Development of up to three residential units~~
7967 ~~per LOR shall be subject to the zoning applicable to the LOR on October 23, 2006 and the~~
7968 ~~nonLAMPA land development regulations applicable at the time of development. If the zoning~~
7969 ~~applicable on October 23, 2006 provides a range of lot sizes based on land use category, the lot~~
7970 ~~size requirement for the LOR shall be the size associated with the land use category for the LOR~~
7971 ~~on October 23, 2006. [Relocated to Sec. 3-D-T.4.b. Residential]~~
- 7972 ~~b. Nonresidential. Existing nonresidential uses within the Lake Asbury Master Plan area at the time~~
7973 ~~of Master Plan adoption shall be exempt from the requirements of the Master Plan and LDRs.~~
7974 ~~These properties shall be subject to the provisions of the 2015 Comprehensive Plan, Zoning Code,~~
7975 ~~and other applicable regulations in effect at the time of adoption of the Master Plan. If expansion~~
7976 ~~of existing building square footage is proposed, new building and parking areas shall be subject to~~
7977 ~~the parking, landscaping, architectural, and other applicable standards of the Lake Asbury Master~~
7978 ~~Plan LDRs in effect at the time of the expansion. Properties with zoning designations of AG, AR,~~
7979 ~~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,~~

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Part D Zoning Districts and Development Standards

7980 ~~PO-4, and PUD prior to adoption of the Master Plan may develop consistent with permitted and~~
7981 ~~conditional uses identified in each of these zoning categories at the time of development. However~~
7982 ~~such uses must meet parking, landscaping, architectural, and other applicable standards of the~~
7983 ~~Lake Asbury Master Plan LDRs in effect at the time of development. [Relocated to Sec. 3-D-T.4.c.~~
7984 ~~Non-Residential]~~
7985 ~~c. Residential homes on lots of record may be served by individual wells and septic systems.~~
7986 ~~[Relocated to Sec. 3-D-T.4.b. Residential]~~

7987 ~~Sec. 3-33B. LAKE ASBURY MASTER PLAN~~ 7988 ~~B. ZONING DISTRICTS~~

7989 ~~Each land use category within the LAMPA has allowable zoning districts (Permitted Zoning) and in addition~~
7990 ~~to such zoning, also has standards in the form of an overlay. The Overlay Design Standards will apply to~~
7991 ~~all development within the LAMPA boundary, regardless of zoning. [Relocated to Sec. 3-D-T.2.a.]~~

7992 ~~Base zoning will reflect uses and intensity/density in the adopted LAMPA. Permitted uses and conditional~~
7993 ~~uses under the base zoning are to be identified. Certain public and private service uses are permitted under~~
7994 ~~the base zoning, including churches and schools. Certain Zoning Districts other than the base zoning are~~
7995 ~~identified as consistent with each land use category, subject to approval under the re-zoning requirements~~
7996 ~~of Clay County. [Relocated to Sec. 3-D-T.2.b.]~~

7997 ~~1. Lake Asbury Master Planned Community (LA MPC) Land Use~~

7998 ~~The Base Zoning is LA MPC, permitting single family detached dwellings. Single family attached~~
7999 ~~dwellings are also permitted subject to locational criteria. All development must submit site plans for~~
8000 ~~review to ensure conformance with LDR standards, and shall be bound by such site plans. Other~~
8001 ~~Zoning Districts permitted in the LA MPC Land Use (consistent Zoning Districts) are PO-1, PO-2, PO-~~
8002 ~~3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5. [Relocated to Sec. 3-D-T.2.f. FLU Consistency]~~

8003 Sec. 3-D-T.5. LA Master Planned Community (LA MPC)

8004 3-D-T.5.a. Description

8005 ~~Development within the LA MPC will be in a form of walkable neighborhoods. Local and collector streets~~
8006 ~~and pedestrian/bicycle paths will contribute to a connected system of routes from individual neighborhoods~~
8007 ~~to Village Centers, the Activity Center, and other neighborhoods. Street design shall encourage pedestrian~~
8008 ~~and bicycle use. Neighborhoods shall contain a diversity of housing types through lot size varieties and are~~
8009 ~~encouraged to provide for affordable housing utilizing garage apartments; small lot subdivisions, and~~
8010 ~~townhomes as indicated in the development standards. To create a sense of neighborhood identity,~~
8011 ~~neighborhoods within this category shall have primary Neighborhood Parks as well as Pocket Parks where~~
8012 ~~neighbors can interact. [Relocated from Sec. 3-33B.B.1.]~~

8013 3-D-S.5.b. Development Standards

8014 ~~The principal building(s), accessory structure(s), and other lot uses shall be located so as to comply with~~
8015 ~~the following standards, except for intensity bonus point development, which shall conform with standards~~
8016 ~~of the BF Master Planned Community FLU category:~~

(1) Intensity:

(a) Minimum:

1 unit per net acre

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Part D Zoning Districts and Development Standards

(b) <u>Maximum:</u>		2.5 units per net acre
(c) <u>Intensity Bonus:</u>	Refer to Part C, Division C Intensity Bonus Programs:	3 units per net acre ¹
(2) <u>Minimum Lot Dimensions:</u>		
(a) <u>Lot Size:</u>		5,500 square feet ²
	<u>With Rear Alley:</u>	3,500 square feet
(b) <u>Lot Width:</u>		40 feet ³
	<u>With Rear Alley:</u>	30 feet
(c) <u>Lot Depth:</u>		100 feet
(d) <u>Lot Coverage:</u>		50 percent Maximum
	<u>With Rear Alley:</u>	70 percent Maximum
(3) <u>Minimum Setbacks (Principal Structure):</u>		
(a) <u>Front:</u>		10 feet ^{4,5}
(b) <u>Side:</u>	<u>From lot line when adjacent to a Non- Residential zoning district:</u>	5 feet
(d) <u>Rear:</u>	<u>From lot line when adjacent to a Non- Residential zoning district:</u>	10 feet
	<u>With Rear Alley:</u>	14 feet

Footnotes:

- ¹ ~~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.]~~
- 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.~~

8017 **[Relocated from Sec. 3-33B.B.1.e. Dimensional Standards]**

- 8018 (4) Additional Standards.
- 8019 (a) Location. Single-Family Attached units shall be located adjacent to Village Centers.

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Part D Zoning Districts and Development Standards

8020 (b) Limitation in Single-Family Attached Unit Percentage. Single-Family Attached units may
8021 not exceed 10 percent of potential units in the LA MPC category within each village.
8022 [Relocated from Sec. 3-33B.B.1.]

8023 Sec. 3-33B.B.1. Lake Asbury Master Planned Community (LA MPC) Land Use

8024 ~~Development within the Lake Asbury Master Planned Community category will be in the form of~~
8025 ~~walkable neighborhoods. Walkability shall be achieved through sidewalks on both sides of streets,~~
8026 ~~connected neighborhoods, parks within walking distance, and traffic calming techniques. Local and~~
8027 ~~collector streets and pedestrian/bicycle paths will contribute to a connected system of routes from~~
8028 ~~individual neighborhoods to village centers, the activity center and other neighborhoods. Street design~~
8029 ~~shall encourage pedestrian and bicycle use. Neighborhoods shall contain a diversity of housing types~~
8030 ~~through lot size varieties and are encouraged to provide for affordable housing utilizing garage~~
8031 ~~apartments; small lot subdivisions, and townhomes. To create a sense of neighborhood identity,~~
8032 ~~neighborhoods within this category shall have primary neighborhood parks as well as pocket parks~~
8033 ~~where neighbors can interact. [Relocated to Sec. 3-D-T.5.a. Description of LA MPC]~~

8034 ~~All development is subject to the Lake Asbury Overlay Standards.~~

8035 ~~Allowable uses are single family detached dwellings, with single family attached dwellings uses~~
8036 ~~allowed adjacent to village centers. Single family attached units may not exceed ten percent of~~
8037 ~~potential units in the Lake Asbury Master Planned Community within each village, and are subject to~~
8038 ~~the Dimensional Standards of the Village Center. Central water and sewer is required in this land use~~
8039 ~~category. [Relocated to Sec. 3-D-T.5.b.(4) Additional Standards]~~

8040 ~~The maximum base density for single family detached development is 3 units per net acre (not~~
8041 ~~calculated as uplands only). Single family detached density may go up to five units per net acre through~~
8042 ~~the dedication of wetland upland buffers and/or environmentally significant lands. Single family~~
8043 ~~attached density is allowed at a range between six and ten units per acre, and may go up to 12 units~~
8044 ~~per acre through additional density associated with wetland upland buffers and/or environmentally~~
8045 ~~significant land dedication as described in paragraph 4 of Subsection D. [Relocated to Sec. 3-D-~~
8046 ~~T.5.d. Intensity and Land Use Mix]~~

8047 ~~Sec. 3-33B.1.e.~~

8048 ~~e. Dimensional Standards.~~

8049 ~~i. Minimum Density: 1 unit per net acre.~~

8050 ~~ii. Maximum Density: 2.5 units per net acre; 3 with density bonuses.~~

8051 ~~iii. Minimum Lot Size: 4,000 square feet (applied to a maximum of 20% of the lots within in~~
8052 ~~given development) 5,500 square feet; 3,500 with rear alleys~~

8053 ~~iv. Minimum Lot Width at Building Line: 40 feet (applied to a maximum of~~
8054 ~~20% of the lots within in given development); 30 feet with rear alleys~~

8055 ~~v. Minimum Front Setback: 5 feet for front porches; 10 for front façade; 20 feet for front~~
8056 ~~facing garages~~

8057 ~~vi. Minimum Side Setback: 5 feet.~~

8058 ~~vii. Minimum Rear Setback: 10 feet 14 with rear alleys~~

8059 ~~viii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~
8060 ~~buildings), 70 with rear alleys [Relocated to/tabularized under Sec. 3-D-T.5.e.~~

8061 ~~Development Standards]~~

8062 Sec. 3-D-T.6. LA Rural Reserve (LA RRSV)

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

Part D Zoning Districts and Development Standards

8063 **3-D-T.6.a. Description**
 8064 Development within the LA RRSV FLU category shall focus on the provision of different housing types with
 8065 a high percentage of land being dedicated as preserved open space.

8066 **3-D-T.6.b. Development Standards**
 8067 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 8068 following minimum standards:

(1)	<u>Intensity:</u>	<i>1.5 units per acre</i>
(a)	<u>If the lot has on-site wetlands, only 25 percent of the total acreage of the wetlands can be utilized for intensity calculation.</u>	
(b)	<u>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.</u>	
(c)	<u>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.]</u>	
(2)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Size:</u>	<i>6,000 square feet</i>
(b)	<u>Lot Width:</u>	<i>50 feet</i>
(c)	<u>Lot Depth:</u>	<i>Not Applicable</i>
(d)	<u>Maximum Lot Coverage:</u>	<i>50 percent</i>
(3)	<u>Minimum Lot Dimensions (Lot with Rear Alley):</u>	
(a)	<u>Lot Size:</u>	<i>3,500 square feet</i>
(b)	<u>Lot Width:</u>	<i>40 feet</i>
(c)	<u>Lot Depth:</u>	<i>Not Applicable</i>
(d)	<u>Maximum Lot Coverage:</u>	<i>50 percent</i>
(4)	<u>Minimum Setbacks (Principal Structure):</u>	
(a)	<u>Front:</u>	<i>15 feet^{1,2}</i>
(b)	<u>Side:</u>	<u>From lot line when adjacent to a Non-Residential zoning district:</u> <i>5 feet</i>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Non-Residential zoning district:</u> <i>10 feet</i>
(d)	<u>Rear with Alleys:</u>	<i>14 feet</i>

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

Part D Zoning Districts and Development Standards

(5) Minimum Setbacks (Accessory Structure):

(a) Front:

(b) Side:

(c) Rear:

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.

8069 **[Relocated from Sec. 3-33B.B.2.e. Dimensional Standards]**

8070 **3-D-T.6.c. LA RRSV Uses**

(1) Permitted and Conditional uses: Refer to [Part E, Use Types and Standards](#)

(2) Special Exception: Refer to [Sec. E-X-X](#)

(3) Accessory: Refer to [Sec. 3-E-I. Accessory Uses](#)

Refer to [Sec. 3-E-J. Temporary Uses](#)

Refer to [Sec. 3-F-H. Accessory Structures](#)

8071 **~~Sec. 3-33B.B.2. Lake Asbury Rural Reserve (LA RRSV) Land Use~~**

8072 ~~The Base Zoning is LA RRSV, permitting single family and limited multi-family as permitted uses. All~~
8073 ~~development must submit site plans for review to ensure conformance with design standards, and shall be~~
8074 ~~bound by such site plans. Other Zoning Districts permitted in the LA RRSV Land Use (consistent Zoning~~
8075 ~~Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5.~~

8076 ~~Density is set at 1.5 units per gross acre, with the wetlands utilized for density calculation limited to no more~~
8077 ~~than 25% of total acreage—a level that will accommodate central services, but at the same time will not~~
8078 ~~greatly depart from lower rural densities. **[Relocated to 3-D-T.6. 6.b. Development Standards]**~~

8079 ~~Developments must retain at least 35 percent of the site in open space, which may include the buffers,~~
8080 ~~required parks, and conservation areas. Sixty percent of the open space preservation area must be in~~
8081 ~~uplands. **[Relocated to Sec. 3-D-T.6. 6.b. Development Standards]**~~

8082 ~~Vegetated perimeter buffers are required at a minimum width of 50 feet. Perimeter buffers increase as the~~
8083 ~~parcel width and depth increases. The perimeter buffer is calculated at 2.5 percent of the average lot width~~
8084 ~~and depth. Perimeter buffers would also apply along roadways. In calculating the average parcel width~~
8085 ~~or depth, the length of either the width or depth may be reduced if wetlands with the following characteristics~~
8086 ~~cross the perimeter: wetlands or preserve areas with forested areas that will not be developed, and~~
8087 ~~wetlands or preserve area that have a depth of at least 50 feet measured at the property line. The length~~
8088 ~~of a parcel width or depth dimension may be reduced by the dimension of the wetland or portion thereof~~
8089 ~~meeting the conditions stated above. Perimeter buffers must include preserved or planted vegetation to~~
8090 ~~provide an effective visual screen for development. **[Deleted. Buffer is already specified as 50 feet in**~~
8091 ~~**width; therefore, establish a methodology in providing buffer, and refer to Article 6 Tree Ordinance]**~~

8092 ~~The Lake Asbury Rural Reserve Land Use Category may include up to 25 percent of the developed dwelling~~
8093 ~~units as multi-family units. **[Relocated to Sec. 3-D-T.6.b. Development Standards]**~~

8094 ~~At least 35% of a parcel must be preserved as permanent open space. This may include perimeter buffers,~~
8095 ~~wetlands, wetland-upland buffers, parks, and other open space (not including retention ponds).~~

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

Part D Zoning Districts and Development Standards

- 8096 [Deleted as this is redundant to the above description]
8097 e. ~~Dimensional Standards.~~
8098 i. ~~Maximum Density: 1.5 units per gross acre;~~
8099 ii. ~~Minimum Lot Size: 6,000 square feet, 3,500 with rear alleys.~~
8100 iii. ~~Minimum Lot Width at Building Line: 50 feet, 40 with rear alley easement.~~
8101 iv. ~~Minimum Front Setback: 10 feet for front porches; 15 for front façade, 20 feet for front facing~~
8102 ~~garages~~
8103 v. ~~Minimum Side Setback: 5 feet.~~
8104 vi. ~~Minimum Rear Setback: 10 feet, 14 feet with rear alleys.~~
8105 vii. ~~Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~
8106 ~~buildings).~~ [Relocated to Sec. 3-D-T.6.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

8107 Sec. 3-D-T.7. LA Rural Community (LA RC)

8108 **3-D-T.7.a. Description**

8109 *Development within this category will be characterized predominantly by Single-Family homes on large*
 8110 *lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of*
 8111 *environmental Open Space. [Relocated from Sec. 3-33B.B.3.]*

8112 **3-D-T.7.b. Development Standards**

8113 *The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the*
 8114 *following minimum standards:*

(1)	<u>Maximum Intensity:</u>	
(a)	<u>Base Intensity:</u>	<u>1 unit per 5 acres</u>
(b)	<u>Intensity Bonus:</u>	<i>Subject to dedication of wetland-upland buffers and/or environmentally significant lands:</i> <u>2 units per net acre</u>
		<i>Shall preserve a minimum of 40 percent Open Space with a maximum of 30 percent wetlands. [Relocated from Sec. 3-33B.B.3.]</i>
(2)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Size:</u>	<u>2.5 acres</u>
(b)	<u>Lot Width:</u>	<i>With on-site well/septic:</i> <u>100 feet</u>
		<i>With central services:</i> <u>80 feet</u>
(c)	<u>Lot Depth:</u>	<u>100 feet</u>
(d)	<u>Maximum Lot Coverage:</u>	<u>30 percent</u>
(3)	<u>Minimum Lot Dimensions (Intensity Bonus):</u>	
(a)	<u>Lot Size:</u>	<u>6,000 square feet</u>
(b)	<u>Lot Width:</u>	<u>50 feet</u>
(c)	<u>Lot Depth:</u>	<u>Not Applicable</u>
(d)	<u>Maximum Lot Coverage:</u>	<u>50 percent</u>
(4)	<u>Minimum Setbacks (Principal Structure):</u>	
(a)	<u>Front:</u>	<u>25 feet¹</u>
(b)	<u>Side:</u>	<i>From lot line when adjacent to a Residential zoning district or zone:</i> <u>20 feet</u>
(c)	<u>Rear:</u>	<i>From lot line when adjacent to a Residential zoning district or zone:</i> <u>30 feet</u>
(5)	<u>Minimum Setbacks (Intensity Bonus - Principal 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>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>15 feet</u> ¹
(b) <u>Side:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>5 feet</u>
(c) <u>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>		
(a) <u>Front:</u>		<u>30 feet</u> ²
(b) <u>Side:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u>	<u>7.5 feet</u>
(c) <u>Rear:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</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.

8115 **[Relocated from Sec. 3-33B.B.2.e. Dimensional Standards]**

8116 **3-D-T.7.c. LA RC Uses**

(1) <u>Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
(2) <u>Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
(3) <u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
	<u>Refer to Sec. 3-E-J. Temporary Uses</u>
	<u>Refer to Sec. 3-F-H. Accessory Structures</u>

8117 **3. Lake Asbury Rural Community (LA RC) Land Use**

8118 ~~The Base Zoning is LA RC, permitting single family as a permitted use. All development must submit~~
 8119 ~~site plans for review to ensure conformance with design standards, and shall be bound by such site~~
 8120 ~~plans. Other Zoning Districts permitted in the LA RC Land Use~~
 8121 ~~(consistent Zoning Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5.~~

8122 **[Deleted as this repeats Sec. 3-D-T.2.f. FLU Consistency]**

8123 ~~Development within this category will be characterized predominantly by single family homes on large~~
 8124 ~~lots, served by well and septic tank or by clustered subdivisions which preserve large expanses of~~
 8125 ~~environmental open space. [Relocated to Sec. 3-D-T.7.a. Description]~~

8126 ~~The base density is one dwelling unit per five gross acres. Density may go up to an overall maximum~~
 8127 ~~of two units per net acre through the dedication of wetland-upland buffers and/or environmentally~~
 8128 ~~significant lands as described in paragraph 4 of Subsection D. Projects utilizing the additional density~~
 8129 ~~associated with wetland-upland buffer and/or environmentally significant land dedication shall preserve~~
 8130 ~~a minimum of 40% open space with no more than 30% of this being wetlands. Central water and sewer~~
 8131 ~~service is required when density exceeds one unit per two acres. [Relocated to Sec. 3-D-T.7.b.~~

8132 **Development Standards]**

8133 ~~d. Prohibited Uses or Activities.~~

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

Part D Zoning Districts and Development Standards

- 8134 Any use or activity not permitted in (a), (b), or (c) above. **[Deleted as this is a permissive code]**
- 8135 ~~e. Dimensional Standards:~~
- 8136 ~~i. Minimum lot width at building line: 100 feet with on-site well and septic systems, 80 feet with~~
- 8137 ~~central services~~
- 8138 ~~ii. Minimum lot depth: 100 feet~~
- 8139 ~~iii. Minimum Lot Size: one acre with density bonus, 2.5 acres without density bonus~~
- 8140 ~~iv. Minimum front setback: 25 feet~~
- 8141 ~~v. Minimum side setback: 20 feet~~
- 8142 ~~vi. Minimum rear setback: 30 feet~~
- 8143 ~~vii. Minimum setback from all lot lines of accessory structures (except fences): side and rear: 7.5~~
- 8144 ~~feet; front: 30 (but in no event nearer to front line than the front of the principal building.)~~
- 8145 ~~viii. Maximum percent of lot coverage 30 percent (total for all primary and accessory buildings)~~
- 8146 ~~ix. Maximum percent of rear lot coverage 30 percent~~
- 8147 **[Relocated to/tabularized in Sec. 3-D-T.7.b. Development Standards]**
- 8148 ~~f. Dimensional Standards (for developments utilized density bonuses):~~
- 8149 ~~i. Maximum Density: 1 unit per net acre;~~
- 8150 ~~ii. Minimum Lot Size: 6,000 square feet.~~
- 8151 ~~iii. Minimum Lot Width at Building Line: 50 feet~~
- 8152 ~~iv. Minimum Front Setback: 10 feet for front porches; 15 for front façade~~
- 8153 ~~v. Minimum Side Setback: 5 feet.~~
- 8154 ~~vi. Minimum Rear Setback: 10 feet.~~
- 8155 ~~vii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory~~
- 8156 ~~buildings).~~
- 8157 **[Relocated to/tabularized in Sec. 3-D-T.7.b. Development Standards]**

Sec. 3-D-T.8. LA Rural Fringe (LA RF)

3-D-T.8.a. Description

8159 Development within this category shall be characterized predominantly by Single-Family homes on large

8160 lots, served by well and septic tank, but where lands within the LA RF FLU category are accessible to urban

8161 services, then central water and sewer services are required, and that will justify for allowing smaller homes

8162 and increased intensity. **[Relocated from Sec. 3-33B.B.4.]**

3-D-T.8.b. Development Standards

8165 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the

8166 following minimum standards:

(1)	<u>Maximum Intensity:</u>	
(a)	<u>Base Intensity</u>	<i>1 unit per net acre</i>
(b)	<u>Intensity Bonus</u>	<u>Subject to dedication of wetland-upland buffers and/or environmentally significant lands:</u> <i>3 units per net ac[MK123]re</i>

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

Part D Zoning Districts and Development Standards

	<u>Shall preserve a minimum of 40 percent Open Space with a maximum of 30 percent wetlands.</u>	
(2)	<u>Minimum Lot Dimensions:</u>	
(a)	<u>Lot Size:</u>	6,000 square feet
(b)	<u>Lot Width:</u>	50 feet
(c)	<u>Lot Depth:</u>	Not Applicable
(d)	<u>Maximum Lot Coverage:</u>	50 percent
(3)	<u>Minimum Lot Dimensions (Lot with Rear Alley):</u>	
(a)	<u>Lot Size:</u>	3,500 square feet
(b)	<u>Lot Width:</u>	40 feet
(c)	<u>Lot Depth:</u>	Not Applicable
(d)	<u>Maximum Lot Coverage:</u>	50 percent
(4)	<u>Minimum Setbacks (Principal Structure):</u>	
(a)	<u>Front:</u>	15 feet ¹
(b)	<u>Side:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u> 5 feet
(c)	<u>Rear:</u>	<u>From lot line when adjacent to a Residential zoning district or zone:</u> 10 feet
(d)	<u>Rear with Alleys:</u>	14 feet
(5)	<u>Minimum Setbacks (Accessory Structure):</u>	
(a)	<u>Front:</u>	30 feet ²
(b)	<u>Side:</u>	7.5 feet
(c)	<u>Rear:</u>	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.

8167 **[Relocated from Sec. 3-33B.B.4.e.i. Dimensional Standards]**

8168 **3-D-T.8.c. LA RF Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

8169 **4. ~~Lake Asbury Rural Fringe (LA RF) Land Use~~**

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

Part D Zoning Districts and Development Standards

8170 ~~The Base Zoning is LA-RF, permitting single family, detached single family detached homes as a~~
 8171 ~~permitted use. All development must submit site plans for review to ensure conformance with design~~
 8172 ~~standards, and shall be bound by such site plans. Other Zoning Districts permitted in the LA-RF Land~~
 8173 ~~Use (consistent Zoning Districts) are PO-1, PO-2, PO-3, PO-4, PS-1, PS-2, PS-3, PS-4, and PS-5.~~
 8174 ~~[Deleted as this repeats Sec. 3-D-T.2.f. FLU Consistency]~~
 8175 ~~Densities shall be a maximum of 3 dwelling units per net acre and a minimum of one dwelling unit per~~
 8176 ~~net acre. All development is subject to the Lake Asbury Overlay Standards. [Relocated to Sec. 3-D-~~
 8177 ~~T.8.b. Development Standards]~~
 8178 ~~d. Prohibited Uses or Activities:~~
 8179 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted, consolidated under Part~~
 8180 ~~E, Division A]~~
 8181 ~~e. Dimensional Standards:~~
 8182 ~~i. Minimum Density: 1 unit per net acre.~~
 8183 ~~ii. Maximum Density: 3 units per net acre;~~
 8184 ~~iii. Minimum Lot Size: 6,000 square feet; 3,500 with rear alleys.~~
 8185 ~~iv. Minimum Lot Width at Building Line: 50 feet; 40 with rear alley easement.~~
 8186 ~~v. Minimum Front Setback: 10 feet for front porches; 15 for front façade~~
 8187 ~~vi. Minimum Side Setback: 5 feet.~~
 8188 ~~vii. Minimum Rear Setback: 10 feet; 14 with rear alleys.~~
 8189 ~~viii. Maximum Percent of Lot Coverage: 50 percent (total for all primary and accessory buildings~~
 8190 ~~[Relocated to 3-D-T.8.b. Development Standards]~~

Sec. 3-D-T.9. LA Activity Center (LA AC)

3-D-T.9.a. Description

8192 ~~This FLU category shall accommodate a range of activities from employment-based Office, large-scale~~
 8193 ~~Retail, Light Industrial, Civic, and Recreational uses, as well as Multi-Family housing. A higher standard of~~
 8194 ~~design, aesthetics, and environmental protection and enhancement will be emphasized in this category.~~
 8195 ~~The category is particularly intended to attract higher-intensity, design-unified corporate campuses that~~
 8196 ~~contain a concentration of different urban functions. The concentration of these multiple uses provides the~~
 8197 ~~opportunity for the efficient provision of public facilities. [Relocated from Sec. 3-33B.5.]~~
 8198

3-D-T.9.b. Land Use Mix

8200 ~~Land Use Mix. The quantification of uses shall comply with the following, not to exceed 100 percent of the~~
 8201 ~~total land area of an Activity Center:~~

<u>FLU Category:</u>	<i>Minimum</i>	<i>Maximum</i>
<u>Commercial</u>		
<u>Office, Business or Professional</u>	20 <u>percent</u>	65 <u>percent</u>
<u>Light Industrial</u>	0	40 <u>percent</u>
<u>Commercial:</u>		
<u>Retail Sales, General:</u>	10 <u>percent</u>	40 <u>percent</u>

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

Part D Zoning Districts and Development Standards

<i>Residential:</i>	<u>10 percent</u>	<u>25 percent</u>
<i>Civic <u>Space</u>/Parks:</i>	<u>5 percent</u>	<u>20 percent</u>

8202 **[Relocated from Sec. 3-33B.B.5.]**

8203 **3-D-T.9.c. Development Standards**

8204 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
8205 following minimum standards:

(1) <u>Maximum Intensity:</u>		
(a) <u>Residential Intensity:</u>	<u>Shall not apply to upper floor units in Non-Residential developments:</u>	<u>8 to 10 units per acre</u>
(b) <u>Non-Residential Intensity:</u>	<u>Overall maximum average of 60 percent: [Relocated from Sec. 3-33B.B.5.]</u>	<u>80 percent</u>
(2) <u>Minimum Lot Dimensions (Single-Family Attached):</u>		
(a) <u>Lot Size:</u>		<u>1,350 square feet</u>
(b) <u>Lot Width:</u>		<u>15 feet</u>
(c) <u>Lot Depth:</u>		<u>Not Applicable</u>
(d) <u>Maximum Lot Coverage:</u>		<u>80 percent</u>
(3) <u>Minimum Lot Dimensions (Multi-Family):</u>		
(a) <u>Lot Size:</u>		<u>Not Applicable</u>
(b) <u>Lot Width:</u>		<u>80 feet</u>
(c) <u>Lot Depth:</u>		<u>Not Applicable</u>
(d) <u>Maximum Lot Coverage:</u>		<u>80 percent</u>
(4) <u>Minimum Setbacks (Principal Structure):</u>		
(a) <u>Front:</u>		<u>15 feet^{1,2}</u>
(b) <u>Side:</u>		<u>5 feet</u>
(c) <u>Rear:</u>		<u>14 feet</u>
(5) <u>Minimum Setbacks (Accessory Structure):</u>		
(a) <u>Front:</u>		<u>30 feet³</u>
(b) <u>Side:</u>		<u>5 feet</u>
(c) <u>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.

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

Part D Zoning Districts and Development Standards

8206 [Relocated from Sec. 3-33B.B.5.d. Dimensional Standards]

8207 **3-D-T.9.d. LA AC Uses**

(1)	<u>Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
(2)	<u>Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
(3)	<u>Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
		<u>Refer to Sec. 3-E-J. Temporary Uses</u>
		<u>Refer to Sec. 3-F-H. Accessory Structures</u>

8208 **~~5. Lake Asbury Activity Center (LA AC) Land Use~~**

8209 ~~The Base Zoning is LA AC, permitting the following uses: residential, office, retail commercial, or~~
 8210 ~~light industrial. Other Zoning Districts permitted in the LA AC Land Use category (consistent Zoning~~
 8211 ~~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~~
 8212 ~~development approved, by rezoning to PUD, for lands within the LA AC land use designation, is~~
 8213 ~~encouraged. [Deleted as this repeats Sec. 3-D-T.2.f. FLU Consistency]~~

8214 ~~This land use category will accommodate a range of activities from employment based office, large-~~
 8215 ~~scale Retail, light industrial, civic, and recreational uses, as well as multi-family housing. A higher~~
 8216 ~~standard of design, aesthetics and environmental protection and enhancement will be emphasized~~
 8217 ~~in this category. The category is particularly intended to attract higher intensity, design-unified~~
 8218 ~~corporate campuses that contain a concentration of different urban functions. The concentration~~
 8219 ~~of these multiple uses provides the opportunity for the efficient provision of public facilities.~~

8220 **[Relocated to Sec. 3-D-T.9.a. Description]**

8221 ~~The quantification of uses shall be consistent with the ranges identified in the following table:~~

Land Use Sub-Category	Minimum Required (Acres)	Maximum Permitted (Acres)
Activity Center		
<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>

8222 **[Relocated to Sec. 3-D-T.9.b. Land Use Mix]**

8223 ~~Project residential density shall be between eight and 10 units per acre, not applicable to upper floor~~
 8224 ~~units in non-residential developments. Projects utilizing additional density associated with dedication of~~
 8225 ~~wetland-upland buffer and/or environmentally significant lands, as described in paragraph 4 of~~

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

Part D Zoning Districts and Development Standards

8226 ~~Subsection D, shall be allowed a density of up to 24 units per net acre. The maximum floor area ratio~~
 8227 ~~(FAR) for each non-residential development shall not exceed 80%, with an overall average not to~~
 8228 ~~exceed 60%. [Relocated to Sec. 3-D-T.9.c. Development Standards]~~
 8229 ~~d. Dimensional Requirements (residential):~~
 8230 ~~i. Minimum Lot Size: 1,350 for single-family attached units.~~
 8231 ~~ii. Minimum Lot Width: 15 for single-family attached units, 80 for multi-family structures.~~
 8232 ~~iii. Minimum Front Setback: 15 feet for single-family attached, 5 feet for others.~~
 8233 ~~iv. Maximum Front Setback: 25 feet.~~
 8234 ~~v. Minimum Side Setback: 5 feet~~
 8235 ~~vi. Minimum Rear Setback: 14 feet.~~
 8236 ~~vii. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory~~
 8237 ~~buildings)~~
 8238 ~~viii. Maximum Lot Area: 20,000 square feet [Relocated to Sec. 3-D-T.9.c. Development~~
 8239 ~~Standards]~~

Sec. 3-D-T.10. LA Village Center (LA VC)

3-D-T.10.a. Description

8241 *Village Centers shall serve as the mixed-use focal point and central place of a village, and shall provide*
 8242 *community shopping and Parks arranged in a walkable and human-scale manner. New Private or Public*
 8243 *Schools are encouraged to locate close to or adjacent to Village Centers. The Retail and Office component*
 8244 *is limited to small-scale uses, except for stand-alone grocery stores and drug stores.*
 8245 **[Relocated from Sec. 3-33B.B.6.]**

3-D-T.10.b. Land Use Mix

8246 *The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total*
 8247 *land area of a VC. Residential uses are allowed in the form of small-lot Single-Family Detached*
 8248 *subdivisions, Single-Family Attached (townhouse), Multi-Family (apartment) and upper floor units above*
 8249 *Non-Residential uses. [Relocated from Sec. 3-33B.B.6]*

<u>FLU Sub-Category:</u>	<u>Minimum</u>	<u>Maximum</u>
Village Center	0	75 acres ¹
<u>Residential:</u>	25 percent	65 percent
<u>Commercial:</u>	0 percent	25 percent
<u>Office, Business and Professional</u>		
<u>Commercial:</u>	25 percent	65 percent
<u>Retail Sales, General</u>		
<u>Civic Space/Parks:</u>	10 percent	No Maximum

Footnote:

¹ Total acreage shall not include schools and Community Parks.

8250 **[Relocated from Sec. 3-33B.B.6.]**

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

Part D Zoning Districts and Development Standards

8253 **3-D-T.10.c. Development Standards**

8254 The principal building(s), accessory structure(s), and other uses shall be located so as to comply with the
 8255 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-T.14 Wetland and Upland Buffers and Intensity Transfer: [Relocated from Sec. 3-33B.B.6.]</u>	<u>70 percent</u>
<u>(2) Minimum Lot Dimensions (Single-Family Detached):</u>		
<u>(a) Lot Size:</u>		<u>2,925 square feet^[MK124]</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^{1,2}</u>
<u>Front (Single-Family Attached):</u>		<u>10 feet^{[MK125],2}</u>
<u>(b) Side:</u>		<u>5 feet</u>
<u>(c) Rear:</u>		<u>8 feet</u>
<u>(5) Minimum Setbacks (Accessory Structure):</u>		
<u>(a) Front:</u>		<u>30 feet³</u>
<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.

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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 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.

8256 **[Relocated from Sec. 3-33B.B.6.d. Dimensional Standards (residential)]**

8257 **(6) Additional Standards.**

8258 (a) **Maximum Number and Size.** A maximum of 10 Village Centers shall be allowed in the
8259 LAMPA. Village Center size may not be greater than 75 acres, with this figure not including
8260 Schools and Community Parks. **[Relocated from Sec. 3-33B.B.6.]**

8261 (b) **Location.** Village Centers shall be located around the intersections of roads classified as
8262 minor collector and above. **[Relocated from Sec. 3-33B.B.6.]**

8263 (c) **Use Limitations.** Village Centers adjacent to the Rural Community may only include Private
8264 or Public Schools, Parks, and rural Commercial development, with individual buildings
8265 (excluding Schools) less than 5,000 square feet in size and total building area less than
8266 15,000 square feet. **[Relocated from Sec. 3-33B.B.6.]**

8267 (d) Open Space requirements may provide Park Space in the form of Civic Spaces, plazas,
8268 and urban Parks, as well as Community Parks. **[Relocated from Sec. 3-33B.B.6. Open
8269 Space]**

8270 **3-D-T.10.d. LA VC Uses**

(1) **Permitted and Conditional uses:** Refer to [Part E, Use Types and Standards](#)

(2) **Special Exception:** Refer to [Sec. E-X-X](#)

(3) **Accessory:** Refer to [Sec. 3-E-I. Accessory Uses](#)

Refer to [Sec. 3-E-J. Temporary Uses](#)

Refer to [Sec. 3-F-H. Accessory Structures](#)

8271 **6. ~~Lake Asbury Village Center (LA VC) Land Use~~**

8272 ~~The Base Zoning district is LA Village Center (LA VC). Other Zoning Districts permitted are PO-1, PO-~~
8273 ~~2, PO-3, PO-4, and PS-1, PS-2, PS-3, PS-4 and PS-5. **[Deleted as this repeats Sec. 3-D-T.2.f. FLU**~~
8274 ~~**Consistency]** Village Centers shall serve as the mixed-use focal point and central place of a village,~~
8275 ~~and shall provide community shopping and parks arranged in a walkable and human scale manner.~~
8276 ~~New elementary schools are encouraged to locate close to or adjacent to Village Centers. The retail~~
8277 ~~and office component is limited to small-scale uses, except for stand-alone grocery stores and drug~~
8278 ~~stores. **[Relocated to Sec. 3-D-T.10.a. Description]** Village Center size may not be greater than 75~~
8279 ~~acres, with this figure not including schools and community parks. **[Relocated to Sec. 3-D-T.10.c.(6)(a)**~~
8280 ~~**Development Standards, Additional Standards]** There shall be no more than ten Village Centers in~~
8281 ~~the LAMPA. **[Relocated to Sec. 3-D-T.10.c.(6)(a) Development Standards, Additional Standards]**~~
8282 ~~Village Centers must be located around the intersections of roads classified as minor collector and~~
8283 ~~above. **[Relocated to Sec. 3-D-T.10.c.(6)(b) Development Standards, Additional Standards]**~~
8284 ~~Residential uses are allowed in the form of small lot single family subdivisions, townhomes,~~
8285 ~~apartments, and upper floor units above nonresidential uses. **[Relocated to Sec. 3-D-T-10.c.**~~
8286 ~~**Development Standards]** Project residential density shall be between five (5) and ten (10) units per~~
8287 ~~acre for single family detached, single family attached and multi family, not applicable to upper floor~~
8288 ~~units in nonresidential developments. Projects utilizing additional density associated with wetland-~~

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

Part D Zoning Districts and Development Standards

8289 ~~upland buffer and/or environmentally significant land dedication, as described in paragraph 4 of~~
 8290 ~~Subsection D shall be allowed a density of up to sixteen (16) units per net acre. Nonresidential Project~~
 8291 ~~Floor Area Ratios shall not exceed 70%. Commercial uses must be in a compact, walkable form,~~
 8292 ~~accessible by sidewalk. [Relocated to/tabularized under Sec. 3-D-T-10.b. Development Standards]~~
 8293 ~~The Village Center shall be designed to provide connections to the surrounding pedestrian/bicycle path~~
 8294 ~~system and to integrate with the street network of surrounding neighborhoods. Open space~~
 8295 ~~requirements may provide park space in the form of civic spaces, plazas, and urban parks, as well as~~
 8296 ~~community parks. [Relocated to Sec. 3-D-T.10.c.(6)(d) Development Standards, Additional~~
 8297 ~~Standards]Civic Space]~~
 8298 ~~The quantification of uses shall be consistent with the ranges identified in the following table:~~
 8299 ~~[Relocated to Sec. 3-D-T.10.b. Land Use Mix]~~

Land Use Sub-Category	Minimum Required (Acres)	Maximum Permitted (Acres)
<i>Village Center</i>		
<i>Residential</i>	25%	65%
<i>Office</i>	0%	25%
<i>Commercial/Retail</i>	25%	
<i>Commercial/Retail</i>	25%	65%
<i>Civic, Public Parks</i>	10%	No Max

8300 **[Relocated to Sec. 3-D-T.10.b. Land Use Mix]**
 8301 ~~Village Centers adjacent to the Rural Community may only include elementary schools, parks, and rural~~
 8302 ~~commercial development, with individual buildings (excluding schools) less than 5,000 square feet in~~
 8303 ~~size and total building area less than 15,000 square feet. [Relocated to Sec. 3-D-T.10.c.(6)(c)~~
 8304 ~~Development Standards, Additional Standards]~~
 8305 ~~c.—Uses Not Permitted.~~
 8306 ~~Any use not allowed in a. or b. above. [Deleted as it is addressed in Part E, Division A]~~
 8307 ~~d.—Dimensional Requirements (residential):~~
 8308 ~~i.—Minimum Lot Size: 960 square feet for single family attached units.~~
 8309 ~~ii.—Minimum Lot Width: 15 feet for single family attached units, 80 for multifamily structures.~~
 8310 ~~iii.—Minimum Front Setback: 15 feet for single family detached units, 10 feet for single family~~
 8311 ~~attached units, 5 feet for others.~~
 8312 ~~iv.—Maximum Front Setback: 25 feet.~~
 8313 ~~v.—Minimum Side Setback: 5 feet~~
 8314 ~~vi.—Minimum Rear Setback: 8 feet~~
 8315 ~~vii.—Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory~~
 8316 ~~buildings)~~
 8317 ~~viii.—Maximum Lot Area: 20,000 square feet. [Relocated to Sec. 3-D-T.10.c. Development~~
 8318 ~~Standards]~~

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

Part D Zoning Districts and Development Standards

8319 Sec. 3-D-T.11. LA Interchange Village Center (LA IVC)

8320 3-D-T.11.a. Description

8321 *LA IVC shall serve as an access point to the First Coast Expressway and, at the same time, serve as a -*
 8322 *Mixed-Use Center of a village. LA IVC shall provide regional and community needs. Light Industrial, Office,*
 8323 *and shopping uses in this district are vital. Local Parks and Private or Public Schools may be considered*
 8324 *in this District and shall be arranged in a walkable and human-scale manner. [Relocated from Sec. 3-*
 8325 *33B.B.7.]*

8326 3-D-T.11.b. Land Use Mix

8327 *The quantification of land use mix shall comply with the following, not to exceed 100 percent of the total*
 8328 *land area of an IVC. [Relocated from Sec. 3-33B.B.7]*

<u>FLU Sub-Category:</u>	<u>Minimum</u>	<u>Maximum</u>
<u>Residential:</u>	10 <u>percent</u>	65 <u>percent</u>
<u>Commercial:</u>		
<u>Office, Business and Professional</u>	10 <u>percent</u>	25 <u>percent</u>
<u>Commercial:</u>		
<u>Retail Sales, General</u>	5 <u>percent</u>	65 <u>percent</u>
<u>Light Industrial:</u>	0 <u>percent</u>	No <u>Maximum</u>
<u>Civic Space/Parks:</u>	10 <u>percent</u>	No <u>Maximum</u>

Footnote:

1 Total acreage shall not include schools and Community Parks.

8329 **[Relocated from Sec. 3-33B.B.7.]**

8330 3-D-T.11.c. Development Standards

8331 *The principal structure(s) and/or accessory structure(s) shall comply with the standards as set forth in the*
 8332 *LA VC Development Standards, refer to Sec. 3-D-T.10.c.*

8333 3-D-T.11.d. LA IVC Uses

<u>(1) Permitted and Conditional uses:</u>	<u>Refer to Part E, Use Types and Standards</u>
<u>(2) Special Exception:</u>	<u>Refer to Sec. E-X-X</u>
<u>(3) Accessory:</u>	<u>Refer to Sec. 3-E-I. Accessory Uses</u>
	<u>Refer to Sec. 3-E-J. Temporary Uses</u>
	<u>Refer to Sec. 3-F-H. Accessory Structures</u>

8334 ~~7. Lake Asbury Interchange Village Center (LA IVC) Land Use~~

8335 ~~The Base Zoning district is LA IVC. LA IVC shall serve as an access point to the First Coast~~
 8336 ~~Expressway and, at the same time, serve as a mixed use center of a village. LA IVC shall provide~~

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

Part D Zoning Districts and Development Standards

8337 ~~regional and community needs. Light industrial, office, and shopping uses in this district are vital. Local~~
8338 ~~parks and elementary schools may be considered in this district and shall be arranged in a walkable~~
8339 ~~and human scale manner.~~ [Relocated to Sec. 3-D-T.11.a. Description]

8340 ~~All development standards shall be consistent with the LA VC requirements if it is not illustrated in this~~
8341 ~~section. The quantification of uses shall be consistent with the ranges identified in the following~~
8342 ~~table~~ [Relocated to Sec. 3-D-T.11.b. Land Use Mix]

Land Use Sub Category	Minimum Required (acres)	Maximum Permitted (acres)
Interchange Village Center		
Residential	10%	50%
Office	10%	No Max
Commercial/Retail	5%	40%
Light Industrial	0%	No Max
Civic/Public Parks	10%	No Max

8343 [Relocated to Sec. 3-D-T.11.b. Land Use Mix]

8344 Sec. 3-D-T.12. LA Solite (LA SOL)

8345 3-D-T.12.a. Description

8346 The Solite FLU category shall be that property known as the Solite site, located on the north side of CR
8347 209, east of CR 209B. This property is under Federal EPA Administrative Order on Consent US EPA Docket
8348 # 95-05-Rs. 3008(h) of RCRA as amended, 42 USC § 6928(h)., Effective Date September 13, 1996. The
8349 underlying FLU of LA SOL is Mining. [Relocated from Sec. 3-33B.B.III.8]

8350 3-D-T.12.b. Intensity

8351 The Board of County Commissioners may consider granting an intensity a maximum of 3 units per net acre
8352 if a binding commitment to remediate this site is proffered by the owner and applicant. [Relocated from
8353 Sec. 3-33B.B.III.8.]

8354 3-D-T.12.c. LA SOL Uses

- | | |
|--|--|
| (1) <u>Permitted and Conditional uses:</u> | <u>Refer to Part E, Use Types and Standards</u> |
| (2) <u>Special Exception:</u> | <u>Refer to Sec. E-X-X</u> |
| (3) <u>Accessory:</u> | <u>Refer to Sec. 3-E-I. Accessory Uses</u> |
| | <u>Refer to Sec. 3-E-J. Temporary Uses</u> |
| | <u>Refer to Sec. 3-F-H. Accessory Structures</u> |

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

Part D Zoning Districts and Development Standards

8355 ~~10. Solite (LA SOL)~~

8356 ~~The Solite land use overlay category shall be that property known at the Solite site, located on the north~~
8357 ~~side of CR 209, east of CR 209B. This property is under Federal EPA Administrative Order on Consent~~
8358 ~~US EPA Docket # 95-05-Rs. 3008(h) of RCRA as amended, 42 USC § 6928(h), Effective Date~~
8359 ~~September 13, 1996. [Relocated to Sec. 3-D-T.12.a. Description]~~

8360 ~~The Board of County Commissioners will consider granting a density not to exceed 3 units per net acre~~
8361 ~~if a binding commitment to remediate this site is proffered by the owner and applicant.~~

8362 ~~[Relocated to Sec. 3-D-T.12.b. Intensity]~~

8363 ~~Development under such a commitment shall meet the standards applicable to the Lake Asbury Master~~
8364 ~~Planned Community land use category. [Relocated to Sec. 3-D-T.12.e. Development Standards]~~

8365 ~~The underlying land use is Mining, [MK126]~~

8366 ~~[Relocated to Sec. 3-D-T.12.a. Description]~~

8367 Sec. 3-D-T.13. LA Greenway (LA GW)

8368 3-D-T.13.a. Description

8369 *The Asbury Greenway FLU category includes most creeks, streams, or riverbanks, major drainageways,*
8370 *major wetlands, floodways, and associated upland buffers within the LAMPA that, when combined with the*
8371 *Greenbelt Zoning Overlay produces a wildlife corridor continuing throughout the LAMPA. The intent of the*
8372 *Greenway is to protect drainage systems and headwaters of the regional tributaries. [Relocated from Sec.*
8373 *3-33B.B.8.]*

8374 3-D-T.13.b. Development Standards

8375 *Development within the Greenway shall be limited to the following:*

8376 *(1) passive Recreational facilities such as: pedestrian walkways, bicycle paths, boardwalks, and docks*
8377 *built for water access;*

8378 *(2) fences may be allowed to protect habitat areas and similar uses from which minimal adverse effects*
8379 *to the network would result; [Relocated from Sec. 3-33B.B.8.]*

8380 *(3) road crossings not shown on the adopted plan where no other practical alternatives exist;*

8381 *(4) excavation of stormwater management systems when accompanied by the dedication of additional*
8382 *land that is generally equivalent in quality and quantity for Conservation;*

8383 *(5) underground utilities and drainage conveyances excluding retention ponds; and*

8384 *(6) vertical development may be allowed only in cases where there is no net loss of wetlands and*
8385 *where additional uplands are added. The quantity of upland additions to the Greenway shall exceed*
8386 *50 percent of impacted wetlands. Changes to the Greenway boundary shall be approved by the*
8387 *Board of County Commissioners.*

8388 ~~[Relocated from Sec. 3-33B.B.8.]~~

8389 ~~8. Lake Asbury Greenway (LA GW) Land Use~~

8390 ~~The Asbury Greenway land use category includes most creeks, streams, or riverbanks, major~~
8391 ~~drainageways, major wetlands, floodways, and associated upland buffers within the LAMPA that,~~
8392 ~~when combined with the Greenbelt Zoning Overlay produces a wildlife corridor continuing~~
8393 ~~throughout the LAMPA. The Asbury Greenway land use and Greenbelt Zoning Overlay that make~~
8394 ~~up the conservation network will interconnect natural resources throughout the LAMPA, protecting~~

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

Part D Zoning Districts and Development Standards

8395 ~~drainage systems and headwaters of the regional tributaries.~~ [Relocated to Sec. 3-D-T.13.a.
8396 Description]

8397 ~~Development within this network shall be limited to passive recreational facilities pedestrian~~
8398 ~~walkways, bicycle paths, boardwalks, docks built for water access, fences necessary to protect~~
8399 ~~habitat areas, and similar uses from which minimal adverse effects to the network would result.~~
8400 ~~Impacts to the network may also include road crossings not shown on the adopted plan where no~~
8401 ~~other practical alternatives exist, excavation of stormwater management systems when~~
8402 ~~accompanied by the dedication of additional land that is generally equivalent in quality and quantity~~
8403 ~~for conservation, and construction of the passive recreational facilities identified above.~~
8404 ~~Underground utilities and drainage conveyances excluding retention ponds are allowed.~~
8405 [Relocated to Sec. 3-D-T.13.b. Development Standards]

8406 ~~Greenway impacts to accommodate vertical development are allowed only in cases where there is~~
8407 ~~no net loss of wetlands and where additional uplands are added. The quantity of upland additions~~
8408 ~~to the Greenway shall exceed 50% of impacted wetlands. Changes to the Greenway boundary~~
8409 ~~must be approved by the Board of County Commissioners.~~ [Relocated to Sec. 3-D-T.13.b.
8410 Development Standards]

8411 Sec. 3-D-T.14. LA Wetland-Upland Buffers

8412 3-D-T.14.a. Wetland - Upland Buffers

8413 Buffers shall meet standards set forth in [Article 6 Tree Ordinance](#), with the following additional standards:
8414 (1) Wetland-Upland Buffers. Natural water bodies and major drainage features within the LAMPA shall
8415 be protected through required wetland-upland buffers. These buffers shall be protected by
8416 conservation easements that are dedicated to the St. Johns River Water Management District, the
8417 Florida Fish and Wildlife Conservation Commission, an established private non-profit land trust or
8418 the County. [Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]
8419 (2) Deeds. These lands shall be deeded to one of these agencies, the homeowners' association, or
8420 retained by the landowner or developer, but shall not be deeded to individual homeowners.
8421 [Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]
8422 (3) Limited Crossings. Crossings of the wetland-upland buffers are permitted for roadways, utility
8423 crossings, trails and pathways, and drainage outfalls, all subject to agency permitting. No wetland-
8424 upland buffer is required between jurisdictional wetlands and road crossings, public infrastructure,
8425 utility crossings, wetlands impacts permitted by State and Federal regulatory agencies nor berms
8426 associated with stormwater ponds. [Relocated from Sec. 3-33B.D.1.a. Wetland-Upland Buffers]
8427 (4) LA Greenway. In addition to the wetland-upland buffers for jurisdictional wetlands as required by
8428 other regulatory agencies, wetland-upland buffers shall be required for certain creeks within the
8429 Asbury Greenway as follows, where the offset distance is defined as the perpendicular distance
8430 from the established jurisdictional wetland line: [Relocated from Sec. 3-33B.D.1.a. Wetland-
8431 Upland Buffers]

Creek	Average Buffer <u>Width</u>	Minimum Buffer <u>Width</u>
<i>Black Creek (northern LAMPA boundary)</i>	100 feet	50 feet

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

Part D Zoning Districts and Development Standards

<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

8432 (a) Buffer Width Reduction. ~~Creek tributary buffer width may be adjusted and transitioned~~
 8433 ~~between the average and minimum width as set forth in Subsection (4) above . The 30-~~
 8434 ~~foot standard at a decreasing buffer width rate not to exceed 15 linear feet for each foot of~~
 8435 ~~buffer width.~~

8436 Example: A 30-foot buffer at 75 feet in length can be reduced down to 25 feet. [MK127]

3-D-T.14.b. Intensity Transfer

8438 Refer to the following Intensity Bonus Programs:

- 8439 (1) [Sec. 3-C-C.7.b. Wetland-Upland Buffers;](#)
- 8440 (2) [Sec. 3-C-C.7.c. Upland Preservation; and](#)
- 8441 (3) [Sec. 3-C-C.7.d. Upland Preservation Area Identification.](#)

~~D. ENVIRONMENTAL AND OPEN SPACE CRITERIA~~

8443 ~~1. Buffers. Buffers shall meet standards set forth in the Tree and Landscape Ordinance, with the following~~
 8444 ~~additional requirements.~~

8445 ~~a. Wetland-Upland Buffers. Natural water bodies and major drainage features within the LAMPA shall~~
 8446 ~~be protected through required wetland-upland buffers as depicted in the following table. These~~
 8447 ~~buffers shall be protected by conservation easements that are dedicated to the St. Johns River~~
 8448 ~~Water Management District, the Florida Fish and Wildlife Conservation Commission, an~~
 8449 ~~established private non-profit land trust or the County. [Relocated to Sec. 3-D-T.14.a.(1) Wetland~~
 8450 ~~- Upland Buffers]~~

8451 ~~These lands shall be deeded to one of these agencies, the homeowners' association, or retained~~
 8452 ~~by the landowner or developer, but shall not be deeded to individual homeowners. [Relocated to~~
 8453 ~~Sec. 3-D-T.14.a.(2) Deeds]~~

8454 ~~Crossings of the wetland-upland buffers are permitted for roadways, utility crossings, trails and~~
 8455 ~~pathways, and drainage outfalls, all subject to agency permitting. No wetland-upland buffer is~~
 8456 ~~required between jurisdictional wetlands and road crossings, public infrastructure, utility crossings,~~
 8457 ~~wetlands impacts permitted by State and Federal regulatory agencies nor berms associated with~~
 8458 ~~stormwater ponds. [Relocated to Sec. 3-D-T.14.a.(3) Limited Crossings]~~

8459 ~~In addition to the wetland-upland buffers for jurisdictional wetlands as required by other regulatory~~
 8460 ~~agencies, wetland-upland buffers shall be required for certain creeks within the Asbury Greenway~~
 8461 ~~as follows, where the offset distance is defined as the perpendicular distance from the established~~
 8462 ~~jurisdictional wetland line:~~

8463

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

Part D Zoning Districts and Development Standards

<i>Creek</i>	<i>Average Buffer</i>	<i>Minimum Buffer</i>
<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>

8472 **[Relocated to Sec. 3-D-T.14.a.(4) LA Greenway]**
8473 ~~Creek tributary buffer width shall transition between the widths listed above and the 30-foot~~
8474 ~~standard at a decreasing buffer width rate not to exceed 15 linear feet for each foot of buffer width.~~
8475 **[Relocated to Sec. 3-D-T.14.a.(4)(a) LA Greenway]**
8476 ~~Allowable density shall be calculated for the acreage of lands protected in the wetland upland~~
8477 ~~buffers. For wetland upland buffers located in the Asbury Greenway, density shall be based on~~
8478 ~~the adjacent land use designation. Said density may be applied to residential development within~~
8479 ~~the limits as shown on a preliminary plan which includes that portion of the Greenway. Total~~
8480 ~~density, including density from wetland upland buffers located within the Greenway, shall not~~
8481 ~~exceed the maximum density established by land use category as shown in LA FLU Policy 1.4.1~~
8482 ~~of the 2040 Comprehensive Plan. [Relocated to Sec. 3-D-T.14.b. Intensity Transfer and defer~~
8483 ~~to Sec. 3-C-C.7.b Wetland-Upland Buffers~~
8484

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

8485 DIVISION A GENERAL STANDARDS

8486 Sec. 3-E-A.1. Purpose and Intent

8487 The purpose and intent of this Division is to provide a description of types of use, establish development
8488 standards, and identify where such use is allowed, and subject to what type of application process.

8489 3-E-A.1.a. Organization

8490 The types of use are organized to be consistent with the FLU category and/or zoning district, as follows:

- 8491 (1) Agricultural;
- 8492 (2) Residential;
- 8493 (3) Commercial;
- 8494 (4) Recreational;
- 8495 (5) Transportation;
- 8496 (6) Institutional/Public and Private Facilities (includes Communications Tower);
- 8497 (7) Industrial/Excavation;
- 8498 (8) Accessory Uses/Structures; and
- 8499 (9) Temporary Uses/Structures.

8500 3-E-A.1.b. Application Process

8501 A Use Matrix is established for each use category and identifies the use approval process in standard
8502 zoning districts, planned development districts, and the Master Planned Communities. Application
8503 processes are:

- 8504 (1) Permitted Use (P);
- 8505 (2) Conditional Use (C);
- 8506 (3) Special Exception Use (S_[MK129]); and
- 8507 (4) Accessory Use (A).

8508 3-E-A.1.c. Development or Additional Standards

8509 Each type of use includes a description and development standards specific to the use.

8510 3-E-A.1.d. Other Development and Design Standards

8511 Where applicable, all types of uses shall comply with the following development and design standards:

<u>Architectural Design Guidelines:</u>	<u>Part F, Division F Architectural Design Guidelines</u>
<u>Exterior Lighting:</u>	<u>Part F, Division G Exterior Lighting</u>
<u>Accessory Structures:</u>	<u>Part F, Division H Accessory Structures</u>
<u>Landscaping:</u>	<u>Article 6, Tree Ordinance</u>
	<u>Part F, Division I Landscaping</u>
<u>Parking:</u>	<u>Article 8, Design and Improvement Standards</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Part F, Division J Parking

8512 Sec. 3-E-A.2. Determination of Use Types

8513 3-E-A.2.a. Principal Use

8514 A Principal use, as defined in [Sec. 1-15.P.\(29\)](#), is only listed in the Use Matrix. Collocated or Accessory
8515 uses to a Principal use may be allowed and are identified in the Supplementary Use Standards of each use
8516 type.

8517 3-E-A.2.b. Collocated Use

8518 A Collocated use, as defined in [Sec. 1-15.C.\(18\)](#), may only be allowed if the Principal use is allowed in that
8519 zoning district, and shall comply with the same approval process and development standards of the
8520 Principal use.

8521 3-E-A.2.c. Accessory Use

8522 An Accessory use, as defined in [Sec. 1-15.A.\(9\)](#), may only be allowed in a zoning district, unless specified
8523 in the Specific Use Standards of the Principal use. Additional use standards for Accessory and Temporary
8524 structures are included in [Part F, Division H](#).

8525 3-E-A.2.d. Unlisted Use

8526 A use that is not listed in Part E of this Code shall be subject to the determination by the Planning or Zoning
8527 Director, or his/her designee. The Director may allow the use as requested by the applicant to follow one
8528 of the processes set forth in [Article 2 Procedures for Development Review](#), and may determine whether the
8529 use is an intensity and nature that will cause incompatibility and significantly adverse the impacts to the
8530 surrounding properties and/or communities.

8531 If the proposed use is determined to be most closely related to an established use within [Part E Use Types](#)
8532 and [Standards](#), then the use is permitted and shall follow the development standards most closely related
8533 to the established use.

8534 If the proposed use does meet the description of an established use, then the use shall be prohibited in
8535 addition to those uses explicitly stated as prohibited in [Sec. 3-E-A.3.b. Specific Prohibited Use or Activity](#).

8536 Sec. 3-E-A.3. Prohibited Use or Activity

8537 3-E-A.3.a. Specific Prohibited Use or Activity

8538 Prohibited uses or activities shall not be permitted in a specific zoning district, as follows:

<u>Zoning District</u>	<u>Uses, Activities or Structures</u>
<u>All districts</u>	<u>(1) <i>Any use or activity which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust, fumes, vibration or light, and which would be detrimental to other surrounding properties or to the</i></u>

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Part E Use Types and Regulations

		welfare and health of the citizens in the area. [Relocated from Sec. 3-13.(d)(2) Uses Not Permitted, AR]
	(2)	Any <u>Agricultural</u> pursuit as a <u>Commercial</u> venture or enterprise or the keeping or maintaining of any animal, reptile or rodent, as a <u>Commercial</u> venture or enterprise.
<u>AR-1, AR-2, BF RS:</u>	(3)	Any <u>Commercial</u> <u>Agricultural</u> pursuit or the breeding, raising, grazing, or keeping of animals, fowl, and insects.
	(4)	Boat piers and slips for <u>Commercial</u> docking of watercraft.
	(5)	Mobile <u>Homes</u> . [Relocated from Sec. 3-14.(e) and 3-15.(e) Uses Not Permitted]
<u>PS-2:</u>	(6)	With respect to <u>Assembly, Non-Profit or Membership</u> , any activity not permitted under Section 501 (C)(3) of the Internal Revenue Code, private ownership of homes, or sale or service of alcoholic beverages. [Relocated from Sec. 3-39.(d).(2)]
<u>Wells Road:</u>	(7)	Large lounges <u>are prohibited</u> on any parcel of land <u>as set forth in Sec. 3-D-Q.4. Wells Road Special Regulations</u> . [Relocated from Sec. 3-47.(d) Prohibited Use.]

8539 Sec. 3-E-A.4. Process Threshold

8540 Any use that is subject to a Special Exception approval process but with a proposed lesser intensity and
 8541 meets all the standards as set forth in the Specific and/or Additional Use Standards may proceed with a
 8542 Conditional Use approval process.

8543 Sec. 3-E-A.5. Use Standards

8544 The purpose of the development standards for specific types of use is to address compatibility issues with
 8545 the surrounding land uses by regulating the proposed intensity, setback, height and mass of buildings or
 8546 structures; and determine the ratio of developable areas versus wetland-upland open spaces.

8547 **Sec. 3-13.(d) AR Uses Not Permitted.**

8548 ~~(1) Any use not allowed in (b) or (c) above.~~
 8549 ~~(2) Any use or activity which would create any obnoxious, corrosive, or offensive noise, gas, odor,~~
 8550 ~~smoke, dust, fumes, vibration or light, and which would be detrimental to other surrounding~~
 8551 ~~properties or to the welfare and health of the citizens in the area. **[Relocated to Sec. 3-E.A.3.a.**~~
 8552 ~~**Specific Prohibited Use or Activity]**~~

8553 **Sec. 3-14.(e) AR-1 Uses Not Permitted.**

8554 ~~(1) Any use or activity not permitted in (b), (c), or (d) above.~~
 8555 ~~(2) Any use or activity which would create any obnoxious, corrosive, or offensive noise, gas, odor,~~
 8556 ~~smoke, dust, fumes, vibration or light, and which would be detrimental to other surrounding~~
 8557 ~~properties or to the welfare and health of the citizens in the area.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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- 8558 (3) ~~Any agricultural pursuit as a commercial venture or enterprise or the keeping or maintaining of any~~
8559 ~~animal, reptile or rodent, as a commercial venture or enterprise.~~
8560 (4) ~~Boat piers and slips for commercial docking of watercraft.~~
8561 (5) ~~Mobile homes and house trailers.~~ [Relocated to/consolidated in Sec. 3-D-A.3. Prohibited Use
8562 or Activity]
8563 (6) ~~Any agricultural pursuit or the breeding, raising, grazing, or keeping of animals, fowl, and insects~~
8564 ~~on property located at a distance greater than one hundred (100) feet measured from the nearest~~
8565 ~~property line of the parcel upon which the main residence is located.~~ [Relocated to/consolidated
8566 in Sec. 3-E-A.3. Specific Prohibited Use or Activity]

8567 **Sec. 3-15.(e) AR-2 Uses Not Permitted.**

- 8568 (1) ~~Any use or activity not permitted in (b), (c), or (d) above.~~
8569 (2) ~~Any use or activity which would create any obnoxious, corrosive, or offensive noise, gas, odor,~~
8570 ~~smoke, dust, fumes, vibration or light, and which would be detrimental to other surrounding~~
8571 ~~properties or to the welfare and health of the citizens in the area.~~
8572 (3) ~~Any agricultural pursuit as a commercial venture or enterprise or the keeping or maintaining of any~~
8573 ~~animal, reptile or rodent, as a commercial venture or enterprise.~~
8574 (4) ~~Boat piers and slips for commercial docking of watercraft.~~
8575 (5) ~~Mobile homes and house trailers.~~
8576 (6) ~~Any commercial agricultural pursuit or the breeding, raising, grazing, or keeping of animals, fowl,~~
8577 ~~and insects.~~ [Relocated to/consolidated in Sec. 3-E-A.3.a. Specific Prohibited Use or Activity]

8578 **Sec. 3-16.(d) RA Uses Not Permitted.**

- 8579 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8580 **Sec. 3-17.(d) RB Uses Not Permitted.**

- 8581 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8582 **Sec. 3-18.(d) RC Uses Not Permitted.**

- 8583 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8584 **Sec. 3-19.(d) RD Uses Not Permitted.**

- 8585 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8586 **Sec. 3-20.(d) RE Uses Not Permitted.**

- 8587 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8588 **Sec. 3-21.(d) RMHP Uses Not Permitted.**

- 8589 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8590 **Sec. 3-22.(d) BA-2 Uses Not Permitted.**

- 8591 (1) ~~Any use or activity not permitted in (b) or (c) above.~~ [Deleted]
8592 (2) ~~Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8593 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~

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8594 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3.a.
8595 **Specific Prohibited Use or Activity]**

8596 **~~Sec. 3-23.(d) BA-1 Uses Not Permitted.~~**

8597 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8598 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8599 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8600 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8601 **Specific Prohibited Use or Activity]**

8602 **~~Sec. 3-24.(d) BA Uses Not Permitted.~~**

8603 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8604 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8605 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8606 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8607 **Specific Prohibited Use or Activity]**

8608 **~~Sec. 3-25.(d) BB Uses Not Permitted.~~**

8609 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8610 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8611 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8612 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8613 **Specific Prohibited Use or Activity]**

8614 **~~Sec. 3-26.(d) BB-1 Uses Not Permitted.~~**

8615 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8616 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8617 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8618 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8619 **Specific Prohibited Use or Activity]**

8620 **~~Sec. 3-26.1.(d) BB-2 Uses Not Permitted.~~**

8621 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8622 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8623 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8624 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8625 **Specific Prohibited Use or Activity]**

8626 **~~Sec. 3-26.2.(d) BB-3 Uses Not Permitted.~~**

8627 ~~(1) Any use or activity not permitted in (b) or (c) above.~~ [Deleted]

8628 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8629 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8630 ~~welfare and health of the citizens in the area.~~ [Relocated to/consolidated in Sec. 3-E-A.3. a.
8631 **Specific Prohibited Use or Activity]**

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8632 **~~Sec. 3-26.3.(d) BB-4 Uses Not Permitted.~~**

8633 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8634 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8635 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8636 ~~welfare and health of the citizens in the area. [Relocated to/consolidated in Sec. 3-E-A.3. a.~~
8637 **Specific Prohibited Use or Activity]**

8638 **~~Sec. 3-26.4.(d) BB-5 Uses Not Permitted.~~**

8639 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8640 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8641 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8642 ~~welfare and health of the citizens in the area. [Relocated to/consolidated in Sec. 3-E-A.3. a.~~
8643 **Specific Prohibited Use or Activity]**

8644 **~~Sec. 3-27.(d) BSC Uses Not Permitted.~~**

8645 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8646 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8647 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8648 ~~welfare and health of the citizens in the area. [Relocated to/consolidated in Sec. 3-E-A.3. a.~~
8649 **Specific Prohibited Use or Activity]**

8650 **~~Sec. 3-28.(d) IS Uses Not Permitted.~~**

8651 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8652 **~~Sec. 3-29.(d) IA Uses Not Permitted.~~**

8653 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8654 ~~(2) Any use which would create any obnoxious, corrosive, or offensive noise, gas, odor, smoke, dust,~~
8655 ~~fumes, vibration or light, and which would be detrimental to other surrounding properties or to the~~
8656 ~~welfare and health of the citizens in the area. [Relocated to/consolidated in Sec. 3-E-A.3. a.~~
8657 **Specific Prohibited Use or Activity]**

8658 **~~Sec. 3-30.(d) IB Uses Not Permitted.~~**

8659 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8660 ~~Sec. 3-30.1.(f) BP Uses Not Permitted. Any use not specifically authorized in this section as a permitted~~
8661 ~~use or a conditional use is not permitted within lands zoned BP. [Deleted]~~

8662 **~~Sec. 3-33A.II.1.d. BF RS Prohibited Uses or Activities.~~**

8663 ~~i. Any use or activity not permitted in (b), (c), or (d) above.~~

8664 ~~ii. Any use or activity which would create any obnoxious, corrosive, or offensive noise, gas, odor,~~
8665 ~~smoke, dust, fumes, vibration or light, and which would be detrimental to other surrounding~~
8666 ~~properties or to the welfare and health of the citizens in the area.~~

8667 ~~iii. Any agricultural pursuit as a commercial venture or enterprise or the keeping or maintaining of any~~
8668 ~~animal, reptile or rodent, as a commercial venture or enterprise.~~

8669 ~~iv. Boat piers and slips for commercial docking of watercraft.~~

8670 ~~v. Mobile homes and house trailers.~~

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8671 ~~vi. Any commercial agricultural pursuit or the breeding, raising, grazing, or keeping of animals, fowl,~~
8672 ~~and insects. [Relocated to/consolidated in Sec. 3-E-A.3. a. Specific Prohibited Use or Activity]~~

8673 **Sec. 3-33A.II.2.d. MPC Prohibited Uses or Activities.**
8674 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted]~~

8675 **Sec. 3-33A.III.3.c. BF CC Prohibited Uses or Activities.**
8676 ~~i. Any use or activity not permitted in a. or b. above. [Deleted]~~

8677 **Sec. 3-33A.III.6.e. BF MU Prohibited Uses or Activities.**
8678 ~~i. Any use or activity not permitted in a, b, or c above. [Deleted]~~

8679 **Sec. 3-33B.B.1.d. LA MPC Prohibited Uses or Activities.**
8680 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted]~~

8681 **Sec. 3-33B.B.2.d. LA RRSV Prohibited Uses or Activities.**
8682 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted]~~

8683 **Sec. 3-33B.B.3.d. LA RRSV Prohibited Uses or Activities.**
8684 ~~i. Any use or activity not permitted in (a), (b), or (c) above. [Deleted]~~

8685 **Sec. 3-33B.B.4.c. LA RF Uses Not Permitted.**
8686 ~~i. Any use or activity not permitted in a. or b. above. [Deleted]~~

8687 **Sec. 3-33B.B.5.c. LA VC Uses Not Permitted.**
8688 ~~i. Any use or activity not permitted in a. or b. above. [Deleted]~~

8689 **Sec. 3-33B.B.5.c. LA IVC Uses Not Permitted.**
8690 ~~i. Any use or activity not permitted in a. or b. above. [Deleted]~~

8691 **Sec. 3-34.(d) PO-1 Uses Not Permitted.**
8692 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8693 **Sec. 3-35.(d) PO-2 Uses Not Permitted.**
8694 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8695 **Sec. 3-36.(d) PO-3 Uses Not Permitted.**
8696 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8697 **Sec. 3-37.(d) PO-4 Uses Not Permitted.**
8698 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

8699 **Sec. 3-39.(d) PS-2 Uses Not Permitted.**
8700 ~~(1) Any use or activity not permitted in (b) or (c) above. [Deleted]~~

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- 8701 ~~(2) With respect to **Retreat Centers**, any activity not permitted under Section 501 (C) (3) of the Internal~~
8702 ~~Revenue Code, private ownership of homes, or sale or service of alcoholic beverages. [Relocated~~
8703 ~~to Sec. 3-D-A.3.]~~
- 8704 ~~**Sec. 3-40.(d) PS 3 Uses Not Permitted.**~~
8705 ~~(1) Any use not allowed in paragraphs (b) or (c), above. [Deleted]~~
- 8706 ~~**Sec. 3-41.(d) PS 4 Uses Not Permitted.**~~
8707 ~~(1) Any use not allowed in paragraphs (b) or (c), above. [Deleted]~~
- 8708 ~~**Sec. 3-41.1.(d) PS 5 Uses Not Permitted.**~~
8709 ~~(1) Any use not allowed in paragraph (c)(1), (2) (3) or (4) above. [Deleted]~~
- 8710 ~~**Sec. 3-42.(d) Zone EX Uses Prohibited.**~~
8711 ~~(1) Any use not described herein, or as determined by the Planning and Zoning Department.~~
8712 ~~(Amended 2/03 Ord.03-20) [Deleted]~~
- 8713 ~~**Sec. 3-44.(d) Zone IN Uses Prohibited.**~~
8714 ~~(1) Any use not described under paragraphs (c) and (d) above as determined by the Planning and~~
8715 ~~Zoning Director or his designee. [Deleted]~~
- 8716 ~~**Sec. 3-45.(f) Zone CO Prohibited Uses.**~~
8717 ~~Any use not specifically permitted in paragraphs (c), (d) and (e) above. [Deleted.]~~
- 8718 ~~**Sec. 3-47.(d) Special Regulations for Wells Road Prohibited Uses. Large lounges are prohibited on any**~~
8719 ~~parcel of land to which this Section 3-47 is applicable under subsection (b). [Relocated to Sec. 3-E-A.3.~~
8720 ~~Prohibited Use or Activity]~~

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8721

DIVISION B AGRICULTURAL USES

8722

Sec. 3-E-B.1. Agricultural Uses

8723

All Agricultural uses within Clay County are identified in [Table 3-E-B.1.a. Agricultural Use Matrix](#) which only identifies those zoning districts or FLU categories where the Agricultural use is allowed subject to a Permitted use, Conditional use, or Special Exception use approval process based on the proposed intensity. Development standards specific to each use type shall be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning Director or his/her designee may allow a lesser permitted process of the application(s) and make a final decision of either approve or deny.

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Table 3-E-B.1.a. Agricultural Use Matrix – Standards Zoning Districts

	<u>AG</u>	<u>AR</u>	<u>AR-1</u>	<u>AR-2</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>RE</u>	<u>IA</u>	<u>PO-3</u>	<u>BB</u>	<u>BB-3</u>	<u>BB-4</u>
<u>Agricultural, Bona Fide</u>	P	P											
<u>Agricultural Sales and Services</u>	C								P			P	
<u>Agricultural Storage</u>	P	P								P			
<u>Agritourism</u>	C	C											
<u>Apiculture</u>	P	P	C	C	C	C	C	C					
<u>Aviculture</u>	C	C	C	C	C	C	C	C					
<u>Broiler House</u>	P												
<u>Commercial Feed Lot</u>	C												
<u>Plant Nursery, Retail Garden Center</u>	P	C										P	
<u>Plant Nursery, Wholesale</u>		C									P		P
<u>Equestrian Facilities</u>	C	C	C										
<u>Legend:</u> <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)													

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Part E Use Types and Regulations

8731

Table 3-E-B.1.b. Agricultural Use Matrix – Master Planned Communities

	<u>BF</u>										<u>LAMPA</u>					
	<u>RS</u>	<u>MPC NC</u>	<u>MPC Village Zone</u>	<u>MPC Suburban</u>	<u>RAC</u>	<u>RNC</u>	<u>CC</u>	<u>AC</u>	<u>IMU</u>	<u>MPC</u>	<u>RRSV</u>	<u>RC</u>	<u>RF</u>	<u>AC</u>	<u>VC</u>	<u>IVC</u>
<u>Agriculture, Bona Fide</u>																
<u>Agricultural Sales and Services</u>																
<u>Agricultural Storage</u>																
<u>Agritourism</u>																
<u>Apiculture</u>																
<u>Aviculture</u>	C															
<u>Broiler House</u>																
<u>Commercial Feed Lot</u>																
<u>Plant Nursery, Retail Garden Center</u>						C	P	C				C				
<u>Plant Nursery, Wholesale</u>								C				C				
<u>Equestrian Facility</u>	C															
<u>Legend:</u> <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)																

8732

Sec. 3-E-B.2. Agricultural, Bona Fide

8733

3-E-B.2.a. Description and Typical Uses

8734

A parcel dedicated for the Commercial Agricultural use of land such as, growing, cultivating, harvesting of agricultural crops and/or horticultural, dairy, forestry poultry, apiarian, and any form of farm products.

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8736

3-E-B.2.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot size:

1 acre [**Relocated from 3-12.(b)(2)**]

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	<u>(b) Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
		<u>Animal enclosure on lots < 1 acre²:</u>	<u>From any lot line:</u> <u>50 feet</u> [Relocated from 3-12.(b)(3)]
		<u>Animal enclosure on lots ≥ 1 acre:</u>	<u>From any lot line:</u> <u>150 feet</u>

Footnotes:

1 ~~Non-Commercial keeping and raising of horses, cattle, sheep, goats, swine, and other similar farm animals 6 months of age or older shall be permitted to be raised, grazed, kept or maintained. [Relocated from Sec. 3-13.(b)(2) and (3) Uses Permitted]~~

2 ~~Legal lots that are less than 1 acre shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to Sec. 3-B-6. Non-Conforming Uses.~~

- 8737 (2) Additional Use Standards:
- 8738 (a) Maximum Number of Animals: ~~2 farm animals per ½ acre of land. Also refer to Sec. 3-E-~~
- 8739 ~~B.2.b. Footnote 1 [Relocated from Sec. 3-13.(b)(3)]~~
- 8740 (b) Spraying. ~~Aerial spraying shall not be permitted.~~
- 8741 (c) Agricultural Storage. ~~Storage on the premises of the owner's or tenant's heavy equipment including, but not limited to, the following: bulldozers, road graders, front end loaders, backhoes, well drilling equipment, trucks (unlimited tonnage). [Relocated from Sec. 3-~~
- 8742 ~~12.(b)(5)]~~

8745 **3-E-B.2.c. Accessory or Collocated Uses**

Use

<u>Agricultural Storage (Indoor)</u>	<u>Refer to Sec. 3-E-B.4.</u>
<u>Agricultural Storage (Outdoor)</u>	<u>Refer to Sec. 3-E-B.4.</u>
<u>Agritourism</u>	<u>Refer to Sec. 3-E-B.5.</u>
<u>Keeping of Domesticated Animals</u>	<u>Refer to Sec. 3-E-I.7.</u>

8746 **Sec. 3-12.(b) Uses Permitted**

8747 ~~(2) For lots of greater than one (1) acre in size, [Relocated to Sec. 3-E-B.2.b.(1)(a) Minimum lot~~

8748 ~~size] permitted uses include general farming activities: dairying, forestry, greenhouses, livestock~~

8749 ~~raising, nurseries, poultry and egg production (excluding broilerhouse operations and mass~~

8750 ~~production egg laying), crop raising, horticulture, apiculture, pisciculture, and groves. [Deleted and~~

8751 ~~replaced with new definition in Sec. 3-E-B.2.a. Description and Typical Uses]~~

8752 ~~Agricultural accessory uses that are customary and incidental to principal agricultural use shall be~~

8753 ~~permitted as follows:~~

8754 ~~(i) Accessory buildings directly incidental to the agricultural pursuits listed above.~~

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8755 ~~(ii) — Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided~~
8756 ~~the structure does not exceed three thousand (3,000) square feet of gross floor area.~~

8757 ~~(iii) — Stand for the sale of products which are raised on the premises.~~

8758 **[Relocated 3-E-I.8. Accessory Uses and Structures]**

8759 ~~(5) — Storage on the premises of the owner's or tenant's heavy equipment including, but not limited to,~~
8760 ~~the following: bulldozers, road graders, front end loaders, backhoes, well drilling equipment, trucks~~
8761 ~~(unlimited tonnage). [Relocated to Sec. 3-E-B.2.b.(2) Additional Use Standards]~~

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

8762 ~~(b) — Uses Permitted.~~

8763 ~~(1) — Single family or mobile home dwelling with their customary accessory uses. [Relocated~~
8764 ~~permitted uses to Table 3-E-B.1. Agricultural Use Matrix]~~

8765 ~~(2) — For lots greater than one (1) acre in size, permitted uses include the non-commercial~~
8766 ~~keeping and raising of horses, cattle, sheep, goats, swine and other similar animals.~~
8767 ~~(amended 2/94 — Ord. 94-03) [Consolidated under to Sec. 3-E-B.2.b.(1)(d) Maximum~~
8768 ~~number of animals and Footnote 1]~~

8769 ~~(3) — For lots of one (1) acre or less in size, permitted uses include the non-commercial keeping~~
8770 ~~and raising of horses, cattle, sheep, swine, goats and other similar farm animals; provided,~~
8771 ~~however, that no more than two (2) horses, cattle, sheep, swine, goats and other large~~
8772 ~~farm animals six (6) months of age or older shall be permitted to be raised, grazed, kept or~~
8773 ~~maintained per one-half (1/2) acre of land. No animal pen, stall, stable, or other similar~~
8774 ~~animal enclosure shall be located nearer than fifty (50) feet to the property. (amended 2/94~~
8775 ~~— Ord. 94-03) [Consolidated under to Sec. 3-E-B.2.b.(1)(d) Maximum number of~~
8776 ~~animals and Footnote 1]~~

8777 ~~(4) — Agricultural accessory uses that are customary and incidental to principal agricultural use~~
8778 ~~shall be permitted as follows:~~

8779 ~~(i) — Accessory buildings directly incidental to the agricultural pursuits listed above.~~

8780 ~~(ii) — Sheds for the storage and repair of the owner's or tenant's farm equipment only,~~
8781 ~~provided the structure does not exceed three thousand (3,000) square feet of gross~~
8782 ~~floor area.~~

8783 ~~(iii) — Stand for the sale of products which are raised on the premises.~~

8784 **[Relocated 3-E-I.1. Accessory Use and Structure]**

8785 ~~(5) — General agricultural pursuits of a variety similar, but not limited to, truck gardens, forestry,~~
8786 ~~crop raising, horticulture, greenhouses, nurseries, groves, apiculture and pisciculture.~~
8787 **[Consolidated under Sec. 3-E-B.2. Agricultural, Bona Fide]**
8788

Sec. 3-E-B.3. Agricultural Sales and Services

3-E-B.3.a. Description and Typical Uses

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

8791 An establishment that is engaged in the sale and/or rental of Agriculture-related products, such as feed,
 8792 grain, tools, farm equipment and machinery, which includes but is not limited to tractors, harvesters, or
 8793 rotary tillers.

8794 **3-E-B.3.b. Specific Use Standards**

<u>(1)</u>	<u>Dimensional Use Standards:</u>		
	<u>(a)</u>	<u>Minimum Lot size:</u>	<u>1 acre</u>
	<u>(b)</u>	<u>Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
		<u>All structures unless stated otherwise:</u>	
		<u>Outdoor storage, repair service or display area on a lot < 1 acre¹:</u>	<u>From any lot line: 25 feet</u>
		<u>Outdoor storage, repair service or display area on a lot ≥ 1 acre:</u>	<u>From any lot line: 50 feet</u>

Footnote:

1 Legal lots that are less than 1 acre shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to [Sec. 3-B-6. Non-Conforming Uses.](#)

8795 (2) Additional Use Standards:
 8796 (a) Access. Vehicular access shall be from an arterial or collector street.^[EG130]
 8797 (b) Outdoor Storage. Outdoor storage visible from any Residential use shall be subject to the
 8798 specific screening standards in [Sec. 6-8.\(5\) Perimeter Buffers.](#)
 8799 (c) Repair Services. Repair or maintenance of farm equipment shall be permitted if the service
 8800 activities are carried out in an enclosed building or area.
 8801 (d) Buffer. No buffer shall be required when an Agricultural use is adjacent to another
 8802 Agricultural use.

8803 **3-E-B.3.c. Accessory or Collocated Uses**

Use

Agricultural Storage Refer to [Sec. 3-E-B.4.](#)

8804 ~~**Sec. 3-5(p) Commercial Feed Lots for Livestock.** Any facility of this type shall not be located closer than~~
 8805 ~~two thousand five hundred (2,500) feet to an existing residence other than the facility's owner. **[Deleted**~~
 8806 ~~**and replaced with new use description and standards under Sec. 3-E-B-3. Agricultural Sales and**~~
 8807 ~~**Services]**~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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Part E Use Types and Regulations

8808 Sec. 3-E-B.4. Agricultural Storage

8809 **3-E-B.4.a. Description and Typical Uses**

8810 Storage of Agriculture-related tools, machinery, materials, and products. Examples of Agricultural Storage
 8811 equipment includes, but is not limited to, the following: bulldozers, road graders, front end loaders,
 8812 backhoes, well drilling equipment, trucks (unlimited tonnage). [Relocated from Sec. 3-12.(b)(5) Uses
 8813 **Permitted]**

8814 **3-E-B.4.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot size:</u>	<u>5 acres</u>		
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>	
		<u>Outdoor storage area on lots < 5 acres¹:</u>	<u>From any lot line:</u>	<u>50 feet</u>
		<u>Outdoor storage area on lots ≥ 5 acres:</u>	<u>From any lot line:</u>	<u>100 feet</u>

Footnote:

1 Legal lots that are less than 5 acres shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to Sec. 3-B-6. Non-Conforming Uses.

8815 (2) Additional Use Standards:

- 8816 (a) Hazardous Material. The storage of hazardous materials shall comply with County, State
 8817 or Federal applications, where applicable.
 8818 (b) Sales. Sale of agricultural products, equipment and machinery shall be prohibited.
 8819 (c) Storage. Products and equipment shall be stored in an enclosed building and heavy
 8820 agricultural machinery and equipment may be stored outdoors subject to the following
 8821 standards:
 8822 i. Outdoor storage area adjacent to a public right-of-way or a property with
 8823 Residential use shall be screened from view. Screening shall include a 6-foot-high
 8824 opaque fence or wall with a 6-foot-high hedge along the entire perimeter of the
 8825 outdoor storage area, except where gates are located.
 8826 (d) Storage of Petroleum Products.
 8827 i. Petroleum used for heating and/or cooking not to exceed 500 gallons.
 8828 ii. Gasoline not to exceed 2,500 gallons, and fuel oil and tanks are designed for the
 8829 storing of these products. Storage tanks and equipment must meet or exceed all
 8830 standards of the State Fire Marshall and National Board of Fire Under writers

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

8831 Code. Wholesale or retail sale of any petroleum products is prohibited. [Relocated
 8832 from 3-12.(b)(4)(i) and (ii) Uses Permitted]
 8833 (e)[EG131] Parking. The parking of Commercial vehicles with a limit of 1 per acre shall be
 8834 allowed. [Relocated from 3-12.(b)(8) Uses Permitted]

8835 ~~Sec. 3-12.(b)(5) Uses Permitted. Storage on the premises of the owner's or tenant's heavy equipment~~
 8836 ~~including, but not limited to, the following: bulldozers, road graders, front end loaders, backhoes, well drilling~~
 8837 ~~equipment, trucks (unlimited tonnage).~~ [Relocated to Sec. 3-E-B.4.a. Description and Typical Uses]

~~3-12.(b)(4) Uses Permitted~~

8839 (4) ~~Storage of petroleum products.~~
 8840 (i) ~~Petroleum used for heating and/or cooking not to exceed 500 gallons.~~
 8841 (ii) ~~Gasoline not to exceed two thousand five hundred (2,500) gallons, and fuel oil and tanks~~
 8842 ~~are designed for the storing of these products. Storage tanks and equipment must meet or~~
 8843 ~~exceed all requirements of the State Fire Marshall and National Board of Fire Under writers~~
 8844 ~~Code. Wholesale or retail sale of any petroleum products is prohibited.~~ [Relocated to Sec.
 8845 3-E-B.4.(2)(d)(i) and (ii) Additional Use Standards]

8846 ~~Sec. 3-12.(b)(8) Uses Permitted. The parking of commercial vehicles with a limit of one (1) per acre.~~
 8847 [Relocated to 3-E-B.4.b.(2)(e) Additional Use Standards]

8848 Sec. 3-E-B.5. Agritourism

8849 3-E-B.5.a. Description and Typical Uses

8850 A farm or ranch for visitors to engage in Agriculture-based activities and educational opportunities that
 8851 support bona fide agricultural production and thus provide revenue.

8852 3-E-B.5.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot size:</u>		<u>5 acres</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
		<u>Animal enclosure on lots < 5 acres¹:</u>	<u>From any lot line: 50 feet</u>
		<u>Animal enclosure on lots ≥ 5 acres:</u>	<u>From any lot line: 150 feet</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

1 Legal lots that are less than 5 acres shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to Sec. 3-B-6. Non-Conforming Uses.

- 8853 (2) Additional Use Standards:
 8854 (a) Access. Vehicular access shall be from an arterial or collector street.
 8855 (b) Outdoor Activity. Activities such as cooking classes, yoga classes, or outdoor displays shall
 8856 be subject to a Special Event permit approval, refer to Sec. 3-E-J.3 Special Event.

8857 3-E-B.5.c. Accessory or Collocated Uses

Use

<u>Retail Sales, General (produce store)</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Hotel or Motel (lodging)</u>	<u>Refer to Sec. 3-E-D.9.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D-16.</u>
<u>Agritourism (lodging)</u>	<u>Refer to Sec. 3-E-B.5.</u>

8858 ~~**Sec. 3-5(bg) Riding Academies.** Riding Stables and Dude Ranches providing that stables or barns are~~
 8859 ~~not less than three hundred (300) feet from any residential district except Agriculture Residential, and~~
 8860 ~~minimum lot area is six (6) acres. [Deleted and replaced with new use, Equestrian Facilities, Sec. 3-E-~~
 8861 ~~**B.12.]**~~

8862 Sec. 3-E-B.6. Apiculture

8863 3-E-B.6.a. Description and Typical Uses

8864 The keeping, raising, breeding and care of honey bees maintained in movable-frame hives. Typical uses
 8865 may include, but are not limited to Commercial bee farms and hobby beehives. [Relocated from Sec. 3-
 8866 5.(e)]

8867 3-E-B.6.b. Specific Use Standards

(1) <u>Dimensional Use Standards:</u>			
(a) <u>Minimum Lot Size:</u>	<u>Commercial:</u>		<u>5 acres</u>
	<u>Hobbyist:</u>		<u>Refer to Subsection 3-E-A.7.b.(4) Hobbyist</u>
(b) <u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>	
	<u>Commercial hives (colonies):</u>	<u>From any lot line:</u>	<u>50 feet</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

	<u>Hobbyist hives (colonies):</u>	<u>From any lot line:</u>	<u>20 feet [Relocated from Sec.3-5.(e)]</u>
(2) <u>Maximum Number of Beehives:</u>			
(a) <u>Size of bee raising area:</u>		<u>Number of beehives (colonies):</u>	
<u>≤ 7,500 square feet</u>		<u>2</u>	
<u>≤ 15,000 square feet</u>		<u>5</u>	
<u>≥ 15,000 square feet</u> [Relocated from Sec. 3-5.(e)(1)]		<u>5 for the first 15,000 square feet and</u> <u>1 additional hive per 5,000 square feet</u>	

- 8868 (3) Additional Use Standards:
- 8869 (a) Licensure. *The site shall be licensed by the Department of Agriculture and Consumer*
8870 *Services (DACs) [Relocated from Sec. 3-5.(e)(4) Apiculture (Hobbyist)]*
- 8871 (b) Hours of Operation. *The hives (colonies) of bees may not be manipulated between the*
8872 *hours of sunset and sunrise unless the hives are being moved to or from another location.*
8873 **[Relocated from Sec. 3-5.(e)(5) Apiculture (Hobbyist)]**
- 8874 (4) Supplemental Application Standards. *In addition to the applicable procedures and submittal*
8875 *standards as set forth in Article 2, Procedures for Development Review, the applicant shall submit*
8876 *the following documents:*
- 8877 (a) Site Plan. *Show location of proposed and/or existing beehives, dimension of spacing and*
8878 *separation of hives and related structures.*
- 8879 (b) Narrative. *A description of the facility outlining the intended method of operation.*
8880 **[Relocated from Sec. 3-5.(e)(6)(iii) Apiculture (Hobbyist)]**
- 8881 (c) Proof of License. *A copy of the required license shall be submitted to the Planning and*
8882 *Zoning Director or his/her designee.*

- 8883 **Sec. 3-5.(e) Apiculture (Hobbyist).** *An ancillary use of agricultural and residentially zoned properties which*
8884 *is composed of the raising and care of honey bees maintained in movable frame hives. (Amended 2/25/97*
8885 *–Ord. (97-11) [Relocated to Sec. 3-E-B.6.a. Description and Typical Uses]*
- 8886 (1) ~~On a lot size of 7,500 square feet or less, no more than two hives (colonies of bees) will be~~
8887 ~~permitted. On a lot size of 15,000 square feet or less, no more than five hives (colonies of bees)~~
8888 ~~will be permitted. On lots larger than 15,000 square feet additional hives will be permitted on the~~
8889 ~~basis of one (1) for each 5,000 square feet in excess of 15,000 square feet. [Relocated to Sec. 3-~~
8890 ~~E-B.6.b.(2)(a) Hobbyist Apiculture]~~
- 8891 (2) ~~All hives must be located twenty feet from any property line. [Relocated to Sec. 3-E-B.6.b.(b)~~
8892 ~~Minimum setback]~~
- 8893 (3) ~~All sites shall be buffered from adjacent properties with a six foot opaque fence.~~
- 8894 (4) ~~The site must be licensed by the Department of Agriculture and Consumer Services (DACs).~~
8895 **[Relocated to Sec. 3-E-B.6.b.(3)(a) Licensure]**
- 8896 (5) ~~The hives (colonies) of bees may not be manipulated between the hours of sunset and sunrise~~
8897 ~~unless the hives are being moved to or from another location. [Relocated to Sec. 3-E-B.6.b.(3)(b)~~
8898 ~~Hours of Operation]~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 8899 ~~(6) A site plan must be submitted which contains the following information:~~
 8900 ~~(i) The location of all hives and existing structures~~
 8901 ~~(ii) The location and height of all buffers.~~ **[Consolidated under Sec. 3-E-B.6.b.(4)(a)**
 8902 **Supplemental Application Standards]**
 8903 ~~(iii) A description of the facility outlining the intended method of operation.~~ **[Relocated to Sec.**
 8904 **3-E-B.6.b.(4)(b) Narrative]**

Sec. 3-E-B.7. Aviculture

3-E-B.7.a. Description and Typical Uses

8906 *The keeping, raising, and/or breeding of exotic birds, excluding poultry. This description is intended to*
 8907 *encompass aviculture activities which can result in the sale or exchange of birds.* **[Relocated from Sec. 3-**
 8908 **5.(h) and Sec. 3-5 (g) Conditional Uses]**

3-E-B.7.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a)</u>	<u>Minimum Lot size:</u>	5 acres [Relocated from Sec. 3-5.(g)(1)]
<u>(b)</u>	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u> <u>Apply setbacks of the lot's zoning district, if applicable</u>
	<u>Animal enclosure on lots < 5 acres¹:</u>	<u>From any lot line:</u> 50 feet
	<u>Animal enclosure on lots ≥ 5 acres:</u>	100[EG132] feet [Relocated from Sec. 3-5.(g)(4)]

Footnote:

- 1 Legal lots that are less than 5 acres shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to Sec. 3-B-6. Non-Conforming Uses.

(2) Additional Use Standards:

- 8911 (a) Licensure. The site shall be licensed by the State Game and Fresh Water Fish
 8912 Commission. [Relocated from Sec. 3-5.(g)(6)]
 8913 (b) Access. Vehicular access shall be from an arterial or collector street.
 8914 (c) On-site Care. The facility shall have the owner or a caretaker residing on-site to provide
 8915 security and on-going care. [Relocated from Sec. 3-5.(g)(5)]
 8916 (d) Noise Alleviation. Buildings designated for raising and breeding the birds shall be sound-
 8917 proofed.
 8918

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 8919 (e) Perimeter Buffer. A Type D perimeter buffer shall be provided along all lot lines. For specific
8920 screening standards, refer to [Sec. 6-8.\(5\) Perimeter Buffers.](#)
8921 (f) Sales for Hobbyists. The sale of birds shall be in compliance with the standards as follows:
8922 i. Not more than 2 pairs of birds over 500 grams in weight shall be located in
8923 structures other than the principal residence.
8924 ii. No sale of feed or aviary products.
8925 iii. Gross sales. Receipts cannot exceed \$2,500.00 annually.
8926 **[Relocated from 3-5.(h)(3) through (5) Aviculture (Hobbyist)]**
8927 (3) Supplemental Application Standards. In addition to the applicable procedures and submittal
8928 standards as set forth in [Article 2, Procedures for Development Review](#), the applicant shall submit
8929 the following documents:
8930 (a) Site Plan. Show the location, height and intended use of all existing and proposed
8931 structures.
8932 (b) Narrative. A description of the facility outlining the intended method of operation, including
8933 the number, types and characteristics of the birds.
8934 (c) Proof of License. A copy of the required license shall be submitted to the Planning and
8935 Zoning Director or his/her designee.

8936 **Sec. 3-5-Conditional Uses.**

- 8937 (g) ~~Aviculture (Commercial). The raising, breeding, and/or selling of exotic birds, excluding poultry, for~~
8938 ~~commercial purposes.~~ **[Removed and consolidated in Sec. 3-E-B.7.a. Description and Typical**
8939 **Uses]**
8940 (1) ~~The minimum lot size shall be five (5) acres.~~ **[Relocated to Sec. 3-E-B.7.b.(1)(a) Specific**
8941 **Use Standards]**
8942 (2) ~~There shall be a fifty (50) foot vegetative buffer between the site and contiguous~~
8943 ~~properties~~ **[MK133]**
8944 (3) ~~The site must have direct access to a county or state-maintained road.~~
8945 (4) ~~No building or cage shall be located closer to the property line than one hundred (100) feet.~~
8946 (5) ~~Must have owner or caretaker residing on-site.~~ **[Relocated to Sec. 3-E-B.7.b.(2)(c) On-**
8947 **site Care]**
8948 (6) ~~The site must be licensed by the State Game and Fresh Water Fish Commission.~~
8949 **[Relocated to Sec. 3-E-B.7.b.(2)(a) Licensure]**
8950 (7) ~~A site plan must be submitted which contains the following information:~~
8951 (i) ~~The location, height and intended use of all existing and proposed structures.~~
8952 (ii) ~~The location, nature and height of buffers, landscaping and other security and~~
8953 ~~noise-alleviation structures.~~
8954 (iii) ~~A description of the facility outlining the intended method of operation, including~~
8955 ~~the number, types and characteristics of the birds.~~
8956 **[Relocated to Sec. 3-E-B.7.b.(3)(a) and (b) Supplemental Application**
8957 **Standards]**
8958 (h) ~~Aviculture (Hobbyist). An ancillary use of agricultural and residentially zoned properties which is~~
8959 ~~composed of the keeping, raising, and/or breeding of exotic birds, excluding poultry, for personal~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

8960 ~~enjoyment. This definition is intended to encompass aviculture activities which result in an~~
 8961 ~~occasional sale and/or exchange of birds.~~ [Relocated to Sec. 3-E-B.7.a. Description and Typical
 8962 **Uses]**
 8963 (1) ~~No building or cage shall be located closer to the property line than twenty five (25) feet.~~
 8964 (2) ~~The site must be licensed by the State Game and Fresh Water Fish Commission.~~
 8965 (3) ~~Not more than two (2) pairs of birds over five hundred (500) grams in weight shall be~~
 8966 ~~located in structures other than the primary residence.~~
 8967 (4) ~~No sale of feed or aviary products.~~
 8968 (5) ~~Gross sales receipts cannot exceed two thousand five hundred (\$2,500.00) annually.~~
 8969 [Relocated to Sec. 3-E-B.7.b.(3)(f)(i) through (iii) Sales for Hobbyists]

Sec. 3-E-B.8. Broiler House

3-E-B.8.a. Description and Typical Uses

A heated structure designed and intended to raise chickens for Commercial meat production and/or mass production egg laying.

3-E-B.8.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	15 acres [Relocated from Sec. 3-5.(m)]
(b)	<u>Minimum Setback:</u>	[EG134] All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable
	<u>Broiler house:</u>	<u>From any lot line:</u> 200 feet [Relocated from Sec. 3-5(m)(5)]
(c)	<u>Minimum Broiler House Dimensions:</u>	654 feet by 1000 feet [EG135] [Relocated from Sec. 3-5.(m)(3)]

(2) Additional Use Standards:

- (a) Access. Vehicular access shall be from an arterial or collector street.
- (b) Licensure. The facility shall comply with State and Federal rules and regulations.

(3) Supplemental Application Standards. In addition to the applicable procedures and submittal standards as set forth in [Article 2, Procedures for Development Review](#), the applicant shall submit the following documents:

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 8981 (a) *Site Plan. Show the location, height and intended use of all existing and proposed structures.* **[Relocated from Sec. 3-5.(m)(1) Site Plan]**
 8982
 8983 (b) *Narrative. A description of the facility outlining the intended method of operation, maintenance, and other relevant information pertinent to the facility.*
 8984
 8985 (c) *Proof of License. A copy of the required license shall be submitted to the Planning and Zoning Director or his/her designee.*
 8986

8987 ~~**Sec. 3-5.(m) Broilerhouses, raising of fowl, and mass production egg laying.**~~ **[Deleted and replaced with new definition under Sec. 3-E-B.8.a. Description and Typical Uses]**
 8988

- 8989 ~~(1) *Site Plan. A scaled site plan shall be submitted showing the location of all buildings or structures, including residence(s); and the access and setbacks of building(s) from each other and from the property lines.* **[Relocated to Sec. 3-E-B.8.b.(3)(a) Supplemental Application Standards]**~~
 8990
 8991
 8992 ~~(2) *Minimum Site Size. The minimum site size is fifteen (15) acres.* **[Relocated to Sec. 3-E-B.8.b.(1)(a) Minimum lot size]**~~
 8993
 8994 ~~(3) *Minimum Size Dimensions. The minimum size dimensions are 654' x 1000'.* **[Relocated to Sec. 3-E-B.8.b.(1)(d) Minimum broiler house dimensions]**~~
 8995
 8996 ~~(4) *Minimum Spacing Between Buildings (Broilerhouse or Egg Laying Production House). The minimum spacing between buildings is fifty (50) feet.* **[Removed]**~~
 8997
 8998 ~~(5) *Minimum Setback From Any Property Line Under Different Ownership. The minimum setback from any property line under different ownership is two hundred (200) feet.*~~
 8999 ~~**[Relocated to Sec. 3-E-B.8.b.(1)(b) Minimum setback]**~~
 9000

9001 Sec. 3-E-B.9. Commercial Feed Lot

9002 3-E-B.9.a. Description and Typical Uses

9003 *A lot or building or combination of both for the purpose of feeding or fattening up livestock in preparation to market or sell.*
 9004

9005 3-E-B.9.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot size:</u>		<u>5 acres</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
		<u>Animal enclosure on lots < 5 acres¹:</u>	<u>From any lot line: 50 feet</u>
		<u>Animal enclosure on lots ≥ 5 acres:</u>	<u>From any lot line: 100 feet</u>

Footnote:

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

1 Legal lots that are less than 5 acres shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to Sec. 3-B-6. Non-Conforming Uses.

- 9006 (2) Additional Use Standards:
9007 (a) Access. Vehicular access shall be from an arterial or collector street.
9008 (b) Licensure. The facility shall comply with State and Federal rules and regulations.
9009 (3) Supplemental Application Standards. In addition to the applicable procedures and submittal standards as set forth in Article 2, Procedures for Development Review, the applicant shall submit the following documents:
9010 (a) Site Plan. Show the location, height and intended use of all existing and proposed structures.
9011 (b) Narrative. A description of the facility outlining the intended method of operation, maintenance, and other relevant information pertinent to the facility.
9012 (c) Proof of License. A copy of the required license shall be submitted to the Planning and Zoning Director or his/her designee.
9013

9018 **Sec. 3-5. Conditional Uses**

- 9019 ~~(p) Commercial Feed Lots for Livestock. Any facility of this type shall not be located closer than two thousand five hundred (2,500) feet to an existing residence other than the facility's owner. [Deleted and replaced with new standards in Sec. 3-E-B.9.b. Specific Use Standards]~~
9020
9021

9022 Sec. 3-E-B.10. Plant Nursery, Retail Garden Center

9023 **3-E-B.10.a. Description and Typical Uses**

9024 An establishment engaged in the retail sale of horticultural plants, sod, and other materials such as fertilizer, mulch, flower pots, and decorative stones for ornamental and landscaping purposes.
9025

9026 **3-E-B.10.b. Specific Use Standards**

(1) <u>Dimensional Use Standards:</u>		
(a) <u>Minimum Lot Size:</u>		<u>1 acre</u>
(b) <u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
	<u>Shade structure and outdoor storage area:</u>	<u>From any lot line: 50 feet</u>

- 9027 (2) Additional Use Standards:
9028 (a) Access. Vehicular access shall be on an arterial or collector street.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9029 (b) Outdoor Bulk Storage. Any storage of bulk goods including soil, mulch, rock, or similar landscaping materials shall not exceed the height of 10 feet and shall require a 6-foot-high wall enclosure on 3 sides of the pile, refer to [Sec. 3-F-H.2 Fence, Wall and Column](#).
- 9030
- 9031
- 9032 (c) Loading and Delivery. All service areas for loading and unloading activities shall occur on the site.
- 9033
- 9034 (d) Perimeter Buffer. If the retail center has a growing area adjacent to a Residential property line, then it shall be screened with a 6-foot-high opaque fence or hedge, refer to [Sec. 3-F-H.2 Fence, Wall and Column](#), where applicable.
- 9035
- 9036
- 9037 (e) Security Fence. Security fencing shall be permitted, subject to the standards in [Sec. 3-F-H.2 Fence, Wall and Column](#) Barbed wire or razor wire shall not be permitted.
- 9038
- 9039 (f) Hours of Operation. If the retail center is adjacent to a property with a Residential use, then delivery to the center shall comply with the following hours of operation: 8:00 a.m. to 5:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. on Saturdays. Delivery activities shall be prohibited on Sundays.
- 9040
- 9041
- 9042
- 9043 (g) Aerial Spraying. No aerial spraying of chemicals such as fertilizers, insecticides, or any other chemicals may occur on the site.
- 9044
- 9045 (h) Sales. The sale of motorized equipment shall not be permitted.

3-E-B.10.c. Accessory or Collocated Use

Use

Office (Administrative)

Refer to [Sec. 3-E-D.12](#).

9047 ~~**Sec. 3-5.(at) Plant Nurseries.** The products for sale are limited to plant fertilizers and other associated items, except any motorized equipment. [Deleted and replaced with new definition under Sec. 3-E-B.10.~~

9048 **Description and Typical Uses**

9049

9050 ~~**Sec. 3-12.(b)(9)** Plant nurseries when the products for sale are limited to plant fertilizers and other associated items, except any motorized equipment. [Deleted and replaced with new definition under Sec. 3-E-B.10. Description and Typical Uses]~~

9051

9052

Sec. 3-E-B.11. Plant Nursery, Wholesale

3-E-B.11.a. Description and Typical Uses

An establishment engaged in the wholesale of horticultural plants, sod, and other materials such as fertilizer, mulch, flower pots, and decorative stones for ornamental and landscaping purposes.

3-E-B.11.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

1 acre

(b) Minimum Setback:

All structures unless stated otherwise:

Apply setbacks of the lot's zoning district, if applicable

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Shade structure, and outdoor storage area: From any lot line: 50 feet

- 9058 (2) Additional Use Standards:
- 9059 (a) Access. Vehicular access shall be on an arterial or collector street.
- 9060 (b) Outdoor Storage. Any storage of bulk goods including soil, mulch, rock, or similar
- 9061 landscaping materials shall not exceed the height of 12 feet and shall have an 8-foot-high
- 9062 wall enclosure on 3 sides of the piles.
- 9063 (c) Loading and Delivery. All service areas for loading and unloading activities shall occur on
- 9064 the site.
- 9065 (d) Perimeter Buffer.
- 9066 i. Refer to [Sec. 6-8, Table 5. Perimeter Buffer Screening](#). The Planning and Zoning
- 9067 Director or his/her designee may increase the width of buffer to address
- 9068 incompatibility issues to adjacent properties.
- 9069 (e) Security Fence. Security fencing shall be permitted, subject to the standards in [Sec. 3-F-](#)
- 9070 H.2 Fence, Wall, and Column. Barbed wire or razor wire shall not be permitted.
- 9071 (f) Hours of Operation. If the retail center is adjacent to a property with a Residential use, then
- 9072 delivery shall comply with the following hours of operation: 6:00 a.m. to 7:00 p.m.
- 9073 weekdays, 8:00 a.m. to 6:00 p.m. on Saturdays. Delivery activities shall be prohibited on
- 9074 Sundays.
- 9075 (g) Aerial Spraying. No aerial spraying of chemicals such as fertilizers, insecticides, or any
- 9076 other chemicals may occur on the site.

3-E-B.11.c. Accessory or Collocated Uses

Use

<u>Office (Administrative)</u>	<u>Refer to Sec. 3-E-D.12.</u>
<u>Plant Nursery, Retail Garden Center</u>	<u>Refer to Sec. 3-E-B.10.</u>

9078 ~~**Sec. 3-5.(at)** Plant Nurseries. The products for sale are limited to plant fertilizers and other associated~~

9079 ~~items, except any motorized equipment. [Deleted and replaced with Sec. 3-E-B.11.a. Description and~~

9080 ~~Typical Uses]~~

Sec. 3-E-B.12. Equestrian Facilities

3-E-B.12.a. Description and Typical Uses

An establishment which is engaged in the boarding of horses for rental, riding, and other equestrian

activities. Typical uses may include, but are not limited to: breeding, raising, and training of horses.

3-E-B.12.b. Specific Use Standards

(1) Dimensional Use Standards:

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(a)	<u>Minimum Lot Size:</u>	<u>1 acre</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>
	<u>Animal enclosure on lots < 1 acre¹:</u>	<u>From any lot line: 50 feet</u>
	<u>Animal enclosure on lots ≥ 1 acre:</u>	<u>From any lot line: 150 feet</u>

Footnote:

1 Legal lots that are less than 1 acre shall be considered as non-conforming lots and all proposed structures shall comply with the lesser setback. Refer to [Sec. 3-B-6. Non-Conforming Uses.](#)

- 9086 (2) Additional Use Standards:
- 9087 (a) Access. Vehicular access shall be from an arterial or collector street.
- 9088 (b) Comply with Clay County Animal Care and Control rules and regulations.
- 9089 (c) Maximum Number of Stalls. 1 stall per ½ acre.
- 9090 (d) Hours of Operation. Outdoor activity shall be limited to 6:00 a.m. to 9:00 p.m. daily.
- 9091 (e) Loudspeaker. No outdoor audio address systems shall be used, except for a Special Event and shall be limited to the time-period of the event and subject to an approved Special
- 9092 Event permit.
- 9093 (f) Ownership. Horses may be owned by the owners of the establishments.

9095 **3-E-B.12.c. Accessory or Collocated Uses**

Use

Office Refer to [Sec. 3-E-D.12.](#)

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ARTICLE ~~III~~ 3 ZONING ~~DISTRICTS AND~~ LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9096

DIVISION C RESIDENTIAL USES

9097

Sec. 3-E-C.1. Residential Uses

9098

All Residential uses within Clay County are identified in [Table 3-E-C.1.a. Residential Use Matrix](#) which only identifies those zoning districts or FLU categories where the Residential use is allowed subject to a Permitted use, Conditional use, or [Special Exception use](#) approval process based on the proposed intensity. Development standards specific to each use type shall be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning Director or his/her designee may allow a lesser permitted process of the application(s) and make a final decision of either approve or deny.

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Table 3-E-C.1.a. Residential Use Matrix – Standard and Planned Development Districts

	<u>AG</u>	<u>AR</u>	<u>AR-1</u>	<u>AR-2</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>RD-1</u>	<u>RD-2</u>	<u>RD-3</u>	<u>RD-4</u>	<u>PS-3</u>	<u>RE</u>	<u>RMHP</u>	<u>PUD</u>
<u>Community Residential Homes (CRH)(6 or [MK136] less)</u>	C	C	C	C	C	C	C	C	C	C	C	P	C		C
<u>Community Residential Homes (CRH)(6 or more)</u>							C		C	C	C	P			C
<u>Mobile Home</u>	P	P											P	P	P
<u>Multi-Family</u>							P								P
<u>Single-Family Detached</u>	P	P	P	P	P	P		P	P				P	P ¹	P
<u>Single-Family Attached</u>							P	P	P	P	P				P
Footnotes:															
<u>1</u>	1 Single-Family <u>unit</u> not less than 750 square feet indoor area use by the resident manager. [Sec. 3-21.(b)(3)(ii)]														
Legend:															
<u>P</u> – Permitted Use															
<u>C</u> – Conditional Use															
<u>S</u> – (Special Exception)															

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9106

Table 3-E-C.1.b. Residential Use Matrix– Master Planned Communities

	BF										LAMPA					
	RS	MPC NC	MPC Village Zone	MPC Suburban	RAC	RNC	CC	AC	MU	MPC	RRSV	RC	RF	AC	VC	IVC
<u>Community Residential Homes (CRH)</u>									C							
<u>Community Residential Homes (CRH)(6 or more)</u>									C							
<u>Mobile Home</u>																
<u>Multi-Family</u>			P				P	P	P		P				P	P
<u>Single-Family, Attached</u>			P						P	P	P					
<u>Single-Family, Detached</u>	P		P	P					P	P	P	P	P			
Legend: P – Permitted Use C – Conditional Use S – (Special Exception)																

9107

Sec. 3-E-C.2. Community Residential Homes (CRH)

9108

3-E-C.2.a. Description and Typical Uses

9109 A facility that provides housing and food service to residents that are not related by blood or by marriage to
 9110 the owner, administrator, or operator of the facility. The facility provides a living environment and operates
 9111 as the functional equivalent of a family and includes supervision and care by supportive staff as may be
 9112 necessary to meet the physical, emotional, and social needs of the residents as defined in Article 1, Section
 9113 1-15.R.10. Definitions.

9114 The applicant shall demonstrate that the proposed facility will not change the Residential character of the
 9115 surrounding neighborhood by establishing an institutional ambience in the Residential community.

9116 Typical uses may include, but are not limited to, facilities that serve clients who are assigned by the
 9117 Department of Juvenile Justice, Department of Elderly Affairs, the Agency for Persons with Disabilities, or
 9118 the Agency for Health Care Administration.

9119

3-E-C.2.b. Specific Use Standards

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(1) Dimensional Use Standards:

(a) <u>Minimum Separation¹:</u>	<u>From any CRH ≤ 6 residents:</u>	<u>≥ 1,000 feet</u>
	<u>From any CRH with > 6 residents:</u>	<u>≥ 1,200 feet</u>

Footnote:

¹ Separation standards may be exempt by Florida State Law for certain type of CRH. The applicant shall provide the exemption document to the Planning and Zoning Department.

- 9120 (2) Additional Use Standards:
9121 (a) Access. A CRH with 6 or less residents may be accessed from a local residential street. A
9122 facility that exceeds 6 up to 14 residents shall be from an arterial or collector street.
9123 (b) Licensure. License issued by the applicable Agencies.
9124 (c) Maximum Number of Residents. 14.
9125 (d) Facility Access. CRH uses with 7 to 14 residents shall provide an ADA-compliant drop-
9126 off/pick-up area at the main public entrance to the facility.
9127 (e) Number of Buildings. One or more buildings may be located on 1 lot.
9128 (f) Kitchens. Facilities may include common kitchens.
9129 (3) Alternate Process. Homes of 6 or fewer residents and meet the description of a CRH shall be
9130 deemed a Single-Family unit, and may be allowed in any Residential zoning district subject to a
9131 Permitted approval process and applicable standards.

9132 **3-E-C.2.c. Prior Approved Group Homes**

- 9133 (1) All previously approved Group Homes (Residential) that conform to the description of a CRH and
9134 are certified by the State of Florida as of effective date of Article 3 of the Code, may continue to
9135 exist and shall not be considered as a non-conforming use.
9136 (2) However, if the facility is not certified or licensed by an applicable Agency, the owner or the operator
9137 of the facility shall provide proof of license, certificate, or charter to the Planning and Zoning
9138 Department within 1 year of the effective date of Article 3, otherwise the facility shall be immediately
9139 ceased and vacated within 90 days. The owner or operator of the facility shall relocate the residents
9140 to another facility or seek alternative accommodation for the residents prior to full vacation of the
9141 facility.

9142 **3-E-C.2.d. Pre-Application Meeting**

- 9143 (1) An applicant proposing to establish a CRH shall attend a pre-application meeting to discuss the
9144 proposed facility with the Planning and Zoning Director or his/her designee, prior to their formal
9145 review. The Planning and Zoning Director or his/her designee, after reviewing the request with the
9146 applicant, shall issue a letter determining compliance with the licensing, certification, number of
9147 occupants, and location of standards.
9148 (2) The applicant shall submit the ~~formal~~[MK137] application consistent with the pre-application
9149 discussion and the response in the Planning and Zoning Director's determination letter.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9150 Sec. 3-E-C.3. Mobile Home

9151 3-E-C.3.a. Description and Typical Uses

9152 A prefabricated structure designed to be transported to a permanent site for use as a dwelling unit.

9153 3-E-C.3.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | |
|------------------------------|--|
| (a) <u>Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| (b) <u>Minimum Setback:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

9154 (2) Additional Use Standards:

9155 (a) Removal Agreement. If the lot on which it is located is changed or the use is no longer
9156 used for Bona Fide Agricultural use, then such agreement shall be provided to the Planning
9157 and Zoning Director and his/her designee.

9158 (b) Parking. A Mobile Home shall be parked only in a RMHP approved by the State Board of
9159 Health and shall be in compliance with the Florida Building Code. When such Mobile Home
9160 residences are parked in a lot where its zoning district permits this use, the wheels on such
9161 trailers shall be removed and the trailer shall be immobile. [Relocated from Sec. 3-3.(d)]

9162 (c) Skirting Standard. Mobile Homes shall be skirted after inspection and approval pursuant to
9163 the Florida Building Code. [Relocated from Sec. 3-3.(d)(1)]

9164 3-E-C.3.c. Accessory or Collocated Uses

Use

<u>Mobile Home for Medical Hardships</u>	<u>Refer to Sec. 3-E-1.6.</u>
<u>Caretaker's Quarter</u>	<u>Refer to Sec. 3-E-1.4.</u>

9165 Sec. 3-3. Permitted Uses, Generally

9166 (d) ~~Mobile Homes. House trailers or mobile homes may be parked only in a trailer park approved by~~
9167 ~~the State Board of Health, or must meet the requirements of a single-family dwelling as provided~~
9168 ~~under the provisions of this Article, in addition to compliance with the Building Code Ordinance~~
9169 ~~adopted by Clay County. When such mobile home residences are parked in permitted zones other~~
9170 ~~than a residential mobile home park, in addition to meeting the requirements of a single-family~~
9171 ~~dwelling and the codes cited in this Article, the wheels on such trailers must be removed and the~~
9172 ~~trailer must be immobile. [Relocated to Sec. 3-E-C.3.b.(2)(b) Additional Use Standards]~~

9173 (1) ~~Skirting Requirements. Mobile homes, for which a permit has been issued, shall be skirted~~
9174 ~~after inspection and approval of the blocking, tie-downs, anchors, plumbing, mechanical~~
9175 ~~and electrical connections, but before the electrical service connection is authorized and a~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9176 ~~Certificate of Occupancy is issued. The Building Official may authorize the electrical~~
9177 ~~connection up to thirty (30) days prior to the completion of the skirting if sufficient evidence~~
9178 ~~is presented to demonstrate that a hardship[EG138] exists due to inclement weather,~~
9179 ~~medical reasons, or availability of materials. Such skirting shall be designed or arranged to~~
9180 ~~provide continuous ventilation. The skirting shall be securely fastened in place and shall~~
9181 ~~cover the intervening space between the perimeter walls of the home and grade level~~
9182 ~~below. Skirting shall be constructed of aluminum, masonry units, pressure treated wood or~~
9183 ~~other suitable material designed for such use and shall be so installed that a four (4) inch~~
9184 ~~sphere will not penetrate the skirting at any point. A removable access grill or door shall be~~
9185 ~~provided and sized according to the adopted standard codes. [Deleted and referenced~~
9186 ~~the FBC]~~

9187 Sec. 3-E-C.4. Multi-Family

9188 3-E-C.4.a. Description and Typical Uses

9189 ~~A classification of housing type constructed on a lot for 2 or more dwelling units which are attached. Typical~~
9190 ~~uses may include, but are not limited to a duplex, triplex, fourplex, apartments, and independent living~~
9191 ~~facilities.~~

9192 3-E-C.4.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | |
|------------------------------|--|
| (a) <u>Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| (b) <u>Minimum Setback:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

(2) Additional Use Standards:

- 9193 (a) Access. Vehicular access shall be from an arterial or collector street.
- 9194 (b) Design. Subject to Architectural standards in [Part F Adequate Public Facilities and](#)
9195 [Technical Development Standards.](#)
- 9196 (c) Lake Asbury Rural Reserve (LA RRSV). ~~Single-Family Attached units and/or Multi-Family~~
9197 units shall not exceed a maximum of 25 percent of the total development units. [Relocated
9198 from Sec. 3-33B.B.2.a.ii.]
- 9199 (d) Lake Asbury Village Center (LA VC). May allow 12 units per acre when in compliance with
9200 applicable standards of Article 3. [Relocated from Sec. 3-33B.B.6.a.iv.]
- 9201 (e) BF NC, BF MU, and LAMPA FLU Categories. Accessory apartments may be allowed over
9202 Commercial uses. These units shall be exempt from road concurrency requirements.
9203 [Relocated from Sec. 3-33A.II.2.a.i.B.]
9204

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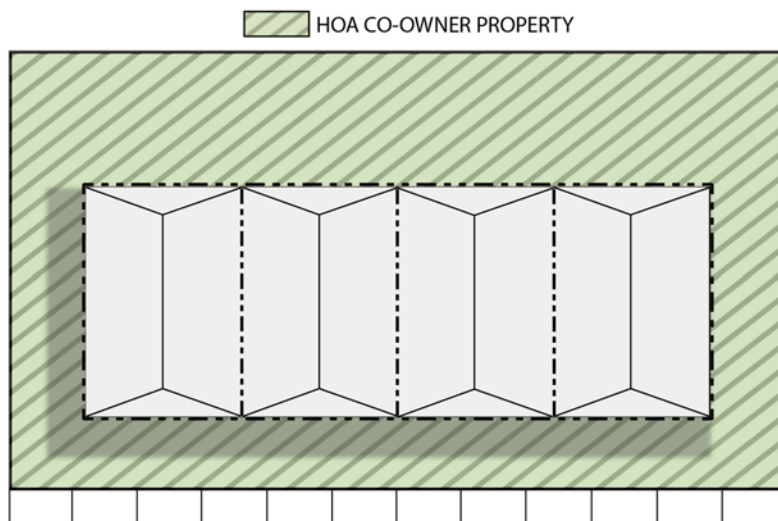
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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations



9205

9206 3-E-C.4.c. Accessory or Collocated Uses

9207 Refer to [Sec. 3-E-I.1. Accessory Use and Structure.](#)

9208 Sec. 3-18. TWO OR THREE UNIT RESIDENTIAL DISTRICT (ZONE RC)

9209 ~~(b) — Uses Permitted. (Rev. 07/27/2020)~~

9210 ~~(1) — Two family or three family residences including two or three private carports or garages.~~
9211 ~~Such duplexes or triplexes shall be constructed under a single roof but may be separated~~
9212 ~~by a garage or carport area. [Deleted]~~

9213 ~~(4) — Garage sales will be allowed up to a maximum of two garage sales within any calendar~~
9214 ~~year. The duration of each garage sale shall be a maximum of 72 hours and may be~~
9215 ~~conducted only within daylight hours. No sign advertising a garage sale may be placed on~~
9216 ~~any public right-of-way. [Partially relocated to 3-E-C.4.c. and consolidated under Sec.~~
9217 ~~3-E-J.a. Garage or Yard Sale]~~

9218 ~~(5) — Satellite dish receivers for individual use. [Partially relocated to 3-E-C.4.c. and Part E,~~
9219 ~~Division I Accessory and Temporary Use Category]~~

9220 ~~(6) — The keeping of domesticated cats and dogs with a limit of six total per household over six~~
9221 ~~months in age. [Partially relocated to 3-E-C.4.c. and Part E, Division I Accessory and~~
9222 ~~Temporary Use Category]~~

9223 ~~(7) — Private boat pier or slip for the use of occupants of principal residential structures of the~~
9224 ~~abutting lot; provided said pier or slip does not interfere with navigation. [Partially~~
9225 ~~relocated to 3-E-C.4.c. and Part E, Division I Accessory and Temporary Use~~
9226 ~~Category]~~

9227 Sec. 3-33A.II.2.a.i.B.

9229 ~~B. — Individual second floor apartments are allowed over commercial uses. Such units, as well as upper~~
9230 ~~floor office space shall be exempt from road concurrency. [Relocated to Sec. 3-E-C.4.b.(2)(e)]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9231 ~~Sec. 3-33B.B.2.a.ii.~~

9232 ~~ii. Single family attached units and/or multi-family units not to exceed 25% of total development units.~~
9233 ~~[Relocated to Sec. 3-E-C.4.b.(2)(c).]~~

9234 ~~Sec. 3-33B.B.6.a.iv.~~

9235 ~~Multifamily residential uses at 12 units per acre, meeting the conditions of this code.~~ [Relocated to Sec. 3-
9236 E-C.4.b.(2)(d).]

9237 Sec. 3-E-C.5. Single-Family Detached

9238 3-E-C.5.a. Description and Typical Uses

9239 A classification of housing type constructed on an individual lot for 1 dwelling unit.

9240 3-E-C.5.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | |
|------------------------------|--|
| <u>(a) Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| <u>(b) Minimum Setback:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

9241 (2) Additional Use Standards:

- 9242 (1) Access. Vehicular access shall be from an arterial or collector street.
- 9243 (2) Cul-de-sac. The required frontage of lots may be reduced by 40 percent when the lot abuts
9244 a cul-de-sac and shall be subject to the County Engineer's approval.
- 9245 (3) LA Village Center (LA VC). Single-Family Detached units shall not exceed 15 percent of
9246 the total Residential units in the VC and shall be located on the perimeter of the VC so as
9247 to provide transitioning intensity between the VC and the adjacent land uses. [Relocated
9248 from Sec. 3-33B.B.6.a.vi.]

9249 ~~Sec. 3-33B.B.6.a.vi.~~

9250 ~~Single Family Detached units and single family attached units, with single family detached units limited to~~
9251 ~~15 percent of the total residential units in the VC located on the perimeter of the VC so as to provide~~
9252 ~~transitioning intensity between the VC and the adjacent land uses. [Relocated to Sec. 3-E-C.5.b.(2)(3) LA~~
9253 ~~Village Center (LA VC)]~~

9254 3-E-C.5.c. Accessory or Collocated Uses

9255 See Sec. 3-E-I.1.a. Accessory Use Matrix and Accessory Structure.

9256 Sec. 3-E-C.6. Single-Family Attached

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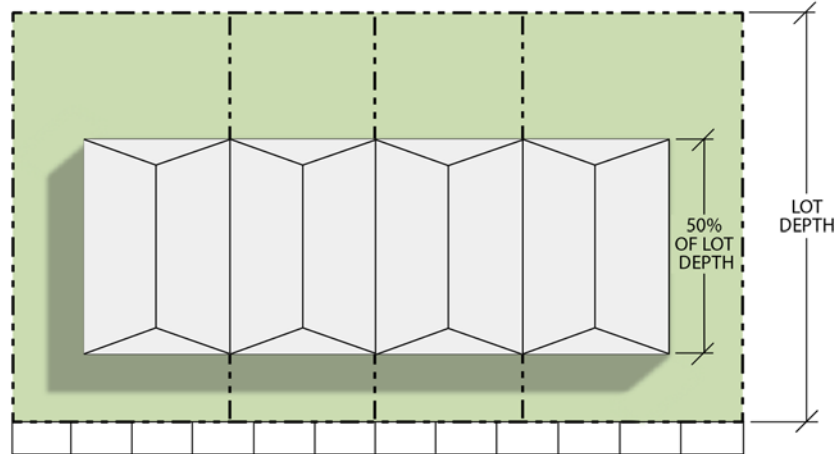
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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9257 **3-E-C.6.a. Description and Typical Uses**

9258 A classification of housing type, a dwelling unit constructed on an individual lot under fee simple ownership,
9259 attached at least on 1 side of the wall but not more than 2 commonly shared walls. Single-Family Attached
9260 units are usually constructed in a row of 3 to 8 dwelling units. Typical uses may include, but are not limited
9261 to Townhomes.



9262

9263 **3-E-C.6.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a) Minimum Lot Size: Apply the standards of the lot's zoning district, if applicable

(b) Minimum Setback: Apply setbacks of the lot's zoning district, if applicable

(2) Additional Use Standards:

(a) Access. Vehicular access shall be from an arterial or collector street.

(b) Design. Subject to Architectural standards in [Part F Adequate Public Facilities and Technical Development Standards.](#)

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9268 **3-E-C.6.c. Accessory or Collocated Uses**

9269 See [Sec. 3-E-I.1. Accessory Use and Structure.](#)

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9270

DIVISION D COMMERCIAL USES

9271

Sec. 3-E-D.1. Commercial Uses

9272

All Commercial uses within Clay County are identified in [Table 3-E-D.1.a Commercial Use Matrix](#) which only identifies those zoning districts or FLU categories where the Commercial use is allowed subject to a Permitted use, Conditional use, or Special Exception use approval process based on the proposed intensity. Development standards specific to each use type shall be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning Director or his/her designee may allow a lesser permitted process of the application(s) and make a final decision of either approve or deny.

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Table 3-E-D.1.a. Commercial Use Matrix – Standard and Planned Development Districts

	<u>AG</u>	<u>AR</u>	<u>BA</u>	<u>BA-1</u>	<u>BA-2</u>	<u>BB</u>	<u>BB-1</u>	<u>BB-2</u>	<u>BB-3</u>	<u>BB-4</u>	<u>BB-5</u>	<u>BSC</u>	<u>IS</u>	<u>IA</u>	<u>BP</u>	<u>PCD</u>	<u>PID</u>	<u>PUD</u>
<u>Adult Entertainment Establishment</u>						<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>							
<u>Auction</u>									<i>P</i>					<i>C</i>				
<u>Bed and Breakfast</u>	<i>C</i>	<i>C</i>	<i>C</i>															
<u>Car Wash Facility</u>			<i>P</i>					<i>P</i>	<i>P</i>									
<u>Cocktail Lounge</u>						<i>P</i>						<i>P</i>						
<u>Funeral Home</u>												<i>P</i>						
<u>Gas and Fuel Sales</u>			<i>P</i>			<i>P</i>		<i>P</i>	<i>P</i>			<i>P</i>						
<u>Hotel or Motel</u>						<i>C</i>					<i>C</i>		<i>P</i>				<i>P</i>	<i>P</i>
<u>Kennel</u>	<i>C</i>	<i>C</i>							<i>P</i>									
<u>Office, Business and Professional</u>			<i>P</i>	<i>P</i>	<i>P</i>							<i>P</i>			<i>P</i>		<i>P</i>	<i>P</i>
<u>Parking Facility, Commercial</u>						<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>P</i>	<i>P</i>	<i>P</i>				<i>P</i>		
<u>Personal Services</u>			<i>P</i>	<i>P</i>	<i>P</i>		<i>P</i>	<i>P</i>				<i>P</i>					<i>P</i>	<i>P</i>
<u>Restaurant, Class 1</u>			<i>C</i>	<i>C</i>	<i>P</i>						<i>P</i>	<i>P</i>			<i>P</i>		<i>P</i>	
<u>Restaurant, Class 2</u>			<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>					<i>P</i>	<i>P</i>			<i>P</i>		<i>P</i>	<i>P</i>
<u>Retail Sales, General</u>			<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>					<i>P</i>	<i>P</i>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Retail Sales, Medical Marijuana</u>			C	C		C	C	C				C				C		C
<u>Self-Serve Storage Facility</u>					<u>C</u>	<u>C</u>	C	C		P							C	
<u>Vehicle Repair and Maintenance Facility</u>			P							P	P							
<u>Vehicle Sales and Rental</u>										P								
<u>Veterinary Clinic</u>			P	<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>								<u>P</u>
Legend: P – Permitted Use C – Conditional Use S – (Special Exception)																		

9280

Table 3-E-D.1.b. Commercial Use Matrix – Master Planned Communities

	<u>BF</u>									<u>LAMPA</u>								
	<u>RS</u>	<u>MPC NC</u>	<u>MPC Village Zone</u>	<u>MPC Suburban</u>	<u>RAC</u>	<u>RNC</u>	<u>CC</u>	<u>AC</u>	<u>MU</u>	<u>MPC</u>	<u>RRSV</u>	<u>RC</u>	<u>RF</u>	<u>AC</u>	<u>VC</u>	<u>IVC</u>		
<u>Adult Entertainment Establishment</u>																		
<u>Auction</u>									<u>C</u>									
<u>Bed and Breakfast</u>		P			P		P	P	P									
<u>Carwash Facility</u>									<u>C</u>						<u>C</u>	<u>C</u>		
<u>Cocktail Lounge</u>									<u>C</u>					<u>C</u>				
<u>Funeral Home</u>							P	P	P					P				
<u>Gas and Fuel Sales</u>			C		P		<u>C</u>		<u>C</u>							<u>C</u>		
<u>Hotel or Motel</u>								P	P						<u>C</u>	<u>C</u>		
<u>Kennel</u>								P				C			<u>C</u>	<u>C</u>		
<u>Office, Businesses and Professional</u>		P			P	P	P	P	P					P	P	P		
<u>Parking Facility, Commercial</u>			<u>P</u>				<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>		
<u>Personal Services</u>		P			P	P	P	P	P					P	P	P		
<u>Restaurant, Class 1</u>		P			P		P	P	P					<u>P</u>	<u>P</u>	<u>P</u>		

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Restaurant, Class 2</u>		<u>P</u>			<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail Sales, General</u>		<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail Sales, Medical Marijuana</u>				<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>					<u>C</u>	<u>C</u>	<u>C</u>
<u>Self-Serve Storage Facility</u>								<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				<u>C</u>	<u>C</u>
<u>Vehicle Repair and Maintenance Facility</u>								<u>C</u>	<u>C</u>						<u>P</u>	<u>P</u>
<u>Vehicle Sales and Rental</u>								<u>C</u>	<u>C</u>						<u>P</u>	<u>P</u>
<u>Veterinary Clinic</u>		<u>P</u>						<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>	<u>P</u>
Legend: <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)																

9281 **Sec. 3-22. Zone BA-2**

9282 ~~(b) — Uses Permitted.~~

- 9283 (1) ~~Commercial and professional offices having a gross floor area limited to twenty-five~~
 9284 ~~hundred osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering~~
 9285 ~~offices, accounting, auditing and bookkeeping services, real estate sales, insurance~~
 9286 ~~companies, finance offices. [Deleted limitation in intensity to allow flexibility based on~~
 9287 ~~industry trends. Uses are consolidated/classified under Office, Business and~~
 9288 ~~Professional and Medical and Dental Laboratory]~~
 9289 (2) ~~Building and uses immediately and exclusively accessory to the uses permitted in above,~~
 9290 ~~including automobile parking facilities, central heating and cooling systems, emergency~~
 9291 ~~generating plants, storage of documents and other property, training schools for~~
 9292 ~~employees, living quarters for a custodian or caretaker of the office building or buildings.~~
 9293 ~~Uses are consolidated/classified under Self-Serve Storage Facility, Vocational~~
 9294 ~~School, Caretaker’s Quarter, Parking Facility, Commercial]~~
 9295 (3) ~~The above are uses subject to the following limitations:~~
 9296 ~~(i) — Sale, display, preparation and storage to be conducted within a completely~~
 9297 ~~enclosed building.~~
 9298 ~~(ii) — Products to be sold only at retail. [Deleted, and changed to allow display with~~
 9299 ~~limitations as shown in new Sec. 3-E-D.15.b.(2)(b) Outdoor Display]~~

9300 **Sec. 3-23.(b) Zone BA-1**

9301 ~~(b) — Uses Permitted.~~

- 9302 (1) ~~Uses permitted in Sec. 20.3-22.~~
 9303 (2) ~~Retail stores and shops having a gross area of no more than two thousand five hundred~~
 9304 ~~(2,500) square feet per building offering merchandise reasonably related to the day today~~
 9305 ~~needs of the neighborhood similar but not limited to: hobby and bric-a-brac; bake; ceramic;~~
 9306 ~~florist; cigar; locksmith; gun repair; shoe repair; retail pharmacy; wearing apparel; toys;~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9307 sundries and notions; books and stationery; art supplies; cameras or photographic supplies
9308 (including camera repair); sporting goods; television and radio (including repair); gift;
9309 service establishments such as barber or beauty; artist or photographic studio; dance or
9310 music studio (soundproofed and air conditioned); tailor or dressmaker; jewelry and
9311 convenience; office and business machines. (Amended 5/04 Ord. 04-27) **[Deleted**
9312 **limitation in intensity to allow flexibility based on industry trends. Uses are**
9313 **consolidated/classified under Retail Sales, General, Personal Services]**
9314 (3) ~~Establishments similar to the above demonstrating a reasonable relationship to needs of~~
9315 ~~the immediate neighborhood and not oriented to drawing vehicular traffic from other areas.~~
9316 (4) ~~The above are uses subject to the following limitations:~~
9317 (i) ~~Sale, display, preparation and storage to be conducted within a completely~~
9318 ~~enclosed building.~~
9319 (ii) ~~Products to be sold only at retail.~~ **[Deleted, and changed to allow display with**
9320 **limitations as shown in new Sec. 3-E-D.15.b.(2)(b) Outdoor Display]**

9321 **Sec. 3-24. Zone BA**

- 9322 (c) ~~Uses Permitted.~~
9323 (1) ~~All uses permitted in Sec. 20.3-23.~~
9324 (2) ~~Retail stores and shops reasonably related to the day-to-day needs of the area to be~~
9325 ~~serviced limited to: antique; artist's studios; bait and tackle; bakery with baking on~~
9326 ~~premises; bicycle sales and repair; billiard, game or pool room; dance academies~~
9327 ~~(soundproofed and air conditioned); curio; fruit and vegetable retail (packing permitted);~~
9328 ~~hardware; retail clothing; interior decorating; dry cleaners, laundries and laundromats;~~
9329 ~~leather goods; luggage; meat markets (no processing plant); music; newsstands; optical;~~
9330 ~~office supplies; photographic galleries; printing; shoe; sporting goods; stationery and~~
9331 ~~books; travel agencies; restaurants without the sale of beer and wine; restaurants selling~~
9332 ~~alcoholic beverages limited to beer and wine; drapery; paint and wallpaper; clock sales;~~
9333 ~~rentals; palm reading; banks; financial institutions; animal clinics; veterinary hospitals;~~
9334 ~~drugstores; and grocery stores; provided that no outdoor sales, display, preparation or~~
9335 ~~storage is permitted. (amended 10/12/03 Ord 93-36) **[Uses are consolidated/classified**~~
9336 ~~**under Retail Sales, General, Personal Services, Office, Business and Professional]**~~
9337 (3) ~~Banks and financial institutions with drive-in facilities; drive-in restaurants; the sale of~~
9338 ~~gasoline without garage, car repair, or car wash facilities. **[Uses are**~~
9339 ~~**consolidated/classified under Office, Business and Professional, Restaurant, Class**~~
9340 ~~**1, and Gas and Fuel Sales, Car Wash Facility]**~~
9341 (4) ~~Retail sales of beer and wine at establishments commonly known as convenience stores~~
9342 ~~only pursuant to licensure by the Division of Alcoholic Beverages and Tobacco of the~~
9343 ~~Florida Department of Business Regulation, for off-premises consumption only. **[Uses are**~~
9344 ~~**consolidated/classified under Retail Sales, General]**~~
9345 (5) ~~The above are uses subject to the following limitations:~~
9346 (i) ~~Sale, display, preparation and storage to be conducted within a completely~~
9347 ~~enclosed building.~~
9348 (ii) ~~Products to be sold only at retail.~~ **[Deleted, and changed to allow display with**
9349 **limitations as shown in new Sec. 3-E-D.15.b.(2)(b) Outdoor Display]**

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DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9350 Sec. 3-E-D.2 Adult Entertainment Establishment

9351 3-E-D.2.a. Description and Typical Uses

9352 Any adult arcade, bookstore, theater, video store, motel, dancing establishment, or any sexually oriented
9353 business that engages in activities where the employees, operators, or owners expose their anatomical
9354 area for viewing by patrons, including but not limited to tanning spas, modeling studios, and massage
9355 parlors. Refer to [Chapter 2.3 Adult Entertainment Regulations of the Clay County Code.](#)

9356 3-E-D.2.b. Intent

9357 *The standards of this Section are intended to preserve the public peace and good order, and to safeguard*
9358 *the health, safety, and welfare of the community and the citizens thereof, by establishing the locational*
9359 *restrictions and standards of this Section with respect to adult entertainment and sexually oriented*
9360 *businesses. These standards are in addition to those already in place for the lands subject to them based*
9361 *upon their respective zoning designations. **[Relocated from Sec. 3-48.(a) Intent]***

9362 3-E-D.2.c. Definitions

9363 *Where applicable, the words or phrases used in this Section shall have the meanings defined in the Adult*
9364 *Entertainment Regulations established under Chapter 2.3 of the Clay County Code, unless the context*
9365 *clearly suggests otherwise. In addition, as used in this Section, the words and phrases shall have the*
9366 *meanings prescribed in applicable sections in Sec. 1-15 Definitions, unless the context clearly suggests*
9367 *otherwise:*

9368 3-E-D.2.d. Precedence

9369 *Where the standards of this Section conflict with those of a particular zoning designation or of any other*
9370 *provisions of the Land Development Code, the standards of this Section shall have precedence.*
9371 **[Relocated from Sec. 3-48.(b) Precedence]**

9372 3-E-D.2.e. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Setback: Apply setbacks of the lot's zoning district, if applicable

(2) Additional Use Standards:

(a) *Principal Business Purpose. With respect to an adult bookstore as defined in the Adult
Entertainment standards established under Chapter 2.3 of the Clay County Code, the
phrase "principal business purpose" means the use of more than 10 percent of the area
accessible to customers for the purpose of displaying, selling, renting, or otherwise offering
to the public adult material. **[Relocated from Sec. 3-48.(d) Principal Business Purpose]***

(b) *Separation Standards. Adult Entertainment Establishments shall not be permitted to be
located or to operate:*

i. *Within 2,500 feet of any Private or Public School;*

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9382 ii. ~~Within 500 feet of any establishment that serves alcoholic beverages for~~
9383 ~~consumption on premise, Place of Worship, Community Family Residence, Park,~~
9384 ~~Residential zoning district or Private Services zoning district; and,~~
9385 iii. ~~Within 1,000 feet of any other lawfully established and operating Adult~~
9386 ~~Entertainment Establishment. [Relocated from Sec. 3-48.(f) Separation~~
9387 ~~Requirements]~~
9388 (c) ~~Measurement of Distances for Separation Requirements. Shall be pursuant to Sec. 3-A.7.a~~
9389 ~~Measurement of Separation Distance.~~
9390 **[Relocated from Sec. 3-48.(f) Separation Requirements]**
9391 (d) ~~Exception for Separation Standards. Any other provisions of the Land Development Code~~
9392 ~~to the contrary notwithstanding, where any lot of record comprises 2 or more non-~~
9393 ~~contiguous parcels and 1 or more, but not all, of the non-contiguous parcels meet the~~
9394 ~~separation standards, an Adult Entertainment Establishment may be located and operated~~
9395 ~~on any portion of such lot of record that meets such separation standards but not on any~~
9396 ~~portion of such lot of record that does not meet such separation standards. [Relocated~~
9397 ~~from Sec. 3-48.(i) Exception]~~
9398 i. ~~Exemption. Restaurants operating under a valid SRX alcoholic beverage licensed~~
9399 ~~issued by the State of Florida shall be exempt from the separation standard.~~
9400 **[Relocated from Sec. 3-48.(l) Distance Restrictions Between Establishments**
9401 **Serving Alcoholic Beverages for Consumption on Premises and an Adult**
9402 **Entertainment Establishment or Sexually Oriented Business]**
9403 (e) ~~Prohibited Locations. Except as indicated in the Commercial Use Matrix, no Adult~~
9404 ~~Entertainment Establishment shall be permitted to be located or operate within the~~
9405 ~~unincorporated area of the County. Any other provisions of the Land Development Code to~~
9406 ~~the contrary notwithstanding, no Adult Entertainment Establishment shall be permitted to~~
9407 ~~be located or operate upon any parcel of land that lies in whole or in part within the~~
9408 ~~Middleburg Community [MK139] or within the Wells Road Corridor.~~
9409 **[Relocated from Sec. 3-48.(h) Prohibited Locations]**
9410 (f) ~~Non-Conforming Uses. Any existing and operating Adult Entertainment Establishments~~
9411 ~~that are located within the unincorporated area of the County as of the adoption date of the~~
9412 ~~ordinance establishing this Section, and which are not located within the permissible~~
9413 ~~locations pursuant to the Commercial Use Matrix, shall be classified as non-conforming.~~
9414 i. ~~If any such non-conforming Adult Entertainment Establishment voluntarily ceases~~
9415 ~~to do business for a period of 90 consecutive days, then it shall be deemed~~
9416 ~~abandoned and thereafter shall not reopen except in compliance with the location~~
9417 ~~and separation distance standards of this Section.~~
9418 ii. ~~A non-conforming Adult Entertainment Establishment shall not expand the square~~
9419 ~~footage or cubic footage of the establishment or business beyond its existing~~
9420 ~~dimensions.~~
9421 iii. ~~Each non-conforming Adult Entertainment Establishment shall cease operations~~
9422 ~~at the location by which it is non-conforming within 1 year following the adoption~~
9423 ~~date of the ordinance establishing this Section, and thereafter may continue to~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9424 operate only at a permissible location provided herein. **[Relocated from Sec. 3-**
- 9425 **48(j) Non-conforming Uses]**
- 9426 (g) Change of Use as Applied to Adult Entertainment Establishments. The conversion of a bar,
- 9427 cocktail lounge, saloon, tavern, nightclub or restaurant to an adult entertainment
- 9428 establishment or sexually oriented business shall not render the same a non-conforming
- 9429 use under [Subsection 3-E-D.2.d.\(2\)\(e\) Prohibited Locations](#). Any conversion of a bar,
- 9430 cocktail lounge, saloon, tavern, nightclub, or restaurant to an Adult Entertainment
- 9431 Establishment shall conform to the locational standards of this Section. **[Relocated from**
- 9432 **Sec. 3-48(k) Change of Use as Applied to Adult Entertainment Establishments]**
- 9433 i. Unless the establishment selling or serving alcoholic beverages for consumption
- 9434 on premises is established prior to the adoption date of the Adult Entertainment
- 9435 Establishments ordinance; provided, this Subsection shall not apply to the
- 9436 establishment of a restaurant operating under a valid SRX alcoholic beverage
- 9437 license issued by the State of Florida.
- 9438 ii. Measurement of Distances for Alcoholic Beverages Establishment. Refer to Sec.
- 9439 3-A.7.a. Measurement of Separation Distance.

9440 ~~Sec. 3-48. ADULT ENTERTAINMENT ESTABLISHMENT AND SEXUALLY ORIENTED BUSINESS~~

9441 ~~LOCATIONS~~

- 9442 (a) ~~Intent. The regulations of this section are intended to preserve the public peace and good order,~~
- 9443 ~~and to safeguard the health, safety and welfare of the community and the citizens thereof, by~~
- 9444 ~~establishing the locational restrictions and requirements of this section with respect to adult~~
- 9445 ~~entertainment and sexually oriented businesses. These regulations are in addition to those already~~
- 9446 ~~in place for the lands subject to them based upon their respective zoning designations.~~ **[Relocated**
- 9447 **to Sec. 3-E-D.2.b. Intent]**
- 9448 (b) ~~Precedence. Where the regulations of this section conflict with those of a particular zoning~~
- 9449 ~~designation or of any other provisions of the Land Development Code, the regulations of this~~
- 9450 ~~section shall have precedence.~~ **[Relocated to Sec. 3-E-D.2.d. Precedence]**
- 9451 (c) ~~Definitions. Where applicable, and except as otherwise defined herein, the words or phrases used~~
- 9452 ~~in this section shall have the meanings defined in the Adult Entertainment Regulations established~~
- 9453 ~~under Chapter 2.3 of the Clay County Code, unless the context clearly suggests otherwise. In~~
- 9454 ~~addition, as used in this section, the following words and phrases shall have the meanings herein~~
- 9455 ~~prescribed, unless the context clearly suggests otherwise.~~ **[Relocated to Sec. 3-E-D.2.c.**
- 9456 **Definitions]**
- 9457 (1) ~~Middleburg Community means the area of the County described in Appendix A attached to~~
- 9458 ~~the ordinance establishing this section.~~
- 9459 (2) ~~Park means a tract of land within any jurisdiction which is kept for ornament or recreation~~
- 9460 ~~and which is maintained as public property and owned by the United States; the State of~~
- 9461 ~~Florida or any department, agency, bureau, division or agent thereof; municipalities;~~
- 9462 ~~counties; school boards; special districts; and other local entities created by general or~~
- 9463 ~~special law or local ordinance; water management districts; and other regional entities that~~
- 9464 ~~are authorized and created by general or special law including, but not limited to, a~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9465 *playground, swimming pool, reservoir, athletic field, basketball or tennis courts, wilderness*
9466 *area or other similar public land but excluding any recreation or pedestrian trail, pathway*
9467 *or bikeway. [Relocated to Sec. 1-15.P.(3)]*
- 9468 (3) ~~Private services zoning district means lands zoned Private Services (Zone PS-1); Private~~
9469 ~~Services (Zone PS-3); Private Services (Zone PS-5); and the portions of any lands zoned~~
9470 ~~Branan Field PUD (Zone BF PUD) or Planned Unit Development (Zone PUD) on which~~
9471 ~~any use is permitted as a matter of right as opposed to conditionally that would also be a~~
9472 ~~use permitted as a matter of right as opposed to conditionally on lands zoned Private~~
9473 ~~Services (Zone PS-1), Private Services (Zone PS-3) and Private Services (Zone PS-5).~~
- 9474 (4) ~~Religious institution means any property tax exempt building used for nonprofit purposes~~
9475 ~~by a recognized and legally established religious organization for the purpose of worship,~~
9476 ~~including sanctuaries, chapels, cathedrals, temples, synagogues and mosques, and~~
9477 ~~including such legal accessory uses as may be operated by such religious organization~~
9478 ~~and on site buildings adjacent thereto, such as parsonages, friaries, convents, fellowship~~
9479 ~~halls, Sunday schools and rectories, but not including day care centers, community~~
9480 ~~recreation facilities, and private primary or secondary educational facilities. [Relocated to~~
9481 ~~Sec. 1-15.R.(9)]~~
- 9482 (5) ~~Residential zoning district means lands zoned Single-Family Residential District (Zone~~
9483 ~~RA); Single-Family Residential District (Zone RB); Two or Three-Unit Residential District~~
9484 ~~(Zone RC); Multifamily Residential District (Zone RD) and any subdistricts thereof; Single-~~
9485 ~~Family Residential District (Zone RE); Residential Mobile Home Park District (Zone~~
9486 ~~RMHP); the residential portions of any lands zoned Planned Unit Development (Zone~~
9487 ~~PUD); the residential portions of any lands zoned Branan Field PUD (Zone BF PUD); and~~
9488 ~~lands zoned Lake Asbury Master Planned Community (Zone LA MPC); Lake Asbury Rural~~
9489 ~~Reserve (Zone LA RRSV); Lake Asbury Rural Community (Zone LA RC); Lake Asbury~~
9490 ~~Rural Fringe (Zone LA RF); Lake Asbury Activity Center (Zone LA AC); Lake Asbury Village~~
9491 ~~Center (Zone LA VC); and Lake Asbury Interchange Village Center (Zone LA IVC).~~
- 9492 (6) ~~School means a premises or site upon which is located an institution of learning, whether~~
9493 ~~public or private, which conducts regular classes or courses of study required for eligibility~~
9494 ~~for certification by, accreditation to, or membership in the Florida Department of Education,~~
9495 ~~the Southern Association of Colleges and Secondary Schools, or the Florida Council of~~
9496 ~~Independent Schools, and includes a premises or site upon which is located a nursery~~
9497 ~~school, kindergarten, elementary school, junior high school, senior high school, charter~~
9498 ~~school, special institution of learning, vocational institution, professional institution,~~
9499 ~~institution of higher education, community college, junior college, four-year college or~~
9500 ~~university. [Relocated to Sec. 1-15.S.(4)(a)]~~
- 9501 (7) ~~Wells Road Corridor means the area of the County located within 500 feet of any portion~~
9502 ~~of the right of way of the section of Wells Road extending from the municipal limits of the~~
9503 ~~Town of Orange Park west to a line across the width of said right of way that is~~
9504 ~~perpendicular to the centerline thereof and passes through the point on said centerline that~~
9505 ~~lies 750 feet west of the intersection of the centerlines of Wells Road and State Road 21,~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9506 ~~all as established as of the adoption date of the ordinance establishing this section.~~
- 9507 **[Relocated to Sec. 3-D-Q.4. Wells Road Special Regulations]**
- 9508 ~~(d) Principal business purpose. With respect to an adult bookstore as defined in the Adult~~
- 9509 ~~Entertainment Regulations established under Chapter 2.3 of the Clay County Code, the phrase~~
- 9510 ~~“principal business purpose” means the use of more than ten percent (10%) of the area accessible~~
- 9511 ~~to customers for the purpose of displaying, selling, renting or otherwise offering to the public adult~~
- 9512 ~~material. [Relocated to Sec. 3-E-D.2.d.(2)(a) Principal Business Purpose]~~
- 9513 ~~(e) Permitted Zoning Districts. Subject to the provisions, conditions, restrictions, limitations and~~
- 9514 ~~prohibitions set forth in subsections (f) through (o), adult entertainment establishments and sexually~~
- 9515 ~~oriented businesses are permitted to be located and to operate within the unincorporated area of~~
- 9516 ~~the County only upon parcels of real property that are zoned on the LDR Zoning Atlas as~~
- 9517 ~~Intermediate Business District (Zone BB); Light Intermediate Business District (Zone BB-1);~~
- 9518 ~~Community Business District (Zone BB-2); Specialty Business District (Zone BB-3); Heavy~~
- 9519 ~~Business District (Zone BB-4); or Commercial Recreation District (Zone BB-5). [Relocated and~~
- 9520 ~~consolidated under Commercial Use Matrix]~~
- 9521 ~~(f) Separation Requirements. Adult entertainment establishments and sexually oriented businesses~~
- 9522 ~~are not permitted to be located or to operate:~~
- 9523 ~~(1) Within 2,500 feet of any school; and,~~
- 9524 ~~(2) Within 500 feet of any religious institution, group home, park, residential zoning district or~~
- 9525 ~~private services zoning district; and,~~
- 9526 ~~(3) Within 1,000 feet of any other lawfully established and operating adult entertainment~~
- 9527 ~~establishment or sexually oriented business. [Relocated to Sec. 3-E-D.2.d.(2)(b)~~
- 9528 ~~Separation Standards]~~
- 9529 ~~(g) Measurement of Distances for Separation Requirements. The distance between uses required~~
- 9530 ~~under subsection (f) shall be measured in a straight line, without regard to intervening structures,~~
- 9531 ~~from the closest property line of each use. Where a property is in condominium ownership, the~~
- 9532 ~~distance shall be measured from the outermost boundary of the condominium property. Where a~~
- 9533 ~~property has multiple tenants, the distance shall be measured from the outermost boundary of the~~
- 9534 ~~bay or space occupied by the use. [Relocated to Sec. 3-A.7.b. Measurement of Separation~~
- 9535 ~~Distance]~~
- 9536 ~~(h) Prohibited Locations. Except as provided in subsection (e), no adult entertainment establishment~~
- 9537 ~~or sexually oriented business is permitted to be located or operate within the unincorporated area~~
- 9538 ~~of the County. Any other provisions of the Land Development Code to the contrary notwithstanding,~~
- 9539 ~~no adult entertainment establishment or sexually oriented business is permitted to be located or~~
- 9540 ~~operate upon any parcel of land that lies in whole or in part within the Middleburg Community or~~
- 9541 ~~within the Wells Road Corridor. [Relocated to Sec. 3-E-D.2.d.(2)(d)]~~
- 9542 ~~(i) Exception. Any other provisions of the Land Development Code to the contrary notwithstanding,~~
- 9543 ~~where any lot of record comprises two or more non-contiguous parcels and one or more, but not~~
- 9544 ~~all, of the non-contiguous parcels meet the separation requirements of subsection (f), an adult~~
- 9545 ~~entertainment establishment or sexually oriented business may be located and operated on any~~
- 9546 ~~portion of such lot of record that meets such separation requirements but not on any portion of such~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9547 *lot of record that does not meet such separation requirements.* [Relocated to Sec. 3-E-D.2.e.(2)(e)
9548 **Exception for Separation Standards]**
- 9549 ~~(j) — Non conforming Uses. Any adult entertainment establishments or sexually oriented businesses~~
9550 ~~existing and operating within the unincorporated area of the County as of the adoption date of the~~
9551 ~~ordinance establishing this section which is not located within the permissible locations provided in~~
9552 ~~this article shall be classified as non-conforming. If any such non-conforming adult entertainment~~
9553 ~~establishments or sexually oriented business voluntarily ceases to do business for a period of~~
9554 ~~ninety consecutive days, then it shall be deemed abandoned and thereafter shall not reopen except~~
9555 ~~in compliance with the location and distance requirements of this section. A non-conforming adult~~
9556 ~~entertainment establishment or sexually oriented business shall not expand the square footage or~~
9557 ~~cubic footage of the establishment or business beyond its existing dimensions. Each non-~~
9558 ~~conforming adult entertainment establishment or sexually oriented business must cease operations~~
9559 ~~at the location by which it is non-conforming within one year following the adoption date of the~~
9560 ~~ordinance establishing this section, and thereafter may continue to operate only at a permissible~~
9561 ~~location provided herein.~~ [Relocated to Sec. 3-E-D.2.e.(2)(f) Non-conforming Uses]
- 9562 ~~(k) — Change of Use as Applied to Adult Entertainment Establishments or Sexually Oriented Businesses.~~
9563 ~~The conversion of a bar, cocktail lounge, saloon, tavern, nightclub or restaurant to an adult~~
9564 ~~entertainment establishment or sexually oriented business shall not render the same a non-~~
9565 ~~conforming use under subsection (j). Any conversion of a bar, cocktail lounge, saloon, tavern,~~
9566 ~~nightclub or restaurant to an adult entertainment establishment or sexually oriented business must~~
9567 ~~conform to the locational requirements of this section.~~ [Relocated to Sec. 3-E-D.2.e.(2)(f) Non-
9568 ~~conforming Uses]~~
- 9569 ~~(l) — Distance Restrictions Between Establishments Serving Alcoholic Beverages for Consumption on~~
9570 ~~Premises and an Adult Entertainment Establishment or Sexually Oriented Business. Subsequent~~
9571 ~~to the adoption date of the ordinance establishing this section, no person or entity shall cause or~~
9572 ~~permit the location or operation of an establishment selling or serving alcoholic beverages for~~
9573 ~~consumption on premises within 500 feet of an adult entertainment establishment or sexually~~
9574 ~~oriented business, or within 500 feet of the permissible locations for an adult entertainment~~
9575 ~~establishment or sexually oriented business provided in this article, unless the zoning designation~~
9576 ~~for the parcel upon which the establishment selling or serving alcoholic beverages for consumption~~
9577 ~~on premises is established as of the adoption date of the ordinance establishing this section~~
9578 ~~permitted such use as a matter of right or as a conditional use; provided, this subsection shall not~~
9579 ~~apply to the establishment of a restaurant operating under a valid SRX alcoholic beverage license~~
9580 ~~issued by the State of Florida.~~ **Relocated to Sec. 3-E-D.2.e.(2)(f) Non-conforming Uses]**
- 9581 ~~(m) — Measurement of Distances for Alcoholic Beverages Establishment. For purposes of subsection (l),~~
9582 ~~the distance between any adult entertainment establishment or sexually oriented business and any~~
9583 ~~establishment serving alcoholic beverages for consumption on premises shall be measured in a~~
9584 ~~straight line, without regard to intervening structures, from the closest exterior structural wall of the~~
9585 ~~adult entertainment establishment or sexually oriented business to the closest property line of the~~
9586 ~~establishment serving alcoholic beverages for consumption on premises.~~ [Deleted, consolidated
9587 ~~under Sec. 3-A.7. Measuring Separation Distance]~~

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Part E Use Types and Regulations

9588 Sec. 3-E-D.3. Auction

9589 3-E-D.3.a. Description and Typical Uses

9590 A sale event that may occur in an enclosed building or at an outdoor site in which assets or services where
9591 interested parties place competitive bids on such items and are sold to the highest bidder.

9592 3-E-D.3.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>Indoor Auction:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
	<u>Outdoor Auction:</u>	<u>1 acre</u>
<u>(b) Minimum Setback:</u>	<u>Outdoor Auction:</u>	<u>From outdoor display of sale items to lot line: 50 feet</u>

9593 (2) Additional Use Standards:

9594 (a) Outdoor Display for an Outdoor Auction Facility.

9595 i. Location. Display shall not be located in landscape buffers, access easements or
9596 occupy any required parking and loading spaces, and shall not block any vehicular
9597 traffic circulation, including fire lanes.

9598 ii. All outdoor display shall be allowed at the Auction facility during the auction event
9599 time.

9600 (b) Outdoor Display for an Indoor Auction Facility.

9601 i. An Indoor Auction facility may have outdoor display of sale items and shall comply
9602 with the outdoor display setbacks in Subsections 3-E-D.3.b.(1)(b) Minimum
9603 setback and 3-E-D.3.(2)(a) Outdoor Display for an Outdoor Auction Facility; and

9604 ii. Shall be limited to 30 percent of the outdoor area.

9605 Sec. 3-5. Conditional Uses.

9606 ~~(f) Auctions.~~

9607 ~~(1) A parking ratio of one space per 300 square feet of floor area ratio is required.~~

9608 ~~(2) Shared parking of adjacent off-peak uses may be utilized to meet minimum parking~~
9609 ~~requirements.~~

9610 ~~(3) Agreements from adjacent owners allowing the use of shared parking must be obtained~~
9611 ~~and submitted prior to approval. Rev. 04/22/08 [Deleted, as these standards are in~~
9612 ~~Article 6, and Appendix A Parking Space Requirements]~~

9613 Sec. 3-E-D.4. Bed and Breakfast

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9614 **3-E-D.4.a. Description and Typical Uses**

9615 A Single-Family residence managed and occupied by the owner of the lot providing at least 1 meal per day
9616 and temporary sleeping accommodations for a person to rent on a daily or weekly basis.

9617 **3-E-D.4.b. Specific Use Standards**

(1) Dimensional Use Standards:

- | | |
|------------------------------|--|
| <u>(a) Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| <u>(b) Minimum Setback:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

(2) Additional Use Standards:

- 9618 (a) A resident owner or operator shall reside on site at all times. [Relocated from Sec. 3-
9619 5.(i)(1)]
- 9620 (b) Sales of alcohol beverages to the customers shall not be allowed at the Residential facility.
- 9621 (c) All additional social events such as receptions or weddings shall not be allowed, unless
9622 subject to a Special Event permit.^[MK140]
- 9623 (d) Any improvements or expansion of the Residential building shall be compatible with the
9624 general characteristics of the surrounding neighborhood, and may comply with Part F,
9625 Division F Architectural Design Guidelines, where applicable.
- 9626 (e) All applicable regulations of the various health, building, and fire codes shall be met prior
9627 to the issuance of any building permits. [Relocated from Sec. 3-5.(i)(5) Bed and
9628 Breakfast Inns]
- 9629 (f) Overnight lodging for guests shall be limited to a maximum of 28 consecutive days.
- 9630

9631 **Sec. 3-5. Conditional Uses.**

- 9632 ~~(i) Bed and Breakfast Inns.~~
- 9633 ~~(1) A resident owner or operator must reside on-site at all times. [Relocated to Sec. 3-E-~~
9634 ~~D.4.b.(2)(b) Additional Use Standards]~~
- 9635 ~~(2) Off street parking shall be provided at the rate of two (2) spaces for the resident owner or~~
9636 ~~operator and one (1) space for each occupancy or rental unit.~~
- 9637 ~~(3) Signage shall be limited to one (1) sign of not larger than six (6) square feet, inclusive of~~
9638 ~~face and frame, logos, pictures, and the like, per street frontage. No sign shall exceed a~~
9639 ~~maximum height of twelve (12) feet as measured to the highest projection of the sign or~~
9640 ~~support. All other provisions of the Clay County Sign Ordinance shall apply. [Deleted~~
9641 ~~(2)to(3) as Sec. 3-E-A. addresses all use types shall comply with parking and signage~~
9642 ~~standards]~~
- 9643 ~~(4) The exterior architectural style and appearance of all buildings and structures, including~~
9644 ~~signs, shall be compatible with the generally established theme of the surrounding~~
9645 ~~neighborhood. [Relocated to Sec. 3-E-D.4.b.(2)(d) Additional Use Standards]~~
- 9646 ~~(5) All applicable regulations of the various health, building, and fire codes shall be met prior~~
9647 ~~to the issuance of any building permits. [Relocated to Sec. 3-E-D.4.b.(2)(e) Additional~~
9648 ~~Use Standards]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9649 Sec. 3-E-D.5. Car Wash Facility

9650 3-E-D.5.a. Description and Typical Uses

9651 A facility for the cleaning of either the exterior and/or interior of vehicles that may be self-service, automatic,
9652 or staffed by cleaners. Cleaning may include waxing and vacuuming services.

9653 3-E-D.5.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size: 1 acre

(b) Minimum Setback: Vehicle cleaning areas: From any lot line in a Residential zoning district: 100 feet

9654 (2) Additional Use Standards:

9655 (a) Outdoor Screening. All outdoor cleaning activities of a car wash facility shall be screened
9656 from view. A 6-foot-high opaque fence or wall shall be installed along the areas abutting
9657 adjacent lots or streets.

9658 (b) Cleaning services may be conducted interior to a structure or exterior.

9659 3-E-D.5.c. Accessory or Collocated Uses

Use

Gas and Fuel Sales

Refer to Sec. 3-E-D.8.

9660 Sec. 3-E-D.6. Cocktail Lounge

9661 3-E-D.6.a. Description and Typical Uses

9662 An establishment engaged in the preparation and sales of alcoholic beverages. Typical Uses may include
9663 any establishments (cocktail lounges, bars) that are licensed to sell and serve alcoholic beverages as
9664 defined in F.S. § 561.01(4)(a). This shall not include Restaurants that sells and serve alcoholic beverages.

9665 3-E-D.6.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size: Apply the standards of the lot's zoning district, if applicable

(b) Minimum Setback: Apply setbacks of the lot's zoning district, if applicable

9666 (2) Additional Use Standards:

9667 (a) Access. Vehicular access shall be from an arterial or collector street.

9668 (b) Separation Criteria.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9669 i. No 2 Cocktail Lounges or Bars shall be located within 1,000 lineal feet from one
 9670 another. Refer to Sec. 3-A.7. Measurement of Separation.
 9671 ii. A Cocktail Lounge or Bar shall be located a minimum of 250 lineal feet from a
 9672 Place of Worship or a Private or Public School. Distance shall be measured from
 9673 the main building entrance to the main building entrance, except that in the case
 9674 of a Private or Public School, measurement shall be from the main building of a
 9675 Cocktail Lounge or Bar to the closest point of the Private or Public School's lot line.
 9676 iii. Exception. Separation criteria shall not apply to a Cocktail Lounge or Bar that is
 9677 located within a Hotel/Motel.

9678 Sec. 3-E-D.7. Funeral Home

9679 3-E-D.7.a. Description and Typical Uses

9680 An establishment engaged in preparing deceased human beings for burial and managing and arranging
 9681 memorials.

9682 Sec. 3-E-D.8. Gas and Fuel Sales[EG141]

9683 3-E-D.8.a. Description and Typical Uses

9684 A Commercial establishment operating primarily as a fueling station for gasoline-powered vehicles.

9685 3-E-D.9.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
<u>(b) Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
<u>(c) Minimum Use Separation:[EG142]</u>	<u>Measured from any lot line of a Gas and Fuel Sales use to the lot line of another Gas and Fuel Sales use: 700 feet</u>

9686 3-E-D.8.c. Accessory or Collocated Uses

<u>Use</u>	
<u>Retail Sales, General (Convenience Store)</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Car Wash Facility</u>	<u>Refer to Sec. 3-E-D.5.</u>

9687 Sec. 3-E-D.9. Hotel or Motel

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9688 **3-E-D.9.a. Description and Typical Uses**

9689 A public lodging establishment providing overnight accommodations to guests for a limited period of time
 9690 that includes amenities such as providing meals complementary or for sale, housekeeping services, and
 9691 on-site concierge services. Typical uses may include, but are not limited to a hotel, boutique hotel, motel,
 9692 long-term stay facility, boatel.

9693 **3-E-D.9.b. Specific Use Standards**

(1) Dimensional Use Standards:

<u>(a)</u>	<u>Minimum Lot Size:</u>	<i>1 acre</i> [Relocated from Sec. 3-5.(af)(1)]
<u>(b)</u>	<u>Minimum Setback:</u>	<i>25 feet</i> [Relocated from Sec. 3-5.(af)(5)]
	<u>From all lot lines to any zoning districts or uses:</u>	
<u>(c)</u>	<u>Maximum Lot Coverage</u>	<i>40 percent</i> [Relocated from Sec. 3-5.(af)(3)]
<u>(d)</u>	<u>Maximum Intensity</u>	<i>50 units per acre</i> [Relocated from Sec. 3-5.(af)(2)]

9694 (2) Additional Use Standards:

- 9695 (a) Access. Vehicular access shall be from an arterial or collector street.
- 9696 (b) Floor Area. A minimum of 350 square feet shall be provided for each sleeping room unit.
 9697 The floor area shall be increased for additional beds or bedrooms in the unit.
- 9698 (c) Open Space. A total of 40 percent of the lot's area shall be dedicated for usable open space
 9699 and/or outdoor amenities.
- 9700 (d) Height Increase. If multiple stories are provided for a Hotel/Motel, and the building exceeds
 9701 35 feet, then the required setbacks shall be increased by 1 foot for each additional 2 feet
 9702 in height, until the allowable maximum height of ~~75 feet~~ ^[MK143] has been reached.
- 9703 (e) Waste Storage Area. Refer to [Sec. 3-F-H.3 Waste Storage Area](#).
- 9704 (f) Lodging Overnight to Guests. Shall be for a limited period of time not to exceed 28
 9705 consecutive nights.

9706 **3-E-D.9.c. Accessory or Collocated Uses**

<u>Use</u>	
<u>Cocktail Lounge</u>	<u>Refer to Sec. 3-E-D-6.</u>
<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D-12.</u>
<u>Personal Services (Fitness Center, Spa)</u>	<u>Refer to Sec. 3-E-D-14.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D-16.</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9707 **Sec. 3-5. Conditional Uses.**

9708 ~~(af) Hotels and Motels:~~

9709 ~~(1) Minimum Site Size. An area of not less than one (1) acre having a minimum width of not~~
9710 ~~less than two hundred (200) feet (100 of which must be roadway frontage) and a depth of~~
9711 ~~not less than two hundred (200) feet. [Relocated to Sec. 3-E-D.9.b.(1)(a) Minimum lot~~
9712 ~~size]~~

9713 ~~(2) Maximum Density. Fifty (50) units per acre. (amended 2/24/98 Ord 98-8)~~
9714 ~~[Relocated to Sec. 3-E-D.9.b.(1)(d)]~~

9715 ~~(3) Maximum Site Coverage. Forty (40) percent. (amended 10/12/93 Ord 93-36)~~
9716 ~~[Relocated to Sec. 3-E-D.9.b.(1)(c)]~~

9717 ~~(4) Minimum Floor Area. Two hundred and fifty (250) square feet per unit.~~

9718 ~~(5) Setbacks. (i) Front. Not less than twenty five (25) feet from front property line. (ii) Rear. Not~~
9719 ~~less than twenty five (25) feet from rear lot line. (iii) Side. Not less than twenty five (25) feet~~
9720 ~~from the side lot line, unless a corner lot, then setback shall be same as front setback.~~

9721 ~~[Relocated to Sec. 3-E-D.9.b.(1)(b)]~~

9722 ~~(6) Off Street Parking. Parking areas should not be separated from principal structure by any~~
9723 ~~public road. Off site parking areas must be zoned consistent with the principal use.~~

9724 ~~(7) Required Spaces. Motels/hotels shall have one (1) space per unit plus one (1) space for~~
9725 ~~each two (2) employees. [Standards are under Article 6, Appendix A Parking Space~~
9726 ~~Requirements]~~

9727 ~~(8) Addition to Site Plan. Location of trash receptacles. [Deleted as this is a standard for~~
9728 ~~Site Plan]~~

9729 ~~(9) Visual Barrier. Trash receptacles must be enclosed by a visual barrier. [Deleted, and~~
9730 ~~referred to Sec. 3-F-H.3. Waste Storage Area]~~

9731 Sec. 3-E-D.10. Kennel, Class 1

9732 3-E-D.10.a. Description and Typical Uses

9733 An establishment for the boarding, sale of, training of, or treatment purposes, except in [Veterinary Clinic](#),
9734 as allowed by these standards. A Kennel is classified under Class 1 and Class 2 based on the number of
9735 animals the establishment is licensed to keep and provide services. Typical uses may include, but are not
9736 limited to a pet grooming facility, boarding facility or [Commercial pet related business](#). [From Sec. 1-15.(88)]

9737 3-E-D.10.b. Permitted Process

9738 A Residential use may allow a Kennel, Class 1 on site subject to approval by the Planning and Zoning
9739 Director or his/her designee, subject to the standards of this Section.

3-E-D.10.c. Specific Use Standards

(1) Dimensional Use Standards:

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

	(a)	<u>Minimum Lot Size:</u>	5 acres [Relocated from Sec. 3-5.(q)(2)]
	(b)	<u>Minimum Setback:</u> <u>All structures unless stated otherwise:</u> <u>From any lot line:</u>	100 feet [Relocated from Sec. 3-5.(q)(3)]

- 9740 (3) Additional Use Standards:
- 9741 (a) Minimum Number of Dogs and Cats. 5 or more dogs or cats, 6-month of age or older.
- 9742 (b) Outdoor Activities. Outdoor activities shall be supervised and shall be limited to 7:00 a.m.
- 9743 to 9:00 p.m., and all animals shall be on a leash.
- 9744 i. Outdoor activity areas shall be setback 25 feet from all property lines.
- 9745 (c) Waste Disposal. All animal waste shall meet the applicable regulations of the Clay County
- 9746 Solid Waste Authority and the County Health Department^{[[MK144]]}.

9747 **Sec. 3-5. Conditional Uses.**

- 9748 ~~(q) Commercial Kennels.~~
- 9749 ~~(1) Limitation of Use. Such facilities are limited to the raising, breeding, boarding, and~~
- 9750 ~~grooming of domesticated animals. [Consolidated under Sec. 3-E-D.10.a. Description~~
- 9751 ~~and Typical Uses]~~
- 9752 ~~(2) Limitations of Size. Such facilities are permitted on tracts of land of not less than five (5)~~
- 9753 ~~acres under unity of lease or title by the person operating such facility. [Consolidated~~
- 9754 ~~under Sec. 3-E-D.10.c.(1)(a) Dimensional Use Standards]~~
- 9755 ~~(3) Setback. No kennel or building or structure, stable or outdoor run shall be closer than one~~
- 9756 ~~hundred (100) feet from any property line. [Consolidated under Sec. 3-E-D.10.c.(1)(b)~~
- 9757 ~~Dimensional Use Standards]~~
- 9758 ~~(4) Runs - Kennels. All runs shall be hard surfaced or grassed with drains provided every ten~~
- 9759 ~~(10) feet and connected to an approved sanitary facility. [Relocated to Sec. 3-E-~~
- 9760 ~~D.11.b.(2)(c) Outdoor Runs]~~
- 9761 ~~(5) Fencing and Screening - Runs. Outdoor runs shall provide a chain link material on the wall~~
- 9762 ~~and top of each individual run. When deemed necessary by the Development Review~~
- 9763 ~~Committee (DRC) to protect the general public, safety fences of up to a height of six (6)~~
- 9764 ~~feet may be required. The DRC may also require a landscape screen of at least seventy-~~
- 9765 ~~five (75) percent opaqueness to protect neighboring property value or use. [Deleted,~~
- 9766 ~~replaced with new language]~~
- 9767 ~~(6) Contagious Disease. No animal having a disease harmful to humans shall be boarded or~~
- 9768 ~~maintained in the facility. [Relocated to Sec. 3-E-D.11.b.(2)(f) Contagious Disease]~~
- 9769 ~~(7) Disposal of Animals. Animals may not be burned, buried, dismembered, or used for~~
- 9770 ~~exploitative purposes while housed in the facility. [Relocated to Sec. 3-E-D.11.b.(2)(g)~~
- 9771 ~~Disposal of Animals]~~
- 9772 ~~(8) Caretakers Quarters. A single residential unit for a custodian or caretaker may be~~
- 9773 ~~constructed on site. [Relocated to Sec. 3-E-D.11.b.(2)(h) Caretakers Quarters]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9774 **3-15. Rural Estates District (Zone AR-3)**

9775 ~~(d)(1) — The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
9776 ~~in age. [Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9777 **Sec. 3-16. Single-Family Residential district (ZONE RA)**

9778 ~~(b)(6) — The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
9779 ~~in age. [Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9780 **Sec. 3-17. Single-Family Residential District (ZONE RB)**

9781 ~~(b)(6) — The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
9782 ~~in age. [Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9783 **Sec. 3-18. Two or Three Unit Residential District (ZONE RC)**

9784 ~~(b)(6) — The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
9785 ~~in age. [Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9786 **Sec. 3-20. Single-Family Residential District (ZONE RE)**

9787 ~~(b)(6) — The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
9788 ~~in age. [Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9789 **Sec. 3-33.A.II.1.c.i. BF Rural Suburbs (BF RS)**

9790 ~~The keeping of domesticated cats and dogs with a limit of six total per household over six months in age.~~
9791 ~~[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9792 **Sec. 3-33.A.II.2.c.i. BF Master Planned Community (BF MPC)**

9793 ~~The keeping of domesticated cats and dogs with a limit of six total per household over six months in age.~~
9794 ~~[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9795 **Sec. 3-33.A.II.6.a.ii.A. Brannan Field Mixed Use (BF MU)**

9796 ~~Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9797 ~~[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9798 **Sec. 3-33.A.II.6.c.xii.A. Brannan Field Mixed Use (BF MU)**

9799 ~~Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9800 ~~[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9801 **Sec. 3-33.B.B.1.c.i. Lake Asbury Master Plan Area**

9802 ~~Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9803 ~~[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]~~

9804 **Sec. 3-33.B.B.2.c.i. Lake Asbury Master Plan Area**

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9805 ~~The Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9806 **[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]**

9807 **Sec. 3-33.B.B.3.c.i. Lake Asbury Master Plan Area**
9808 ~~The Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9809 **[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]**

9810 **Sec. 3-33.B.B.4.c.i. Lake Asbury Master Plan Area**
9811 ~~Keeping of domesticated cats and dogs with a limit of six per household over six months of age.~~
9812 **[Consolidated under Sec. 3-E-D.10.c. Specific Use Standards]**

9813 Sec. 3-E-D.11. Kennel, Class 2

9814 **3-E-D.11.a. Description and Typical Uses**

9815 An establishment for the boarding, sale of, training of, or treatment purposes, except in [Veterinary Clinic](#),
9816 as allowed by these standards. A Kennel is classified under Class 1 and Class 2 based on the number of
9817 animals the establishment is licensed to keep and provide services. Typical uses may include, but are not
9818 limited to a pet grooming facility or [Commercial pet related business](#). **[From Sec. 1-15.(88)]**

9819 **3-E-D.11.b. Specific Use Standards**

(1) Dimensional Use Standards:

		5 acres [Relocated from Sec. 3-5.(q)(2)]
(a)	<u>Minimum Lot Size:</u>	
(b)	<u>Minimum Setback:</u> <u>All structures unless stated otherwise:</u> <u>From any lot line:</u>	100 feet [Relocated from Sec. 3-5.(q)(3)]
(c)	<u>Minimum Square Footage of Kennel"</u>	<u>5,000 square feet</u>

9820 (2) Additional Use Standards:

- 9821 (a) Minimum Number of Dogs and Cats.
- 9822 i. 30 dogs or more are being housed at the same time;
- 9823 ii. 10 litters or more of dogs and cats combined are breed in a single year; and/or
- 9824 iii. 30 or more dogs or cats are kept overnight or for a 24-hour period.
- 9825 (b) Licensure. The site must be subject to Animal Care and Control (ACC) operation standards
9826 and permits.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9827 i. (c) Retail Sales of Dogs and Cats. Shall comply with Sec. 4-36 of Clay County Code.
- 9828 Refer to
- 9829 <https://www.claycountygov.com/home/showdocument?id=8254&t=638079210831123563>
- 9830 (d) Outdoor Runs. All runs shall be hard surfaced or grassed with drains provided every 10
- 9831 feet and connected to an approved sanitary facility. [Relocated from sec. 3-5.(q)(4)]
- 9832 i. An outdoor run shall be surrounded by a 6-foot-high vinyl-coated or opaque fence.
- 9833 ii. Runs shall be hard surfaced or grassed with drains provided every 10 feet and
- 9834 connected to an approved sanitary facility.
- 9835 iii. Outdoor runs may be utilized from the hours of 8:00 a.m. to 4:00 p.m. Monday
- 9836 through Friday and Sunday. On Saturday, outdoor runs may be utilized from 7:00
- 9837 a.m. to 3:00 p.m.
- 9838 (e) Waste Disposal. All animal waste shall meet the applicable regulations of the Clay County
- 9839 Solid Waste Authority and the County Health Department.^[MK145]
- 9840 (f) Outdoor Activities. Outdoor activities shall be supervised and shall be within allowable
- 9841 hours of operation, and all animals shall be on a leash.
- 9842 (g) Contagious Disease. No animal having a disease harmful to humans shall be boarded or
- 9843 maintained in the facility. [Relocated from Sec. 3-5.(q)(6)]
- 9844 (h) Disposal of Animals. Animals may not be burned, buried, dismembered, or used for
- 9845 exploitative purposes while housed in the facility. [Relocated from Sec. 3-5.(q)(7)]
- 9846 (i) Caretaker's Quarters. A single Residential unit for a caretaker may be constructed on site
- 9847 subject to standards in Sec. 3-E-I.4 Caretaker's Quarters. [Relocated from Sec. 3-
- 9848 5.(q)(8)]

3-E-D.11.c. Accessory or Collocated Uses for Kennel, Class 2

Use

<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.12.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Caretaker's Quarter</u>	<u>Refer to Sec. 3-E-I.4.</u>

- 9850 (1) Accessory Retail Sales. Sales shall be limited to food, toys, and accessory items for dogs and cats.

Sec. 3-5. Conditional Uses.

- 9851 ~~(q) Commercial Kennels.~~
- 9852 ~~(1) Limitation of Use. Such facilities are limited to the raising, breeding, boarding, and~~
- 9853 ~~grooming of domesticated animals. [Consolidated under Sec. 3-E-D.10.a. Description~~
- 9854 ~~and Typical Uses]~~
- 9855 ~~(2) Limitations of Size. Such facilities are permitted on tracts of land of not less than five (5)~~
- 9856 ~~acres under unity of lease or title by the person operating such facility. [Consolidated~~
- 9857 ~~under Sec. 3-E-D.10.c.(1)(a) Dimensional Use Standards]~~
- 9858 ~~(3) Setback. No kennel or building or structure, stable or outdoor run shall be closer than one~~
- 9859 ~~hundred (100) feet from any property line. [Consolidated under Sec. 3-E-D.10.c.(1)(b)~~
- 9860 ~~Dimensional Use Standards]~~
- 9861

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Part E Use Types and Regulations

- 9862 ~~(4) — **Runs—Kennels.** All runs shall be hard surfaced or grassed with drains provided every ten~~
9863 ~~(10) feet and connected to an approved sanitary facility. [Relocated to Sec. 3-E-~~
9864 ~~D.11.b.(2)(c) Outdoor Runs]~~
- 9865 ~~(5) — **Fencing and Screening—Runs.** Outdoor runs shall provide a chain link material on the wall~~
9866 ~~and top of each individual run. When deemed necessary by the Development Review~~
9867 ~~Committee (DRC) to protect the general public, safety fences of up to a height of six (6)~~
9868 ~~feet may be required. The DRC may also require a landscape screen of at least seventy-~~
9869 ~~five (75) percent opaqueness to protect neighboring property value or use. [Deleted,~~
9870 ~~replaced with new language]~~
- 9871 ~~(6) — **Contagious Disease.** No animal having a disease harmful to humans shall be boarded or~~
9872 ~~maintained in the facility. [Relocated to Sec. 3-E-D.11.b.(2)(f) Contagious Disease]~~
- 9873 ~~(7) — **Disposal of Animals.** Animals may not be burned, buried, dismembered, or used for~~
9874 ~~exploitative purposes while housed in the facility. [Relocated to Sec. 3-E-D.11.b.(2)(g)~~
9875 ~~Disposal of Animals]~~
- 9876 ~~(8) — **Caretakers Quarters.** A single residential unit for a custodian or caretaker may be~~
9877 ~~constructed on site. [Relocated to Sec. 3-E-D.11.b.(2)(h) Caretakers Quarters]~~

9878 Sec. 3-E-D.12. Office, Business and Professional

9879 3-E-D.12.a. Description and Typical Uses

9880 An establishment primarily providing business, professional, or financial services. Typical uses may include,
9881 but are not limited to attorneys, engineering offices, accounting, medical or dental offices, auditing and
9882 bookkeeping services, corporate and consulting services, real estate sales, insurance companies, bank
9883 and finance offices.

9884 3-E-D.12.b. Permitted Process [MK146]

9885 The Planning and Zoning Director or his/her designee shall have the ability to make a final decision,
9886 approval or denial, of a development application if the proposed intensity is less than the minimum intensity
9887 required.

- 9888 (1) A Bank with Drive-Through Facilities. A maximum of 3 or less drive-through lanes with ATM or teller
9889 services shall be allowed subject to a Permitted process.

9890 3-E-D.12.c. Specific Use Standards

- 9891 (1) Access. Vehicular access shall be from an arterial or collector street.
- 9892 (2) BF Master Planned Community (BF MPC).
- 9893 (a) Drive-Throughs. For lots located in the BF MPC, Neighborhood Center, drive-throughs
9894 shall not be permitted for Banks or Financial Institutions.
- 9895 (3) Administration Office. Office space shall be allowed as an accessory use for Non-Commercial or
9896 business type of uses.

9897 Sec. 3-5. Conditional Uses.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 9898 ~~(x) — Fairground Association Administrative Office and Accessory Uses.~~
9899 ~~(1) — Any property owned by the Fair Association when said property is adjacent to publicly~~
9900 ~~owned property zoned PO-2 for existing Fairground uses, shall be permitted to have such~~
9901 ~~buildings as a Fairground Association administrative office and accessory uses such as~~
9902 ~~educational facilities, agricultural, horticultural, livestock, charitable, historical, civic,~~
9903 ~~cultural or scientific and any other type building used in connection with public fairs and~~
9904 ~~expositions. [Deleted, because this use is addressed under the proposed Office,~~
9905 ~~Business and Professional Use]~~
9906 ~~(2) — Fencing and Screening. Where deemed necessary by the Development Review~~
9907 ~~Committee (DRC) to protect the general public, safety fences of up to a height of six (6)~~
9908 ~~feet may be required. The DRC may also require a landscape screen of at least seventy-~~
9909 ~~five (75) percent opaqueness to protect neighboring property from potential loss of use or~~
9910 ~~diminishment of land value or use. [Deleted]~~
9911 ~~(3) — Setbacks for Fair Association administrative office shall be thirty (30) feet from front lot line,~~
9912 ~~twenty (20) feet from side lot lines, and thirty five (35) feet from rear lot line. All other~~
9913 ~~accessory buildings shall be setback thirty (30) feet from front lot line, 7.5 feet from side lot~~
9914 ~~lines, and 7.5 feet from rear lot line. [Deleted]~~
9915 ~~(4) — Access shall be from a paved road and all internal roads shall be accessible via an all~~
9916 ~~weather road suitable to accommodate emergency vehicles and other traffic.~~
9917 ~~[Consolidated under Sec. 3-E-D.11.c. Specific Use Standards]~~
9918 ~~(5) — Required “paved” parking shall be based on Administrative office square footage only, and~~
9919 ~~require one space per 250 square feet of area dedicated to office area. [Relocated to Part~~
9920 ~~F, Division J Parking]~~
9921 ~~(6) — Due to the fact that these uses are located within Agriculture zoning and Agriculture land~~
9922 ~~use, which are located within the “rural” areas of the county, development shall be exempt~~
9923 ~~from Article VI, with the exception of Section 6-5, “Vehicular Use Area.”~~
9924 ~~(7) — The Fair Association must maintain itself in good standing pursuant to its Charter and~~
9925 ~~applicable Florida Law. (amended 05/06 — Ord. 06-26) [Deleted]~~

9926 **Sec. 3-22. Commercial and Professional Office District**

- 9927 ~~(b) — Uses Permitted.~~
9928 ~~(1) — Commercial and professional offices having a gross floor area limited to twenty five~~
9929 ~~hundred (2,500) square feet per building including, but not limited to, offices for doctors,~~
9930 ~~dentists, osteopaths, chiropractors, medical and dental laboratories, attorneys, engineering~~
9931 ~~offices, accounting, auditing and bookkeeping services, real estate sales, insurance~~
9932 ~~companies, finance offices. [Consolidated under Sec. 3-E-D.11. Office, Business and~~
9933 ~~Professional]~~

9934 **Sec. 3-22. Industrial Select (Zone IS)**

- 9935 ~~(b) — Uses Permitted.~~
9936 ~~(1) — Light industries, with related offices and showrooms, which manufacture, assemble,~~
9937 ~~process, package, store, and distribute small unit products such as optical devices,~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9938 ~~precision instruments, electronic equipment, toys, fishing tackle, research facilities and~~
9939 ~~laboratories, and the like. Corporate offices which accommodate twenty five (25) or more~~
9940 ~~employees shall be allowed in this district. [Consolidated under Sec. 3-E-D.12. Office,~~
9941 ~~Business and Professional]~~

9942 Sec. 3-E-D.13. Parking Facilities, Commercial

9943 3-E-D.13.a. Description and Typical Uses

9944 ~~A structure or a lot used for temporary parking of vehicles for a fee. This may also include those parking~~
9945 ~~structures that serve a Residential use and does not charge a fee.~~

9946 3-E-D.13.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | |
|------------------------------|--|
| (a) <u>Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| (b) <u>Minimum Setback:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

9947 (2) Additional Use Standards

- 9948 (a) Access. Vehicular access shall be from an arterial or collector street.
9949 (b) Parking Layout. Shall comply with [Article 8, Design and Improvement Standards.](#)
9950 (c) Design. Where applicable, the exterior design of a Parking Structure shall comply with [Part](#)
9951 [F, Division F, Architectural Design Guidelines.](#)

9952 Sec. 3-E-D.14. Personal Services

9953 3-E-D.14.a. Description and Typical Uses

9954 ~~An establishment which provides or supplies the needs of customers, and includes instructional,~~
9955 ~~informational, recreational or similar services. Typical uses may include, but are not limited to, shoe repair;~~
9956 ~~dry cleaning; barber, beauty or nail salon; spas, tanning salon, artist or photographic studio, dance or music~~
9957 ~~studio, tailor or dress makers.~~

9958 Sec. 3-E-D.15. Restaurant, Class 1

9959 3-E-D.15.a. Description and Typical Uses

9960 ~~An establishment which engages in the preparation and sale of food and beverages. The establishment~~
9961 ~~may be equipped with an outdoor menu board and drive-through lanes for order and sales. Indoor seating,~~
9962 ~~minimal at-table service, disposable utensils, and over the counter payment of the food and beverages are~~
9963 ~~generally associated with this type of Restaurant.~~

3-E-D.15.b. Specific Use Standards

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

- 9964 (2) Additional Use Standards:
9965 (a) Access. Vehicular access shall be from an arterial or collector street.
9966 (b) Building Design. Shall comply with [Part F, Division F Architectural Design Guidelines.](#)

9967 Sec. 3-E-D.16. Restaurant, Class 2

9968 3-E-D.16.a. Description and Typical Uses

9969 An establishment which engages in the preparation and sale of food and beverages. The establishment
9970 provides seating, staff's assistance upon entry of the restaurant, offers food and beverage menu, patrons'
9971 orders are provided at the table, and payment is completed after the meals. May provide take-outs and
9972 delivery service of food and beverages.

9973 3-E-D.16.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

- 9974 (2) Additional Use Standards:
9975 (a) Access. Vehicular access shall be from an arterial or collector street.
9976 (b) Outdoor Dining. Outdoor seating affiliated with a Restaurant where patrons are served and
9977 dined shall be considered as part of the Restaurant, and shall comply with all the standards
9978 and other applicable standards of this Code.
9979 (c) Take-Out Service. Take-out service shall be allowed if there are no exterior menu order
9980 windows or drive-through lanes.
9981 (d) Dog Friendly Restaurant. Restaurants that allow patrons' dogs shall provide a designated
9982 outdoor area of the Restaurant.
9983 i. No dog shall be allowed in a Restaurant unless allowed by State law, F.S. 509.233
9984 and the Restaurant has received and maintains an unexpired and valid permit
9985 allowing a deviation from the applicable FDA regulations pursuant to this
9986 subsection allowing dogs in designated outdoor areas of the Restaurant.

9987 Sec. 3-E-D.17. Retail Sales, General

9988 3-E-D.17.a. Description and Typical Uses^[EG147]

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

9989 A facility providing goods or commodities for sale for consumer use. Typical uses may include, but are not
9990 limited to grocery stores, home goods stores, clothing stores, drugstores, outlet stores, automotive parts
9991 stores, monument tombstone stores, consignment, second hand shops, and convenience stores.

9992 **3-E-D.17.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	<u>Flea Market:</u>	3 acres [Relocated from Sec. 3-5.(z) (3) Minimum Lot Area, Flea Markets]
(b)	<u>Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>	
(c)	<u>Minimum Separation for Flea Market:</u>	<u>Adjacent Residential use lot line:</u>	500 feet [Relocated from Sec. 3-5.(z) (2) Location Prohibitions, Flea Markets]

(2) Additional Use Standards:

9993 (a) Access. Vehicular access shall be from an arterial or collector street.
9994 i. Flea Market shall have a minimum of 100 feet of frontage on a public street right-
9995 of-way. [Relocated from Sec. 3-5.(z)(3) Minimum Lot Area, Flea Markets]
9996 (b) Outdoor Display. The outdoor display of retail items or merchandise for sale shall be
9997 permitted for all uses except for monument tombstone stores, and allowed during hours of
9998 operation.
9999 i. Display shall be removed and stored indoors after hours; and
10000 ii. Display shall not block or impede pedestrian or vehicular traffic circulation.
10001 (c) Loading. Loading and delivery for large Retail Sales over 30,000 square feet shall be
10002 screened from view in the rear of the facility.
10003

(3) Additional Use Standards for Flea Market:

10004 (a) Vested Status. Flea Market operations located on properties less than 3 acres in size are
10005 exempt from Subsections 3-E-D.17.b.(1) and 3-E-D.17.b.(3)(d) Additional Setback of this
10006 Section, and from the general paving and drainage standards of the Code. These
10007 exemptions are only applicable to entirely enclosed buildings existing prior to February 24,
10008 2009. Additionally, all uses shall be conducted within the building and include no outside
10009 storage or activities. [Relocated from Sec. 3-5.(z)(1) Size Restrictions, Flea Market]
10010 (b) Performance Standards. The operation of these facilities shall conform to all rules and
10011 regulations of all governmental agencies having appropriate jurisdiction. [Relocated from
10012 Sec. 3-5.(z)(6) Performance Standards, Flea Markets]
10013 (c) Additional Setback. No building, mobile home, trailer, mechanical device, or merchandise
10014 storage shall be located closer to the lot line than 100 feet. [Relocated from Sec. 3-5.(z)(8)
10015 Setbacks, Flea Markets]
10016

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

10017 (4) BF Rural Neighborhood Center (BF RNC). *Grocery stores, including integrated pharmacies with*
10018 *drive-through, shall not exceed 52,000 square feet. [Relocated from Sec. 3-33A.III.7.a.v. Grocery*
10019 *Stores]*

10020 3-E-D.17.c. Accessory and Collocated Use

Use

Office (Administration)

Refer to Sec. 3-E-D.12.

Warehouse

Refer to Sec. 3-E-H.11.

10021 Sec. 3-5. Conditional Uses

10022 ~~(z) — Flea Markets.~~

10023 ~~(1) — **Size Restrictions.** *Flea market operations located on properties less than three (3) acres in*
10024 *size are exempt from subsections (2), (3), and (8) of this section, and from the general*
10025 *paving and drainage requirements of the Code. These exemptions are only applicable to*
10026 *entirely enclosed buildings existing prior to February 24, 2009. Additionally, all uses shall*
10027 *be conducted within the building and include no outside storage or activities. (Rev.*
10028 *02/24/09) [Relocated to Sec. 3-E-D.16.b.(3)]*~~

10029 ~~(2) **Location Prohibitions.** *No attraction shall be permitted within five hundred (500) feet of an*
10030 *existing residential development or an area designated on the Comprehensive Land Use*
10031 *Plan for residential development. [Relocated to Sec. 3-E-D.16.b.(1)]*~~

10032 ~~(3) **Minimum Lot Area.** *A minimum lot area of at least three (3) acres, with a minimum frontage*
10033 *on a public street of one hundred (100) feet. [Relocated to Sec. 3-E-D.16.b.(1) and*
10034 *b.(2)(a)]*~~

10035 ~~(4) — **Access.** *Access to said facilities shall be from a hard surface public road directly to the*
10036 *entrance of the facility. [Consolidated under Sec. 3-E-D.15.c. Specific Use Standards]*~~

10037 ~~(5) — **Lighting.** *Lighting used to illuminate the premises and/or advertising copy shall be directed*
10038 *away from public streets and shine only on the subject use. [Deleted and defer to Part F,*
10039 *Division G Exterior Lighting]*~~

10040 ~~(6) — **Performance Standards.** *The operation of these facilities shall conform to all rules and*
10041 *regulations of all governmental agencies having appropriate jurisdiction. [Relocated to*
10042 *Sec. 3-E-D.16.b.(3) Additional Use Standards for Flea Market]*~~

10043 ~~(7) — **Fencing and Screening.** *Where deemed necessary by the Development Review*
10044 *Committee (DRC) to protect the general public, safety fences up to a height of ten (10) feet*
10045 *may be required. The DRC may also require a landscape screen of at least seventy five*
10046 *(75) percent opaqueness to protect neighboring property from potential loss of use or*
10047 *diminishment of land value or use. [Deleted as Table 5. Perimeter Buffer screening*
10048 *requires a more stringent buffer which is a Type B 20-foot wide buffer]*~~

10049 ~~(8) **Setbacks.** *No building, mobile home, trailer, mechanical device, or animal shall be located*
10050 *closer to the property line than one hundred (100) feet. [Relocated to Sec. 3-E-D.16.b.(3)*
10051 *Additional Use Standards for Flea Market]*~~

10052 Sec. 3-33A.III.7.a.v. Grocery

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

10053 ~~Grocery stores, including integrated pharmacies with drive thru, not exceeding 52,000 square feet.~~
10054 **[Relocated to Sec. 3-E-D.16.b.(4) Additional Use Standards]**

10055 **~~Sec. 3-23.(4)~~**

10056 ~~The above are uses subject to the following limitations:~~

10057 ~~(i) Sale, display, preparation and storage to be conducted within a completely enclosed building.~~

10058 ~~(ii) Products to be sold at retail.~~ **[Deleted, and changed to allow display with limitations as shown**

10059 **in new Sec. 3-E-D.16.b.(2)(b) Outdoor Display]**

10060 **Sec. 3-E-D.18. Retail Sales, Medical Marijuana**

10061 **3-E-D.18.a. Description and Typical Uses**

10062 A facility that engages in the sale and dispensary of medical cannabis, medical cannabis marijuana
10063 products, or devices for the use of medical cannabis products to persons with identification cards or
10064 qualified patients.

10065 **3-E-D.18.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a) Minimum Lot Size: Apply the standards of the lot's zoning district, if applicable

(b) Minimum Setback: Apply setbacks of the lot's zoning district, if applicable

(2) Additional Use Standards:

10066 (a) Licensure. Shall comply with applicable F.S. 381.986, as amended.

10067 (b) Advertising. No advertising may be visible to members of the public from any street,
10068 sidewalk, park, or other public place except the dispensing facility may have a sign that is
10069 affixed to the outside or hanging in the window of the premises that identifies the
10070 dispensary by the licensee's business name, an approved trade name, or an approved
10071 logo. A trade name or logo may not contain wording or images commonly associated with
10072 marketing targeted toward children or which promote recreational use of marijuana.

10073 (b) No dispensing from the premises of marijuana or marijuana delivery devices between the
10074 hours of 9 p.m. and 7 a.m.

10075 (c) May not be located within 500 feet of the real property that comprises a Private or Public
10076 School.

10077 **[Relocated from Sec. 3-5.(a)]**

10079 **Sec. 3-5. Conditional Uses:**

10080 (a) ~~Medical Marijuana Treatment Center Dispensing Facilities~~

10081 (1) ~~No advertising may be visible to members of the public from any street, sidewalk, park, or~~
10082 ~~other public place except the dispensing facility may have a sign that is affixed to the~~
10083 ~~outside or hanging in the window of the premises that identifies the dispensary by the~~
10084 ~~licensee's business name, an approved trade name, or an approved logo. A trade name~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10085 ~~or logo may not contain wording or images commonly associated with marketing targeted~~
 10086 ~~toward children or which promote recreational use of marijuana. (F.S. §381.986~~
 10087 ~~(8)(h)(1)(2017))~~
 10088 (2) ~~No dispensing from the premises of marijuana or marijuana delivery devices between the~~
 10089 ~~hours of 9 p.m. and 7 a.m. (F.S. §381.986 (8)(f)(4)(2017))~~
 10090 (3) ~~May not be located within 500 feet of the real property that comprises a public or private~~
 10091 ~~elementary school, middle school, or secondary school. (F.S. §381.986 (11)(c)(2017))~~
 10092 **[Relocate to Sec. 3-E-D.18.b.(2) Additional Use Standards]**

10093 Sec. 3-E-D.19. Self-Serve Storage Facility

10094 3-E-D.19.a. Description and Typical Uses

10095 *A building or group of buildings in a controlled access compound that contains equal or varying size of*
 10096 *individual compartmentalized, and controlled access stalls or lockers for the dead storage of the customer's*
 10097 *goods or wares. Typical uses may include, but are not limited to, Limited Access or Multi-Access storage*
 10098 *facility. [Relocated from Sec. 1-15.(151) Mini-Warehouse, Definitions]*

- 10099 (1) ~~A Limited Access Storage Facility has limited access points from the exterior of the storage building,~~
 10100 ~~and access to individual units is from internal hallways. Limited Access Storage facilities typically~~
 10101 ~~has multiple stories.~~
 10102 (2) ~~Multi-Access Storage Facility is typically a single story in form with multiple access points from the~~
 10103 ~~exterior of the storage building to individual units. Multi-Access Storage generally provides units~~
 10104 ~~with bay doors and outdoor storage of larger items such as vehicles or watercrafts.~~

10105 3-E-D.19.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	2 acres [Relocated from Sec. 3-5.(am)(1)(ii)]
(b)	<u>Maximum Lot Size:</u>	5 acres [Relocated from Sec. 3-5.(am)(1)(ii)]
(c)	<u>Maximum Lot Coverage:</u>	
	i. <u>Multi-Access:</u>	55 percent [Relocated from Sec. 3-5.(am)(2)(iii) Multi-story]
	ii. <u>Limited Access:</u>	40 percent [Relocated from Sec. 3-5.(am)(1)(iii)]

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Part E Use Types and Regulations

(d)	<u>Maximum Floor Area Ratio (FAR):</u>	80 percent [Relocated from Sec. 3-5.(am)(2)(iv)]
(e)	<u>Minimum Setbacks:</u>	
	i. <u>Front:</u>	25 feet [Relocated from Sec. 3- 5.(am)(2)(vi)]
	ii. <u>Side:</u>	15 feet [Relocated from Sec. 3- 5.(am)(2)(vi)]
	iii. <u>Rear:</u>	20 feet ¹ [Relocated from Sec. 3- 5.(am)(2)(vi)]
(f)	<u>Maximum Height:</u>	35 feet [Relocated from Sec. 3-5.(am)(2)(ix)]
	<u>≤ 150 feet from Residential lot line:</u>	55 feet [Relocated from Sec. 3-5.(am)(2)(ix)]
	<u>> 150 feet and ≤ 300 feet from Residential lot line:</u>	

Footnote:

¹ An additional 5 feet of setback when adjacent to Single-Family Residential uses. [Relocated from Sec. 3-5.(am)(2)(vi)]

- 10106 (2) Additional Use Standards.
 10107 (a) Access. Vehicular access shall be from an arterial or collector street.
 10108 (b) Building Design. Shall comply with [Part F, Division F Architectural Design Guidelines](#),
 10109 where applicable.
 10110 (c) Caretaker's Quarter. A Caretaker's Quarter shall be provided. Refer to [Sec. 3-E-I.4](#)
 10111 [Caretaker's Quarters](#).
 10112 (d) Use of Storage Facilities. The use of property shall be limited to dead storage, whether
 10113 interior to the buildings or outdoor. No activities shall occur within the site which the average
 10114 person could construe to include the manufacture, repair, or sale of goods or services.
 10115 [Relocated from Sec. 3-5.(am)(1)(xvi) and (2)(xiv)]
 10116 (e) Prohibited Activities. The use of the property shall not include repair or maintenance
 10117 activities interior to the buildings or outdoor.
 10118 (f) Prohibited Storage Materials. Hazardous and explosive materials shall not be stored or
 10119 permitted within the facility.
 10120 (3) Additional Use Standards for Limited-Access Storage Facility.
 10121 (a) Open Space. At least 40 percent of the site shall be in open space, which may include
 10122 Landscape buffers and other vegetated areas. [Relocated from Sec. 3-5.(am)(2)(xi)]

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10123 (4) Additional Use Standards for Multi-Access Storage Facility.
10124 (a) Internal Access. *All storage buildings shall be separated by a distance of at least 24 feet*
10125 *for driveway, loading/unloading and fire-lane purposes.* **[Relocated from Sec. 3-**
10126 **5.(am)(1)(v)]**
10127 i. *All one-way aisle ways shall be 10-foot-wide loading/unloading lane, and one 15-*
10128 *foot travel lane. The loading/unloading lanes may be eliminated if the aisle way*
10129 *does not serve storage units. Painted lines shall be used to indicate parking and*
10130 *traffic direction throughout the site.* **[Relocated from Sec. 3-5.(am)(1)(xi)]**
10131 (b) Screening and Security.
10132 i. Wall. *A 6-foot-high wall shall be installed along the entire perimeter of an outdoor*
10133 *storage area, this wall shall be attached to the storage building. No openings of*
10134 *the wall shall be allowed unless it is secured with controlled access and for*
10135 *maintenance purpose.*
10136 ii. Facade. *The facade of the required wall shall be finished on both sides of the wall*
10137 *pursuant to Sec. 3-F-C.3.c. Exterior Wall Material or Finishing.*
10138 iii. Separate Storage Buildings. *This perimeter wall shall connect separate storage*
10139 *buildings to provide visual continuity and may only be exempt if Fire Rescue*
10140 *requires emergency access.*
10141 (c) Open Storage. *Open storage of materials or equipment, including RV's and boat storage,*
10142 *shall be permitted, provided the area designated for open storage is set back 50 feet from*
10143 *all property lines.* **[Relocated from Sec. 3-5.(am)(xiii)]**
10144 (d) Open Space. *At least 20 percent of the site shall be in open space, which may include*
10145 *Landscape buffers and other vegetated areas.* **[Relocated from Sec. 3-5.(am)(1)(ix)]**

10146 **Sec. 3-5. Conditional Uses.**

- 10147 (am) ~~Mini-Warehouses:~~
10148 (1) ~~Single Story~~
10149 (i) ~~The proposed site must have direct access to an arterial roadway as defined in the~~
10150 ~~Comprehensive Plan. Only one (1) point of access shall be permitted.~~ **[Deleted,**
10151 **replaced with Access in Sec. 3-E-D.18.b.(2)(a) and other security standards]**
10152 (ii) ~~The site shall not be less than two (2) acres nor more than five (5) acres in size.~~
10153 (iii) ~~Maximum building coverage shall be forty (40) percent of the site.~~
10154 **[Relocated to Sec, 3-E-D.18.b.(1)]**
10155 (iv) ~~The maximum storage unit size shall be five hundred (500) square feet.~~ **[Deleted,**
10156 **there are sufficient FAR standards and no need to regulate individual storage unit**
10157 **size]**
10158 (v) ~~All buildings shall be separated by a distance of at least twenty four (24) feet for~~
10159 ~~driveway, parking and fire lane purposes.~~ **[Relocated to Sec. 3-E.D.18.b. (4)(a)**
10160 **Additional Use Standards for Multi-Access Storage]**
10161 (vi) ~~A single residential unit for on-site manage may be provided.~~ **[Deleted, replaced**
10162 **with new language, refer to Caretaker's Quarter, Sec. 3-E-D.18.b.(2)(c)]**
10163 (vii) ~~Off-Street Parking.~~

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Part E Use Types and Regulations

- 10164 a. ~~For interior facing warehouses, one (1) space for each **seventy-five (75)**~~
10165 ~~[MK148] storage units or cubicles, equally distributed throughout the storage~~
10166 ~~area.~~
- 10167 b. ~~If manager's quarters are provided, then two (2) additional spaces shall be~~
10168 ~~provided. **[Deleted, refer to Appendix A Parking Space Requirements,**~~
10169 ~~**Article 8]**~~
- 10170 (viii) ~~Landscaping and tree requirements shall comply with the Clay County Code Article~~
10171 ~~VI, Tree Protection and Landscaping Standards, as amended, with the exception~~
10172 ~~that the perimeter buffer screening shall meet the minimum required for industrial~~
10173 ~~proposed land use type. **[Deleted and defer to Article 6, Tree Ordinance]**~~
- 10174 (ix) ~~At least **twenty (20) percent of the site shall be in open space. Landscape buffers**~~
10175 ~~**and other vegetated areas may be used to achieve this twenty (20) percent**~~
10176 ~~**requirement. [Relocated to Sec. 3-E-D.18.b.(4)(d) Open Space, Multi-Access**~~
10177 ~~**Storage]**~~
- 10178 (x) ~~All areas not paved shall be landscaped and/or grassed. **[Deleted, sufficient**~~
10179 ~~**standards on pervious areas]**~~
- 10180 (xi) ~~All one-way aisle ways shall be designed with one (1) **ten (10) foot wide**~~
10181 ~~loading/unloading lane and one (1) **fifteen (15) foot travel lane. The**~~
10182 ~~loading/unloading lanes may be eliminated if the aisle way does not serve storage~~
10183 ~~units. Painted lines shall be used to indicate parking and traffic direction throughout~~
10184 ~~the site. **[Relocated to Sec. 3-E-D.18.b.(4)(a)(i), Access, Multi-Access]**~~
- 10185 (xii) ~~The site shall be secured with a masonry wall that is at least six (6) feet in height.~~
10186 ~~Walls must be finished or painted on both sides. Barbed wire, razor wire and~~
10187 ~~electric fences are not permitted. In lieu of the wall, a wrought iron fence (or fence~~
10188 ~~resembling wrought iron) may be utilized in conjunction with a hedge or natural~~
10189 ~~vegetation that provides for 100% opacity within two years of the time of planting.~~
10190 ~~**[Deleted, and replaced with new language in Sec. 3-E-D.18.b.(4)(b) Screening**~~
10191 ~~**and Security, Multi-Access]**~~
- 10192 (xiii) ~~Open storage of materials or equipment, including RV's and boat storage shall be~~
10193 ~~permitted, provided the area designated for open storage is set back 50' from all~~
10194 ~~property lines. **[Relocated to Sec. 3-E-D.18.b.(4)(c) Open Storage, Multi-**~~
10195 ~~**Access]**~~
- 10196 (xiv) ~~Maximum height of all buildings shall be limited to thirty five (35) feet. **[Relocated**~~
10197 ~~**to Sec. 3-E-D.18.b.(1)(f)]**~~
- 10198 (xv) ~~Architectural and Additional Standards. Reduction of building mass shall be~~
10199 ~~achieved by using the following techniques:~~
- 10200 a. ~~Variation in the roof lines and forms.~~
- 10201 b. ~~Use of ground level arcades and covered areas.~~
- 10202 c. ~~Use of protected and recessed entries with awnings and/or canopies.~~
10203 ~~Awnings, canopies, or covered porches raised at least twenty four (24)~~
10204 ~~inches above ground level are required along the front façade of the~~
10205 ~~building.~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10206 ~~d. Use of vertical elements (including architectural features such as pilasters,~~
10207 ~~columns, canopies/porticos, arcades, colonnades, and/or parapets) on or~~
10208 ~~in front of expansive blank walls, to interrupt facades into modules of less~~
10209 ~~than sixty (60) feet.~~
10210 ~~e. Use of pronounced wall plane offsets and projections.~~
10211 ~~f. Use of focal points and vertical accents.~~
10212 ~~g. Inclusion of storefront and other windows on elevations facing streets and~~
10213 ~~pedestrian areas.~~
10214 ~~h. Retaining a clear distinction between roof, body and base of a building.~~
10215 ~~i. Building facades that are not visible from adjacent roadways or properties~~
10216 ~~and/or that utilize required landscaping visual screening shall not have to~~
10217 ~~meet items (xv)d, (xv)e, (xv)f, and (xv)h.~~
10218 ~~j. Roofline Pitch. Rooflines must be pitched or gabled at a minimum 4:12~~
10219 ~~slope or, if flat, must include parapet walls or partial roofs. HVAC and other~~
10220 ~~rooftop equipment shall be screened from view.~~
10221 ~~k. Exterior Wall Material. Exterior walls shall be constructed of finished~~
10222 ~~materials such as stucco; natural brick or stone; colored, sand blasted, or~~
10223 ~~stained textured masonry; scored concrete masonry units; textured tilt-up~~
10224 ~~concrete panels; wood; or other similar material including synthetic~~
10225 ~~materials similar in appearance and durability to those materials previously~~
10226 ~~named on all sides. Exposed smooth concrete block, corrugated or other~~
10227 ~~metal finishes, untextured tilt-up concrete panels, pre-fabricated steel~~
10228 ~~panels and the like, shall not be permitted. Roofs shall be covered by~~
10229 ~~metal, concrete or clay tile, or architectural shingles.~~
10230 ~~l. Entryways. At least one (1) building entrance must face the street and be~~
10231 ~~clearly articulated through the use of architectural detailing. Customer~~
10232 ~~entrances shall be clearly defined and include at least three of the~~
10233 ~~following features: canopies/porticos; overhangs; recesses/projections;~~
10234 ~~arcades; raised above the doorway cornice parapets; peaked roof forms;~~
10235 ~~arches; outdoor patios; display windows; integrated architectural details~~
10236 ~~such as tile work, moldings planters; and/or landscaped sitting areas.~~
10237 ~~m. Fenestration. For buildings and for facades on buildings that face the~~
10238 ~~street or a parking area, doorways and windows shall be proportioned to~~
10239 ~~reflect pedestrian scale and movement, and to encourage interest at the~~
10240 ~~street level. The generous use of glass is acceptable. Windows must~~
10241 ~~include a framework of wood, metal or vinyl clad material that contains a~~
10242 ~~glass windowpane and is built into a wall or roof to admit light or air.~~
10243 ~~Windows must be either fixed storefront windows, with items on display~~
10244 ~~within, or traditional windows that are capable of being opened or that~~
10245 ~~include fixed panes. [Deleted and defer to Part F, Division F in Sec. 3-~~
10246 ~~E-D.18.b.(2)(b)]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10247 n. ~~Entrance Lighting. All building entrances, pathways and other pedestrian~~
10248 ~~areas shall be lit to two foot candles with pedestrian scale lighting (e.g.,~~
10249 ~~wall mounted, sidewalk lamps, bollards, landscape uplighting, etc.)~~
10250 ~~Architectural lighting is appropriate.~~
10251 o. ~~Exterior Lighting. All exterior lights and illuminated signs shall be designed,~~
10252 ~~located, installed and directed in such a manner as to prevent~~
10253 ~~objectionable light trespass and glare across the property lines and or~~
10254 ~~visibility glare at any location on or off the property. Lighting of such areas~~
10255 ~~shall not be used to advertise or attract attention to the mini-warehouses.~~
10256 ~~The average light level shall not exceed 3.6 foot candles on any part of the~~
10257 ~~site, the minimum light level shall be 0.9 foot candles, and the uniformity~~
10258 ~~ratio shall not exceed 4:1 (a photometric plan shall be required with~~
10259 ~~construction drawings). Lighting of or on buildings shall be limited to wall-~~
10260 ~~washer type fixtures or up lights, which do not produce spill light or glare.~~
10261 ~~A cutoff fixture shall not have more than one percent (1) of lamp lumens~~
10262 ~~above horizontal. Sag lenses, convex lenses, drop lenses and floodlights~~
10263 ~~shall be prohibited. Illumination levels at the property line of the building or~~
10264 ~~project shall not be more than 0.5 foot candles at any point when the~~
10265 ~~building or project is located next to any other use. To avoid glare or spill~~
10266 ~~light from encroaching onto adjacent properties, illumination shall be~~
10267 ~~installed with house side shields and reflectors, and shall be maintained in~~
10268 ~~such a manner as to confine light rays to the premises of the building or~~
10269 ~~project. Lighting shall be installed with time controls so that light levels are~~
10270 ~~reduced not later than one hour after the close of operations to the~~
10271 ~~minimum levels needed under the Illuminating Engineering Society of~~
10272 ~~North America (IESNA) to ensure safety and security (approximately a~~
10273 ~~50% reduction). Light fixtures shall not exceed twenty (20) feet in height in~~
10274 ~~parking areas and other parts of the site, and along sidewalks.~~
10275 **[Consolidated under Part F, Division G Exterior Lighting]**
10276 ~~(xvi) The use of property shall be limited to dead storage, whether interior to the~~
10277 ~~buildings or outdoor. No activities shall occur within the site which the average~~
10278 ~~person could construe to include the manufacture, repair, or sale of goods or~~
10279 ~~services. (amended 9/05 — Ord. 05-45) **[Relocated to Sec. 3-E.D.18.b.(2)(d)]**~~
10280 ~~(xvii) Expansion of single story mini-warehouse facilities in existence on or before~~
10281 ~~September 27, 2005, are exempt from items l. and o. ^[MK149]above, provided that~~
10282 ~~the property proposed for expansion and the existing property are owned by the~~
10283 ~~same entity on the referenced date. Both the existing and expansion areas will be~~
10284 ~~required to comply with the landscape provisions in items h., i., and j. above.~~
10285 ~~(amended 1/07) **[Deleted]**~~

10286 **Sec. 3-5. Conditional Uses.**

10287 ~~(am) Mini-Warehouses.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10288 ~~(2) — Multi-Story Mini Warehouses~~
- 10289 ~~(i) — The proposed site must have direct access to an arterial roadway as defined in the~~
10290 ~~Comprehensive Plan. [Deleted, replaced by new language, Access]~~
- 10291 ~~(ii) — Entrance shall be oriented to the street that the building fronts on. [Deleted]~~
- 10292 ~~(iii) — Maximum impervious surface area shall be fifty five percent (55%) of the site.~~
10293 ~~[Relocated to Sec. 3-E-D.18.b.(1)(c)]~~
- 10294 ~~(iv) — Maximum density of development of land shall correspond to a FAR (floor area~~
10295 ~~ratio) of eighty percent (80%). [Relocated to Sec. 3-E-D.18.b.(1)(d)]~~
- 10296 ~~(v) — All buildings shall be separated by a distance of at least twenty four (24) feet for~~
10297 ~~driveway, parking and fire lane purposes. [Deleted. Should not apply to Limited~~
10298 ~~Access Storage]~~
- 10299 ~~(vi) — Setbacks shall be a minimum of twenty five (25) feet in the front, fifteen (15) feet~~
10300 ~~on the sides, and twenty (20) feet from the rear property line, unless the property~~
10301 ~~is adjacent to single family residential in which case the rear setback shall be~~
10302 ~~twenty five (25) feet.~~
- 10303 ~~(vii) — A single residential unit for an on-site manager may be provided. [Deleted,~~
10304 ~~replaced with new text in Sec. 3-E-D.18.b.(2)(c) Caretaker's Quarter,~~
10305 ~~Additional Use Standards]~~
- 10306 ~~(viii) — Off-street Parking:~~
- 10307 ~~a. — Parking shall be to the rear or side of the building, behind the front façade~~
10308 ~~of the building, with a street wall to screen the parking area if it is visible~~
10309 ~~from a public right-of-way or adjacent property.~~
- 10310 ~~b. — One (1) space per seventy five (75) storage units plus two (2) spaces if~~
10311 ~~manager's quarters are provided.~~
- 10312 ~~c. — Loading zones shall be located to the rear of the main building in a~~
10313 ~~courtyard design. Loading areas shall be covered with a canopy or awning~~
10314 ~~with a minimum four (4) foot projection from the building.~~
- 10315 ~~(ix) — Maximum height shall be thirty five (35) feet if within 150 feet from residential land~~
10316 ~~use boundary, and fifty five (55) feet if within 150 feet to 300 feet from a residential~~
10317 ~~land use boundary. For structures more than 300 feet from a residential land use~~
10318 ~~boundary, no structure shall protrude through a transitional height plan beginning~~
10319 ~~thirty five (35) feet above the buildable area boundary nearest to a boundary of a~~
10320 ~~residential land use and extending inward over the commercial district at an angle~~
10321 ~~of forty five (45) degrees. This standard protects areas within residential land use~~
10322 ~~from the visual intrusion of tall buildings.~~
- 10323 ~~[Relocated to Sec. 3-E-D.18.b.(1)(f) Maximum Height]~~
- 10324 ~~(x) — Landscaping and tree requirements shall comply with the County's Code; Article~~
10325 ~~VI, Tree Protection and Landscaping Standards, as amended, except for the~~
10326 ~~following: Perimeter buffers shall have precedence over allowed building setbacks~~
10327 ~~and shall comply with Section 6-8 (5)(b) of Article VI. Additionally, fifty (50) feet~~
10328 ~~vegetative buffers are required on the front and rear of the property, thirty (30) feet~~
10329 ~~on the sides. Buffers adjacent to areas classified on the Comprehensive Plan map~~

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Part E Use Types and Regulations

- 10330 as residential shall consist of preserved and planted vegetation: including shade
10331 trees at least thirty (30) feet in height (for preserved/retained vegetation) and to
10332 provide a visual screen of eighty five percent (85%) opacity to a minimum height
10333 of fifteen (15) feet within two years, for planted vegetation. Perimeter buffers
10334 adjacent to residential and nonresidential land uses shall maintain a type "B"
10335 buffer; with additional under story trees interspersed at intervals between and
10336 offset the canopy tree plantings. This additional under story tree planting shall
10337 obtain at least six (6) tree points per 1,000 square feet of each buffer. **[Deleted,**
10338 **defer to Article 6 which requires Type B 20 feet buffer. This is a quiet use,**
10339 **and with design standards, there is no need to require an expansive buffer]**
10340 (xi) ~~At least forty (40) percent of the site shall be in open space. Landscape buffers~~
10341 ~~and other vegetated areas may be used to achieve this requirement.~~ **[Relocated**
10342 **to Sec. 3-E-D.18.b.(3)(a)]**
10343 (xii) ~~The site shall be secured with a masonry wall at least six (6) feet in height. Walls~~
10344 ~~must be finished or painted on both sides. Barbed wire, razor wire and electric~~
10345 ~~fences are not permitted. In lieu of the wall, a wrought iron fence (or fence~~
10346 ~~resembling wrought iron) may be utilized in conjunction with a hedge or natural~~
10347 ~~vegetation that provides for 100% opacity within two years of the time of planting.~~
10348 **[Deleted and replaced with new standards in Sec. 3-E-D.18.b.(4)(b)]**
10349 (xiii) ~~Open storage of materials or equipment, including RV's and boat storage shall be~~
10350 ~~permitted, provided the area designated for open storage is set back 50' from all~~
10351 ~~property lines.~~ **[Relocated to Sec. 3-E-D.18.b.(4)(c) Open Storage, Multi-**
10352 **Access]**
10353 (xiv) ~~The use of property shall be limited to dead storage, whether interior to the~~
10354 ~~buildings or outdoor. No activities shall occur within the site which the average~~
10355 ~~person could construe to include the manufacture, repair, or sale of goods or~~
10356 ~~services.~~ **[Relocated to Sec. 3-E-D.18.b.(2)(d) Use of Storage Facilities]**
10357 (xv) ~~Architectural and Additional Standards. Reduction of building mass shall be~~
10358 ~~achieved by using the following techniques:~~
10359 a. ~~Variation in the roof lines and forms.~~
10360 b. ~~Use of ground level arcades and covered areas.~~
10361 c. ~~Use of protected and recessed entries with awnings and/or canopies.~~
10362 ~~Awnings, canopies, or covered porches raised at least twenty-four (24)~~
10363 ~~inches above ground level are required along the front façade of the~~
10364 ~~building.~~
10365 d. ~~Use of vertical elements (including architectural features such as pilasters,~~
10366 ~~columns, canopies/porticos, arcades, colonnades, and/or parapets) on or~~
10367 ~~in front of expansive blank walls, to interrupt facades into modules of less~~
10368 ~~than sixty (60) feet.~~
10369 e. ~~Use of pronounced wall plan offsets and projections.~~
10370 f. ~~Use of focal points and vertical accents.~~

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Part E Use Types and Regulations

- 10371 ~~g. Inclusion of storefront and other windows on elevations facing streets and~~
10372 ~~pedestrian areas.~~
- 10373 ~~h. Retaining a clear distinction between roof, body and base of a building.~~
- 10374 ~~i. Building facades that are not visible from adjacent roadways or properties~~
10375 ~~and/or that utilize required landscaping visual screening shall not have to~~
10376 ~~meet items (xv)d, (xv)e, (xv)f, and (xf)h.~~
- 10377 ~~j. Roofline Pitch. Rooflines must be pitched or gabled at a minimum 4:12~~
10378 ~~slope or, if flat, must include parapet walls or partial roofs. HVAC and other~~
10379 ~~rooftop equipment shall be screened from view.~~
- 10380 ~~k. Exterior Wall Material. Exterior walls shall be constructed of finished~~
10381 ~~materials such as stucco; natural brick or stone; colored, sand blasted, or~~
10382 ~~stained textured masonry; scored concrete masonry units; textured tilt-up~~
10383 ~~concrete panels; wood; or other similar material including synthetic~~
10384 ~~materials similar in appearance and durability to those materials previously~~
10385 ~~named on all sides. Exposed smooth concrete block, corrugated or other~~
10386 ~~metal finishes, untextured tilt-up concrete panels, pre-fabricated steel~~
10387 ~~panels and the like, shall not be permitted. Roofs shall be covered by~~
10388 ~~metal, concrete or clay tile, or architectural shingles.~~
- 10389 ~~l. Entryways. At least one (1) building entrance must face the street and be~~
10390 ~~clearly articulated through the use of architectural detailing. Customer~~
10391 ~~entrances shall be clearly defined and include at least three of the~~
10392 ~~following features: canopies/porticos; overhangs; recesses/projections;~~
10393 ~~arcades; raised above the doorway cornice parapets; peaked roof forms;~~
10394 ~~arches; outdoor patios; display windows; integrated architectural details~~
10395 ~~such as tile work, moldings planters; and/or landscaped sitting areas.~~
- 10396 ~~m. Fenestration. For buildings and for facades on buildings that face the~~
10397 ~~street or a parking area, doorways and windows shall be proportioned to~~
10398 ~~reflect pedestrian scale and movement, and to encourage interest at the~~
10399 ~~street level. The generous use of glass is acceptable. Windows must~~
10400 ~~include a framework of wood, metal or vinyl-clad material that contains a~~
10401 ~~glass windowpane and is built into a wall or roof to admit light or air.~~
10402 ~~Windows must be either fixed storefront windows, with items on display~~
10403 ~~within, or traditional windows that are capable of being opened or that~~
10404 ~~include fixed panes. **[Deleted and defer to Part F, Division F in Sec. 3-**~~
10405 ~~**E-D.18.b.(2)(b)]**~~
- 10406 ~~n. Entrance Lighting. All building entrances, pathways and other pedestrian~~
10407 ~~areas shall be lit to two foot candles with pedestrian scale lighting (e.g.,~~
10408 ~~wall mounted, sidewalk lamps, bollards, landscape uplighting, etc.)~~
10409 ~~Architectural lighting is appropriate.~~
- 10410 ~~o. Exterior Lighting. All exterior lights and illuminated signs shall be designed,~~
10411 ~~located, installed and directed in such a manner as to prevent~~
10412 ~~objectionable light trespass and glare across the property lines and or~~

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Part E Use Types and Regulations

10413 visibility glare at any location on or off the property. Lighting of such areas
 10414 shall not be used to advertise or attract attention to the mini-warehouses.
 10415 The average light level shall not exceed 3.6 foot candles on any part of the
 10416 site, the minimum light level shall be 0.9 foot candles, and the uniformity
 10417 ratio shall not exceed 4:1 (a photometric plan shall be required with
 10418 construction drawings). Lighting of or on buildings shall be limited to wall-
 10419 washer type fixtures or up-lights, which do not produce spill light or glare.
 10420 A cutoff fixture shall not have more than one percent (1) of lamp lumens
 10421 above horizontal. Sag lenses, convex lenses, drop lenses and floodlights
 10422 shall be prohibited. Illumination levels at the property line of the building or
 10423 project shall not be more than 0.5 foot candles at any point when the
 10424 building or project is located next to any other use. To avoid glare or spill
 10425 light from encroaching onto adjacent properties, illumination shall be
 10426 installed with house side shields and reflectors, and shall be maintained in
 10427 such a manner as to confine light rays to the premises of the building or
 10428 project. Lighting shall be installed with time controls so that light levels are
 10429 reduced not later than one hour after the close of operations to the
 10430 minimum levels needed under the Illuminating Engineering Society of
 10431 North America (IESNA) to ensure safety and security (approximately a
 10432 50% reduction). Light fixtures shall not exceed twenty (20) feet in height in
 10433 parking areas and other parts of the site, and along sidewalks.
 10434 **[Consolidated under Part F, Division G Exterior Lighting]**

Sec. 3-E-D.20. Vehicle Repair and Maintenance Facility

3-E-D.20.a. Description and Typical Uses

A facility providing repair or maintenance for automobiles, motorcycles, watercrafts, golf carts. Typical uses or services may include, but are not limited to, tune-up or oil change stations, replacement of muffler, brake pads, tires, and/or alignment.

3-E-D. 20.b. Specific Use Standards

<u>(1) Dimensional Use Standards:</u>			
<u>(a)</u>	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>	
<u>(b)</u>	<u>Minimum Setback:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>	
<u>(c)</u>	<u>Minimum Use Separation:</u>	<u>Service areas:</u>	<u>From lot line when adjacent to a Residential use: 100 feet</u>

(2) Additional Use Standards:

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Part E Use Types and Regulations

- 10442 (a) Access. Vehicular access shall be from an arterial or collector street.
10443 (b) No outdoor activities or services shall be allowed in an enclosed building.
10444 (c) Bay doors shall not be oriented towards the street or Residential use.

10445 3-E-D. 20.c. Accessory and Collocated Use

Use

Agricultural Sales and Services

Refer to Sec. 3-E-B.3.

10446 Sec. 3-E-D.21. Vehicle Sales and Rental

10447 3-E-D.21.a. Description and Typical Uses

10448 Means a facility providing new or used passenger vehicles, including cars, trucks, motorcycles, recreational
10449 vehicles, and watercrafts for direct sale, lease, or rent to consumers.

10450 3-E-D.21.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

Apply the standards of the lot's zoning district, if applicable

(b) Minimum Setback:

Apply setbacks of the lot's zoning district, if applicable

(c) Minimum Use Separation:

Service areas:

From lot line when adjacent to a Residential use:

100 feet

10451 (2) Additional Use Standards:

10452 (a) Access. Vehicular access shall be from an arterial or collector street.

10453 (b) Testing of vehicles on Residential streets shall not be permitted.

10454 3-E-D.21.c. Accessory and Collocated Use

Use

Office (Administration)

Refer to Sec. 3-E-D.12.

Vehicle Repair and Maintenance Facility

Refer to Sec. 3-E-D.20.

10455 Sec. 3-E-D.22. Veterinary Clinic

10456 3-E-D.22.a. Description and Typical Uses

10457 An establishment that provides medical treatment, temporary care and/or boarding for sick animals.

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Part E Use Types and Regulations

10458 **3-E-D.22.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>		<u>1-2 acres</u>
(b)	<u>Minimum Setback:</u>	<u>From any lot line of a Non-Residential use:</u>	<u>50 feet</u>
		<u>From any lot line of a Residential use:</u>	<u>150 feet</u>
	<u>Outdoor runs:</u>	<u>From any lot line:</u>	<u>50 feet</u>

- 10459 (2) Additional Use Standards.
- 10460 (a) Outdoor Runs.
- 10461 i. An outdoor run shall be surrounded by a 6-foot-high vinyl-coated or opaque fence.
- 10462 ii. Runs shall be hard surfaced or grassed with drains provided every 10 feet and
- 10463 connected to an approved sanitary facility.
- 10464 iii. Outdoor runs may be utilized from the hours of 8:00 a.m. to 4:00 p.m. Monday
- 10465 through Friday and Sunday. On Saturday, outdoor runs may be utilized from 7:00
- 10466 a.m. to 3:00 p.m.
- 10467 (b) Waste Disposal. All animal waste shall meet the applicable regulations of the Clay County
- 10468 Solid Waste Authority and the County Health Department^[(MK150)].
- 10469 (c) Examination Rooms. All x-ray examination rooms shall be shielded from leakage. Such
- 10470 shielding shall meet the minimum standards established by the State of Florida.
- 10471 (d) Limitation of Use. No on-site disposal of animal parts or remains shall be permitted, and all
- 10472 such parts and remains shall be handled while on-site and transported off-site in
- 10473 accordance with the minimum required by the State of Florida.
- 10474 (e) Evacuation Plan. An evacuation plan in case of natural disasters to be submitted as part of
- 10475 application for this use.

10476 **3-E-D.22.c. Accessory or Collocated Uses**

<u>Use</u>	
<u>Animal Control Facility</u>	<u>Refer to Sec. 3-E-G.2.</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

10479

DIVISION E RECREATION USES

10480

Sec. 3-E-E.1. Recreational Uses

10481

All Recreational uses within Clay County are identified in [Table 3-E-E.1.a. Recreational Use Matrix](#) which only identifies those zoning districts or FLU categories where the Recreational use is allowed subject to a Permitted use, Conditional use, or Special Exception use approval process based on the proposed intensity. Development standards specific to each use type shall be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning Director or his/her designee may allow a lesser permitted process of the application(s) and make a final decision of either approve or deny.

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Table 3-E-E.1.a. Recreational Use Matrix – Standard Development Districts

	<u>AG</u>	<u>AR</u>	<u>RD</u>	<u>RMHP</u>	<u>BB</u>	<u>BB-1</u>	<u>BB-2</u>	<u>BB-3</u>	<u>BB-4</u>	<u>BB-5</u>	<u>BSC</u>	<u>IS</u>	<u>IA</u>	<u>IB</u>	<u>PO-1</u>	<u>PO-2</u>	<u>PS-2</u>	<u>CO</u>	<u>PID</u>
<u>Assembly, Non-Profit or Membership</u>																	P		
<u>Campground Park</u>																P	C		
<u>Community Garden</u>																	C		
<u>Dog Park</u>								C									C		
<u>Entertainment, Indoor</u>					P	P	C	C		P	P					P			
<u>Entertainment, Outdoor</u>					C	<u>C</u>				P						P			
<u>Golf Course</u>																P	P		
<u>Golf Range</u>					C					C						<u>P</u>	P		
<u>Marina</u>				P	C				C	C		P	P	P		P			P
<u>Off-Road Motorsport, Motorized</u>	C				C					C									
<u>Off-Road Motorsport, Non-Motorized</u>	C	C			C					C						C			
<u>Park, Active</u>			P	P												P	C		

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Park, Passive																<i>P</i>	<i>P</i>	<i>P</i>
Shooting Range, Indoor				<i>C</i>											<i>C</i>			
Shooting Range, Outdoor	<i>C</i>														<i>C</i>		<i>C</i>	

Legend:
P – Permitted Use
C – Conditional Use
S – (Special Exception) [MK151]

10489

Table 3-E-E.1.b. Recreational Use Matrix – Master Planned Communities

	<u>BF</u>										<u>LAMPA</u>							
	<u>RS</u>	<u>MPC NC</u>	<u>MPC Village Zone</u>	<u>MPC Suburban</u>	<u>RAC</u>	<u>RNC</u>	<u>CC</u>	<u>AC</u>	<u>MU</u>	<u>MPC</u>	<u>RRSV</u>	<u>RC</u>	<u>RF</u>	<u>AC</u>	<u>VC</u>	<u>IVC</u>		
Assembly, non-profit or membership		<i>P</i>			<i>P</i>		<i>P</i>	<i>P</i>	<i>P</i>							<i>P</i>	<i>P</i>	
Campground Park	<i>C</i>																	
Community Garden																		
Dog Park																		
Entertainment, Indoor																		
Entertainment, Outdoor																		
Golf Course																	<i>P</i>	
Golf Driving Range																	<i>P</i>	
Off-Road Motorsport, Motorized																		
Off-Road Motorsport, Non-Motorized																		
Park, Active	<i>C</i>	<i>P</i>	<i>P</i>	<i>P</i>							<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
Park, Passive	<i>C</i>		<i>P</i>	<i>P</i>							<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>		
Shooting Range, Indoor																		
Shooting Range, Outdoor																		

Legend:
P – Permitted Use
C – Conditional Use

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Part E Use Types and Regulations

S – (Special Exception)

10490 Sec. 3-E-E.2. Assembly, Non-Profit or Membership

10491 3-E-E.2.a. Description and Typical Uses

10492 An establishment generally operated by a non-profit organization that offers social, educational or
10493 recreational activities. The establishment may offer paid membership to the organization. Typical uses may
10494 include, but are not limited to the Boys and Girls Club, or a fraternity or cultural organization.

10495 3-E-E.2.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
<u>(b) Minimum Setbacks:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

10496 Sec. 3-E-E.3. Campground Park

10497 3-E-E.3.a. Description and Typical Uses

10498 A development, under single ownership or condominium, or cooperative ownership, or subdivided into lots,
10499 in which sites are utilized for the placement of recreational vehicles (RV), cabins, or tents for temporary
10500 use, **[Relocated from Sec. 3-5.(n)(iii)]** or uses providing recreational and/or educational activities more
10501 typically of an outdoor nature and providing short-term day use or residential care for school-aged children.
10502 Typical uses include camps owned and managed by religious organizations, Girl Scouts, Boy Scouts, other
10503 youth organizations, social service agencies, and other similar non-profit organizations. **[Relocated from**
10504 **Sec. 3-5.(bs)(1)(x)]**

10505 3-E-E.3.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>PO-2 Zoning District:</u>	<u>5 acres</u>
		<u>[Relocated from Sec. 3-35(g)(1)]</u>
	<u>All other zoning districts:</u>	<u>10 acres</u>
		<u>[Relocated from Sec. 3-5.(n)(2)]</u>
<u>(b) Minimum Setback:¹</u>	<u>All permanent structures and individual sites:²</u>	<u>From any lot line: 75 feet</u>

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Part E Use Types and Regulations

		<u>All outdoor accessory uses/structures³:</u>	<u>Adjacent to a lot with a Residential FLU or use:</u>	75 feet [Relocated from Sec. 3-5.(bs)(4)]
		<u>All temporary and permanent structures within individual sites⁴:</u>	<u>From the internal access road or trail:</u>	5 feet [MK152] [Relocated from Sec. 3-5.(bs)(8)(vii) e.1, (viii).c, (ix).c, and (x).b]
(c)		<u>Maximum Height⁵:</u>	<u>All structures unless stated otherwise:</u>	35 feet [Relocated from Sec. 3-5.(n)(11)(i)]
(2)	(a)	<u>Maximum Intensity:</u>	<u>Tents or RVs:</u>	12 RVs or 24 tents per net acre [Sec. 3-5.(bs)(8)(iv)]
			<u>Caretaker's Quarter:</u>	1 unit per 4 acres [Relocated from Sec. 3-5.(bs)(7)]
	(b)	<u>Floor Area Ratio (FAR) ⁶:</u>		5 percent ⁶ [Relocated from Sec. 3-5.(n)(11)(iii)]
(3)	(a)	<u>Minimum Buffer:</u>	<u>Perimeter buffer:</u>	25 feet, <u>Type B</u> [Relocated from Sec. 3-5.(bs)(3)]
			<u>Buffer between campsites (RVs, tents, cabins):</u>	15 feet, <u>vegetated</u> [Relocated from Sec. 3-5.(n)(4)(ii)]

Footnotes:

- 1 Setbacks may be required to be increased subject to compliance with the Florida Department of Health.
- 2 To be measured from the lot line in a platted campground or from the road in an unplatted campground. [Relocated from Sec. 3-5.(n)(6)(v)a., (7)(iii)a. and (8)(v)a.]
- 3 Shall include all accessory uses not located in a fully enclosed structure, such as swimming pools, ball fields and courts, and parking areas. [Relocated from Sec. 3-5.(bs)(4)]
- 4 Shall apply to all shelters, including RVs, cabins, and tents; seating; fire rings; and all other accessory facilities and equipment. [Relocated from Sec. 3-5.(bs)(8)(vii)e.1.]
- 5 Shall include RV's and tents. [Relocated from Sec. 3-5.(n)(11)(i)]

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Part E Use Types and Regulations

6 Floor Area Ratio calculations shall include all permanent structures in a Campground Park, including cabins, but excluding RV's, tents, and open-air picnic shelters. May increase to 10 percent if the Campground Park has an educational center. ~~[Relocated from Sec. 3-5.(n)(11)(iii) and Sec. 3-5.(bs)(8)(v)]~~

10506 (4) Additional Standards:
 10507 Recreational Areas, Cabin Sites, RV Sites, Tent Sites, and Semi-Primitive Wilderness Camp Sites,
 10508 if these facilities are provided in a Campground Park, shall be subject to the following:
 10509 (a) Access to Facilities. Each site, except for Semi-Primitive Wilderness Camp Sites, shall be
 10510 accessed from an internal road located within the boundaries of the Campground Park.
 10511 ~~[Relocated from Sec. 3-5.(n)(6)(iv), 3-5.(n)(8)(i), 3-5.(bs)(6), 3-5.(bs)(8)(vii)a., 3-~~
 10512 ~~5.(bs)(8)(viii)a., 3-5.(bs)(8)(ix)b.]~~
 10513 i. Road. All internal roads shall be suitable to accommodate emergency vehicles and
 10514 other traffic as required by the current edition of the Florida Fire Prevention Code.
 10515 ii. Such roads shall have a compacted or stabilized base, which shall be approved
 10516 by the Clay County Director of Engineering and meet the clearance standards of
 10517 the current edition of the Florida Fire Prevention Code and Sec.8-11. Roadway
 10518 Design and Improvements. ~~[Relocated from Sec. 3-5.(bs)(6)]~~
 10519 iii. Semi-Primitive Wilderness Camp Sites. These sites shall be accessed by trail or
 10520 from a surface water body if the site includes a landing and launch area for
 10521 watercraft. ~~[Relocated from Sec. 3-5.(bs)(8)(x).a.]~~
 10522

(b) Minimum Percentage of Total Land Area of Campground Park:

<u>i.</u>	<u>Recreational Area:</u>	<u>10 percent</u> ^{1,2} [Relocated from Sec. 3-5.(n)(5)(i)]
<u>ii.</u>	<u>Tent Site:</u>	<u>10 percent</u> ³ [Relocated from Sec. 3-5.(n)(6)]
<u>iii.</u>	<u>RV Site:</u>	<u>10 percent</u> [Relocated from Sec. 3-5.(bs)(8)(vii) b.]
	<u>Cabin:</u>	<u>20 percent of permitted spaces or lots</u> ⁴ [Relocated from Sec. 3-5.(n)(8)(iii)]

(c) Minimum Size:

<u>i.</u>	<u>Cabin:</u>	<u>1,000 square feet</u> ⁵ [Relocated from Sec. 3-5.(n)(8)(iv)]
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Footnotes:

- 10523 1 At least 1 Recreational Area shall be a minimum of 20,000 square feet. **[Relocated**
10524 **from Sec. 3-5.(n)(5)(ii) Recreational areas]**
- 10525 2 Shall not include retention and buffer areas. **[Relocated from Sec. 3-5.(n)(5) (i)**
10526 **Recreational areas]**
- 10527 3 Shall not include Recreational Areas, retention, and buffer areas. **[Relocated from**
10528 **Sec. 3-5.(n)(6) Tent site standards](**
- 10529 4 For short-term use only. **[Relocated from Sec. 3-5.(n)(8)(iii) Cabin site standards]**
- 10530 5 Shall not exceed 5,000 square feet. **[Relocated from Sec. 3-5.(bs)(viii)b.]**
- 10531 (d) Recreational Area Standards.
- 10532 i. There shall be, at a minimum, a picnic area with picnic tables, a playground and a
10525 multi-use playfield. **[Relocated from Sec. 3-5.(n)(5)(i) Recreational areas]**
- 10533 (e) Tent Site Standards.
- 10534 i. Tent sites shall be clustered away from RV sites to minimize noise and visual
10527 impacts.
- 10535 ii. Tent camping may also be permitted on individual RV sites.
- 10536 iii. Access. Each tent site shall abut on at least 1 internal driveway within the
10532 boundaries of the campground, and access to the site shall be only from such an
10533 internal driveway. **[Relocated from Sec. 3-5.(n)(6) (i) to (iv) Tent site standards]**
- 10534 (f) RV Site Standards.
- 10535 i. Appurtenances and Accessory Structures. Temporary appurtenances, such as
10536 cabanas and awnings, may be erected on a RV site as long as such appurtenances
10537 do not intrude into a designated buffer. **[Relocated from Sec. 3-5.(n)(7)(iv) and**
10538 **Sec. 3-5.(bs)(8)(vii)f.]**
- 10539 (g) Parking. All sites that allow parking of vehicles shall be constructed with a stabilized pad,
10540 and those applicable standards pursuant to Sec. 8-12. Parking Requirements and Sec. 8-
10541 12.(7) Construction Standards.
- 10542 (h) Construction and Provision of Recreational Areas. Construction of a required Recreation
10543 Area and its affiliated facilities shall be completed prior to the issuance of the first Certificate
10544 of Occupancy of any building/structure of the Campground Park.
- 10545 i. Phasing. If the Campground Park is developed under several phases, and more
10546 than 1 Recreational Area is provided for the Park, then a minimum of 1
10547 Recreational Area shall be constructed concurrently under the first development
10548 phase of the Campground Park.
- 10549 (i) Campground Operation. **[Relocated from Sec. 3-5.(n)(10)]**
- 10550 i. Responsibilities of Campground Management. The owner of a Campground Park
10551 shall at all times maintain the Park and its facilities in a clean, orderly, and sanitary
10552 condition. **[Relocated from Sec. 3-5.(n)(10)(i)]**
- 10553 ii. Length of Occupancy. No RV, Cabin, or Tent shall be considered to be a
10554 permanent residence, and occupancy shall be limited to no more than 180

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- 10554 consecutive days, and to no more than 200 days in 1 year. [Relocated from Sec.
10555 **3-5.(n)(10)(ii)**
10556 *iii.* Property Management. A full-time property manager shall be required and shall
10557 live on-site. [Relocated from Sec. 3-5.(n)(10)(iii)]
10558 *iv.* Animal Control. It shall be the responsibility of the Campground manager to ensure
10559 that no person in charge of an animal shall permit the animal to run at large or to
10560 commit any nuisance within Campground Park property. [Relocated from Sec. 3-
10561 **5.(n)(9)(i)**
10562 **(5) Supplemental Application Standards:**
10563 **(a) Site Plan Standards.** In addition to the submission standards pursuant to [Article 2,](#)
10564 [Procedures for Development Review,](#) the required Site Plan shall show the following
10565 elements: tent, RV, semi-primitive wilderness, and cabin sites; recreational areas;
10566 waterfront development such as swimming areas, boardwalks, docks or canoe launch
10567 sites; specific buildings and their uses; buffers; driveways and roads; access points;
10568 drainage and grading plans, and other elements as requested by County staff. [Relocated
10569 from Sec. 3-5.(bs)(8)(i) and Sec. 3-5.(n)(4)(i)]
10570 **(b) Platting.** If the campground is to be platted, the campground shall meet all applicable
10571 standards pertaining to subdivisions [Relocated from Sec. 3-5.(n)(11)(ii)]
10572 **(c) Design Standards.** Youth camps shall meet all pertinent design and other standards of the
10573 Florida Department of Health and Florida Department of Children and Family Services or
10574 their successor agencies, including but not limited to setbacks from public road rights-of-
10575 way, parcel boundaries, wetland and surface water protection standards; intensity of camp
10576 sites on the parcel; minimum camp site size; separation of animal facilities from sleeping
10577 and eating quarters. [Relocated from Sec. 3-5.(bs)(8)(ii)]

3-E-E.3.c. Accessory or Collocated Uses

- 10579 **(1) Certain facilities or services that are provided** as a convenience for the guests of the Campground
10580 Park shall not be considered as an Accessory or Collocated Uses, as follows:
10581 **(a) Laundry facilities;**
10582 **(b) Playgrounds and picnic areas;**
10583 **(c) Ball and game courts;**
10584 **(d) Service buildings, restrooms and shower facilities; and/or** [Relocated from Sec. 3-5.(n)(3)]
10585 **(e) Educational and Conference centers.** [Relocated from Sec. 3-5.(bs)(5)]
10586 **(f) Swimming Pool and Spa.** Refer to [Sec. 3-F-H.5 Swimming Pool and Spa.](#) [Relocated from
10587 **Sec. 3-5.(n)(3)(iv) and Sec. 3-5.(bs)(5)**
10588 **(2) The following may be provided in a Campground Park as an Accessory Use or Structures as**
10589 **follows:**

Use¹

Caretaker's Quarter

[Refer to Sec. 3-E-I.4.](#)

Equestrian Facilities [Relocated from
Sec. 3-5.(bs)(5)]

[Refer to Sec. 3-E-B.12.](#)

Golf Course [Relocated from Sec. 3-
5.(n)(3)(ii)]

[Refer to Sec. 3-E-E.8.](#)

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<u>Golf Driving Range</u>	Refer to Sec. 3-E-E.9.
<u>Offices, Administration</u> [Relocated from Sec. 3-5.(bs)(5)]	Refer to Sec. 3-E-D.11.
<u>Outdoor Shooting Ranges</u> [Relocated from Sec. 3-5.(bs)(5)]	Refer to Sec. 3-E-E.16.
<u>Retail Sales, General</u> <i>May include: Boat rental, bait, fishing, and sports accessories sales</i> [Relocated from Sec. 3-5.(n)(3)(v)] <u>and</u> convenience store [Relocated from Sec. 3-5.(n)(3)(viii)]	Refer to Sec. 3-E-D.15.
<u>Place of Worship</u> [Relocated from Sec. 3-5.(bs)(5)]	Refer to Sec. 3-E-G.17.
<u>Swimming Pool</u> [Relocated from Sec. 3-5.(n)(3)(iv) and Sec. 3-5.(bs)(5)]	Refer to Sec. 3-F-H.5.
<u>Footnotes:</u>	
<u>1</u> Includes affiliated structures to the use.	

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Sec. 3-5. Conditional Uses.

~~(n) Campground/Recreational Park.~~

~~(1) Definitions For the purposes of this section, the following words and phrases shall have the meanings ascribed to them by this subsection:~~

~~(i) Cabin means a structure that is permanently affixed to the ground and shall comply with all applicable building codes and regulations adopted by the Board of County Commissioners and the State of Florida. [Relocated to Sec. 1-15.C.(1)~~

Definitions]

~~(ii) Cabin site means a parcel of land which is utilized for a cabin. Cabin sites shall be shown on an approved site plan in accord with this section. [Relocated to Sec. 1-15.C.(2)~~

Definitions]

~~(iii) Campground means a development, under single ownership or condominium, or cooperative ownership, or subdivided into lots pursuant to this subsection, in which sites are utilized for the placement of RV and tents for temporary use or cabins for short term use. [Relocated to Sec. 3-E-E.3.a. Description and Typical Uses]~~

~~(iv) Recreational Vehicle means, for the purpose of this section, a vehicular portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation or vacation uses, permanently identified as an RV by the manufacturer of the vehicle, having a width not exceeding 14 feet and an overall dimension not exceeding 500 square feet, when constructed to the U.S. Department of Housing and Urban Development standards and shall include: [Consolidated under Sec. 1-15.R.(5)~~

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- 10614 a. ~~Camping trailers (including the terms pop-up or pop-out trailer), which~~
10615 ~~means a folding structure, mounted on wheels and designed for travel,~~
10616 ~~recreation or vacation use;~~
10617 b. ~~Motor homes, which means a portable, temporary dwelling to be used for~~
10618 ~~travel, recreation or vacation uses, and constructed as an integral part of~~
10619 ~~a self-propelled vehicle;~~
10620 c. ~~Travel trailers, (including the term fifth-wheel trailer), which means a non~~
10621 ~~self-propelled structure;~~
10622 d. ~~Truck campers, (including the terms pick-up coach, topper or slide out~~
10623 ~~camper), which means a structure designed to be mounted on the bed or~~
10624 ~~chassis of a truck. [Relocated to Sec. 1-15.R.(a) through (d)~~
10625 ~~Definitions]~~
10626 (v) ~~Recreational Vehicle Site means a parcel of land within a campground designed~~
10627 ~~and improved for the accommodation of not more than one RV or up to three tents.~~
10628 ~~RV sites shall be shown on an approved site plan in accord with this Section.~~
10629 ~~[Relocated to Sec. 1-15.R.(6) Definitions]~~
10630 (vi) ~~Sanitary station means a facility used for removing and disposing of waste from~~
10631 ~~RV holding tanks. [Relocated to Sec. 1-15.S.(3) Definitions]~~
10632 (vii) ~~Service building means any building in a campground used for recreational,~~
10633 ~~maintenance, sanitary or office purposes which may be necessary for the~~
10634 ~~development and management of the campground. [Relocated to Sec. 1-15.S.(6)~~
10635 ~~Definitions]~~
10636 (viii) ~~Tent means a collapsible structure of canvas or other material, stretched and~~
10637 ~~sustained by poles and usually made fast by ropes attached to pegs or stakes~~
10638 ~~hammered into the ground. [Relocated to Sec. 1-15.T.(3) Definitions]~~
10639 (ix) ~~Tent site means a parcel of land within a campground designed and improved~~
10640 ~~for the accommodation of up to three tents. Individual tent size may not exceed~~
10641 ~~200 square feet. [Relocated to Sec. 1-15.T.(4) Definitions]~~
10642 (2) ~~Limitation of Size Such facilities are permitted on tracts of land not less than ten (10)~~
10643 ~~acres. [Relocated to Sec. 3-E-E.3.b.(1)(a) Minimum lot size]~~
10644 (3) ~~Accessory activities (primarily as a convenience for the guests of the campground).~~
10645 (i) ~~Laundry facilities [Relocated to Sec. 3-E-E.3.c. Accessory or Collocated~~
10646 ~~Uses]~~
10647 (ii) ~~Private golf courses, playgrounds and picnic areas [Relocated to Sec. 3-E-E.3.c.~~
10648 ~~Accessory or Collocated Uses]~~
10649 (iii) ~~Recreational ball and game courts [Relocated to Sec. 3-E-E.3.c. Accessory or~~
10650 ~~Collocated Uses]~~
10651 (iv) ~~Swimming pools [Relocated to Sec. 3-E-E.3.c. Accessory or Collocated Uses]~~
10652 (v) ~~Boat rental, including bait, fishing and sports accessories sales [Relocated to~~
10653 ~~Sec. 3-E-E.3.c. Accessory or Collocated Uses]~~
10654 (vi) ~~Manager's residence [Relocated to Sec. 3-E-E.3.c. Accessory or Collocated~~
10655 ~~Uses]~~

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- 10656 ~~(vii) — Service buildings [Relocated to Sec. 3-E-E.3.c. Accessory or Collocated Uses]~~
- 10657 ~~(viii) — Convenience store, including the lawful sale of beer and wine [Relocated to Sec.~~
- 10658 ~~3-E-E.3.c. Accessory or Collocated Uses]~~
- 10659 ~~(ix) — Restaurant. A restaurant with on-premise consumption of alcohol is subject to the~~
- 10660 ~~requirements in Section 20.3.4, paragraphs (c) and (d). [Relocated to Sec. 3-E-~~
- 10661 ~~E.3.c. Accessory or Collocated Uses and Footnote 2]~~
- 10662 ~~(x) — Restroom and shower facilities. [Relocated to Sec. 3-E-E.3.c. Accessory or~~
- 10663 ~~Collocated Uses]~~
- 10664 ~~(4) — Design and other standards:~~
- 10665 ~~(i) — A site plan shall be submitted for staff review and approval. The site plan shall~~
- 10666 ~~show the following elements: tent, RV, and cabin sites; recreational areas; specific~~
- 10667 ~~buildings and their uses; buffers; driveways and roads; access points; and other~~
- 10668 ~~elements as requested by County staff. [Relocated to Sec. 3-E-E.3.b.(5)(a) Site~~
- 10669 ~~Plan Standards, Supplemental Application Standards]~~
- 10670 ~~(ii) — A recreational vehicle, cabin, and tent site shall have a vegetative buffer with a~~
- 10671 ~~minimum width of 15 feet separating the site from adjacent sites. [Relocated to~~
- 10672 ~~Sec. 3-E-E.3.b.(3) (b) Buffer between campsites, Minimum Buffer]~~
- 10673 ~~(iv) — The density of campgrounds shall not exceed a maximum density of twelve sites~~
- 10674 ~~per acre. [Deleted/consolidated requirements under Sec. 3-E-E.3.b.(2)~~
- 10675 ~~Maximum Intensity]~~
- 10676 ~~(5) — Recreational areas:~~
- 10677 ~~(i) — A minimum of ten percent of the total land area of a campground shall be devoted~~
- 10678 ~~to one or more common use areas for recreational activity to include, at a minimum,~~
- 10679 ~~a picnic area with picnic tables, a playground and a multi-use playfield. [Relocated~~
- 10680 ~~to Sec. 3-E-E.3.b.(4)(d) Recreational Area Standards]~~
- 10681 ~~(ii) — Such recreational areas calculated on the part of the site exclusive of retention~~
- 10682 ~~areas and buffer strips. Recreational areas shall be easily accessible to all~~
- 10683 ~~campground users and management. The required space for recreational usage~~
- 10684 ~~may be met through more than one recreational site. At least one recreation area~~
- 10685 ~~must be a minimum of 20,000 square feet in size.~~
- 10686 ~~(iii) — Provisions for all recreational areas and the construction of recreational facilities~~
- 10687 ~~which are shown on the site plan or subdivision plat shall proceed at an equivalent~~
- 10688 ~~or greater rate as the construction of individual sites. [Deleted majority of current~~
- 10689 ~~code, allows some flexibility in the provision of amenities. Partially relocated~~
- 10690 ~~to Sec. 3-E-E.3.b.(4)(b) Minimum Percentage of Total Land Area of~~
- 10691 ~~Campground Park]~~
- 10692 ~~(6) — Tent site standards. Areas amounting to at least ten percent of the site, not including~~
- 10693 ~~recreational, retention, and buffer areas must be set aside exclusively for tent camping in~~
- 10694 ~~accordance with all provisions of this subsection applicable, except:~~
- 10695 ~~[Relocated to Sec. 3-E-E.3.b.(4)(e) Tent Site Standards]~~
- 10696 ~~(i) — There shall be a stabilized pad on the site for parking of the transportation vehicle.~~
- 10697 ~~[Consolidated under Sec. 3-E-E.3.b.(4)(g) Parking]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10698 (ii) ~~Tent sites should be clustered away from RV sites to minimize noise and visual~~
10699 ~~impacts.~~
- 10700 (iii) ~~Tent camping may also be permitted on individual RV sites.~~ [Relocated to Sec. 3-
10701 **E-E.3.b.(4)(e) Tent Site Standards]**
- 10702 (iv) ~~Access. Each tent site shall abut on at least one internal driveway within the~~
10703 ~~boundaries of the campground, and access to the site shall be only from such an~~
10704 ~~internal driveway.~~ [Deleted (iv) as access is consolidated under Sec. 3-E-E-
10705 **3.b.(4)(a)]**
- 10706 (v) ~~Setbacks (for individual sites):~~
- 10707 a. ~~The front setback, from the lot line in a platted campground or from the~~
10708 ~~road in an unplatted campground, shall be twenty-five feet.~~ [Relocated to
10709 **Sec. 3-E-E.3.b. Specific Use Standards, Footnote 2]**
- 10710 (7) ~~RV sites or lot standards:~~
- 10711 (i) ~~Access. Each RV site shall abut on at least one internal road within the boundaries~~
10712 ~~of the campground, and access to the site shall be only from such an internal road.~~
10713 **[Deleted (i) as access is consolidated under Sec. 3-E-E-3.b.(4)(a)]**
- 10714 (ii) ~~There shall be a stabilized pad on the site for parking of the transportation vehicle.~~
10715 **[Consolidated under Sec. 3-E-E.3.b.(4)(g) Parking]**
- 10716 (iii) ~~Setbacks (for individual sites):~~
- 10717 a. ~~The front setback, from the lot line in a platted campground or from the~~
10718 ~~access driveway in an unplatted park, shall be twenty-five feet.~~ [Replaced
10719 **with new setback dimensions, and relocated to Sec. 3-E-E.3.b.**
10720 **Specific Use Standards, Footnote 2]**
- 10721 (iv) ~~RV Appurtenances and accessory structures. Temporary appurtenances, such as~~
10722 ~~cabanas and awnings, may be erected on a RV site as long as such appurtenances~~
10723 ~~do not intrude into a designated buffer.~~ [Relocated to Sec. 3-E-E.3.b.(4)(f) **RV**
10724 **Site Standards**
- 10725 (8) ~~Cabin site standards:~~
- 10726 (i) ~~Access. Each cabin shall abut on at least one internal road within the boundaries~~
10727 ~~of the campground, and access to the site shall be only from such an internal road.~~
10728 **[Deleted (i) as access is consolidated under Sec. 3-E-E-3.b.(4)(a)]**
- 10729 (ii) ~~There shall be a stabilized pad on the site for parking of the transportation vehicle.~~
10730 **[Consolidated under Sec. 3-E-E.3.b.(4)(g) Parking]**
- 10731 (iii) ~~Cabins or park trailers utilized for short term use may comprise no more than 20~~
10732 ~~percent of the permitted spaces or lots.~~
- 10733 (iv) ~~Cabins shall not exceed a maximum of 1,000 square feet each in size.~~ [Relocated
10734 **to Sec. 3-E-E.3.b.(2)(c)i. through iv. Cabin Site Standards]**
- 10735 (v) ~~Setbacks (for individual sites):~~
- 10736 a. ~~The front setback, from the lot line in a platted campground or from the~~
10737 ~~road in an unplatted campground, shall be twenty-five feet.~~ [Relocated to
10738 **Sec. 3-E-E.3.b. Specific Use Standards, Footnote 2]**
- 10739 (9) ~~Provisions of services.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10740 (i) ~~Animal control. It shall be the responsibility of the campground manager to ensure~~
10741 ~~that no person in charge of an animal shall permit the animal to run at large or to~~
10742 ~~commit any nuisance within campground property. [Relocated to Sec. 3-E-~~
10743 ~~E.3.b.(4)(i)iv. Campground Operations.]~~
- 10744 ~~(10) Campground Operation.~~
- 10745 (i) ~~Responsibilities of campground management. The owner of a campground shall~~
10746 ~~at all times maintain the campground and its facilities in a clean, orderly and~~
10747 ~~sanitary condition.~~
- 10748 (ii) ~~Length of occupancy. No RV, cabin, or tent as defined within these regulations~~
10749 ~~shall be considered to be a permanent residence, and occupancy shall be limited~~
10750 ~~to no more than 180 consecutive days, and to no more than 200 days in one year.~~
- 10751 (iii) ~~Property management. A full-time property manager shall be required and shall~~
10752 ~~live on-site. [Relocated to Sec. 3-E-E.3.b.(i)i. through iii. Campground~~
10753 ~~Operation]~~
- 10754 ~~(11) Miscellaneous standards.~~
- 10755 (i) ~~Maximum height of structures. Maximum height of structures, including RV's and~~
10756 ~~tents, is thirty five (35) feet. [Relocated to Sec. 3-E-E.3.b. Footnote 5]~~
- 10757 (ii) ~~Platting. If the campground is to be platted, the campground shall meet all~~
10758 ~~applicable requirements pertaining to subdivisions. [Relocated to Sec. 3-E-~~
10759 ~~E.3.b.(5)(b) Platting]~~
- 10760 (iii) ~~Floor Area Ratio. The Floor Area Ratio for a campground, calculated with~~
10761 ~~permanent buildings including cabins but excluding RV's and open air picnic~~
10762 ~~shelters, may not exceed 5 percent. (amended 8/04 — Ord. 04-55) [Relocated to~~
10763 ~~Sec. 3-E-E.3.(b)(2) Floor Area Ratio (FAR)]~~

10764 **Sec. 3-5. Conditional Uses.**

- 10765 ~~(bs) Youth Camps.~~
- 10766 (1) ~~Definitions. For the purposes of this section, the following words and phrases shall have~~
10767 ~~the meanings ascribed to them by this subsection:~~
- 10768 (i) ~~Cabin means a structure that is permanently affixed to the intended for short-~~
10769 ~~term occupancy primarily as sleeping quarters ground and shall comply with all~~
10770 ~~applicable building codes and regulations adopted by the Board of County~~
10771 ~~Commissioners and the State of Florida. [Relocated to Sec. 1-15.C.(1)~~
10772 ~~Definitions]~~
- 10773 (ii) ~~Cabin site means an area of land within a youth camp which is utilized for one~~
10774 ~~or more cabins. [Relocated to Sec. 1-15.C.(2) Definitions]~~
- 10775 (iii) ~~Recreational Vehicle means for the purposes of this section, a vehicular portable~~
10776 ~~structure built on a chassis, designed to be used as a temporary dwelling for travel,~~
10777 ~~recreation or vacation uses, permanently identified as an RV by the manufacturer~~
10778 ~~of the vehicle, having a width not exceeding 14 feet and an overall dimension not~~
10779 ~~exceeding 500 square feet, when constructed to the U.S. Department of Housing~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10780 ~~and Urban Development standards and shall include:~~ [Consolidated under Sec.
10781 **1-15.R.(5) Definitions]**
10782 a. ~~Camping trailers (including the terms pop up or pop out trailer), which~~
10783 ~~means a folding structure, mounted on wheels and designed for travel,~~
10784 ~~recreation or vacation use;~~
10785 b. ~~Motor homes, which means a portable, temporary dwelling to be used for~~
10786 ~~travel, recreation or vacation uses, and constructed as an integral part of~~
10787 ~~a self-propelled vehicle;~~
10788 c. ~~Travel trailers, (including the term fifth wheel trailer), which means a non~~
10789 ~~self-propelled structure;~~
10790 d. ~~Truck campers, (including the terms pick up coach, topper or slide out~~
10791 ~~camper), which means a structure designed to be mounted on the bed or~~
10792 ~~chassis of a truck. [Relocated to Sec. 1-15.R.(a) through (d)~~
10793 **Definitions]**
10794 (iv) ~~Recreational Vehicle Site — means an area within a youth camp designed and~~
10795 ~~improved for the accommodation of not more than one (1) RV or up to two (2)~~
10796 ~~tents. [Relocated to Sec. 1-15.R.(6) Definitions]~~
10797 (v) ~~Sanitary station — means a facility used for removing and disposing of waste from~~
10798 ~~RV holding tanks. [Partially relocated to Sec. 3-E-E.c. Accessory and~~
10799 ~~Collocated Uses and Sec. 1-15.S.(3) Definitions]~~
10800 (vi) ~~Semi-Primitive Wilderness Camp Site — means a camp site accessible only by foot,~~
10801 ~~horseback, boat or non-motorized watercraft, bicycle or other trail vehicle that does~~
10802 ~~not contain permanent facilities for overnight stay and where campers carry all of~~
10803 ~~their equipment and provisions in and out. [Relocated to Sec. 1-15.S.(6)]~~
10804 (vii) ~~Service building — means any building in a youth camp used for recreational,~~
10805 ~~maintenance, sanitary or office purposes which may be necessary for the~~
10806 ~~development and management of the camp. [Relocated to Sec. 1-15.S.(7)]~~
10807 (viii) ~~Tent — means a collapsible structure of canvas or other material, stretched and~~
10808 ~~sustained by poles and usually made fast by ropes attached to pegs or stakes~~
10809 ~~hammered into the ground. [Relocated to Sec. 1-15.T.(3)]~~
10810 (ix) ~~Tent site — means an area within a youth camp designed and improved for the~~
10811 ~~accommodation of one or more tents. [Relocated to Sec. 1-15.T.(4)]~~
10812 (x) ~~Youth Camp — a use providing recreational and/or educational activities more~~
10813 ~~typically of an outdoor nature and providing short term day use or residential care~~
10814 ~~for school-aged children. Included in this use would be camps owned and~~
10815 ~~managed by religious organization, Girl Scouts, Boy Scouts, other youth~~
10816 ~~organizations, social service agencies, and other similar non-profit organizations.~~
10817 **[Relocated to Sec. 3-E-E.2.a. Description and Typical Uses]**
10818 (2) ~~Limitation of Size — Such facilities are permitted on tracts of land not less than ten (10)~~
10819 ~~acres. [Relocated to Sec. 3-E-E.3.b.(1)(a) Minimum lot size]~~
10820 (3) ~~Perimeter Buffers — Perimeter buffers shall be required in accord with Section 6-8 of Clay~~
10821 ~~County Ordinance 2003-19, which pertains to perimeter buffers under the Tree Protection~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 10822 and Landscaping Standards contained therein. Specifically, perimeter buffers applicable to
10823 Youth Camps shall be twenty five (25) feet in width and in compliance with those
10824 regulations applicable to type "B" perimeter buffers as specified in paragraph 6-8(5)(b) of
10825 said ordinance, as amended. **[Relocated to Sec. 3-E-E.3.b.(3) Minimum Buffer]**
- 10826 (4) ~~All outdoor activity areas, swimming pools, ball fields and courts, and parking areas must~~
10827 ~~be located at least seventy five (75) feet from adjacent residential lot lines or from areas~~
10828 ~~designated on the Comprehensive Plan Map for residential development. **[Relocated to**~~
10829 ~~to Sec. 3-E-E.3.b. Specific Use Standards, Footnote 3]~~
- 10830 (5) ~~Accessory activities may include tent camping, semi-primitive wilderness camping, RV~~
10831 ~~camping, cabins, conference centers, gymnasiums, educational facilities, administrative~~
10832 ~~offices, swimming pools, or natural swimming area, boating or nonmotorized watercraft~~
10833 ~~facilities, equestrian centers, dining facilities associated with camp functions, health~~
10834 ~~services facility, worship center, outdoor shooting ranges, and recreational activities.~~
10835 **[Relocated to Sec. 3-E-E.3.c. Accessory or Collocated Uses]**
- 10836 (i) ~~Any accessory activity that is designated conditional use in this zoning code shall~~
10837 ~~meet the requirements applicable to that conditional use. Examples include but are~~
10838 ~~not limited to outdoor shooting ranges and riding academies. **[Deleted, replaced**~~
10839 ~~by new language in Sec. 3-E-E.3.c. Accessory or Collocated Uses]~~
- 10840 (ii) ~~Any accessory activity that is governed by state or federal regulations shall meet~~
10841 ~~the requirements of those regulations. Examples include but are not limited to~~
10842 ~~boating facilities, swimming pools and natural swimming areas. **[Relocated to**~~
10843 ~~Sec. 3-E-E.3.c. Accessory or Collocated Uses, Footnote 1]~~
- 10844 (6) ~~Each RV site, tent site and building shall be accessible via an all weather road suitable to~~
10845 ~~accommodate emergency vehicles and other traffic as required by the current edition of~~
10846 ~~the Florida Fire Prevention Code. Such roads must have a compacted or stabilized base,~~
10847 ~~which shall be approved by the Clay County Director of Engineering, and meet the~~
10848 ~~clearance requirements of the current edition of the Florida Fire Prevention Code.~~
10849 **[Relocated to Sec. 3-E-E.3.b.(4)(a) Access to Facilities]**
- 10850 (i) ~~Semi-primitive wilderness camp sites are exempt from the requirement for all-~~
10851 ~~weather road access. **[Relocated to Sec. 3-E-E.3.b.(4)(a) iii. Access to**~~
10852 ~~Facilities]~~
- 10853 (7) ~~Permanent residences may be constructed as staff housing. Permanent residential density~~
10854 ~~may not exceed one (1) dwelling unit per four (4) acres. **[Relocated to Sec. 3-E-**~~
10855 ~~E.3.b.(2)(a) Maximum Intensity]~~
- 10856 (8) ~~Design and other standards:~~
- 10857 (i) ~~A site plan shall be submitted for staff review and approval. The site plan shall~~
10858 ~~show the following elements: tent, RV, semi-primitive wilderness, and cabin sites;~~
10859 ~~recreational areas; waterfront development such as swimming areas, boardwalks,~~
10860 ~~docks or canoe launch sites; specific buildings and their uses; buffers; driveways~~
10861 ~~and roads; access points; drainage and grading plans, and other elements as~~
10862 ~~requested by County staff. **[Relocated to Sec. 3-E-E.3.b.(5)(a) Site Plan**~~
10863 ~~Standards]~~

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Part E Use Types and Regulations

- 10864 (ii) ~~Youth camps shall meet all pertinent design and other standards of the Florida~~
10865 ~~Department of Health and Florida Department of Children and Family Services or~~
10866 ~~their successor agencies, including but not limited to setbacks from public road~~
10867 ~~rights-of-way, parcel boundaries, wetland and surface water protection standards;~~
10868 ~~density and intensity of camp sites on the parcel; minimum camp site size;~~
10869 ~~separation of animal facilities from sleeping and eating quarters. [Relocated to~~
10870 ~~Sec. 3-E-E.3.b.(5)(c) Site Plan Standards]~~
10871 (iii) ~~Youth camps shall meet the requirements of Policy 1.2.1 in the Conservation~~
10872 ~~Element of the Clay County Comprehensive Plan, as subsequently amended. This~~
10873 ~~policy sets standards for setbacks from surface water bodies. [Deleted. This~~
10874 ~~policy only mandates County to implement Historic Preservation]~~
10875 (iv) ~~The density of camp sites in youth camps shall not exceed a maximum density of~~
10876 ~~twelve (12) RVs or twenty four (24) tent per net acre. [Relocated to Sec. 3-E-~~
10877 ~~E.3.b.(2)(a) Maximum Intensity]~~
10878 (v) ~~The Floor Area Ratio of all permanent structures on a youth camp, excluding RVs,~~
10879 ~~tents, and open air picnic shelters, shall not exceed ten percent (10 %). [Partially~~
10880 ~~Relocated to Sec. 3-E-E.3.b.(2) Specific Use Standards, Footnote 6]~~
10881 (vi) ~~Setbacks. The setback for all camp sites and permanent structures from all public~~
10882 ~~road rights-of-way and the parcel boundary shall be twenty five (25) feet, unless a~~
10883 ~~larger setback is required by rules of the Florida Department of Health or its~~
10884 ~~successor agency, other applicable agencies, or otherwise required in this zoning~~
10885 ~~code. [Deleted and replaced with new setback standards under Sec. 3-E-~~
10886 ~~E.3.b.(1)(b) Minimum Setback]~~
10887 (vii) ~~RV sites standards:~~
10888 a. ~~Access. Each RV site shall abut on at least one internal road within the~~
10889 ~~boundaries of the youth camp, and access to the site shall be only from~~
10890 ~~such an internal road. [Consolidated under Sec. 3-E-E.3.b.(4)(a)~~
10891 ~~Access to Facilities]~~
10892 b. ~~RV sites may comprise no more than ten (10) percent of the area of the~~
10893 ~~youth camp. [Relocated to Sec. 3-E-E.3.b.(4)(b)iii.]~~
10894 c. ~~Tent camping may also be permitted on individual RV sites. [Relocated~~
10895 ~~to Sec. 3-E-E.3.b.(4)(e)ii. Tent Site Standards]~~
10896 d. ~~There shall be a stabilized pad on the site for parking of the transportation~~
10897 ~~vehicle. [Consolidated under Sec. 3-E-E.3.b.(4)(g) Parking]~~
10898 e. ~~Setbacks (for individual sites):~~
10899 1. ~~RV's, seating, fire rings and all other accessory facilities and~~
10900 ~~equipment shall be set back at least five (5) feet from the internal~~
10901 ~~access road. [Relocated to Sec. 3-E-E.3.b. Footnote 4]~~
10902 f. ~~RV Appurtenances and accessory structures. Temporary appurtenances,~~
10903 ~~such as cabanas and awnings, may be erected on a RV site as long as~~
10904 ~~such appurtenances do not intrude into a designated buffer area or violate~~
10905 ~~state standards. [Relocated to Sec. 3-E-E.3.b.(4)(f)]~~

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Part E Use Types and Regulations

- 10906 (viii) ~~(viii)~~ Cabin site standards:
- 10907 a. ~~Access. Each cabin site or group of cabins shall have access to an internal~~
- 10908 ~~road within the boundaries of the youth camp, and access to the site shall~~
- 10909 ~~be only from such an internal road. [Relocated to Sec. 3-E-E.3.b.(4)(a)~~
- 10910 **Access to Facilities]**
- 10911 b. ~~Cabins shall not exceed a maximum of 5,000 square feet each in size.~~
- 10912 **[Relocated to Sec. 3-E-E.3.b.(4)(c)]**
- 10913 c. ~~Setbacks:~~
- 10914 1. ~~Cabins seating, fire rings and all other accessory facilities and~~
- 10915 ~~equipment shall be set back at least five (5) feet from the internal~~
- 10916 ~~access road. [Relocated to Sec. 3-E-E.3.b. Footnote 4]~~
- 10917 (ix) ~~Tent site standards:~~
- 10918 a. ~~Tent sites should be clustered away from RV sites to minimize noise and~~
- 10919 ~~visual impacts. [Relocated to Sec. 3-E-E.3.b.(4)(e)i. Tent Site~~
- 10920 **Standards]**
- 10921 b. ~~Access. Each tent site shall have access to an internal road within the~~
- 10922 ~~boundaries of the youth camp, and access to the site shall be only from~~
- 10923 ~~such an internal road. [Relocated to Sec. 3-E-E.3.b.(4)(a) Access to~~
- 10924 **Facilities]**
- 10925 c. ~~Setbacks:~~
- 10926 1. ~~Tents, seating, fire rings, food caches, and all other accessory~~
- 10927 ~~facilities and equipment shall be set back at least five (5) feet from~~
- 10928 ~~the internal access road or trail. [Relocated to Sec. 3-E-E.3.b.~~
- 10929 **Footnote 4]**
- 10930 (x) ~~Semi-primitive wilderness site standards:~~
- 10931 a. ~~Access. Semi-primitive wilderness camp sites are not required to have~~
- 10932 ~~internal road access. These camp sites may be accessible by trail or from a surface~~
- 10933 ~~water body if the camp site includes a landing and launch site for water craft.~~
- 10934 **[Relocated from Sec. 3-E-E.3.b.(4)(a)]**
- 10935 b. ~~Setbacks:~~
- 10936 1. ~~Tents, seating, fire rings, food caches, and all other accessory~~
- 10937 ~~facilities and equipment shall be set back at least five (5) feet from~~
- 10938 ~~the internal access road or trail. [Relocated to Sec. 3-E-E.3.b.~~
- 10939 **Footnote 4]**
- 10940
- 10941 **~~Sec. 3-35.(g) PUBLIC OWNERSHIP (ZONE PO-2)~~**
- 10942 (ii) ~~Parks, campgrounds, marinas, and golf courses. Five (5) acres.~~

Sec. 3-E-E.4. Community Garden

3-E-E.4.a. Description and Typical Uses

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Part E Use Types and Regulations

10945 *A parcel of land that is managed and maintained by people to grow and harvest food crops and non-food*
10946 *ornamental crops, such as flowers, for personal or group use, consumption, donation, or limited sale. A*
10947 *Community Garden may be divided into separate plots for cultivation by 1 or more individuals, or may be*
10948 *farmed collectively by a group. [Relocated from Sec. 1-15.(60)]*

10949 3-E-E.4.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Setbacks: Apply the setbacks of the lot's zoning district, if applicable

(2) Additional Use Standards:

(a) Lot Maintenance:

i. *The property owner shall be responsible for maintaining the lot in an orderly and neat condition and shall not create a visual blight or offensive odors.*

ii. *Plots shall not be consistently weedy, untended, or filled with debris. No trash or debris shall be stored or allowed to remain on the lot.*

iii. *Tools and supplies shall be stored indoors or removed from the lot daily.*

iv. *Bulk supplies shall be stored to the rear 30 percent of the lot.*

v. *The Community Garden shall be designed, managed, and maintained to prevent any chemical pesticide, fertilizer, or other garden waste from draining off the lot.*

[Relocated from Sec. 3-5.(s)(1)]

(b) Hours of Operation and Equipment Limitations:

i. *No gardening activities may take place before sunrise or after sunset. Use of hand tools and domestic gardening tools and equipment is encouraged.*

ii. *Use of small power equipment, such as gas-powered tillers and edgers, is allowed; however, gas-powered equipment greater than 10 horsepower shall be prohibited.*

(c) Sustainable Gardening. *Water conservation, composting, and non-polluting, integrated pest and pathogen management are strongly recommended.*

(d) Chemical Use and Storage:

i. *Organic gardening is strongly encouraged.*

ii. *Fertilizer, pesticide, insecticide, herbicide, or agricultural chemical use shall be consistent with label instructions and shall be in compliance with applicable ordinances and laws.*

iii. *Pesticides and fertilizers may only be stored on the property in a locked structure and shall comply with all applicable standards for hazardous material use and handling.*

(e) Sale of Surplus Produce and Plants.

i. *A Community Garden is not intended to be a Commercial enterprise; however, there may be occasions of surplus.*

ii. *Produce and plants grown in community gardens shall not be sold wholesale or offered for sale on the premises except limited sales may occur at yard sales, which are limited to 2 per calendar year, each for a period of no more than 72 hours. **[Relocated from Sec. 3-5.(s)(9)(1)-(5)]***

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

10983 (f) Restoration. If operation of a community garden has been discontinued for 6 months or
 10984 more, the property owner shall level and clean the property, including removal of plant
 10985 materials, planting structures and materials, debris, and any and all accessory structures.
 10986 Additionally, the Planning and Zoning Director or his/her designee shall cause the PS-2
 10987 zoning [MK153] designation to be removed from the Official Zoning Map and shall reinstate
 10988 the zoning district which was in effect prior to the approval of the PS-2 rezoning. Notice of
 10989 revocation shall be mailed, by certified mail, to the property owner. [Relocated from Sec.
 10990 3-5.(s)(7)]

(3) Supplemental Application Standards

10992 (a) A notarized letter signed by the property owner giving permission for use of the lot for a
 10993 community garden. [Relocated from Sec. 3-5.(s)(9)(i)]
 10994 (b) A site plan showing the lot size and dimensions, the location of the community garden
 10995 plot(s), the location of all existing structures, and the location of all proposed structures.
 10996 [Relocated from Sec. 3-5.(s)(9)(ii)]

3-E-E.4.c. Accessory Structures

(1) Dimensional Use Standards for Accessory Structures:

(a)	Maximum Floor Area:	Enclosed structures ¹ :	300 square feet [Relocated from Sec. 3-5.(s)(6)(i)]
		Open-air structures ² :	1,200 square feet [Relocated from Sec. 3-5.(s)(6)(ii)]

Footnotes:

¹ Shall apply to all greenhouses, hoopouses, storage sheds, and planting preparation houses.
 [Relocated from Sec. 3-5.(s)(6)(i)]

Sec.3-5. Conditional Uses.

10998 ~~(s) Community Gardens.~~
 10999 ~~(1) Property maintenance. The property owner shall be responsible for maintaining the~~
 11000 ~~property in an orderly and neat condition and shall not create a visual blight or offensive~~
 11001 ~~odors. Plots may not be consistently weedy, untended or filled with debris. No trash or~~
 11002 ~~debris shall be stored or allowed to remain on the property. Tools and supplies shall be~~
 11003 ~~stored indoors or removed from the property daily. Bulk supplies, shall be stored to the rear~~
 11004 ~~30% of the property. The community garden shall be designed, managed, and maintained~~
 11005 ~~to prevent any chemical pesticide, fertilizer, or other garden waste from draining off the~~
 11006 ~~property. [Relocated to Sec. 3-E-E.4.b.(2)(a)i. through v. Lot Maintenance]~~
 11007 ~~(2) Hours of operation and equipment limitations. No gardening activities may take place~~
 11008 ~~before sunrise or after sunset. Use of hand tools and domestic gardening tools and~~
 11009 ~~equipment is encouraged. Use of small power equipment, such as gas-powered tillers and~~
 11010 ~~edgers, is allowed. Gas-powered equipment greater than ten horsepower is prohibited.~~
 11011

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11012 [Relocated to Sec. 3-E-E.4.b.(2)(b)i. and ii. Hours of Operation and Equipment
11013 Limitations]
- 11014 ~~(3) Sustainable gardening. Water conservation, composting, and non-polluting, integrated
11015 pest and pathogen management are strongly recommended. [Relocated to Sec. 3-E-
11016 E.4.b.(2)(c) Sustainable Gardening]~~
- 11017 ~~(4) Chemical use and storage. Organic gardening is strongly encouraged. Fertilizer, pesticide,
11018 insecticide, herbicide, or agricultural chemical use must be consistent with label
11019 instructions and must be in compliance with applicable ordinances and laws. Pesticides
11020 and fertilizers may only be stored on the property in a locked structure and must comply
11021 with all applicable requirements for hazardous material use and handling. [Relocated to
11022 Sec. 3-E-E.4.b.(2)(d)i. through iii. Chemical Use Storage]~~
- 11023 ~~(5) Sale of surplus produce and plants. A community garden is not intended to be a commercial
11024 enterprise; however, there may be occasions of surplus. Produce and plants grown in
11025 community gardens shall not be sold wholesale or offered for sale on the premises except
11026 limited sales may occur at yard sales, which are limited to two per calendar year, each for
11027 a period of no more than 72 hours. [Relocated to Sec. 3-E-E.4.b.(2)(e)i. through ii. Sale
11028 of Surplus Produce and Plants]~~
- 11029 ~~(s) Community Gardens.~~
- 11030 ~~(6) Accessory structures. Only the following structures are permitted in a community garden:
11031 (i) Greenhouses, hoophouses, storage sheds, and planting preparation houses. The
11032 combined floor area of any of these structures may not exceed 300 square feet
11033 and must be erected in the rear 30 percent of the lot.
11034 (ii) Open-air shade structures such as pole barns, and pergolas. The combined floor
11035 area of all open-air shade structures may not exceed 1,200 square feet.
11036 (iii) A combined maximum floor area ratio for all structures provided for in (i) and (ii)
11037 above may not exceed 20%.
11038 (iii) Fencing, meeting the conditional use requirements for Fences set forth in this
11039 Section 3-5 of this Article.
11040 (iv) Compost bins and rain barrel systems. Such bins or systems shall be erected or
11041 stored in the rear 30% of the property.
11042 All structures must be located no closer than 20 feet from the rear and side yard property
11043 lines and no closer than 25 feet from the front property line (as determined by street
11044 frontage). [Relocated to Division I, Accessory Uses and Structures]~~
- 11045 ~~(7) Restoration. If operation of a community garden has been discontinued for six months or
11046 more, the property owner must level and clean the property, including removal of plant
11047 materials, planting structures and materials, debris, and any and all accessory structures
11048 under (6). Additionally, the Planning and Zoning Director shall cause the PS-2 zoning
11049 designation to be removed from the Official Zoning Map and shall reinstate the zoning
11050 district which was in effect prior to the approval of the PS-2 rezoning. Notice of revocation
11051 shall be mailed, by certified mail, to the property owner. [Relocated to Sec. 3-E-E.5.b.(2)(f)
11052 Restoration]~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11053 ~~(8) Off street parking. All parking shall be provided on site. No on street parking is permitted.~~
11054 **[Deferred to Article 8, Appendix A Parking Requirements]**
11055 ~~(9) Application. An application for administrative approval for a community garden must be~~
11056 ~~submitted to the Planning and Zoning Director along with the following documentation:~~
11057 ~~[EG154][Relocated to Article 2]~~
11058 ~~(i) A notarized letter signed by the property owner giving permission for use of the~~
11059 ~~property for a community garden. [Relocated to Sec. 3-E-E.4.b.(3)(a)~~
11060 **Supplemental Application Standards]**
11061 ~~(ii) A site plan showing the property size and dimensions, the location of the~~
11062 ~~community garden plot(s), the location of all existing structures, and the location~~
11063 ~~of all proposed structures. [Relocated to Sec. 3-E-E.4.b.(3)(b) Supplemental~~
11064 **Application Standards]**

11065 Sec. 3-E-E.5. Dog Park

11066 3-E-E.5.a. Description and Typical Uses

11067 ~~A definable space outdoors that may be enclosed by perimeter fencing, defined by park elements such as~~
11068 ~~topography, landscaping or pathways or a combination of elements where people and their dogs gather for~~
11069 ~~off leash dog activity.~~

11070 3-E-E.5.b. Permitted Process

11071 ~~A Dog Park accessory to a PUD or Residential community may be granted a permitted use subject to~~
11072 ~~approval by the Planning and Zoning Director or his/her designee, and the standards of this Section.~~

11073 3-E-E.5.c. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>BB-3 zoning district:</u>	<u>2 acres [Relocated from Sec. 3-5.(u)(1)]</u>
	<u>All other zoning districts:</u>	<u>5 acres [Relocated from Sec. 3-5.(u)(2)]</u>
<u>(b) Minimum Setback:</u>	<u>Apply setbacks of the lots zoning district, if applicable</u>	

(2) Additional Use Standards:

- 11074 (a) Limitation of Use. Such facilities are limited to the use by domesticated canines and their
11075 owners. [Relocated from Sec. 3-5.(u)(1)]
11076 (b) Fencing. To protect the general public, a 6-foot high vinyl-coated chain link fence shall be
11077 installed along the area where dogs will be unleashed. [Relocated from Sec. 3-5.(u)(3)]
11078 (c) Buffering and Screening. The site shall be buffered from adjacent land within a Residential
11079 zoning district or Residential land use category by a minimum 6-foot-high opaque privacy
11080

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11081 fence and a vegetative buffer at least 85 percent opaque with trees planted 30 feet on
11082 center and a minimum of 6 feet high at time of planting. **[Relocated from Sec. 3-5.(u)(4)]**
11083 (d) Prohibited Activity. No boarding, retail sales of products, or services similar to dog
11084 grooming shall be permitted within a Dog Park facility, unless the facility is located on
11085 property zoned BB-3 Specialty Business District. **[Relocated from Sec. 3-5.(u)(5)]**
11086 (e) Hours of Operation. Hours of operation shall be limited from sun up to sunset, except in
11087 BB-3 Specialty Business District where the hours of operation for the outside facilities only,
11088 will be limited from sun up to sunset. **[Relocated from Sec. 3-5.(u)(6)]**

11089 **Sec. 3-5. Conditional Uses.**

- 11090 ~~(u) Dog Park.~~
11091 ~~(1) Limitation of use. Such facilities are limited to the use by domesticated canines and their~~
11092 ~~owners. **[Relocated to Sec. 3-E-E.5.b.(2)(a) Limitation of Use]**~~
11093 ~~(2) Limitation of size. Such facilities are permitted on tracts of land of not less than five (5)~~
11094 ~~acres under unity of lease or title by the person operating such facility, except facilities on~~
11095 ~~property zoned BB-3 shall be on tracts of land of not less than two (2) acres under unity of~~
11096 ~~lease or title by the person operating such facility. **[Relocated to Sec. 3-E-E.5.b.(1)(a)**~~
11097 **Minimum lot size]**
11098 ~~(3) Fencing. To protect the general public, chain link safety fences of a height of six (6) feet~~
11099 ~~are required surrounding the area where dogs will be unleashed. **[Relocated to Sec. 3-E-**~~
11100 ~~**E.5.c.(2)(b) Fencing]**~~
11101 ~~(4) Buffering and screening shall be required as follows:~~
11102 ~~(i) Site shall be buffered from adjacent land within the residential zoning districts or~~
11103 ~~residential land use categories by minimum six (6) foot high opaque privacy fence~~
11104 ~~and a vegetative buffer at least 85% opaque with trees planted thirty (30) foot on~~
11105 ~~center and a minimum of 6' high at time of planting. **[Relocated to Sec. 3-E-**~~
11106 ~~**E.5.c.(2)(c) Buffering and Screening]**~~
11107 ~~(5) No boarding, retail sales of products, or services similar to dog grooming will be permitted~~
11108 ~~within a dog park facility, unless the facility is located on property zoned BB-3 Specialty~~
11109 ~~Business District. **[Relocated to Sec. 3-E-E.5.c.(2)(d) Additional Use Standards]**~~
11110 ~~(6) Hours of operation. Hours of operation shall be limited from sun up to sunset, except in~~
11111 ~~BB-3 Specialty Business District where the hours of operation for the outside facilities only,~~
11112 ~~will be limited from sun up to sunset. **[Relocated to Sec. 3-E-E.5.c.(2)(e) Hours of**~~
11113 ~~**Operation]**~~

11114 Sec. 3-E-E.6. Entertainment, Indoor

11115 3-E-E.6.a. Description and Typical Uses

- 11116 An establishment which provides space, equipment rental, instruction, or guiding for indoor activities.
11117 Typical uses include bowling alley, climbing walls or bouldering, movie theatre, gambling place, electronic
11118 gaming, laser tag, and skating rink.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11119 **3-E-E.6.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>	
(b)	<u>Minimum Setback:</u>	<u>From lot line to lot line:</u>	<u>1,000 feet [Relocated from Sec. 3-5.(w)(1)]</u>
	<u>From a Daycare, Private or Public School, Place of Worship, and Government Facility: [Relocated from Sec. 3-5.(w)(1)]</u>		
	<u>From a public park: [Relocated from Sec. 3-5.(w)(1)]</u>	<u>From lot line to lot line:</u>	<u>500 feet [Relocated from Sec. 3-5.(w)(1)]</u>
	<u>From another Entertainment, Indoor use: [Relocated from Sec. 3-5.(w)(1)]</u>	<u>From lot line to lot line¹:</u>	<u>5,000 feet [Relocated from Sec. 3-5.(w)(1)]</u>

Footnote:

1 Refer how to measure in Sec. 3-A.7. Measurement of Use Separation.

- 11120 (2) Additional Use Standards:
- 11121 (a) Access. Vehicular access shall be from an arterial or collector street.
- 11122 (b) Soundproofing. For an Indoor Entertainment establishment, the interior space shall be soundproofed for any noise, vibration or base sound produced by any activity occurring inside the building.
- 11123 (c) Wagering. Any use which includes pari-mutuel wagering shall be located on the premises of a facility that is licensed by the State of Florida pursuant to Ch. 550, Florida Statutes.
- 11124 (d) Design. Shall comply with, where applicable, Part F, Division F, Architectural Design Guidelines.
- 11125 (e) Hours of operation. Hours of operation shall be limited to between 9:00 am and 10:00 p.m. on Sunday through Thursday and between 9:00 a.m. and 11:00 p.m. on Friday and Saturday. [Relocated from Sec. 3-5.(bn)]

11132 **3-E-E.6.c. Accessory or Collocated Uses**

Use

<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.12.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.16.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>

11133 **Sec. 3-5. Conditional Uses.**

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11134 ~~(w) — Electronic Game Promotions Centers. Will be allowed in the BB and BB-5 Zoning Districts subject~~
11135 ~~to the following:~~
- 11136 ~~(1) — Must be a minimum of 1,000 feet from a child care facility, school, post-secondary~~
11137 ~~educational institution, place of worship, and military installation; 500 feet from a county~~
11138 ~~park; and 5,000 feet from another Electronic Game Promotions Center. The distance shall~~
11139 ~~be measured from property line to property line, unless the Electronic Game Promotions~~
11140 ~~Center is located within a multiunit strip center. In the later case, the distance shall be~~
11141 ~~measured from the property line of the community facility to the nearest side of the~~
11142 ~~Electronic Game Promotions Center within the larger structure. [Consolidated under~~
11143 ~~Sec. 3-E-E.6.b. Specific Use Standards]~~
- 11144 ~~(2) — May not cover facility windows with opaque or reflective window tinting, posters, flyers or~~
11145 ~~anything else that obstructs the exterior view into the interior of the facility. [Deleted and~~
11146 ~~replaced with Sec. 3-E-E.6.b.(2)(d) Design]~~
- 11147 ~~(3) — Must maintain reasonable safety standards, including but not limited to, lighted parking~~
11148 ~~areas.~~
- 11149 ~~(4) — Must comply with the provisions of Article VII, Sign Regulations.~~
- 11150 ~~(5) — Must comply with the provisions of Ordinance 2011-2.~~
- 11151 ~~(6) — Where Electronic Game Promotion Center exists lawfully in any zoning district as of~~
11152 ~~January 10, 2012, such use may be continued anywhere on such property or site, or within~~
11153 ~~such center, as a nonconforming use subject to all other applicable provisions of the Code~~
11154 ~~of Ordinances. [Deleted]~~

11155 Sec. 3-E-E.7. Entertainment, Outdoor

11156 3-E-E.7.a. Description and Typical Uses

11157 A facility that provides equipment rental, instruction, or guiding for outdoor activities. Use may include
11158 structures for administration, storage of equipment, and gathering. Typical uses include batting cages,
11159 paddleboarding, climbing walls, paintball fields, racetracks, mini golf, or ziplining or ropes courses. This
11160 shall exclude Park, Active or Passive and Golf Course or Golf Driving Range.

11161 3-E-E.7.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>			<u>5 acres</u>
(b)	<u>Minimum Setback:</u>	<u>Adjacent to Residential FLU or Uses:</u>	<u>All outdoor activity area and affiliated structures:</u>	<u>100 feet</u>
		<u>From lot line:</u>	<u>Permanent buildings:</u>	<u>50 feet</u>

11162 (2) Additional Use Standards:

- 11163 (a) Access. Vehicular access shall be from an arterial or collector street.

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11164 (c) Wagering. Any use which includes pari-mutuel wagering, such as racetracks, shall be
11165 located on the premises of a facility that is licensed by the State of Florida pursuant to Ch.
11166 550, Florida Statutes.
11167 (d) All gaming-related activities shall occur indoors except for golf driving range, miniature golf
11168 course, skating rink, playground, and playfield.

11169 3-E-E.7.c. Accessory or Collocated Uses

Use

Entertainment, Indoor

Refer to Sec. 3-E-E.6.

Restaurant, Class 1

Refer to Sec. 3-E-D.15.

Restaurant, Class 2

Refer to Sec. 3-E-D.16.

11170 Sec. 3-E-E.8. Golf Course

11171 3-E-E.8.a. Description and Typical Uses

11172 An area of land developed and maintained for playing golf.

11173 3-E-E.8.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

5 acres [Relocated
from Sec. 3-35(g)(1)]

(b) Minimum Setback:

Apply setbacks of the lot's zoning district,
if applicable

(2) Additional Use Standards:

(a) Access. Vehicular access shall be from an arterial or collector street.

(b) Fencing. Fences or netting may be constructed to prevent golf balls from impacting adjacent uses; vehicles; and/or pedestrians, and shall comply with the following minimum height, when adjacent to:

i. Street:20 feet;

ii. Residential or Non-Residential Uses: 15 feet.

iii. Where deemed necessary by the Board of County Commission to protect the general public, safety fences may increase an additional 5 feet as required. The Commission may also require a landscape screen of at least 75 percent opaqueness to protect neighboring property from potential loss of use or diminishment of land value or use. [Relocated from Sec. 3-35(g)(7) Fencing and Screening]

11187 3-E-E.8.c. Accessory and Collocated Uses or Structures

Use

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Restaurant, Class 1</u>	<u>Refer to Sec. 3-E-D.15.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.16.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Personal Services (Spa)</u>	<u>Refer to Sec. 3-F-H.14.</u>
<u>Golf Driving Range</u>	<u>Refer to Sec. 3-E-E.9.</u>

- 11188 **Sec. 3-35.(g)**
 11189 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
 11190 ~~be located so as to comply with the following minimum requirements. — Rev. 04/22/08~~
 11191 ~~(1) — Minimum Lot Area.~~
 11192 ~~(ii) Parks, campgrounds, marinas, and golf courses. Five (5) acres. [Relocated to Sec. 3-~~
 11193 ~~E-E.8.b.(1)]~~
 11194 ~~(7) — Fencing and Screening. Where deemed necessary by the Board of County~~
 11195 ~~Commission to protect the general public, safety fences up to a height of ten (10)~~
 11196 ~~feet may be required. The Commission may also require a landscape screen of at~~
 11197 ~~least seventy-five (75) percent opaqueness to protect neighboring property from~~
 11198 ~~potential loss of use or diminishment of land value or use. [Relocated to Sec. 3-E-~~
 11199 ~~E.8.b.(2)(b)(iii) Fencing, Additional Use Standards]~~

Sec. 3-E-E.9. Golf Driving Range

3-E-E.9.a. Description and Typical Uses

An area of land designed and maintained for playing golf.

3-E-E.9.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>		<u>5 acres [Relocated from Sec. 3-35(g)(1)]</u>
<u>(b) Minimum Setback:</u>	<u>Adjacent to Residential FLU or Use:</u>	<u>100 feet [Relocated from Sec. 3-5.(aa)(1) Setbacks]</u>

(2) Additional Use Standards:

- (a) Access. Vehicular access shall be from an arterial or collector street.
(b) Fencing. A driving range less than 1,000 feet from the front of the teeing area shall have a minimum 35-foot-high mesh barrier along the entire width of property. [Relocated from Sec. 3-5.(aa)(3) Barrier]

3-E-E.9.c. Accessory or Collocated Uses

Use

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Restaurant, Class 1</u>	<u>Refer to Sec. 3-E-D.15.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.16.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>

11210 **Sec. 3-5. Conditional Uses**

- 11211 (aa) ~~*Golf Driving Ranges:*~~
- 11212 (1) ~~*Setbacks. The area developed as the driving range shall be located not less than one hundred (100) feet from adjacent land which is within the residential land use categories or developed residential property. [Relocated to Sec. 3-E-E.9.b(1)]*~~
- 11213
- 11214
- 11215 (2) ~~*Fencing and Screening. The proposed driving range shall be buffered from adjacent land which is within the residential land use categories or developed residential property with a minimum six (6) foot high fence, a fifteen (15) foot contiguous existing vegetative buffer providing minimum eighty (80%) opacity or supplemental to achieve 80% opacity from ground level to a height of eight (8) feet. [Deleted, and deferred to Article 6, Tree Ordinance]*~~
- 11216
- 11217
- 11218
- 11219
- 11220
- 11221 (3) ~~*Barrier. A driving range which has less than one thousand (1,000) feet from the front of the teeing area must have at least a thirty five (35) foot high mesh barrier along the entire width of property. [Relocated to Sec. 3-E-E.9.b(2)]*~~
- 11222
- 11223
- 11224 (4) ~~*Lighting. Ground and building lighting shall be confined to the property and shall not cast direct light on adjacent properties. The maximum height of a light pole shall be thirty (30) feet. [Deleted, and deferred to Part F, Division G, Exterior Lighting]*~~
- 11225
- 11226
- 11227 (5) ~~*Access. Access to said facilities shall be from a paved public road directly to the entrance of the facility. [Deleted, and deferred to Sec. 3-E-E.9.b(2)(a)]*~~
- 11228

11229 **Sec. 3-E-E.10. Marina**

11230 **3-E-E.10.a. Description and Typical Uses**

11231 An establishment which offers sales and services on boating related merchandise, small equipment or
11232 goods. It also provides wet storage of watercrafts, yacht club, and/or charter boat operations.

11233 **3-E-E.10.b. Specific Use Standards**

(1) <u>Dimensional Use Standards:</u>	
(a) <u>Minimum Lot Size:</u>	5 acres [Relocated from Sec. 3-35(g)(1)]
(b) <u>Minimum Setback:</u>	<u>Apply setbacks of lot's zoning district, if applicable</u>

11234 **3-E-E.10.c. Accessory or Collocated uses**

Use	
<u>Boatel (Hotel/Motel)</u>	<u>Refer to Sec. 3-E-D.9.</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Restaurant, Class 1</u>	<u>Refer to Sec. 3-E-D.15.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.16.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>

11235 **Sec. 3-5. Conditional Uses.**

11236 ~~(ak) Marine Facilities.~~

11237 ~~(1) Marina/Commercial Boat Dock/Yacht Club. The primary purpose of this facility is wet~~
 11238 ~~storage and the docking of pleasure craft for residential purposes. Attendant social and~~
 11239 ~~commercial uses such as yacht club, restaurant, lounge, or shops chandler are considered~~
 11240 ~~as an accessory use. Parking facilities are permitted. [Consolidated under Sec. 3-E-~~
 11241 ~~E.11.a. Description and Typical Uses]~~

11242 ~~(2) Marina/Boatel. A marina/boatel may include a full spectrum of residential accommodations~~
 11243 ~~including, but not limited to, powered pleasure craft, other floating residential uses, and on-~~
 11244 ~~shore motel facilities with attendant restaurant and lounge as accessory uses.~~
 11245 ~~[Consolidated under Sec. 3-E-D.11. Hotel]~~

11246 **Sec. 3-35.(g)(1)**

11247 ~~(1) Minimum Lot Area.~~

11248 ~~(ii) Parks, campgrounds, marinas, and golf courses. Five (5) acres. [Relocated from Sec. 3-~~
 11249 ~~35.(g)(1)(ii)]~~

11251 Sec. 3-E-E.11. Off-Road Motorsport, Motorized

11252 **3-E-E.11.a. Description and Typical Uses**

11253 An area for the activity of driving or riding a motorized vehicle on unpaved surfaces such as sand, gravel,
 11254 riverbeds, mud, snow, rocks, and other natural terrain. Typical uses may include, but are not limited to
 11255 motocross, mudbogging, and other leisure or competitive activities with unmodified or modified motorized
 11256 implements.

11257 **3-E-E11.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a) <u>Minimum Lot size:</u>		<i>40 acres</i> [Relocated from Sec. 3-5.(ap)(1)]
(b) <u>Minimum Setback:</u>	<i>From an adjacent residence, Public or Private School and Place of Worship:</i>	<i>1,000 feet</i> [Relocated from Sec. 3-5.(ap)(2)(iv)]
	<i>From any jurisdictional wetland:</i>	<i>200 feet</i> [Relocated from Sec. 3-5.(ap)(2)(v)]

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11258 (2) Additional Use Standards:
- 11259 (a) Access. Vehicular access shall be from an arterial or collector street.
- 11260 (b) Hours of Operation. Racing activities shall be limited to weekends only between the hours
11261 of 9:00 a.m. to 7:00 p.m. [Relocated from Sec. 3-5.(ap)(2) ii.]
- 11262 (c) Traffic Control. Traffic Enforcement officers shall be present during the hours of operation.
- 11263 (d) Fencing. A 6-foot-high vinyl-coated fencing shall be provided between the racing area and
11264 spectator areas. [Relocated from Sec. 3-5.(ap)(2) ii.]
- 11265 (e) Perimeter Buffer. A Type C 100-foot perimeter buffer shall be provided along the entire
11266 boundary of the facility.
- 11267 i. Existing vegetation that meets the standards of Article 6, Tree Ordinance, may be
11268 allowed to satisfy the planting standards. [Relocated from Sec. 3-5.(ap)(2)iii.]
- 11269 (f) Amplification. Any amplified sound shall be subject to the Clay County Code Sec. 15-
11270 5.[Relocated from Sec. 3-5.(ap)(2)(xii)]
- 11271 (g) Sanitation and Waste Management. Provision of temporary sanitation facilities are required
11272 in accordance with Health Department regulations. Procurement of waste pickup services
11273 shall be required. [Relocated from Sec. 3-5.(ap)(2)(xiv) and (xv)]
- 11274 (3) Application Submission Standards:
- 11275 In addition to Article 2, Procedures for Development Review, the applicant shall provide the
11276 following information as part of the submission standards:
- 11277 (a) The Site Plan shall include:
- 11278 i. Location of the racing area, with setbacks to lot lines indicated ;
- 11279 ii. Location of areas for spectators;
- 11280 iii. Parking facilities;
- 11281 iv. Location and type of barrier between racing area and spectator area;
- 11282 v. Access point(s) to the facility;
- 11283 vi. Internal circulation system;
- 11284 vii. Location of residences on adjacent properties; and
- 11285 viii. A Written statement describing the proposed activities, the frequency of events,
11286 and estimated number of attendees, including participants and spectators.
11287 [Relocated from Sec. 3-5.(ap)(1)(i) through (iv)]

3-E-E.11.c. Accessory or Collocated Uses

Use

Retail Sales, General

Refer to Sec. 3-E-D.17.

- 11289 (1) No alcohol sales shall be permitted. [Relocated from Sec. 3-5.(ap)(2)(i)]
- 11290 (2) Retail sales shall be limited to items accessory to racing and motorsport activities. [Relocated from
11291 Sec. 3-5.(ap)(2)(vi)]

Sec. 3-5.(ap) Motocross (MX) Motorized

- 11293 ~~(1) Serial Motocross Racing is limited to property having a minimum size of 40 acres. If a Motocross~~
11294 ~~Racing Use is not otherwise eligible for a Special Event Permit, a Conditional Use application shall~~
11295 ~~be required to include the following information:~~
11296 ~~i. Contact information~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11297 ii. ~~Legal description~~
- 11298 iii. ~~Permission of the owner, if different from the applicant~~
- 11299 iv. ~~Scaled site plan illustrating:~~
- 11300 a. ~~Location of the racing area, with setbacks to property lines indicated~~
- 11301 b. ~~Location of areas for spectators~~
- 11302 c. ~~Parking facilities~~
- 11303 d. ~~Location and type of barrier between racing area and spectator area~~
- 11304 e. ~~Access point(s) to the facility~~
- 11305 f. ~~Internal circulation system~~
- 11306 g. ~~Location of residences on adjacent properties~~
- 11307 h. ~~A Written statement setting forth:~~
- 11308 1. ~~Description of activities~~
- 11309 2. ~~Frequency of events~~
- 11310 3. ~~Estimated number of attendees, including participants and spectators~~
- 11311 [Relocated to Sec. 3-E-E.11.b.(3).]
- 11312 (2) ~~Development Standards~~
- 11313 i. ~~No alcohol sales are permitted~~ [Relocated to Sec. 3-E-E.11.c.(1) Accessory Uses]
- 11314 ii. ~~Racing activities are limited to weekends only between the hours of 9:00 a.m. to dusk and~~
11315 ~~7:00 p.m.~~ [Relocated to Sec. 3-E-E.11.b.(2)(b) Hours of Operation]
- 11316 iii. ~~A 100 foot undisturbed buffer of existing vegetation must be maintained around the~~
11317 ~~perimeter of the property~~ [Relocated to Sec. 3-E-E.11.b.(2)(e) Perimeter Buffer]
- 11318 iv. ~~The racing area must be a minimum of 1000 feet* from the nearest residence, school and~~
11319 ~~place of worship~~ [Relocated to Sec. 3-E-E.11.b.(1)]
- 11320 v. ~~The racing area must be a minimum of 200 feet* from any jurisdictional wetland~~ [Relocated
11321 to Sec. 3-E-E.11.b.(1)]
- 11322 vi. ~~Retail sales are limited to items accessory to racing activities (e.g. food)~~ [Relocated to
11323 Sec. 3- E-E.11.c.(2) Accessory Uses and Sec.3-E-E.12.b.(2) Additional Use
11324 Standards]
- 11325 vii. ~~Fencing must be provided between the racing area and spectator areas~~ [Relocated to
11326 Sec. 3-E-E.11.b.(2)(d) Fencing]
- 11327 viii. ~~Permanent signs shall be limited to one (1) sign of not larger than six (6) square feet,~~
11328 ~~inclusive of face of frame, logos, pictures, and the like, per street frontage. No sign shall~~
11329 ~~exceed a height of twelve (12) feet as measured to the highest projection of the sign or~~
11330 ~~support. All other provisions of Article VII shall apply.~~ [Deleted, as Article 7 allows
11331 Monument signs and limited the number of signage per street frontage]
- 11332 ix. ~~Temporary offsite signage limited to directional signage is allowed on the day(s) of the~~
11333 ~~event only~~ [Deleted, addressed under Article 7.E, Temporary Yard signs]
- 11334 x. ~~No offsite parking is permitted~~ [Deleted, as this is enforced under Article 6 and Part F,
11335 Division J]
- 11336 xi. ~~Off duty deputies are required, including traffic control at start and finish of hours of~~
11337 ~~operation~~ [Deleted and replaced by new language in Sec. 3-E-E.11.b.(2)(c) Traffic
11338 Control]
- 11339 xii. ~~Any amplified sound shall be subject to the Clay County Code Sec. 15-5.~~ [Relocated to
11340 Sec. 3-E-E.11.b.(2)(f) Amplification]
- 11341 xiii. ~~A driveway permit is required~~ [Deleted]

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11342 ~~xiv. Provision of temporary sanitation facilities are required in accordance with Health~~
11343 ~~Department regulations~~**[Relocated to Sec. 3-E-E.11.b.(2)(g) Sanitation and Waste**
11344 **Management]**
11345 ~~xv. Procurement of waste pickup services is required~~ **[Relocated to Sec. 3-E-E.11.b.(2)(g)**
11346

Sec. 3-E-E.12. Off-Road Motorsport, Non-Motorized

11348 3-E-E.12.a. Description and Typical Uses

11349 ~~A facility for the activity of driving or riding a non-motorized vehicle on unpaved surfaces such as sand,~~
11350 ~~gravel, riverbeds, mud, snow, rocks, and other natural terrain. Typical uses may include, but are not limited~~
11351 ~~to, bicycle motocross (BMX) and other leisure or competitive activities with unmodified or modified non-~~
11352 ~~motorized implements.~~

11353 3-E-E.12.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size: 5 acres
[Relocated from Sec. 3-5.(k)(1)]

(b) Minimum Setback:

<u>From building,</u>	<u>To all lot lines:</u>	50 feet
<u>structure or track;</u>		[Relocated from Sec. 3-5.(k)(4)]

(2) Additional Use Standards:

- 11354 (a) Access. Vehicular access shall be from an arterial or collector street.
11355 (b) Performance Standards. The operation of these facilities shall conform to all rules and
11356 regulations of all governmental agencies having appropriate jurisdiction. [Relocated from
11357 Sec. 3-5.(k)(6)]
11358 (c) No alcohol sales shall be permitted.
11359 (d) Retail sales shall be limited to items accessory to non-motorsport activities.
11360 (e) Fencing. A 6-foot-high vinyl-coated fencing shall be provided between the racing area and
11361 spectator areas.
11362

11363 3-E-E.12.c. Accessory and Collocated Uses

Use

Retail Sales, General Refer to Sec. 3-E-D.17.

- 11364 ~~**Sec. 3-5.(k)**~~
11365 ~~BMX Track (Bicycle Motocross; Non-motorized).~~
11366 ~~(1) — Limitations of Size. Such facilities are permitted on tracts of land of not less than five~~
11367

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11368 ~~(5) acres under unity of lease of title by the person operating such facility. [Relocated to 3-E-~~
11369 ~~E.12.b.(1)]~~
- 11370 ~~(2) Limitation of Use. Such facilities are limited to the racing of non-motorized bikes.~~
- 11371 ~~(3) Lighting. Ground and building lighting shall be confined to the property and shall not cast direct~~
11372 ~~light on adjacent properties. The maximum height of a light pole shall be thirty (30) feet. [Defer to~~
11373 ~~Part F, Division G, Exterior Lighting]~~
- 11374 ~~(4) Setback. No building, structure or track shall be closer than fifty (50) feet from any property line.~~
11375 ~~[Relocated to 3-E-E.12.b.(1)]~~
- 11376 ~~(5) Signage. Shall be limited to one (1) sign of not larger than six (6) square feet, inclusive of face and~~
11377 ~~frame, logos, pictures, and the like, per street frontage. No sign shall exceed a maximum height~~
11378 ~~of twelve (12) feet as measured to the highest projection of the sign or support. All other provisions~~
11379 ~~of the Clay County Sign Ordinance shall apply. [Deleted, defer to Article 7]~~
- 11380 ~~(6) Performance Standards. The operation of these facilities shall conform to all rules and regulations~~
11381 ~~of all governmental agencies having appropriate jurisdiction. [Relocated to 3-E-E.12.b.(2)(b)]~~
- 11382 ~~(7) Fencing and Screening. Where deemed necessary to protect the general public, safety fences of~~
11383 ~~up to a height of six (6) feet may be required. A landscape screen of at least 75 percent~~
11384 ~~opaqueness to protect neighboring property from potential loss of or diminishment of land value or~~
11385 ~~use may also be required. [Deleted, and replaced with new language]~~
- 11386 ~~(8) A site plan must be submitted which contains the following:~~
- 11387 ~~(i) Map of proposed location and vicinity.~~
- 11388 ~~(ii) The location of all attractions and structures and time of operation.~~
- 11389 ~~(iii) Off-street parking and buffering. [Deleted, defer to Article 2]~~
- 11390
- 11391 ~~(9) If said site is located on publicly owned property, access thereto shall be from a paved road. (Ord.~~
11392 ~~00-50 amended 9/26/00) (Ord. 02-43 amended 8/02) [Deleted, since access is established~~
11393 ~~under Sec. 3-E-E.12.b.(2)]~~

11394 Sec. 3-E-E.13. Park, Active

11395 3-E-E.13.a. Description and Typical Uses

11396 A facility that may be owned and operated by either a public or private entity that consists of buildings or
11397 structures that are primarily used to accommodate indoor and outdoor athletic equipment and activities and
11398 may be owned and operated by either a private or public entity. The facility may also have outdoor athletic
11399 fields or courts for different types of sport activities, which may include but are not limited to tennis courts,
11400 pickleball courts, ball fields, swimming pools, shuffleboard courts and lawn bowling. Typical uses include
11401 playgrounds and recreational facilities.

11402 3-E-E.13.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

**5 acres [Relocated
from Sec. 3-
35(g)(1)]**

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(b)	<u>Minimum Setback:</u>	<u>Adjacent to Residential FLU or use:</u>	<u>100 feet</u>
		<u>From lot line to a Swimming Pool:</u>	<u>Refer to Sec. 3-F- H.5. Swimming Pool and Spa</u>
		<u>From lot line to a Tennis Court:</u>	<u>25 feet</u>
		<u>From lot line to an Athletic Field:</u>	<u>50 feet</u>
		<u>From lot line to a Playground:</u>	<u>50 feet</u>
		<u>From lot line to a Campground:</u>	<u>100 feet</u>
		<u>From lot line to an Entertainment, outdoor use:</u>	<u>150 feet</u>
		<u>From lot line to all other structures, unless stated otherwise:</u>	<u>25 feet [Relocated from Sec. 3-35.(g)(8)]</u>
		<u>From lot line of another Entertainment, Indoor use¹: [Relocated from Sec. 3- 5.(w)(1)]</u>	<u>5,000 feet [Relocated from Sec. 3-5.(w)(1)]</u>

Footnote:

1 Refer how to measure in Sec. 3-A.7. Measurement of Use Separation.

- 11403 (2) Additional Use Standards:
- 11404 (a) Access. Vehicular access shall be from an arterial or collector street with a minimum
- 11405 frontage of 100 feet for the primary ~~Park~~ access. [Relocated from Sec. 3-35.(g)(2)
- 11406 Frontage]
- 11407 (b) Parking and Loading. In addition to Sec. 8-12. Parking Requirements and Appendix A
- 11408 Parking Space Requirements, the following use or activity shall provide the following:
- 11409 i. ~~Entertainment, outdoor. 5 spaces for each acre of [MK155]this use. [Relocated~~
- 11410 from Sec. 3-35.(g)(10)]
- 11411 (c) Fencing and Screening. Where deemed necessary by the Board of County Commission to
- 11412 protect the general public, safety fences up to a height of 10 feet may be required. The
- 11413 Commission may also require a landscape screen of at least 75 percent opaqueness to
- 11414 protect neighboring property from potential loss of use or diminishment of land value or
- 11415 use. [Relocated from Sec. 3-35.(g)(7)]
- 11416 (d) Performance Standards. The operation of these facilities shall conform to all rules and
- 11417 regulations of all governmental agencies having appropriate jurisdiction and to the
- 11418 performance standards of this Ordinance. [Relocated from Sec. 3-35.(g)(6)]
- 11419 (e) Public Park. For additional standards of a Public Park, refer to Sec. 3-F.D. Parks and
- 11420 Recreation.

11421 3-E-E.13.c. Accessory and Collocated Uses

Use

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.12.</u>
<u>Shooting Range, Outdoor</u>	<u>Refer to Sec. 3-E-E.16.</u>
<u>Entertainment, Outdoor</u>	<u>Refer to Sec. 3-E-E.7.</u>
<u>Marina</u>	<u>Refer to Sec. 3-E-E.10.</u>
<u>Caretaker's Quarter</u>	<u>Refer to Sec. 3-E-I.4.</u>

11422 **Sec. 3-35.(g)(8)**

- 11423 (g) ~~Lot and Building Requirements. The principal building(s), accessory structures and other uses shall~~
11424 ~~be located so as to comply with the following minimum requirements. Rev. 04/22/08~~
11425 (1) ~~Minimum Lot Area.~~
11426 (i) ~~Boat ramps, playgrounds, athletic fields and courts. One (1) acre.~~
11427 (ii) ~~Parks, campgrounds, marinas, and golf courses. Five (5) acres.~~
11428 (2) ~~Frontage. The minimum required frontage on a public street to be used for the primary~~
11429 ~~point of access shall be one hundred (100) feet. [Relocated to Sec. 3-E-E.13.b(2)(a)~~
11430 **Access, Additional Use Standards]**
11431 (3) ~~Property Development Regulations. The building height, setbacks, and total floor area~~
11432 ~~shall be in accordance with Sec. 20-3-26. [Deleted as this will referred to the standards~~
11433 ~~of the lot's zoning district, and some are consolidated in Sec. 3-E-E.13.b.(1)]~~
11434 (4) ~~Access. Access to said facilities shall be from a hard surfaced public road directly to the~~
11435 ~~entrance of the facility. [Deleted, all road construction shall comply with Article 8]~~
11436 (5) ~~Lighting. Lighting to illuminate buildings, area, or advertisement shall be so designed so~~
11437 ~~as to shine only on the subject use and directed away from public street. [Deleted, all~~
11438 ~~lighting shall comply with Part F, Division G, Exterior Lighting]~~
11439 (6) ~~Performance Standards. The operation of these facilities shall conform to all rules and~~
11440 ~~regulations of all governmental agencies having appropriate jurisdiction and to the~~
11441 ~~performance standards of this Ordinance. [Relocated to Sec. 3-E-E.13.b.(2)(d)]~~
11442 (7) ~~Fencing and Screening. Where deemed necessary by the Board of County Commission~~
11443 ~~to protect the general public, safety fences up to a height of ten (10) feet may be required.~~
11444 ~~The Commission may also require a landscape screen of at least seventy-five (75) percent~~
11445 ~~opaqueness to protect neighboring property from potential loss of use or diminishment of~~
11446 ~~land value or use. [Relocated to Sec. 3-E-E.13.b.(2)(c)]~~
11447 (8) ~~Setbacks. No structures or facilities shall be located closer to the property line than as~~
11448 ~~follows:~~
11449 (i) ~~Tennis Courts 25 feet~~
11450 (ii) ~~Athletic Fields 50 feet~~
11451 (iii) ~~Playgrounds 50 feet~~
11452 (iv) ~~Campgrounds 100 feet~~
11453 (v) ~~Outdoor Attraction 150 feet~~
11454 (vi) ~~Other Structures 25 feet~~
11455 **[Relocated to Sec. 3-E-E.13.b.]**
11456 (9) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary~~
11457 ~~high water line or mean high water line, whichever is applicable; for waters~~
11458 ~~designated as Aquatic Preserves or Outstanding Florida Waters, the setback will~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11459 ~~be 100 feet. These setbacks shall not apply to structures on lots or parcels located~~
11460 ~~landward of existing bulkheads permitted by the St. Johns River Water~~
11461 ~~Management District or Florida Department of Environmental Protection.~~
11462 **[Relocated and consolidated under Part D, Division A, Sec. 3-D-A.3.]**
11463 (10) ~~Parking and Loading. All uses authorized herein shall be subject to the procedural~~
11464 ~~requirements of the Off-Street Parking and Loading regulations of Article 8 (except~~
11465 ~~as modified below), and can be grass stabilized or hard surfaced:~~
11466 (i) ~~Athletic Fields. One (1) space for every four (4) bleacher seats or thirty~~
11467 ~~(30) spaces per athletic field, whichever is greater.~~
11468 (ii) ~~Campgrounds. One (1) space per campsite plus one (1) space per~~
11469 ~~employee.~~
11470 (iii) ~~Outdoor Attraction. Five (5) spaces for each acre of outdoor attraction~~
11471 ~~area.~~
11472 (iv) ~~Recreation Areas. Five (5) spaces for each acre of outdoor recreation~~
11473 ~~area. [Relocated to Sec. 3-E-E.1.b.(2)(b)]~~

11474 **Sec. 3-35.(g)**

11475 (1) Minimum Lot Area.

11476 (ii) Parks, campgrounds, marinas, and golf courses. ~~Five (5) acres. [Sec. 3-35(g)(1)]~~

11477 Sec. 3-E-E.14. Park, Passive

11478 3-E-E.14.a. Description and Typical Uses

11479 ~~An area that may be owned and operated by either a public or private entity that consists of low intensity~~
11480 ~~type of recreational activities such as trails, shade structures, water bodies for non-motorized vehicles,~~
11481 ~~vegetation preserves with man-made or natural geographical features. Typical uses may include, but are~~
11482 ~~not limited to, botanical gardens, wildlife management, and green space.~~

11483 3-E-E.14.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

**5 acres [Relocated
from Sec. 3-35(g)(1)]**

11484 Sec. 3-E-E.15. Shooting Range, Indoor

11485 3-E-E.15.a. Description and Typical Uses

11486 ~~An enclosed facility, designed specifically for the usage of firearms and ammunitions for the purpose of~~
11487 ~~training, practice, competitions, or recreation.~~

11488 3-E-E.15.b. Specific Use Standards

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	<u>1 acre</u>
(b)	<u>Minimum Setback:</u>	
	<u>i. Front:</u>	<u>25 feet</u>
	<u>ii. Rear:</u>	<u>25 feet</u>
	<u>iii. Side:</u>	<u>20 feet</u>
	<u>iv. Corner:</u>	<u>25 feet, 30 feet to public right-of-way</u>

- 11489 (2) Additional Use Standards:
- 11490 (a) Access. Vehicular access shall be from an arterial or collector street.
- 11491 (b) Minimum Room Length. The room length in which the actual firing range is to be built shall be at least 75 feet long for a 50-foot range, to allow a minimum of 8 feet each for the bullet stop and firing line, and a 9-foot assembly and supervisory area. [Relocated from Sec. 3-5.(ag)(1)]
- 11492
- 11493 (c) Minimum Firing Point Width. The minimum firing point width shall be 3.5 feet. The Firing Point is that part of the range immediately in the rear of the firing line from which firing takes place. [Relocated from Sec. 3-5.(ag)(2)]
- 11494
- 11495 (d) Soundproofing. The facility shall be soundproofed for any noise, vibration, or base sound produced by any activity occurring inside the building.
- 11496
- 11497 (e) Permit. The facility shall comply with the Florida Building Code.
- 11498
- 11499
- 11500

3-E-E.15.c. Accessory Uses

<u>Use</u>	
<u>Office (Administration)</u>	<u>Refer to Sec.3-E-D.12.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Shooting Range, Outdoor</u>	<u>Refer to Sec. 3-E-E.16.</u>

- 11502 **Sec. 3-5.(ag) Indoor Shooting Range**
- 11503 (1) ~~Minimum Room Length. The room length in which the actual firing range is to be built shall be at least 75 feet long for a 50 foot range, to allow eight (8) feet (minimum) each for the bullet stop and firing line, plus a 9 foot assembly and supervisory area. [Relocated to Sec. 3-E-E.15.b.(2)(b)]~~
- 11504
- 11505
- 11506 (c) Minimum Firing Point Width. The minimum firing point width shall be 3.5 feet. The Firing Point is that part of the range immediately in the rear of the firing line from which firing takes place. [Relocated to Sec. 3-E-E.15.b.(2)(c)]
- 11507
- 11508
- 11509 (3) ~~Off-Street Parking. Parking areas should not be separated from principal structure by any public road. [Deleted, defer to Article 8]~~
- 11510
- 11511 (4) ~~Required Spaces. Must be in accordance with Section 6, Ordinance 82-45, as amended. [Deleted, defer to Article 6]~~
- 11512
- 11513 (5) ~~Setbacks.~~
- 11514 (i) ~~Front. Not less than twenty five (25) feet from front property line.~~
- 11515 (ii) ~~Rear. Not less than twenty five (25) feet from rear property line.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11516 (iii) ~~Side. Not less than twenty (20) feet from side property lines, unless a corner lot, then~~
11517 ~~setback shall be the same as the front setback.~~
- 11518 (iv) ~~Corner Lot. No structure erected on a corner lot shall be closer than thirty (30)~~
11519 ~~feet to the public right-of-way. [Relocated to Sec. 3-E-E.15.b.(1)(b)]~~
- 11520 (6) ~~The following additional conditions shall be satisfied:~~
- 11521 (i) ~~Parking in accordance with Section 6, Ordinance 82-45, as amended.~~
- 11522 (ii) ~~The range is physically secure so as to prevent unauthorized use or accidental~~
11523 ~~trespassing. Warning signs identifying the use shall be displayed.~~
- 11524 (iii) ~~The floor or framework can support the weight of the backstop or bullet trap.~~
- 11525 (iv) ~~Unless fire code requires emergency exit doors and windows, downrange must~~
11526 ~~be permanently shut and either covered or baffled or a combination of the two~~
11527 ~~with bullet resistant material. The walls, floors, and ceiling must be modified~~
11528 ~~accordingly.~~
- 11529 (v) ~~A mechanical exhaust ventilation system and diffused air supply must be~~
11530 ~~installed.~~
- 11531 (vi) ~~No metal should be placed at right angles to the line of fire.~~
- 11532 (vii) ~~Adequate lighting must be provided.~~
- 11533 (viii) ~~The walls, ceiling, and floor must be treated with effective sound absorbent materials.~~
- 11534 **[Deleted, defer to Florida Building Code]**
- 11535 (7) ~~Techniques of sound reduction (sound absorbing material coat, acoustic material,~~
11536 ~~carpeting, or baffling) shall be implemented. [Deleted, replaced with new language as set forth~~
11537 ~~in Sec. 3-E-E.15.b.(2)(d)]~~

Sec. 3-E-E.16. Shooting Range, Outdoor

3-E-E.16.a. Description and Typical Uses

11540 A facility designed specifically for the usage of firearms and ammunitions for the purpose of training,
11541 practice, competitions, or recreation in the open fields. Typical uses may include, but are not limited to skeet
11542 shooting and archery.

3-E-E.16.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>5 acres</u>
<u>(b) Minimum Setback:</u>	<u>Enclosed buildings: Apply the setbacks of the lot's zoning district, if applicable</u>
	<u>Outdoor shooting areas:</u>

(2) Additional Use Standards:

- 11545 (a) Access. Vehicular access shall be from an arterial or collector street.
- 11546 (b) Shotguns. Ranges for shotguns only permitted in PS-2 district subject to NRA design and
11547 construction guidelines. [Relocated from Sec. 3-5.(as)(1)]

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11548 (c) Skeet Shooting.
- 11549 i. The minimum area for a skeet shooting range shall be a minimum cleared area of
- 11550 100 yards with a 300-yard safety zone.
- 11551 ii. There shall be a 26 feet 8-3/8-inch chord between stations.
- 11552 iii. There shall be a minimum of 40 yards between high and low houses.
- 11553 **[Relocated from Sec. 3-5.(as)(2)]**
- 11554 (d) Trapshooting.
- 11555 i. The space required for trapshooting shall be a minimum cleared area of 100 yards
- 11556 with a 300-yard safety zone.
- 11557 ii. The minimum permissible target angle shall be 94 degrees.
- 11558 iii. There shall be a minimum of 9 feet between firing points spaced 3 feet apart.
- 11559 **[Relocated from Sec. 3-5.(as)(3)]**
- 11560 (e) Rifle Ranges and Muzzle Loaders.
- 11561 i. Each range shall be adjoined on its left and right by a safety zone extending
- 11562 downrange.
- 11563 ii. Firing lines may be covered or opened.
- 11564 iii. There shall be a 6-foot minimum spacing for firing points.
- 11565 iv. Backstops shall be required, and shall be capable of stopping and containing
- 11566 projectiles used on the range, with a height of 30 feet.
- 11567 **[Relocated from Sec. 3-5.(as)(4)]**
- 11568 (f) Handguns.
- 11569 i. There shall be a 6-foot minimum spacing for firing points.
- 11570 ii. Firing lines may be covered or uncovered.
- 11571 iii. Backstops shall be required which contain no material that would increase the
- 11572 possibility of ricochet, and have the capability of containing projectiles used on
- 11573 range. The backstop height span shall be 30 feet and shall extend 25 feet to each
- 11574 side of the target line. **[Relocated from Sec. 3-5.(as)(5)]**
- 11575 (g) Archery.
- 11576 i. The minimum length of the range shall be 196 feet from firing points to targets.
- 11577 Bunkers behind the targets shall be installed.
- 11578 ii. The minimum width of the range shall be 60 feet, and each target shall be
- 11579 separated from adjoining targets by at least 6 feet.
- 11580 iii. **Unobstructed Space. A 45-foot setback shall be required behind and to either side**
- 11581 **of the range and shall be clear and free from hard objects. [Relocated from Sec.**
- 11582 **3-5.(as)(6)]**
- 11583 iv. Targets shall have a minimum space of 30 feet on each side of the range.
- 11584 (h) Alternative design standards from the National Rifle Association or another recognized set
- 11585 of shooting range design standards may be substituted for the construction range
- 11586 components. **[Relocated from Sec. 3-5.(as)(7)]**

3-E-E.16.c. Accessory Uses

<u>Use</u>	
<u>Office (Administration)</u>	<u>Refer to Sec.3-E-D.12.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec.3-E-D.17.</u>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Shooting Range, Indoor

Refer to Sec. 3-E-E.15.

11588 **Sec. 3-5.(as) Outdoor Shooting Range**

11589 ~~The purpose of an outdoor shooting range is to provide a location where participants can enjoy various~~
11590 ~~shooting sports. To achieve this purpose, an important concern is that the range meet expectations of~~
11591 ~~safety for range participants and the public at large. In order to build and operate a safe shooting range,~~
11592 ~~the plans, specifications and construction require the thorough professional evaluation, guidance and~~
11593 ~~services of professional engineers and architects.~~

11594 ~~(1) Ranges for shotguns only permitted in PS-2 district subject to NRA design and construction~~
11595 ~~guidelines. [Relocated to Sec. 3-E-E.16.b.(2)(b)]~~

11596 ~~(2) Skeet Shooting:~~

11597 ~~(i) The minimum area for a skeet shooting range shall be a minimum cleared area of 100~~
11598 ~~yards with a 300 yard safety zone.~~

11599 ~~(ii) There shall be a 26 feet 8 3/8 inch chord between stations.~~

11600 ~~(iii) There shall be a minimum of 40 yards between high and low houses.~~

11601 ~~[Relocated to Sec. 3-E-E.16.b.(2)(c)]~~

11602 ~~(3) Trapshooting:~~

11603 ~~(i) The space required for trapshooting shall be a minimum cleared area of 100 yards with a~~
11604 ~~300 yard safety zone.~~

11605 ~~(ii) The minimum permissible target angle shall be 94 degrees.~~

11606 ~~(iii) There shall be a minimum of nine (9) feet between firing points spaced three (3) feet apart.~~

11607 ~~[Relocated to Sec. 3-E-E.16.b.(2)(d)]~~

11608 ~~(4) Rifle Ranges and Muzzle Loaders:~~

11609 ~~(i) Each range shall be adjoined on its left and right by a safety zone extending downrange.~~

11610 ~~(ii) Firing lines may be covered or opened.~~

11611 ~~(iii) There shall be a six (6) foot minimum spacing for firing points.~~

11612 ~~(iv) Backstops are required, and must be capable of stopping and containing projectiles used~~
11613 ~~on the range, with a height of thirty (30) feet.~~

11614 ~~[Relocated to Sec. 3-E-E.16.b.(2)(e)]~~

11615 ~~(5) Handguns:~~

11616 ~~(i) There shall be a six (6) foot minimum spacing for firing points.~~

11617 ~~(ii) Firing lines may be covered or uncovered.~~

11618 ~~(iii) Backstops shall be required which contain no material that would increase the possibility~~
11619 ~~of ricochet, and have the capability of containing projectiles used on range. The backstop~~
11620 ~~height span shall be thirty (30) feet and shall extend twenty-five (25) feet to each side of~~
11621 ~~the target line. [Relocated to Sec. 3-E-E.16.b.(2)(f)]~~

11622 ~~(6) Archery:~~

11623 ~~(i) The minimum length of the range shall be 196 feet from firing points to targets. Bunkers~~
11624 ~~behind the targets shall be installed.~~

11625 ~~(ii) The minimum width of the range shall be sixty (60) feet, and each target must be separated~~
11626 ~~from adjoining targets by at least six (6) feet.~~

11627 ~~(iii) Space 45 feet behind and to either side of the range is to be clear and free from hard~~
11628 ~~objects.~~

11629 ~~(iv) Targets shall have a minimum space of thirty (30) feet on each side of the range.~~

11630 ~~[Relocated to Sec. 3-E-E.16.b.(2)(g)]~~

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Part E Use Types and Regulations

- 11631 ~~(7) — Alternative design standards from the National Rifle Association or another recognized set of~~
11632 ~~shooting range design standards may be substituted for the construction range components.~~
11633 **[Relocated to Sec. 3-E-E.16.b.(2)(h)]**
11634 ~~(8) — In addition to the aforesaid, Outdoor Shooting Ranges shall be required to meet the Clay County~~
11635 ~~Land Development Code, including, but not limited to buffering, parking, signage, landscaping,~~
11636 ~~drainage, public safety and concurrency.~~ **[Deleted, as the application process will require the**
11637 **above standards prior to approval]**

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS
Part E Use Types and Regulations

11638

DIVISION F TRANSPORTATION USES

11639

Sec. 3-E.F.1. Transportation Uses

11640

All Transportation uses within Clay County are identified in [Table 3-E-C.1.a. Transportation Use Matrix](#) which only identifies those zoning districts or FLU categories where the Transportation use is allowed subject to a Permitted use, Conditional use, or Special Exception use approval process based on the proposed intensity. Development standards specific to each use type shall be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning Director or his/her designee may allow a lesser permitted process of the application(s) and make a final decision of either approve or deny.

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Table 3-E-F.1.a. Transportation Use Matrix – Standard and Planned Development Districts

	<u>AG</u>	<u>IB</u>	<u>PO-1</u>	<u>PO-3</u>	<u>PID</u>
<u>Airport</u>		P		P	P
<u>Heliport or Helipad</u>	C	P			P
<u>Landing Strip</u>	C	P			P
<u>Transportation Facility</u>			P		
Legend: <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)					

Table 3-E-F.1.b. Transportation Use Matrix – Master Planned Communities

	<u>BF</u>									<u>LAMPA</u> [MK156]						
	<u>RS</u>	<u>MPC NC</u>	<u>MPC Village Zone</u>	<u>MPC Suburban</u>	<u>RAC</u>	<u>RNC</u>	<u>CC</u>	<u>AC</u>	<u>MU</u>	<u>MPC</u>	<u>RRSV</u>	<u>RC</u>	<u>RF</u>	<u>AC</u>	<u>VC</u>	<u>IVC</u>
<u>Airport</u>																
<u>Heliport or Helipad</u>																
<u>Landing Strip</u>																
<u>Transportation Facility</u>										C				C	C	

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Legend:

P – Permitted Use

C – Conditional Use

S – (Special Exception) [MK157]

11648 Sec. 3-E-F.2. Airport [EG158]

11649 **3-E-F.2.a. Description and Typical Uses**

11650 Airport means a facility that is operated and maintained by a public or private entity, allowing, and providing
11651 services for landing and taking-off activities for aircrafts that usually has paved runways with extended
11652 facilities such as maintenance facilities, parking areas, control tower, terminals, and hangars.

11653 **3-E-F.2.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>		<u>Not Applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All landing strip, terminals, hangars, and parking areas:</u>	<u>From the outer edge of a landing strip to the adjacent Residential lot line:</u> <u>1,500 feet</u>

11654 (2) Additional Use Standards:

11655 (a) Licensure. The development and operation of these facilities shall conform to all rules and
11656 regulations of the appropriate State agencies and the Federal Aviation Administration.
11657 **[Relocated from Sec. 3-5.(aj)(2) Landing Strips]**

11658 **3-E-F.2.c. Accessory or Collocated Uses**

Use

Landing Strip

Refer to Sec. 3-E-F.4.

11659 ~~**Sec. 3-30.(b)(2) Permitted Uses.** Airports, landing strips, and heliports. The development and operation of~~
11660 ~~these facilities shall conform to all rules and regulations of all governmental agencies having appropriate~~
11661 ~~jurisdiction and to the performance standards of this Article.~~ **[Relocated to Sec. 3-E-F.2.b.(2)(a) Additional**
11662 **Use Standards]**

11663 Sec. 3-E-F.3. Heliport or Helipad

11664 **3-E-F.3.a. Description and Typical Uses**

11665 (1) Heliport is a facility that is designed to allow helicopters or similar aircrafts that can perform vertical
11666 take-offs and landings.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11667 (2) Helipad is an area that allows a helicopter to take-off and land, and usually does not accompany
11668 Commercial facilities.

11669 **3-E-F.3.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

Apply setbacks of the lot's zoning district, if applicable [EG159]

(b) Minimum Setback: Heliport or Helipad:

From all structures and parking areas: 25 feet[EG160]

11670 (2) Additional Use Standards:

11671 (a) Licensure. The development and operation of these facilities shall conform to all rules and
11672 regulations of the appropriate State agencies and the Federal Aviation Administration.
11673 **[Relocated from Sec. 3-5.(aj) (2) Landing Strips]**

11674 **3-E-F.3.c. Accessory or Collocated Uses**

Use

Helipad

Refer to Sec. 3-E-F.3.

11675 ~~**Sec. 3-5.(ac) Conditional Uses. Heliports and Helipads. The development and operation of these facilities**~~
11676 ~~**shall conform to all rules and regulations of all governmental agencies having appropriate jurisdiction.**~~
11677 **[Relocated to Sec. 3-E-F.3.b.(2)(a) Additional Use Standards]**

11678 ~~**Sec. 3-30.(b)(2) Permitted Uses. Airports, landing strips, and heliports. The development and operation of**~~
11679 ~~**these facilities shall conform to all rules and regulations of all governmental agencies having appropriate**~~
11680 ~~**jurisdiction and to the performance standards of this Article. [Relocated to Sec. 3-E-F.3.b.(2)(a) Additional**~~
11681 ~~**Use Standards]**~~

11682 Sec. 3-E-F.4. Landing Strip

11683 **3-E-F.4.a. Description and Typical Uses**

11684 A facility that is designed to accommodate landing and take-off activities of aircrafts and may include
11685 facilities or structures that serve the functions of a landing strip in areas such as in a Residential aviation
11686 community or private landing strips.

11687 **3-E-F.4.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

10 acres [From Sec. 3-5.(aj)(1)]

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Part E Use Types and Regulations

<u>(b)</u>	<u>Minimum Setback:</u>	<u>Landing strip:</u>	<u>From a Residential structure:</u>	<u>1,500 feet [From Sec. 3-5.(aj)(3)]</u>
------------	-------------------------	-----------------------	--------------------------------------	---

11688 (2) Additional Use Standards:
 11689 (a) Licensure. *The development and operation of these facilities shall conform to all rules and*
 11690 *regulations of the appropriate State agencies and the Federal Aviation Administration.*
 11691 **[Relocated from Sec. 3-5.(aj) (2) Landing Strips]**

11692 **Sec. 3-5.(aj) Conditional Uses. Landing Strips.**
 11693 ~~(1) Minimum lot size is ten (10) acres. **[Relocated to Sec. 3-E-F.4.b. Specific Use Standards]**~~
 11694 ~~(2) The development and operation of these facilities shall conform to all rules and regulations of the~~
 11695 ~~appropriate State and Federal agencies. **[Relocated to Sec. 3-E-F.4.c. Additional Use**~~
 11696 ~~**Standards]**~~
 11697 ~~(3) The landing strip shall be located no closer than fifteen hundred (1,500) feet to an existing residence~~
 11698 ~~other than the facility's owner.~~

Sec. 3-E-F.5. Transportation Facility

3-E-F.5.a. Description and Typical Uses

11700 An area that is utilized for loading and unloading passengers including, bus, train, watercraft, and other
 11701 forms of transportation operated by a public or private entity such as, bus stations (not bus stops, e.g., grey
 11702 hound), train stations, or cruise line terminals (excluding airports or heliports).
 11703

3-E-F.5.b. Specific Use Standards

<u>(1)</u>	<u>Dimensional Use Standards:</u>			
<u>(a)</u>	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>		
<u>(b)</u>	<u>Minimum Setback:</u>	<u>Transportation Facility:</u>	<u>From any lot line with a Residential use:</u>	<u>100 feet</u>
			<u>From any lot line with a Non-Residential use:</u>	<u>50 feet</u>
		<u>On-site vehicular circulation area:</u>	<u>From any lot line:</u>	<u>150 feet</u>

11704 (2) Additional Use Standards:
 11705 (a) Access. Vehicular access shall be from an arterial or collector street.
 11706 (b) Openings of Facility. Any building opening for vehicle access shall not face any Residential
 11707 FLU or uses.

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11708 (c) Building Design. Shall comply with applicable section of Part F, Division F Architectural
 11709 Design Guidelines.
 11710 (d) Passenger Drop-off and Pick-up Area. A designated area shall be provided for drop-off and
 11711 pick-up passengers. A sidewalk with a minimum width of 8 feet shall be provided and
 11712 connected to the main entrance of the facility.
 11713 (e) On-Site Parking. Refer to Part F, Division K Parking.

11714 3-E-F.5.c. Accessory or Collocated Uses

<u>Use</u>	
<u>Office (Administrative)</u>	<u>Refer to Sec. 3-E-D.12.</u>
<u>Restaurant, Class 1</u>	<u>Refer to Sec. 3-E-D.15.</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.16.</u>
<u>Personal Services</u>	<u>Refer to Sec. 3-E-D.14.</u>

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11715 DIVISION G INSTITUTIONAL AND PUBLIC AND PRIVATE 11716 FACILITIES USES

11717 Sec. 3-E-G.1. Institutional and Public and Private Facilities Uses

11718 All Institutional and Public and Private Facilities uses within Clay County are identified in [Table 3-E-G.1.a.](#)
11719 [Institutional and Public and Private Facilities Use Matrix](#) which only identifies those zoning districts or FLU
11720 categories where the Institutional and Public and Private Facilities use is allowed subject to a Permitted
11721 use, Conditional use, or Special Exception use approval process based on the proposed intensity.
11722 Development standards specific to each use type shall be in compliance regardless of the approval process
11723 identified. If a use is provided at a lesser intensity than what is required, then the Planning and Zoning
11724 Director or his/her designee may allow a lesser permitted process of the application(s) and make a final
11725 decision of either approve or deny.

11726 **Table 3-E-G.1.a. Institutional and Public and Private Facilities Use Matrix – Standard and**
11727 **Planned Development Districts**

	<u>AG</u>	<u>AR</u>	<u>AR-1 & 2</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>RD</u>	<u>RE</u>	<u>RMHP</u>	<u>BA</u>	<u>BA-1</u>	<u>BA-2</u>	<u>BB to BB-5</u>	<u>BSC</u>	<u>IS</u>	<u>IA</u>	<u>IB</u>	<u>BP</u>	<u>PCD</u>	<u>PID</u>	<u>PUD</u>
<u>Animal Control Facility</u>	P												P		P	P	P				
<u>Auditorium or Arena</u>													C <i>[Mk]</i>	C					C		
<u>Avian Sanctuary</u>	P	C																			
<u>Cemetery</u>																			C		
<u>College and University</u>																			P		
<u>Correctional Facility</u>																					
<u>Crematorium</u>																			C		
<u>Daycare</u>	C	C	C	C	C	C	C	C	C	C	C		C	C					C	C	C
<u>Event Center</u>		C												C					C	C	
<u>Government Facility</u>														P					C		
<u>Hospital</u>																			P		
<u>Land Debris Disposal Facility</u>	C	C	C							C	C	C	C	C	C	C	C	C	C	C	C

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

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<u>Event Center</u>		<u>P</u>											
<u>Government Facility</u>		<u>P</u>											
<u>Hospital</u>		<u>P</u>					<u>P</u>						
<u>Land Debris Disposal Facility</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		
<u>Medical Facility</u>													
<u>Nursing Facility 1</u>										<u>P</u>			
<u>Nursing Facility 2</u>							<u>P</u>		<u>P</u>				
<u>Place of Worship</u>							<u>P</u>						
<u>Private or Public School</u>		<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Public Assembly</u>													
<u>Recycling Center</u>					<u>P</u>								
<u>Renewable Energy Farm</u>							<u>P</u>						
<u>Sanitary Landfill (Class I & II)</u>					<u>P</u>								
<u>Transfer Station</u>					<u>P</u>								
<u>Utility Facility, Major</u>													
<u>Utility Facility, Minor</u>		<u>P</u>											
<u>Vocational School</u>		<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
<u>Telecommunication Facility</u>		<u>C</u>	<u>C</u>		<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Legend: <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)													

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS
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11730
11731

Table 3-E-G.3.b. Institutional and Public and Private Facilities Use Matrix – Master Planned Communities FLU Categories/Zoning Districts

	<u>BF</u>											<u>LAMPA</u>						
	<u>BF_RS</u>	<u>BF_MPC_NC</u>	<u>BF_MPC_Village Zone</u>	<u>BF_MPC_Suburban</u>	<u>BF_RAC</u>	<u>BF_RNC</u>	<u>BF_CC</u>	<u>BF_AC</u>	<u>BF_MU_Gateway</u>	<u>BF_MU_Multi-Field</u>	<u>BF_MU_Office/Industrial</u>	<u>LA_MPC</u>	<u>LA_RRSV</u>	<u>LA_RC</u>	<u>LA_RF</u>	<u>LA_AC</u>	<u>LA_VC</u>	<u>LA_IVC</u>
<u>Animal Control Facility</u>																		
<u>Auditorium or Arena</u>																		
<u>Avian Sanctuary</u>																		
<u>Cemetery</u>	P						P	P			P					P		
<u>College or University</u>		P			P												P	P
<u>Correctional Facility</u>																		
<u>Crematorium</u>							P	P			P					P		
<u>Daycare</u>		P			P	P	P	P	<u>P</u>							P	P	P
<u>Event Center</u>	C													C				
<u>Government Facility</u>		P			P												P	P
<u>Hospital</u>							C	P	P							P		
<u>Land Debris Disposal Facility</u>																		
<u>Medical Facility</u>							C	P	P							P	<u>P</u>	<u>P</u>
<u>Nursing Facility 1</u>		P	P			P			P								P	P
<u>Nursing Facility 2</u>		P	P			P			P								P	P
<u>Place of Worship</u>	P	P	P	P		P	P	P	P		P	P	P	P	P	P	P	P
<u>Private or Public School</u>	C	P			P	P	P	P	P		P		P	P	P	P	P	P
<u>Public Assembly</u>																		

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**ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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<u>Recycling Center</u>																		
<u>Renewable Energy Farm</u>							C	C										
<u>Sanitary Landfill (Class I & II)</u>																		
<u>Transfer Station</u>																		
<u>Utility Facility, Major</u>																		
<u>Utility Facility, Minor</u>	P	<u>P</u>	P	P			P	P	P			<u>P</u>	P	P	P	P	P	P
<u>Vocational School</u>		P			P			<u>C</u>		P			P					
<u>Telecommunication Facility</u>							C	C	<u>C</u>							C	C	C

11732 **Sec. 3-E-G.2. Animal Control Facility**

11733 **3-E-G.2.a. Description and Typical Uses**

11734 A place operated by or under contract for the State, County, or any municipal corporation or political
 11735 subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned,
 11736 or unwanted dogs, cats, and other animals.

11737 **3-E-G.2.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>		<u>5 acres</u> [Relocated from Sec. 3-5.(b)(1) Limitation of Size]
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>From any lot line of a Non-Residential use:</u> <u>350 feet</u>
			<u>From any lot line of a Residential use:</u> <u>500 feet</u> [Relocated from Sec. 3-5.(b)(2) Setback]
		<u>Animal enclosure:</u>	<u>From any lot line of a Non-Residential use:</u> <u>200 feet</u>
			<u>From any lot line of a Residential use:</u> <u>350 feet</u> [Relocated from

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Sec. 3-5.(b)(3)
Runs-Kennels]

- 11738 (2) Additional Use Standards
11739 (a) Outdoor Runs. *Runs shall be hard surfaced or grassed with drains provided every 10 feet*
11740 *and connected to an approved sanitary facility. Outdoor runs may be utilized from the hours*
11741 *of 8:00 a.m. to 4:00 p.m. Monday through Friday and Sunday. On Saturday, outdoor runs*
11742 *may be utilized from 7:00 a.m. to 3:00 p.m. [Relocated from Sec. 3-5.(b)(3) Runs-*
11743 *Kennels.]*
11744 (b) Examination Rooms. *All x-ray examination rooms shall be shielded from leakage. Such*
11745 *shielding shall meet the minimum standards established by the State of Florida.*
11746 **[Relocated from Sec. 3-5.(b)(4) Examination Rooms.]**
11747 (c) Limitation of Use. *No on-site disposal of animal parts or remains shall be permitted, and all*
11748 *such parts and remains shall be handled while on-site and transported off-site in*
11749 *accordance with the minimum required by the State of Florida. [Relocated from Sec. 3-*
11750 *5.(b)(6) Limitation of Use.]*
11751 (d) Sound. *The noise from the facility shall be attenuated from residential areas. [Relocated*
11752 *from Sec. 3-5.(b)(7) Sound.]*
11753 (e) Breeding. *Animals shall not be bred under this use.*
11754 (f) Evacuation Plan. *An evacuation plan in case of natural disasters shall be submitted as part*
11755 *of application for this use.*
11756 (g) Private Services (PS-3) District. *Animal Clinics zoned PS-3 on or before February 22, 2011*
11757 *and developed consistent with the permitted use under a previous approval may be*
11758 *undertaken or continued thereon, and may lawfully continue thereafter. No parcel shall be*
11759 *rezoned to PS-3 for use as an Animal Clinic unless application has been filed on or before*
11760 *February 22, 2011. [Relocated to Sec. 3-E-G.2.b.(2)(g)]*

11761 **Sec. 3-5.(b) Animal Control Facilities. (Rev. 02/24/09)**

- 11762 (1) ~~Limitation of Size. Such facilities are permitted on tracts of land not less than five acres. [Relocated~~
11763 ~~to Sec. 3-E-G.2.b.(1)(a) Minimum lot size]~~
11764 (2) ~~Setback. No building or structure shall be closer than 500 feet from any property line with the~~
11765 ~~exception of cages utilized for after-hour drop-offs. Structures utilized for after-hour drop-offs must~~
11766 ~~be emptied every morning. [Relocated to Sec. 3-E-G.2.b.(1)(b) Minimum setback]~~
11767 (3) ~~Runs-Kennels. No outside pens or runs shall be permitted closer than 350 feet to any residentially~~
11768 ~~zoned property. Runs shall be hard surfaced or grassed with drains provided every ten feet and~~
11769 ~~connected to an approved sanitary facility. Outside runs may be utilized from the hours of 8:00~~
11770 ~~a.m. to 4:00 p.m. Monday through Friday and Sunday. On Saturday, outside runs may be utilized~~
11771 ~~from 7:00 a.m. to 3:00 p.m. [Relocated to Sec. 3-E-G.2.b.(2)(a) Outdoor Runs]~~
11772 (4) ~~Examination Rooms. All x-ray examination rooms shall be shielded for leakage. Such shielding~~
11773 ~~shall meet the minimum requirements established by the State of Florida. [Relocated to Sec. 3-~~
11774 ~~E-G.2.b.(2)(b) Examination Rooms]~~
11775 (5) ~~Lighting. Lighting shall be designed and installed so as to prevent glare or excessive light on~~
11776 ~~adjacent property. No source of illumination shall be allowed, if such source of illumination would~~
11777 ~~be visible from a residentially zoned district. [Deleted]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

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- 11778 ~~(6) Limitation of Use. No on-site disposal of animal parts or remains shall be permitted, and all such~~
 11779 ~~parts and remains shall be handled while on site and transported off site in accordance with the~~
 11780 ~~minimum required by the state of Florida. [Relocated to Sec. 3-E-G.2.b.(2)(c) Limitation of Use]~~
 11781 ~~(7) Sound. The noise from the facility shall be attenuated from residential areas. [Relocated to Sec.~~
 11782 ~~3-E-G.2.b.(2)(d) Sound]~~
 11783
 11784 **Sec. 3-40. Private Services (Zone PS-3)**
 11785 ~~(c) Conditional Uses~~
 11786 ~~(2) Animal Clinics zoned PS-3 on or before February 22, 2011 and developed consistent with~~
 11787 ~~the permitted use under this Section may be undertaken or continued thereon, and may~~
 11788 ~~lawfully continue thereafter. No parcel shall be rezoned to PS-3 for use as an Animal Clinic~~
 11789 ~~unless application has been filed on or before February 22, 2011. (Rev. 02/22/11)~~
 11790 **[Relocated to Sec. 3-40.(c)(2)]**

Sec. 3-E-G.3. Auditorium or Arena

3-E-G.3.a. Description and Typical Uses

A facility where an audience sits or stands to watch an activity or competition. Typical uses may include sports arenas, stadiums, racetracks, and concert halls.

3-E-G.3.b. Specific Use Standards

(1) Dimensional Use Standards:

			5 acres [Relocated from Sec. 3-5.(ar)(2) Minimum Lot Area]
(a)	<u>Minimum Lot Size:</u>		
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
(c)	<u>Minimum Frontage:</u>		400 feet [Relocated from Sec. 3-5.(ar)(3) Frontage]
(d)	<u>Minimum Use Separation:</u>	<u>From lot line when adjacent to a Residential zoning district or use:</u>	400 feet [Relocated from Sec. 3-5.(ar)(3) Frontage]
		<u>From lot line when adjacent to a Non-Residential zoning district or use:</u>	500 feet [Relocated from Sec. 3-5.(ar)(1) Location]

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

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11796 (2) Additional Use Standards
11797 (a) Access. Vehicular access shall be from an arterial or collector street. [Relocated from
11798 Sec. 3-5.(ar)(4) Access]

Sec. 3-5.(ar) Outdoor Drive-in Theaters, Private Arenas, and Auditoriums.

- 11800 (1) ~~Location. In no case shall such use be permitted within 500 feet from any single or multiple family~~
11801 ~~zoning district, measured from all property lines.~~ [Relocated to Sec. 3-E-G.3.b.(1)(d) Minimum
11802 ~~use separation~~]
11803 (2) ~~Minimum Lot Area. The minimum lot area required for such use shall be no less than five (5) acres.~~
11804 [Relocated to Sec. 3-E-G.3.b.(1)(a) Minimum lot size]
11805 (3) ~~Frontage. The minimum required frontage on a public street to be used for the primary point of~~
11806 ~~access shall be 400 feet.~~ [Relocated to Sec. 3-E-G.3.b.(1)(c) Minimum frontage]
11807 (4) ~~Access. All points of vehicular access shall be from an arterial or collector street. Said access~~
11808 ~~points shall be located so as to minimize vehicular traffic to and through local streets in nearby~~
11809 ~~residential neighborhoods as determined by the County Engineering Department and the access~~
11810 ~~requirements of this Article.~~ [Relocated to Sec. 3-E-G.3.b.(2)(a) Access]
11811 (5) ~~Lighting. Artificial lighting used to illuminate the premises shall be directed away from adjacent~~
11812 ~~properties and streets, shining only on the subject site.~~ [Deleted]
11813 (6) ~~Performance Standards. The operation of these facilities shall conform to all rules and regulations~~
11814 ~~of all governmental agencies having appropriate jurisdiction.~~ [Deleted]
11815 (7) ~~Fencing and Screening. Where deemed necessary by the Development Review Committee (DRC)~~
11816 ~~to protect the general public, safety fences of up to a height of six (6) feet may be required. The~~
11817 ~~DRC may also require landscape screens of at least 75 percent opaqueness to protect neighboring~~
11818 ~~property from potential loss of or diminishment of land value or use.~~ [Deleted]

Sec. 3-E-G.4. Avian Sanctuary

3-E-G.4.a. Description and Typical Uses

11821 A designated area where birds are protected and allowed to thrive and can be found in many different
11822 places, ranging from natural ecosystems to man-made structures. It is a safe environment to ensure bird
11823 species do not become extinct and may also be used to rehabilitate injured or orphaned birds. This use
11824 does not include poultry animals such as chickens, ducks, and turkeys.

3-E-G.4.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size:

7 acres
[Relocated from
Sec. 3-5.(j)(1)
Bird
Sanctuaries and
Rehabilitation
Centers]

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(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
-----	-------------------------	--	---

- 11826 (2) Additional Use Standards
 11827 (a) Perimeter Buffer. A Type D Perimeter Buffer shall be provided along all lot lines. For
 11828 specific screening standards, refer to [Sec. 6-8.\(5\) Perimeter Buffers](#). Plant species that are
 11829 not listed in [Table 2. of Sec. 6-3 Landscape Design](#) may be permitted if the species provide
 11830 food for the birds and are approved by the Planning and Zoning Director or his/her
 11831 designee. **[Relocated from Sec. 3-5.(j)(2) Bird Sanctuaries and Rehabilitation**
 11832 **Centers]**
 11833 (b) Licensure. The facility shall be licensed by the applicable State Agencies. **[Relocated from**
 11834 **Sec. 3-5.(j)(3) Bird Sanctuaries and Rehabilitation Centers]**

11835 **3-E-G.4.c. Accessory Uses**

Use

Caretaker's Quarter [Adapted from Sec. 3-5.(j)(4) Bird Sanctuaries and Rehabilitation Centers.] Refer to [Sec. 3-E-1.4.](#)

- 11836 ~~**Sec. 3.5.(j) Bird Sanctuaries and Rehabilitation Centers.**~~
 11837 (1) ~~The minimum lot size shall be seven (7) acres. **[Relocated to Sec. 3-E-G.4.b.(1)(a) Minimum lot**~~
 11838 ~~**size]**~~
 11839 (2) ~~There shall be a fifty (50) foot vegetative buffer from bird sanctuaries and rehabilitation centers to~~
 11840 ~~contiguous properties. **[Relocated to Sec. 3-E-G.4.b.(2)(a) Perimeter Buffer]**~~
 11841 (3) ~~The site must be licensed by the State. **[Relocated to Sec. 3-E-G.4.b.(2)(b) Licensure]**~~
 11842 (4) ~~Rehabilitation centers must have owner or caretaker residing on-site. **[Relocated to Sec. 3-E-**~~
 11843 ~~**G.4.c. Caretaker Quarter]**~~

11844 Sec. 3-E-G.5. Cemetery

11845 **3-E-G.5.a. Description and Typical Uses**

11846 Land used for interment of human or pet animal remains. Typical uses may include graveyards,
 11847 mausoleums, and columbaria.

11848 **3-E-G.5.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>	<u>Human cemetery:</u>	<u>8 acres¹</u>
		<u>Pet cemetery:</u>	<u>3 acres¹</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

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Footnote:

- 1 Cemeteries that were established prior to adoption of this Article, and are smaller than the required minimum lot size, shall not be considered as non-conforming.

- 11849 (2) BF Mixed Use (BF MU). A cemetery shall only be allowed in the Office and Industrial area of the
 11850 BF MU FLU category.
 11851 (3) Supplemental Application Standards. In addition to the applicable procedures and submittal
 11852 standards as set forth in Article 2, Procedures for Development Review, the applicant shall submit
 11853 the following documents:
 11854 (a) Master Plan. Show all internal roadways, ingress and egress, and projected number of
 11855 interment sites.
 11856 (b) Phasing Plan. Show location of all proposed structures, interment sites such as burial plots,
 11857 mausoleums, and memorial gardens for each phase of development.

3-E-G.5.c. Accessory or Collocated Uses

Use

Place of Worship Refer to Sec. 3-E-G.17.

Crematorium Refer to Sec. 3-E-G.8.

11859 ~~Sec. 1-15.(46) Cemetery – A place used or to be used, and dedicated or designated for the interring of the~~
 11860 ~~dead. [Deleted and replaced with new definition in Sec. 3-E-G.5.a. Description and Typical Uses]~~

Sec. 3-E-G.6. College or University

3-E-G.6.a. Description and Typical Uses

11862 *A private or public institution conducting regular academic instruction at collegiate or post-graduate levels*
 11863 *operated by a governmental or non-governmental organization, which is licensed by the State of Florida.*
 11864 **[Revised definition based on Sec. 1-15.(208) School.]**

3-E-G.6.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | | |
|-----|--------------------------|---|
| (a) | <u>Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning</u> |
| | | <u>district, if applicable</u> |
| (b) | <u>Minimum Setback:</u> | <u>All structures unless</u> |
| | | <u>stated otherwise:</u> |
| | | <u>Apply setbacks of the lot's zoning district,</u> |
| | | <u>if applicable</u> |

(2) Additional Use Standards

- (a) Access. Vehicular access shall be from an arterial or collector street.

11869 ~~Sec. 1-15.(208) School – A private or public institution conducting regular academic instruction at~~
 11870 ~~kindergarten, elementary, secondary, vocational, collegiate, or post graduate levels operated by a~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11871 ~~governmental or non-governmental organization, which is licensed by the State of Florida~~ [Relocated to
11872 **Sec. 3-E-G.6.a. Description and Typical Uses**]

11873 Sec. 3-E-G.7. Correctional Facility

11874 **3-E-G.7.a. Description and Typical Uses**

11875 A facility [BV162] used to keep people who have been arrested, detained, or convicted by a criminal justice
11876 agency or a court. Typical uses may include jails, prisons, and other types of detention centers.

11877 **3-E-G.7.b. Specific Use Standards**

- 11878 (1) Licensure. Shall comply with all applicable State and Federal rules and regulations.
11879 (2) Private Services (PS-3) District. Detention Centers [MK163] shall be allowed.

11880 Sec. 3-E-G.8. Crematorium

11881 **3-E-G.8.a. Description and Typical Uses**

11882 A facility engaged in mechanical or thermal methodology whereby human or animal remains are burned or
11883 pulverized to reduce to ashes or particulate matter.

11884 **3-E-G.8.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>

11885 (2) Additional Use Standards

- 11886 (a) Licensure. The use shall be licensed pursuant to F.S. 497.
11887 (b) Equipment and Processing. All equipment and processing associated with the cremation
11888 activities shall be operated in an enclosed building.
11889 (c) BF Mixed Use (BF MU). A crematorium shall only be allowed in the Office and Industrial
11890 area of the BF MU FLU category

11891 **3-E-G.8.c. Accessory or Collocated Uses**

Use

<u>Place of Worship</u>	<u>Refer to Sec. 3-E-G.17.</u>
<u>Cemetery</u>	<u>Refer to Sec. 3-E-G.5.</u>

11892 Sec. 3-E-G.9. Daycare

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11893	3-E-G.9.a. Description and Typical Uses	
11894	<u>A for-profit or not-for-profit facility which provides care for a period of fewer than 24 hours a day to 6 or</u>	
11895	<u>more persons, either for adults or children under 12 years of age.</u>	
11896	3-E-G.8.b. Specific Use Standards	
	<u>(1) Dimensional Use Standards:</u>	
	<u>(a) Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
	<u>(b) Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>
11897	<u>(2) Additional Use Standards</u>	
11898	<u>(a) Licensure. The facility shall be licensed by the Clay County Health Department and comply</u>	
11899	<u>with all applicable State rules and regulations.</u>	
11900	<u>(b) Outdoor Recreational Area for a Children Daycare Facility. This area shall be:</u>	
11901	<u>i. a minimum of 75 square feet per child;</u>	
11902	<u>ii. located in the rear or side yard; and</u>	
11903	<u>iii. secured with a 6-foot-high chain link fence with a hedge of the same height or a</u>	
11904	<u>solid fence or wall. [Relocated from Sec. 3-38.(f)(7) Zone PS-1]</u>	
11905	<u>(c) Outdoor Recreational Area for an Adult Daycare Facility. This area shall be:</u>	
11906	<u>i. a minimum of 45 square feet per adult.</u>	
11907	<u>ii. located in the rear or side yard; and</u>	
11908	<u>iii. secured with a 6-foot-high chain link fence with a hedge of the same height or a</u>	
11909	<u>wall.</u>	
11910	<u>(e) Drop-Off Area. An area for drop-off and pick-up shall be provided for each facility and shall</u>	
11911	<u>comply with the following:</u>	
11912	<u>i. 1 space per 20 persons;</u>	
11913	<u>ii. Shall be adjacent to the main entrance of the facility and does not block drive aisles</u>	
11914	<u>or parking lot area(s);</u>	
11915	<u>iii. Alternative pick-up or drop-off spaces may be provided in the parking lot of the</u>	
11916	<u>Daycare facility. Sidewalks or pathways that cross vehicular distance shall be</u>	
11917	<u>provided connecting the drop-off spaces and the Daycare facility.</u>	
11918	<u>(3) Alternative Process for Reduced Intensity. Proposed facilities, which have a capacity of no more</u>	
11919	<u>than 20 students, may be reviewed under the Permitted Use process [MK164].</u>	
11920	<u>(4) BB-3, BB-4, BB-5 Districts. May be allowed as a Conditional Use to supplement the Residential</u>	
11921	<u>uses.</u>	
11922	<u>(5) BF Community Center (BF CC), LA Activity Center (LA AC). Daycare facilities shall not exceed</u>	
11923	<u>100,000 square feet. [Relocated from Sec. 3-33A.III.3.a.ii. Uses Permitted By Right, Sec. 3-</u>	
11924	<u>33B.B.5.a.xvii. and Sec. 3-33B.B.6.a.iii.</u>	
11925	3-E-G.9.c. Accessory or Collocated Uses	

Use

Place of Worship

Refer to [Sec. 3-E-G.17.](#)

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

Private or Public School Refer to [Sec. 3-E-G.15.](#)

11926
11927 ~~(7) Special Requirements. A six foot high solid fence or wall shall surround the play area of preschool~~
11928 ~~and day care centers. (Chain link, wood, brick for the purpose of retaining children; shrubbery is~~
11929 ~~not permitted as a substitute for a fence.) [Relocated to Sec. 3-E-G.8.b.(2)(b)(iii)]~~

11930 ~~Sec. 3-33A.III.2.a.ii., Sec. 3-33B.B.5.a.xvii. Sec. 3-33B.B.6.a.ii.~~
11931 ~~ii. Places of worship, daycare centers and private schools, not to exceed 100,000 square~~
11932 ~~feet. [Relocated to Sec. 3-E-G.9.b.(5) Additional Standards]~~

Sec. 3-E-G.10. Event Center

3-E-G.10.a. Description and Typical Uses

11935 *A venue that facilitates the congregation of people in exchange for remuneration for events that include*
11936 *weddings, family reunions, class reunions, company retreats and picnics, or other similar events or*
11937 *celebrations. [Relocated from Sec. 3-5(bi)(1) Rural Events Center]*

3-E-G.10.b. Specific Use Standards

(1) Dimensional Use Standards:

		3.5 acres [Relocated from Sec. 3-5(bi)(2) Rural Event Center]
(a)	<u>Minimum Lot Size:</u>	
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u> <u>Apply setbacks of the lot's zoning district, if applicable</u>

(2) Additional Use Standards

11939 (a) Temporary Parking. In addition to the required parking as set forth in [Sec. 8-12 Parking](#)
11940 [Requirements](#) and [Appendix A Parking Space Requirements](#). Temporary parking may be
11941 permitted, subject to a Conditional use process, and shall comply with the following criteria:
11942 i. Grass Parking. Grass parking spaces are reserved for peak demand and for
11943 special events, subject to the following:
11944 1. Shall not be located on landscape buffer or over any type of easement;
11945 2. Handicap parking spaces shall not be in the grass parking area;
11946 3. Shall be accessed through a paved aisle or a driveway; and
11947 4. Shall be installed with drought tolerant materials and shall comply with
11948 applicable standards under [Sec. 8-12.\(6\)\(b\) Grassed Overflow Parking](#).
11949 ii. Off-Site Parking. Additional parking spaces may be accommodated off-site,
11950 subject to the following:
11951 1. The lot for temporary off-site parking shall be located a maximum of 660
11952 feet measuring lot line from lot line, unless a vehicular transportation is
11953 arranged for the temporary event at the Event Center.
11954

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 11955 2. A written agreement between the Event Center and the off-site parking
- 11956 property owner shall be submitted to the DRC as part of the application
- 11957 submittal.
- 11958 (b) Prohibited Activity. *No event shall be conducted in a manner that would constitute a*
- 11959 *violation of Sec. 15-5 of the Clay County Code. [Relocated from Sec. 3-5(bi)(4) Rural*
- 11960 *Events Center]*

11961 **Sec. 3-5.(bi) Rural Event Center.**

- 11962 (1) ~~For purposes of this subsection, a Rural Event Center shall mean a venue located on land zoned~~
- 11963 ~~Agricultural (Zone AG) or Agricultural/Residential (Zone AR), on land zoned Rural Community~~
- 11964 ~~under the Lake Asbury Master Plan Land Development Regulations, or on land within the Branam~~
- 11965 ~~Field Master Plan with a land use designation of Rural Suburbs, that facilitates the congregation of~~
- 11966 ~~people in exchange for remuneration for events that include weddings, family reunions, class~~
- 11967 ~~reunions, company retreats and picnics, or other similar events or celebrations. [Relocated to Sec.~~
- 11968 ~~3-E-G.10.a. Description and Typical Uses]~~
- 11969 (2) ~~The parcel shall not be less than three and one half (3.5) contiguous acres in size. [Relocated to~~
- 11970 ~~Sec. 3-E-G.10.b.(1)(a) Minimum lot size]~~
- 11971 (3) ~~All parking for each event shall be on-site only. Off-site parking is prohibited. [Consolidated under~~
- 11972 ~~Sec. 3-E-G.10.(2)(a) Temporary Parking]~~
- 11973 (4) ~~No event shall be conducted in a manner that would constitute a violation of Sec. 15-5 of the Clay~~
- 11974 ~~County Code. [EG165][Deleted, as violation of this Code, shall all be subject to the Clay County~~
- 11975 ~~Administration Code, Sec. 15-5, and not just this type of use.]~~

11976 Sec. 3-E-G.11. Government Facility

11977 **3-E-G.11.a. Description and Typical Uses**

11978 A building that is owned by a unit of Local, State, or Federal Government, that supports government

11979 services, customary government operations, or delivery of public services. Typical uses may include police

11980 stations, fire stations, libraries, post offices, courthouses, and administrative offices for government

11981 agencies.

11982 **3-E-G.11.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>

11983 Sec. 3-E-G.12. Hospital

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

11985 **3-E-G.12.a. Description and Typical Uses**
 11986 *An institution which provides primary health services, and medical or surgical and overnight care, to persons*
 11987 *suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and*
 11988 *including as an integral part of the institution related facilities such as laboratories, out-patient facilities, or*
 11989 *training facilities. [Relocated from Sec. 1-15.(125) Hospital]*

11990 **3-E-G.12.b. Specific Use Standards**

(1) Dimensional Use Standards		
(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u> <u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

11991 **(2) Additional Use Standards**
 11992 (a) Access. Vehicular access shall be from an arterial or collector street.
 11993 (b) Licensure. Facilities shall be licensed by the State of Florida per F.S. Ch. 395.
 11994 (c) Biomedical Waste. The handling, packaging, and storing of biomedical waste shall be in
 11995 compliance with F.S. 381.0098.
 11996 (d) Public Ownership District. Hospitals shall be publicly owned or operated. [Relocated from
 11997 Sec. 3-34. Uses Permitted, PO-1]

11998 **3-E-G.12.c. Accessory or Collocated Uses**

Use	
<u>Incinerator</u>	<u>Refer to Sec. 3-E-H.6.</u>
<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.11.</u>
<u>Place of Worship</u>	<u>Refer to Sec. 3-E-G.14.</u>
<u>Restaurant, Class 1</u>	<u>Refer to Sec. 3-E-D.13</u>
<u>Restaurant, Class 2</u>	<u>Refer to Sec. 3-E-D.14</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.15</u>

11999 (1) *An incinerator as an accessory use for a hospital shall only be permitted, for volume reduction of*
 12000 *biological and biohazardous waste generated at the hospital, provided that such incinerator is fully*
 12001 *permitted by all applicable state and federally regulatory agencies. [Relocated from Sec. 3-*
 12002 *40.(b)(1) Uses Permitted]*

12003 **Sec. 3-34. Public Ownership (Zone PO-1)**

12004 ~~(b) Uses Permitted.~~
 12005 ~~(3) Publicly owned or operated hospitals. [Relocated to Sec. 3-E-G.12.b.(2)(d)]~~

12006 **Sec. 3-40. Private Services (Zone PS-3)**

12007 ~~(1) An incinerator as an accessory use for a hospital only in permitted, for volume reduction of~~
 12008 ~~biological and biohazardous waste generated at the hospital only, provided that such incinerator is~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12009 ~~fully permitted by all applicable state and federally regulatory agencies. (amended 2/24/98 —~~
12010 ~~Ord.#98-8)~~ [Relocated to Sec. 3-E-G.12.c.(1)]

12011 Sec. 3-E-G.13. Land Clearing Debris Disposal Facility

12012 3-E-G.13.a. Description and Typical Uses

12013 ~~A facility exclusively for the disposal of~~ [Relocated from Sec. 1-15.(134) Land Clearing Debris Disposal
12014 Facility] ~~rocks, soils, tree remains, trees, and other vegetative matter that normally results from land~~
12015 ~~clearing or land development operations for a construction project. Land Clearing Debris does not include~~
12016 ~~yard waste or any other vegetative matter from lawn maintenance, from Commercial or Residential~~
12017 ~~landscape maintenance, from right-of-way or easement maintenance, from farming or nursery operations,~~
12018 ~~or from any other sources not related directly to a construction project.~~ [Relocated from Sec. 1-15.(133)
12019 Land Clearing Debris]

12020 3-E-G.13.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>		<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>From any lot line: 50 feet</u>
(c)	<u>Minimum Use Separation:</u>	<u>Disposal facility shall not be located closer to:</u>	<u>Any right-of-way, easement, access point, or lot line than: 50 feet [Relocated from Sec. 3-5.(ai)(4) Land Clearing Debris Disposal Facility]</u>
			<u>Any underground and/or above ground septic tank system than: [Relocated from Sec. 3-5.(ai)(3) Land Clearing Debris Disposal Facility]</u>

(2) Additional Use Standards

(a) Access. Shall be subject to the following:

<u>Land Use</u>	<u>Site Size</u>	<u>Road Functional Classification</u>
<i>Agricultural</i>	<i>No Limit</i>	<i>No Minimum</i>

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Part E Use Types and Regulations

<i>Commercial</i>	<i>No Limit</i>	<i>No Minimum</i>
<i>Mining</i>	<i>No Limit</i>	<i>No Minimum</i>
<i>Agricultural/Residential</i>	<u>Under 5 acres</u>	<i>No Minimum</i>
	<u>Over 5 acres</u>	<i>Major Collector</i>
<i>Rural Residential</i>	<u>Under 1 acre</u>	<i>No Minimum</i>
	<u>Over 1 acre</u>	<i>Major Collector</i>
<i>Rural Fringe</i>	<u>Under 1 acre</u>	<i>No Minimum</i>
	<u>Over 1 acre</u>	<i>Major Collector</i>
<i>Urban Fringe</i>	<u>Under 0.5 acre</u>	<i>No Minimum</i>
	<u>Over 0.5 acre</u>	<i>Major Collector</i>
<i>Urban Core (10)</i>	<u>Under 0.5 acre</u>	<i>No Minimum</i>
	<u>Over 0.5 acre</u>	<i>Major Collector</i>

- 12023 **[Relocated from Sec. 3-5.(ai)(8) Siting Criteria]**
- 12024 (b) Encroachment. *Shall not encroach into or be located in a jurisdictional wetland area as*
12025 *defined by the Army Corps of Engineers, Florida Department of Environmental Protection,*
12026 *and the St. Johns River Water Management District. The applicant shall be responsible for*
12027 *contacting the applicable agency to determine if the site is within jurisdictional lands.*
- 12028 **[Relocated from Sec. 3-5.(ai)(2) Land Clearing Debris Disposal Facility]**
- 12029 (c) Controlled Access. *Access to the disposal facility shall be controlled with fencing around*
12030 *the perimeter of the site and with gates to prevent disposal by the general public.*
- 12031 **[Relocated from Sec. 3-5.(ai)(5) Land Clearing Debris Disposal Facility]**
- 12032 (d) Additional Buffer. *A Land Clearing Debris Disposal Facility site that exceeds 1 acre in size*
12033 *and is located adjacent to properties with a Residential FLU category shall provide a*
12034 *Perimeter Buffer pursuant to Sec. 3-F-I.3 Perimeter Buffer.*
- 12035 (e) Private Services (PS-1, PS-2, PS-4, PS-5). *A Land Clearing Debris Disposal Facility shall*
12036 *be permitted only in Agricultural, Commercial, Mining and Agricultural/Residential FLU*
12037 *categories. [Relocated from Sec. 3-38.(c)(1) Conditional Uses]*
- 12038 (3) Supplemental Application Standards. *In addition to the applicable procedures and submittal*
12039 *standards as set forth in Article 2, Procedures for Development Review, the applicant shall submit*
12040 *the following documents:*
- 12041 (a) Site Plan. *The applicant shall submit a site plan with the following graphic and text*
12042 *information:*
- 12043 i. The location of any potable water wells within 500 feet of the site. **[Relocated from**
12044 **Sec. 3-5.(ai)(7)(i) Land Clearing Debris Disposal Facility]**
- 12045 ii. The type and height of fencing. **[Relocated from Sec. 3-5.(ai)(7)(v) Land**
12046 **Clearing Debris Disposal Facility]**

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12047 (b) Permit. The applicant shall obtain a general permit for off-site disposal of land clearing
12048 debris from the Florida Department of Environmental Protection (F.D.E.P.). **[Relocated**
12049 **from Sec. 3-5.(ai)(1) Land Clearing Debris Disposal Facility]**
- 12050 (c) Authorization. Documentation that the applicant either owns the land or has legal
12051 authorization from the land owner to use the land for a disposal facility. **[Relocated from**
12052 **Sec. 3-5.(ai)(6) Land Clearing Debris Disposal Facility]**

12053 **~~(ai) Land Clearing Debris Disposal Facility.~~** **[Relocated to Sec. 3-E-G.13. Land Clearing Debris**
12054 **Disposal Facility]**

- 12055 ~~(1) The applicant **must** obtain a general permit for off-site disposal of land clearing debris from the~~
12056 ~~Florida Department of Environmental Protection (F.D.E.P.). **[Relocated to Sec. 3-E-G.13.b.(3)(b)**~~
12057 ~~Permit]~~
- 12058 ~~(2) Disposal facilities shall not encroach into or be located in a jurisdictional wetland area as defined~~
12059 ~~by the Army Corps of Engineers, Florida Department of Environmental Protection and the St. Johns~~
12060 ~~River Water Management District. The applicant shall be responsible for contacting the applicable~~
12061 ~~agency in order to determine if the site is within jurisdictional lands. **[Relocated to Sec. 3-E-**~~
12062 ~~**G.13.b.(2)(b) Encroachment]**~~
- 12063 ~~(3) No land clearing debris shall be disposed of or stored closer than 75 feet to any part of an~~
12064 ~~underground and/or above ground septic tank system. **[Relocated to Sec. 3-E-G.13.b.(1)(c)**~~
12065 ~~Minimum use separation]~~
- 12066 ~~(4) The edge of the disposal facility may not be located at any point, closer than 50 feet to right of way,~~
12067 ~~easement, access point or property line. **[Relocated to Sec. 3-E-G.13.b.(1)(c) Minimum use**~~
12068 ~~separation]~~
- 12069 ~~(5) Access to the disposal facility shall be controlled during the active life of the facility by fencing to~~
12070 ~~prevent disposal by the general public. **[Relocated to Sec. 3-E-G.13.b.(2)(c) Controlled Access]**~~
- 12071 ~~(6) Documentation that the applicant either owns the land or has legal authorization from the land~~
12072 ~~owner to use the land for a disposal facility. **[Relocated to Sec. 3-E-G.13.b.(3)(c) Authorization]**~~
- 12073 ~~(7) Scaled site plan must show or indicate the following: **[Consolidated under Sec. 3-E-G.13.b.(3)(a)**~~
12074 ~~Site Plan]~~
- 12075 ~~(i) The location of any potable water wells within 500 feet of the site. **[Relocated to Sec. 3-**~~
12076 ~~**E-G.13.b.(3)(a)i. Site Plan]**~~
- 12077 ~~(ii) The project location and the proposed disposal area. **[Deleted]**~~
- 12078 ~~(iii) Legal description of the site and of the disposal area. **[Deleted]**~~
- 12079 ~~(iv) On-site land use and zoning, adjacent land use and zoning, adjacent roadways, proposed~~
12080 ~~means of access, and distances from property lines. **[Deleted]**~~
- 12081 ~~(v) Method of fencing. **[Relocated to Sec. 3-E-G.13.b.(3)(a)ii. Site Plan]**~~
- 12082 ~~(8) Siting Criteria: **[Relocated to Sec. 3-E-G.13.b.(2)(a) Access]**~~

	<i>Land Use</i>	<i>Site Size</i>	<i>Road Functional Classification</i>
(i)	<i>Agricultural</i>	<i>No limit</i>	<i>No Minimum</i>
(ii)	<i>Commercial</i>	<i>No limit</i>	<i>No Minimum</i>
(iv)	<i>Mining</i>	<i>No limit</i>	<i>No Minimum</i>
(v)	<i>Agricultural/Residential</i>	<i>under five acres</i>	<i>No Minimum</i>

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

		over five acres	<i>Major Collector</i>
(vi)	<i>Rural Residential</i>	under one acre over one acre	<i>No Minimum Major Collector</i>
(vii)	<i>Rural Fringe</i>	under one acre over one acre	<i>No Minimum Major Collector</i>
(viii)	<i>Urban Fringe</i>	under 0.5 acres over 0.5 acres	<i>No Minimum Major Collector</i>
(ix)	<i>Urban Core (10)</i>	under 0.5 acres over 0.5 acres	<i>No Minimum Major Collector</i>

12083 ~~(9)[BV166] — Disposal Facilities which are adjacent to residential land use categories and over one~~
 12084 ~~acre in size shall be buffered as follows:~~
 12085 ~~(i) — If the toe of the slope or the top of the bank is within 50 feet of the property line the buffer~~
 12086 ~~shall be a 6 foot opaque fence and 50 feet of existing vegetation or landscaping.~~
 12087 ~~(ii) — [BV167] If the toe of the slope or the top of the bank is more than 50 feet from the~~
 12088 ~~property line, 50 feet of existing vegetation shall be maintained. (Amended 6/98 — Ord.~~
 12089 ~~98-27)~~

12090 **Sec. 3-38. Private Services (Zone PS-1)**

12091 (4) ~~Land Clearing Debris Disposal Facility permitted only in Agricultural, Commercial, Mining and~~
 12092 ~~Agricultural/Residential land use categories. (Amended 6/98 — Ord. 9827) [Relocated to Sec. 3-~~
 12093 ~~E-G.13.b.(2)(e)]~~

12094 **Sec. 3-E-G.14. Medical Facility**

12095 **3-E-G.14.a. Description and Typical Uses**

12096 ~~An institution which provides primary health services and medical or surgical care to clients and includes~~
 12097 ~~as an integral part of the institution related facilities such as laboratories, out-patient or training facilities.~~
 12098 ~~Typical uses may include, but are not limited to, out-patient clinics, imaging centers, and urgent care~~
 12099 ~~centers.~~

12100 **3-E-G.14.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u> All structures unless stated otherwise:	<u>Apply setbacks of the lot's zoning district, if applicable</u>

12101 (1) Additional Use Standards

12102 (a) Access. Vehicular access shall be from an arterial or collector street.
 12103 (b) Biomedical Waste. The handling, packaging, and storing of biomedical waste shall be in
 12104 compliance with F.S. 381.0098.

Notes/Legend:

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12105 Sec. 3-E-G.15. Nursing Facility 1

12106 3-E-G.15.a. Description and Typical Uses

12107 A facility which is engaged in the provision of housing, meals, and 1 or more personal services for a period
 12108 exceeding 24 hours to 1 or more adults who are not relatives of the owner or operator of the facility. Personal
 12109 services may include direct physical assistance or supervision of the daily activities and the administration
 12110 of medication and other similar services to the residents. Nursing Facility 1 under this term, does not
 12111 function as a Community Residential Home. A Nursing Facility 1 may be accommodated in an institutional
 12112 setting such as a home for the aged or in a private home based on the proposed number of residents.
 12113 Typical uses may include, but are not limited to, independent living facilities and congregate living facilities.

12114 3-E-G.15.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>		<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
(c)	<u>Minimum Use Separation:</u>	<u>Subject Uses with ≤14 beds:</u>	<u>To another Nursing Facility 1 or 2 use: 600 feet</u>
		<u>Subject Uses with >14 beds:</u>	<u>To another Nursing Facility 1 or 2 use: 1,200 feet</u>

(2) Additional Use Standards

- 12115 (a) Access. Facilities with more than 6 persons including staff shall be accessed from an
 12116 arterial or collector street.
 12117 (b) Licensure. Shall be licensed by the State of Florida.
 12118 (c) Intensity. The maximum occupancy of is based on the assigned intensity of the site's FLU
 12119 category, refer to Part C Future Land Use and Intensity Bonus Programs, and multiply by
 12120 2.39 residents per bed.
 12121 (Alternatively: One patient bed per 1,000 square feet of lot area.) [MK168]
 12122 (d) Facility Access. All facilities shall provide an ADA-compliant drop-off/pick-up area at the
 12123 main public entrance to the facility.
 12124 (e) Number of Buildings. One or more buildings may be located on 1 lot.
 12125 (f) Dining and Kitchen. Facilities shall include a common dining area and may include a
 12126 common kitchen or individual kitchens.
 12127

12128 Sec. 3-E-G.16. Nursing Facility 2

12129 3-E-G.16.a. Definition and Typical Uses

12130 A facility where a medical or institutional setting is provided for persons who are suffering from physical or
 12131 behavioral illness and may need assistance in almost all activities of daily living but are not of sufficient

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12132 severity to be hospitalized. Nursing Facility 2 under this term, does not function as a Community Residential
 12133 Home. Typical uses may include, but are not limited to, skilled nursing care facilities; continuing care
 12134 facilities; nursing homes; convalescent facilities, and hospices. [Relocated from Sec. 1-15(216) Skilled
 12135 Nursing Care Facility]

12136 **3-E-G.16.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>		<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
(c)	<u>Minimum Use Separation:</u>	<u>Subject Uses with ≤14 beds:</u>	<u>To another Nursing Facility 1 or 2 use: 600 feet</u>
		<u>Subject Uses with >14 beds:</u>	<u>To another Nursing Facility 1 or 2 use: 1,200 feet</u>

12137 (2) Additional Use Standards
 12138 (a) Access. Facilities with more than 6 persons including staff shall be accessed from an
 12139 arterial or collector street.
 12140 (b) Licensure. Shall be licensed by the State of Florida.
 12141 (c) Intensity. The maximum occupancy shall be based on the assigned intensity of the lot's
 12142 FLU category, refer to [Part C Future Land Use and Intensity Bonus Programs](#) and multiply
 12143 by 2.39 residents per bed.
 12144 (Alternatively: One patient bed per 1,000 square feet of lot area.)
 12145 (d) Facility Access. All facilities shall provide an ADA-compliant drop-off/pick-up area at the
 12146 main public entrance to the facility.
 12147 (e) Number of Buildings. One or more buildings may be located on 1 lot.

12148 **3-E-G.16.c. Accessory or Collocated Uses**

<u>Use</u>	
<u>Hospital</u>	<u>Refer to Sec. 3-E-G.12.</u>
<u>Office, Business and Professional</u>	<u>Refer to Sec. 3-E-D.12.</u>

12149 ~~**Sec. 1-15.(66) Continuing Care Facility**—This type of service offers elderly persons the entire range of~~
 12150 ~~services, including independent living, assisted living, and skilled nursing care. [Relocated to Sec. 3-E-~~
 12151 ~~**G.15.a. Description and Typical Uses]**~~

12152 ~~**Sec. 1-15(216) Skilled Nursing Care Facility**—This type of service is structured for elderly persons who~~
 12153 ~~are primarily bedridden and need assistance in almost all activities of daily living, including skilled nursing~~
 12154 ~~care. [Relocated to Sec. 3-E-G.15.a. Description and Typical Uses]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12155 Sec. 3-E-G.17. Place of Worship

12156 **3-E-G.17.a. Description and Typical Uses**

12157 Any property tax-exempt building used for non-profit purposes by a recognized and legally established
 12158 religious organization for the purpose of worship. Typical uses may include sanctuaries, chapels,
 12159 cathedrals, temples, synagogues, and mosques.

12160 **3-E-G.17.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u> <u>All structures unless stated otherwise:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>

12161 (1) Additional Use Standards

- 12162 (a) Access. Vehicular access shall be from an arterial or collector street. A Place of Worship
 12163 located on a residential street that is operated in a Residence with less than 5,000 square
 12164 feet may continue to exist and operate as a Place of Worship.
 12165 (b) BF Rural Suburbs (BF RS), LA Master Planned Community (LA MPC), LA Rural Reserve
 12166 (LA RRSV), LA Rural Community (LA RC), LA Rural Fringe (LA RF). Places of Worship on
 12167 a Minor Collector Road. Shall be limited to 40,000 square feet and additional 10,000 square
 12168 feet may be allowed for classrooms, meeting space, and other ancillary uses. [Relocated
 12169 from Sec. 3-33A.II.1.a.iii. BF RS Permitted Uses]
 12170 (c) BF Community Center (BF CC), LA AC, LA Village Center (LA VC). Places of Worship
 12171 shall not exceed 100,000 square feet.[Relocated from Sec. 3-33A.III.3.a.ii. Uses
 12172 Permitted By Right, Sec. 3-33B.B.5.a.xvii. and Sec. 3-33B.B.6.a.iii.

12173 **3-E-G.17.c. Accessory or Collocated Uses**

<u>Use</u>	
<u>Cemetery</u>	<u>Refer to Sec. 3-E-G.5.</u>
<u>Daycare</u>	<u>Refer to Sec. 3-E-G.9.</u>
<u>Retail Sales, General</u>	<u>Refer to Sec. 3-E-D.17.</u>
<u>Private or Public School</u>	<u>Refer to Sec. 3-E-G.18.</u>

12174 **Sec. 3-33A.II.1.a.iii. BF RS Permitted Uses**

12175 ~~Places of worship, allowed on minor and major collectors. Forty thousand square foot limitation and~~
 12176 ~~additional 10,000 square foot allowed for classrooms, meeting space, and other ancillary uses on minor~~
 12177 ~~collectors; no size limitations on major collectors. [Relocated to Sec. 3-E-G.17.b.(1)(b) Additional~~
 12178 ~~Standards]~~

12179 ~~Sec. 3-33A.III.2.a.ii., Sec. 3-33B.B.5.a.xvii. 3-33B.B.6.a.iii.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12180 ~~ii. Places or worship, daycare centers and private schools, not to exceed 100,000 square~~
12181 ~~feet.~~ [Relocated to Sec. 3-E-G.17.b.(1)(c) Additional Standards]

12182 Sec. 3-E-G.18. Private or Public School

12183

12184 3-E-G.18.a. Description and Typical Uses

12185 An educational institution for teaching and learning and provides regular classes and courses of study for
12186 accreditation as an elementary and/or secondary school which is approved by the Clay County District
12187 Schools. Typical uses may include public, charter, private elementary or secondary and religious schools,
12188 but exclude vocational or higher level of learning institutions.

12189 3-E-G.18.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
<u>(b) Minimum Setback¹:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>

Footnotes:

1 Unless stated otherwise by the State regulations.

12190 (1) Additional Use Standards

- 12191 (a) Access. Vehicular access shall be from an arterial or collector street.
12192 (b) Interlocal Agreement. Refer to [Interlocal Agreement 2019/2020-99](#), as amended.
12193 [Relocated from Sec. 3-5.(bt) Public Educational Facilities]
12194 (c) Development Standards. Refer to [Part F, Division E Schools](#) for location and development
12195 standards.
12196 (d) BF Community Center (BF CC), LA Activity Center (LA AC). Schools shall not exceed
12197 100,000 square feet. [Relocated from Sec. 3-33A.III.3.a.ii. Uses Permitted By Right,
12198 and Sec. 3-33B.B.5.a.xvii.]

12199 3-E-G.18.c. Accessory or Collocated Uses

Use

Place of Worship Refer to [Sec. 3-E-G.17.](#)

Daycare Refer to [Sec. 3-E-G.9.](#)

12200
12201 ~~**Sec.3-5(bt) Public Educational Facilities.** The siting of a public educational facility owned, constructed~~
12202 ~~and operated by the Clay County School Board shall be sited solely in accord with the provisions of that~~
12203 ~~certain Interlocal Agreement For Public Educational Facility Siting and Review in Clay County, entered into~~
12204 ~~as of June 22, 1999, between the Clay County Board of County Commissioners and the Clay County School~~
12205 ~~Board, being Clay County Agreement 98/99-138, as the same may be amended from time to time, and for~~
12206 ~~so long as the Interlocal Agreement remains in effect.~~ [Deleted]

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12207 ~~Sec. 3-33A.III.2.a.ii., Sec. 3-33B.B.5.a.xvii. 3-33B.B.6.a.iii.~~
12208 ii. ~~Places or worship, daycare centers and private schools, not to exceed 100,000 square~~
12209 ~~feet.~~ [Relocated to Sec. 3-E-G.18.b.(1)(d) Additional Standards]

12210 Sec. 3-E-G.19. Public Assembly^[MK169] (pending review with County)

12211

3-E-G.19.a. Description and Typical Uses

12213 Any facilities regularly used for the purpose of exercising any and all rights secured through and by virtue
12214 of the First and Fourteenth Amendments to the Constitution [Relocated from Sec. 3-5(aw)(1) Public
12215 Assembly], where "regularly" means more than one time per calendar month, which must meet and
12216 continue all standards of all codes, ordinances, regulations and statutes applicable thereunto and to such
12217 use. [Relocated from Sec. 3-5(aw)(1)(i) Public Assembly]

3-E-G.19.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a) Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
<u>(b) Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>

(2) Additional Use Standards

12219 (a) Access. Vehicular access shall be from an arterial or collector street.
12220

Sec.3-5(aw) Public Assembly.

12222 ~~(1) — Any other provision of this Article to the contrary notwithstanding, it is declared to be the intent of~~
12223 ~~this Article that public assembly shall be a conditional use in the IS, IA, IB, PO-1, PO-2, PO-3, PO-~~
12224 ~~4, BA-2, BA-1, BA, BB-1, BB, and BSC zoning districts, and in the portions of any Planned Unit~~
12225 ~~Development, Planned Commercial Development, or Planned Industrial Development approved for~~
12226 ~~commercial, industrial or public ownership uses for the purpose of exercising any and all rights~~
12227 ~~secured through and by virtue of the First and Fourteenth Amendments to the Constitution if the~~
12228 ~~following conditions are met and continue to be met:~~ [Relocated to Sec. 3-E-G.19.a. Description
12229 ~~and Typical Uses]~~

12230 ~~(i) — Any facilities regularly used for such purpose, where "regularly" means more than one time per~~
12231 ~~calendar month, must meet and continue all requirements of all codes, ordinances, regulations and~~
12232 ~~statutes applicable thereunto and to such use; and, Relocated to Sec. 3-E-G.19.a. Description~~
12233 ~~and Typical Uses]~~

12234 ~~(ii) — Such permitted use shall not be construed to include day care, preschool, kindergarten through~~
12235 ~~twelfth grade, or post-secondary activities typically associated with uses permitted under Section~~
12236 ~~20.3-37 hereof; and, [Deleted]~~

12237 ~~(iii) — Such use may not constitute a nuisance to any proximate use by virtue of unreasonable, frequent~~
12238 ~~or excessive noise, light, traffic or other attributes of the use which reasonably impose upon the~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12239 ~~peaceful and quiet enjoyment of the land to which any such proximate use is being put, when such~~
 12240 ~~proximate use is otherwise lawful; and, [Deleted]~~
 12241 (iv) ~~That when a use is permitted solely under and by virtue of this Subsection, the provisions of Section~~
 12242 ~~20.3-4(c) shall be inapplicable. [Deleted]~~
 12243 (2) ~~All other provisions of this article which are inconsistent with this Subsection are deemed~~
 12244 ~~superseded hereby, but not repealed, so that only and to the extent of such inconsistency are such~~
 12245 ~~provisions rendered inapplicable or ineffectual, as the case may be. In order to overcome the pre-~~
 12246 ~~eminent intent if this Subsection, any subsequent amendment to this Article must clearly so provide,~~
 12247 ~~else be deemed subject and subordinate to the subsection. [Deleted]~~

Sec. 3-E-G.20. Recycling Center

3-E-G.20.a. Description and Typical Uses

12249 A permanent facility designed and used for collecting, purchasing, storing, dropping off, and redistributing
 12250 of pre-sorted, recovered materials that are not intended for disposal. This shall not include hazardous
 12251 wastes.
 12252

3-E-G.20.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>		<u>5 acres</u>
(b)	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	<u>From any lot line adjacent to an Industrial FLU category:</u> <u>Apply setbacks of the lot's zoning district</u>
(c)	<u>Minimum Use Separation:</u>		<u>From any lot line adjacent to all other FLU categories:</u> <u>50 feet</u>

(2) Additional Use Standards

12254 (a) Access. Vehicular access shall be from an arterial or collector street. Access shall be
 12255 controlled to prevent unauthorized access to the facility.
 12256 (b) Licensure. Shall be licensed by State of Florida, [F.S. 403.7032](#).
 12257 (c) SWA Permitting. Shall obtain an approved SWA permit before commencement of operation
 12258 of the facility.
 12259 (d) Recycling Operation. All recycling activities shall be conducted in an enclosed building.
 12260 i. If certain outdoor recycling activities are required to be recycled outdoors and
 12261 approved under the SWA permit, then the outdoor recycling areas shall be
 12262 screened from view from all lot lines by a minimum 6-foot-high opaque wall.
 12263 (e) Outdoor Storage. Shall be paved with impervious materials such as concrete or in a
 12264 container to prevent any leaking.

(3) Supplemental Application Standards

12266 (a) Proposed facilities which meet the following criteria may be reviewed under the DRC
 12267 process.
 12268

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ARTICLE ~~III~~ 3 ZONING ~~DISTRICTS AND~~ LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12269 i. Siting Criteria.
 12270 1. Use is fully enclosed, interior to a building.
 12271 2. No outdoor storage is permitted.
 12272 3. Minimum setbacks shall be provided 15 feet in excess of normal standard.
 12273 ii. Hours of Operation. Shall be limited to 8:00 a.m. to 5:00 p.m. Sunday through
 12274 Saturday.

12275 Sec. 3-E-G.21. Renewable Energy Farm

12276 3-E-G.21.a. Description and Typical Uses

12277 A single installation or a combination of solar or wind installations from multiple parcels in order to generate
 12278 electricity with the primary purpose of utility scale generation and distribution of electricity. Includes the
 12279 equipment customary and incidental to utility generation, including electrical storage, transmission and
 12280 power conditioning equipment, along with associated site elements required for access, site protection and
 12281 power distribution on a utility scale.

12282 3-E-G.21.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a)</u>	<u>Minimum Lot Size:</u>	<u>20 acres</u>
<u>(b)</u>	<u>Minimum Setback:</u>	
	<u>All buildings and structures such as solar panels and turbines (not including poles or transmission lines):</u>	<u>From lot line of a Residential zoning district or use:</u>
		<u>50 feet</u>
		<u>From lot line of any other zoning district or use:</u>
		<u>30 feet</u>

12283 (2) Additional Use Standards

12284 (a) Access. Vehicular access shall be from an arterial or collector street and shall be controlled
 12285 to prevent unauthorized access to the facility.

12286 (3) Supplemental Application Standards

12287 (a) Posting of Bond. Shall be subject to a removal agreement and a removal bond submitted
 12288 to the County.

12289 3-E-G.21.c. Permitted Process for Wind Energy Facility

12290 (1) Pre-application. For application of a Wind Energy Facility, the applicant shall meet with the DRC
 12291 prior to an official submittal.

12292 (2) Application Submittal Standards. In addition to the submittal requirement as set forth in [Article 2](#)
 12293 [Procedures for Development Review](#) of this Code, the applicant shall submit a narrative explaining
 12294 and justifying the need of the renewable wind energy facility, as follows:

- 12295 (a) Site Location;
 12296 (b) Size of the lot;

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12297 (c) Methodology of turbines and other systems for the purpose of producing electric or
- 12298 mechanical power from the wind;
- 12299 (d) Proposed setbacks and separation for the turbines or other wind energy system;
- 12300 (e) Setbacks for accessory structures that supported the Principal use;
- 12301 (f) Height and dimensions of wind generating devices, such as turbines and support
- 12302 structures;
- 12303 (g) Accessory and/or collocated uses/structures; and
- 12304 (h) Any other relevant information pertinent to the proposed use.
- 12305 (3) Site Plan. Shall be submitted along with other types of plans and exhibits that describe (2)(a)
- 12306 through (h).
- 12307 (4) Product Approvals. Product specifications and shop drawings shall be submitted for review.

12308 **3-E-G.21.d. Accessory or Collocated Uses**

Use

Utility Facility, Major

Refer to [Sec. 3-E-G.24.](#)

12309 **Sec. 3-E-G.22. Sanitary Landfill, Class I** [BV170]

12310

12311 **3-E-G.22.a. Description and Typical Uses**

12312 A well-engineered and managed facility for the disposal of municipal wastes which receives an average of

12313 20 tons or more of solid waste per day and accepts hazardous wastes.

12314 **3-E-G.22.b. Specific Use Standards**

12315 Shall comply with all applicable State and County rules and regulations.

12316 **Sec. 3-E-G.23. Sanitary Landfill, Class II** [BV171]

12317

12318 **3-E-G.23.a. Description and Typical Uses**

12319 A well-engineered and managed facility for the disposal of municipal wastes which receives an average of

12320 20 tons or less of solid waste per day and may accept non-hazardous wastes.

12321 **3-E-G.23.b. Specific Use Standards**

12322 Shall comply with all applicable State and County rules and regulations.

12323 **Sec. 3-E-G.24. Transfer Station** [BV172]

12324

12325 **3-E-G.24.a. Description and Typical Uses**

12326 A facility to serve as centralized locations for the efficient transfer of waste and recyclables from small

12327 collection vehicles to larger solid waste authority (SWA) transfer vehicles.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

12328 **3-E-G.24.b. Specific Use Standards**

<u>(1) Dimensional Use Standards:</u>			
<u>(a)</u>	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>	
<u>(b)</u>	<u>Minimum Setback:</u>	<u>All main structures, transfer stations, ramps, and on-site vehicular circulation areas:</u>	
		<u>From any lot line of a Residential zoning district or use:</u>	<u>100 feet</u>
		<u>From any lot line of a Non-Residential zoning district or use:</u>	<u>75 feet</u>
	<u>Outdoor storage area:</u>	<u>From any lot line of a Residential zoning district or use:</u>	<u>125 feet</u>
		<u>From any lot line of a Non-Residential zoning district or use:</u>	<u>100 feet</u>

- 12329 (2) Additional Use Standards
- 12330 (a) Access. Vehicular access shall be from an arterial or collector street.
- 12331 (b) Storage Areas. Outdoor storage areas shall be paved with impervious materials such as concrete or in a container to prevent any leaking.
- 12332
- 12333 (c) SWA Permits. Shall obtain an approved SWA permit before commencement of operation
- 12334 of the facility.

12335 Sec. 3-E-G.25. Utility Facility, Major

12336 **3-E-G.25.a. Description and Typical Uses**

12337 A centralized facility for the provision of a public utility that is of sufficient scale and intensity to warrant

12338 special site considerations to limit the impact on surrounding properties. Typical uses may include, but are

12339 not limited to electrical generating plants and facilities, water and wastewater treatment and disposal

12340 facilities which are part of a County or Regional system, landfills, public utilities supply yards; and other

12341 major community infrastructure.

12342 **3-E-G.25.b. Specific Use Standards**

<u>(1) Dimensional Use Standards:</u>			
<u>(a)</u>	<u>Minimum Lot Size:</u>		<u>2 acres</u>
<u>(b)</u>	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise:</u>	
		<u>From any lot line of a Residential zoning district or use:</u>	<u>250 feet</u>

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12343 (2) Additional Use Standards
12344 (a) Access. Vehicular access shall be from an arterial or collector street.
12345 (b) State of Emergency. At time of force majeure or any natural disasters and a declaration of
12346 a State of Emergency, the Planning and Zoning Director, or his/her designee may waive
12347 all required Zoning processes.
12348

Sec. 3-E-G.26. Utility Facility, Minor

- 12349
12350
12351 **3-E-G.26.a. Description and Typical Uses**
12352 A facility with infrastructure that is necessary to support collection, distribution, or transmission development
12353 within the immediate vicinity of the service area. Typical uses may include above ground sewage lift
12354 stations, gas and water regulators, water pump stations, communication substations, but exclude electric
12355 substations.

- 12356 **3-E-G.26.b. Specific Use Standards**

(1) Dimensional Use Standards:
(a) Minimum Lot Size: 2 acres
(b) Minimum Setback: All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable

- 12357 (2) Additional Use Standards
12358 (a) State of Emergency. At time of force majeure or any natural disasters and a declaration of
12359 a State of Emergency, the Planning and Zoning Director, or his/her designee may waive
12360 all required Zoning processes.

Sec. 3-E-G.27. Vocational School

- 12362 **3-E-G.27.a. Description and Typical Uses:**
12363 A private or public institution conducting regular academic instruction at the vocational level operated by a
12364 governmental or non-governmental organization, which is licensed by the State of Florida. [Relocated from
12365 Sec. 1-15.(208) School.] Typical uses may include, but are not limited to, Schools for Building and
12366 Construction Trades, Computer Programming, Mechanical and Electrical Technology, Beauty, and Art.

- 12367 **3-E-G.27.b. Specific Use Standards**

(1) Dimensional Use Standards:
(a) Minimum Lot Size: Apply the standards of the lot's zoning district, if applicable
(b) Minimum Setback: All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable

- 12368 (2) Additional Use Standards

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- 12369 (a) Enclosed Instruction. Instruction sessions or classes shall be conducted in an enclosed
12370 environment or building.
12371 (b) Nuisance. Institutions where instructions involved the use of heavy machinery,
12372 construction, mechanical or electrical equipment such as auto repair, welding, fabrication
12373 of metal components, and may provide excessive noise, vapor, or obnoxious gas, and
12374 become a nuisance, shall only be allowed in Industrial zoning districts.

12375 Sec. 3-E-G.28. Telecommunication Facility

12376 3-E-G.28.a. Intent and Applicability

- 12377 (1) Intent. It is the County's intent to promote the health, safety, and general welfare of the citizens by
12378 duly regulating the location, construction, and modification of communication towers, and any other
12379 type of wireless facility located on public or private property. Accordingly, the County finds that the
12380 promulgation of this Section is warranted and necessary to accomplish the following purposes:
12381 **[Relocated from Sec. 3-46.(b) Legislative findings, intent and purpose]**
12382 (a) To direct the location of communication towers within the County; [Relocated from Sec.
12383 3-46.(b)(1) Legislative findings, intent and purpose]
12384 (b) To protect Residential zoning districts and land uses from potential adverse impacts of
12385 communication towers; [Relocated from Sec. 3-46.(b)(2) Legislative findings, intent
12386 and purpose]
12387 (c) To minimize adverse visual and aesthetic impacts of communication towers through careful
12388 design, siting, landscape screening, and innovative aesthetic mitigation; [Relocated from
12389 Sec. 3-46.(b)(3) Legislative findings, intent and purpose]
12390 (d) To accommodate the growing need for communication towers; [Relocated from Sec. 3-
12391 46.(b)(4) Legislative findings, intent and purpose]
12392 (e) To promote and encourage shared use/co-location of existing and new communication
12393 towers as the preferred option to construction of additional single use towers; [Relocated
12394 from Sec. 3-46.(b)(5) Legislative findings, intent and purpose]
12395 (f) To consider the public health and safety of communication towers; and [Relocated from
12396 Sec. 3-46.(b)(6) Legislative findings, intent and purpose]
12397 (g) To avoid or minimize potential damage to adjacent properties, from the perspective of
12398 public safety, from tower failure through engineering and careful siting of tower structures.
12399 **[Relocated from Sec. 3-46.(b)(7) Legislative findings, intent and purpose]**
12400 (2) Applicability. This Section shall apply to all lands in the unincorporated area of the County except
12401 for: [Relocated from Sec. 3-46.(a) Applicability]
12402 (a) Communication towers and communication antennas located on property, rights-of-way,
12403 or easements owned by any governmental entity, except that all such structures shall
12404 comply with applicable Building Codes and the dimensional standards described in Sec.
12405 3-E-G.28.f.(1). [Relocated from Sec. 3-46.(d)(2) Applicability; exemption for
12406 government-owned property; use of existing structures]

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- 12407 (b) Existing communication towers and communication antennas, or those with a final
12408 approval, such as a variance or building permit [Relocated from Sec. 3-46.(d)(3)
12409 **Applicability; exemption for government-owned property; use of existing structures]**
12410 (3) Exemption for Communication Antennas. No approval shall be required to locate a communication
12411 antenna on existing structures, which may include, but are not limited to, buildings, water towers,
12412 existing communications towers, recreational light fixtures, and other essential public utility
12413 structures, provided that: [Relocated from Sec. 3-46.(e) **Communication Antennas]**
12414 (a) The placement of the communication antenna does not result in a height increase of more
12415 than 20 feet above the highest point of the structure; [Relocated from Sec. 3-46.(e)(1)
12416 **Communication Antennas]**
12417 (b) The communication antenna complies with all applicable FCC and FAA regulations; and
12418 **[Relocated from Sec. 3-46.(e)(2) Communication Antennas]**
12419 (c) The placement of the communication antenna complies with the current EIA/TIA Standards
12420 in effect at the time of placement as verified in writing by a Florida licensed engineer and
12421 submitted to the Building Department. [Relocated from Sec. 3-46.(e)(3) **Communication**
12422 **Antennas]**
12423 (4) General Standards. All towers and antennas shall comply with Federal Communications
12424 Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations.
12425 (5) Conflict. Where there is a conflict with other Divisions of the LDC or any State provisions, then the
12426 regulations found in these Divisions shall govern.
- 12427 **3-E-G.28.b. Communication Tower and Antenna Use Matrix**
- 12428 **PENDING**[BV173]
- 12429 **3-E-G.28.c. Definitions**
- 12430 For the purposes of this Section, the following words and phrases shall have the meanings ascribed to
12431 them by this Subsection. Words not otherwise defined herein or in any franchise agreement that might be
12432 granted hereunder shall be given the meaning set forth in the Communications Act of 1934, 47 U.S.C. §§
12433 521 et seq., as amended by the Telecommunications Act of 1996, and as those Acts may hereinafter be
12434 amended (collectively the "Communications Act"), and, if not defined therein, they shall be given their
12435 common and ordinary meaning.
- 12436 (1) Antenna – a device for the transmission or receipt of electromagnetic waves to provide wireless
12437 services. Typical types of antennas may include, but are not limited to panel and microwave dish
12438 antennas, and omni-directional antennas, such as whips; but exclude radar antennas, amateur
12439 radio antennas, and satellite earth stations.
- 12440 (2) Antenna, Communication – an antenna, appurtenant to a structure, designed to transmit and/or
12441 receive communications authorized by the FCC. [Relocated from Sec. 3-46.(c)(1)
12442 **Communication Antenna]**
- 12443 (3) Antenna Collocation – the installation of antennas by multiple owners or for multiple uses on a
12444 singular tower.
- 12445 (4) Antenna Support Structure – an apparatus or armature that connects an antenna or satellite dish
12446 to a tower or building, or to the ground in the absence of a tower.
- 12447 (5) Antenna, Whip – a pole antenna designed to be either rigid or flexible.

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- 12448 (6) Fall Zone – the ground area defined by the circle centered on the tower where the radius is defined
12449 by the furthest distance where the tower could hit if downed or crumpled.
- 12450 (7) FAA – Federal Aviation Administration.
- 12451 (8) FCC – Federal Communications Commission.
- 12452 (9) Satellite Dish Antenna - a dish-shaped type of parabolic antenna used to receive or transmit radio
12453 or electromagnetic waves between terrestrially and/or orbitally based units. Shall also include the
12454 term “satellite dish”.
- 12455 (10) Search Ring - the area in which the antenna of a wireless communication service provider shall be
12456 located in order to provide the provider's designed wireless communication service to a defined
12457 geographic area.
- 12458 (11) Shroud – a protective structure designed to house sensitive antenna components.
- 12459 (12) Small Cell – a low-powered cellular antenna designed to deliver coverage more incrementally than
12460 a larger tower or antenna could provide. Small cells can be affixed to towers or structures such as
12461 buildings or walls.
- 12462 (13) Tower – a fixed, freestanding, or guyed, uninhabitable structure, designed and constructed for utility
12463 purposes. Towers may be connected to or affixed to inhabitable structures but said structures are
12464 not considered part of the tower and shall conform to all sections of this code and any other
12465 applicable regulations, independently of the tower.
- 12466 (14) Tower, Camouflage – a tower designed to blend in with its surrounding environment as much as
12467 possible to mitigate visual and aesthetic impacts of the structure. While the physical context
12468 determines the extent and style of screening and design features necessary, typical camouflage
12469 features include paint and textures applied to the tower structure and architectural treatments to
12470 mask all antennas, equipment, support structures, and any otherwise visible components of the
12471 tower.
- 12472 (15) Tower, Communication – a primary structure which is principally intended to support
12473 communication equipment for telephone and similar communication purposes. The term
12474 "communication tower" shall not include: [Relocated from Sec. 3-46.(c)(2) Communication
12475 Tower]
- 12476 (a) towers primarily utilized for the provision of Commercial and radio broadcasts;
12477 [Relocated from Sec. 3-46.(c)(2)(i) Communication Tower]
- 12478 (b) towers primarily utilized by utility corporations or organizations for communications
12479 directly related to the provision of utilities; [Relocated from Sec. 3-46.(c)(ii)
12480 Communication Tower]
- 12481 (c) towers primarily utilized by amateur radio operators licensed by the FCC; and [Relocated
12482 from Sec. 3-46.(c)(2)(iii) Communication Tower]
- 12483 (d) towers included in Portable Storage Structure [MK174] of the Clay County Land
12484 Development Code. [Relocated from Sec. 3-46.(c)(2)(iv) Communication Tower]
- 12485 The towers listed above in Subsection (15)(a) through (d) are exempt from the provisions of this
12486 Section. [Relocated from Sec. 3-46.(c)(2) Communication Tower]
- 12487 (16) Tower, Guyed – a tower supported by guy lines, meaning tensioned cables attached to the ground
12488 that stabilize the structure.
- 12489 (17) Tower, Lattice Self-Support – a freestanding tower supported by its own internal network of trusses,
12490 affixed to the ground.
- 12491 (18) Tower, Monopole – a freestanding tower consisting of a solid or hollow, unsupported structure
12492 affixed to the ground.

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- 12493 (19) *Tower Site - a parcel of land smaller than the minimum lot size required in the zoning district*
12494 *completely contained within a lot meeting the standards of the zoning district for the purposes of*
12495 *locating a communication tower, exclusive of any accessory building or structure, tower support or*
12496 *peripheral anchors. [Relocated from Sec. 3-46.(c)(3) Towers Site]*
12497 (20) Telecommunication Facility - a fixed, mobile, or transportable structure, including all installed
12498 electrical and electronic wiring, cabling, and equipment, and all supporting structures, such as
12499 utility, ground network, and electrical supporting structures. A telecommunication facility may be in
12500 the form of a building, tower, antenna, or small cell.

3-E[BV175]-G.28.d. Application Standards for Towers

- 12502 (1)[BV176] Justification and Propagation Study. Shall be prepared by a Professional Engineer licensed
12503 in the State of Florida and shall be submitted with the Planning and Zoning application. The study,
12504 in addition to any typical standards, shall include the following:
12505 (a) Location of proposed site for new tower; or location of existing site for collocation;
12506 (b) Type of proposed tower and equipment;
12507 (c) A review of existing towers within the search ring, including capacity and coverage of these
12508 facilities. The applicant shall prove of a void in coverage and inadequacy of existing
12509 facilities to provide the proposed services which would require the construction of a new
12510 tower. This may include:
12511 i. Proof that current network coverage is insufficient to meet demand;
12512 ii. Proof that space is not reasonably available on the existing structures; [Relocated
12513 from Sec. 3-33A.I.16.d. Communication Towers]
12514 iii. Proof that the existing structures cannot reasonably support the antenna facilities;
12515 and [Relocated from Sec. 3-33A.I.16.d. Communication Towers]
12516 iv. Proof that the cost of co-location exceeds the cost of a new facility by at least 50
12517 percent. [Relocated from Sec. 3-33A.I.16.d. Communication Towers]
12518 (d) A commitment to joint use as follows: [Relocated from Sec. 3-33A.I.16.d.
12519 Communication Towers]
12520 i. *The applicant requesting the permit shall submit evidence to the County*
12521 *demonstrating that a genuine effort has been made to solicit additional users for*
12522 *the proposed new tower. Evidence of this shall include, at a minimum, copies of*
12523 *notices sent by registered mail, return receipt requested, to all other providers of*
12524 *cellular and wireless communications services within Clay County and adjacent*
12525 *counties, advising of the intent to construct a new tower, identifying the location,*
12526 *inviting the joint use and sharing of costs, and requesting a written response within*
12527 *15 business days. [Relocated from Sec. 3-33A.I.16.d.i. Communication*
12528 *Towers]*
12529 ii. *The applicant shall sign an instrument, maintained by the County, agreeing to*
12530 *encourage and promote the joint use of telecommunication towers within the*
12531 *County and, to that extent, committing that there shall be no unreasonable act or*
12532 *omission that would have the effect of excluding, obstructing, or delaying joint use*
12533 *of any tower where fair and just market reasonable compensation [BV177]is*
12534 *offered for such use. [Relocated from Sec. 3-33A.I.16.d.ii. Communication*
12535 *Towers]*

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- 12536 (e) Camouflage Towers and Antennas. Shall include design drawings and renderings or
12537 photographs of the proposed facility with details expressly showing the camouflage design
12538 features and strategies.
- 12539 (2) Fees[BV178]
- 12540 (3) Supplemental Application Standards
- 12541 (a) *Structural Design. In order to ensure that the structural failure or collapse of the tower will*
12542 *not create a safety hazard to adjoining properties, all Planning and Zoning applications for*
12543 *communication towers shall include calculations substantiating the position of the steel*
12544 *antenna towers and antenna supporting structures in effect and breakpoint calculations*
12545 *defining the fall zone of the tower, as published by Electronic Industries Association (EIA).*
12546 *The construction of all communication towers shall conform to the current EIA/TIA*
12547 *structural standards for steel antenna towers and antenna support structures and the*
12548 *Florida Building Code. Further, any improvement and/or additions to existing*
12549 *communication towers, excluding that allowed in Subsection 3-E-G.28.a.(4) General*
12550 *Standards shall require compliance with the EIA/TIA sstandards in effect at the time of said*
12551 *improvement or addition. Said plans shall be submitted to and reviewed and approved by*
12552 *the Building Department at the time building permits are requested. **[Relocated from Sec.***
12553 ***3-46.(m) Structural Design]***
- 12554 (b)[BV179] Abandonment, Bond, and Removal Agreement. Applications for any
12555 telecommunications facility use shall include a notarized removal agreement agreeing to
12556 the terms of Subsections 3-E-G.28.e.(3)(b)i. and post a removal bond prior to the issuance
12557 of any building permit for the facility to ensure proper removal at the end of life or in case
12558 of abandonment.
- 12559 i. *Abandonment. In the event the use of any communication tower has been*
12560 *discontinued for a period of 180 consecutive days, the tower shall be deemed to*
12561 *be abandoned. Determination of the date of abandonment shall be made by the*
12562 *Planning and Zoning Director or his/her designee, based upon documentation*
12563 *and/or affidavits from the communication tower owner/operator regarding the issue*
12564 *of tower usage. Upon the Director's determination of such abandonment, the*
12565 *owner/operator of the tower shall have an additional 185 days within which to*
12566 *reactivate the use of the tower or transfer the tower to another owner/operator who*
12567 *makes actual use of the tower, or dismantle and remove the tower. **[Relocated***
12568 ***from Sec. 3-46.(q) Abandonment]***
- 12569 ii. Entitlements at Time of Abandonment. At the earlier of 185 days from the date of
12570 abandonment without reactivation or upon completion of dismantling and removal,
12571 any variance approval, if required, or non-conforming use status, for the tower shall
12572 automatically expire. **[Relocated from Sec. 3-46.(q) Abandonment]**
- 12573 iii. Violation or Failure to Act. If owner/operator fails to fulfill their obligations under
12574 Subsection 3-E-G.28.e.(3)(b)i., the County may require removal of the tower by
12575 owner under a defined time period. If owner/operator fails to do so, then the County
12576 may assume ownership of the tower for a nominal sum of \$10.00; or the County
12577 may use the removal bond money to remove the tower from the site.
- 12578 (c) *Certification of Compliance with FCC NIER Standards. Prior to receiving final inspection,*
12579 *adequate proof shall be submitted to the Building Department documenting that the*

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12580 communication tower complies with all current FCC regulations for non-ionized
12581 electromagnetic radiation (NIER) and that the radio frequency levels meet the American
12582 National Standards Institute (ANSI) C95 guidelines for public safety. **[Relocated from Sec.**
12583 **3-46.(r) Certification of Compliance with Federal Communication Commission (FCC)**
12584 **NIER Standards]**
12585 (d) Inspection. TBD[CP180]
12586 (e) Variance Standards and Criteria. Any request to deviate from any of the standards of this
12587 Section of the Clay County Land Development Code shall comply with the procedures of
12588 Sec. 12-9 Rezoning and Amendments to the Code and the following criteria: **[Relocated**
12589 **from Sec. 3-46.(t) Variance standards and criteria for communication towers]**
12590 i. All standards for documentation and analysis shall be included in the required
12591 justification and propagation study;
12592 ii. In the case of an application for a variance from the standards of Subsections E-
12593 G-28.f.(1)(a) or (c), the applicant shall submit written evidence that all other
12594 reasonable siting alternatives which would not require a variance to serve the
12595 adjacent or nearby Residential area or areas have been explored but are
12596 unavailable to the applicant, acting reasonably, due to the failure to secure a lease
12597 or purchase of the alternative site from the current owner(s); **[Relocated from Sec.**
12598 **3-46.(t)(2) Variance standards and criteria for communication towers]**
12599 iii. Evidence that the applicant has made diligent but unsuccessful efforts to locate
12600 the proposed communication tower on suitable government-owned property;
12601 **[Relocated from Sec. 3-46.(t)(6) Variance standards and criteria for**
12602 **communication towers]**
12603 iv. The written consent by the applicant that any approval of any variance request
12604 shall be conditioned upon requiring the applicant to construct the proposed
12605 communication tower so as to provide sufficient excess capacity over the initial
12606 single user loading the permit at least one other comparable communication
12607 provider to use the proposed tower where feasible and subject to reasonable
12608 terms. The term "where feasible", as it applies to co-location means the utilization
12609 of a tower by another party which would, at the time of such utilization, comply with
12610 sound engineering principles, would not materially degrade or impair the
12611 communication tower's utilization by existing users, would not unduly burden the
12612 tower structurally, and would not otherwise materially and adversely impact
12613 existing users. Reasonable terms for use of a communication tower that may be
12614 imposed by the owner include a standard for reasonable rent or fees, taking into
12615 consideration the capitalized cost of the communication tower and land, rental and
12616 other charges payable by the tower owner, the incremental cost of designing and
12617 constructing the tower so as to accommodate additional users, increases in
12618 maintenance expenses relating to the tower and a fair return on investment,
12619 provided such amount is also consistent with rates paid by other co-locators at
12620 comparable tower sites; and **[Relocated from Sec. 3-46.(t)(7) Variance**
12621 **standards and criteria for communication towers]**

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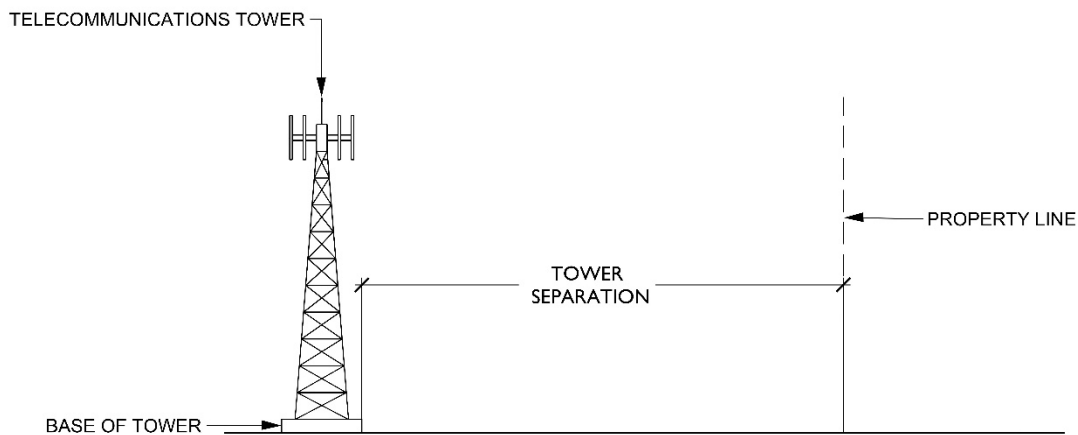
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- 12622 v. Information relating to the feasibility for camouflage of the tower and the cost
12623 thereof to camouflage communication towers. **[Relocated from Sec. 3-46.(t)(8)**
12624 **Variance standards and criteria for communication towers]**
12625 (f) Written Decision Standard. Any approval or denial of an application for a permit to construct
12626 and site a communication tower, or any granting or denial of a variance under this Section
12627 shall be in writing, shall contain factual findings and shall state the grounds supporting the
12628 decision. **[Relocated from Sec. 3-46.(u) Written Decision Requirement]**

3-E-G.28.e. Measurements

- 12630 (1) Setbacks. A setback as defined in Sec. 1-15.S.(6) shall be measured from the base of the proposed
12631 tower, regardless of height, to each respective lot line.



- 12632 (2) Separation Between Towers.
12633 i. Separation distances between communication towers shall be applicable for and measured
12634 between the proposed tower and those towers that are existing and/or have received a
12635 building permit. **[Relocated from Sec. 3-46.(h)(7) Separation distances]**
12636 ii. The separation distances shall be measured from the base of the existing tower to the
12637 proposed base, pursuant to a site plan, of the proposed tower. **[Relocated from Sec. 3-
12638 46.(h)(7) Separation distances]**

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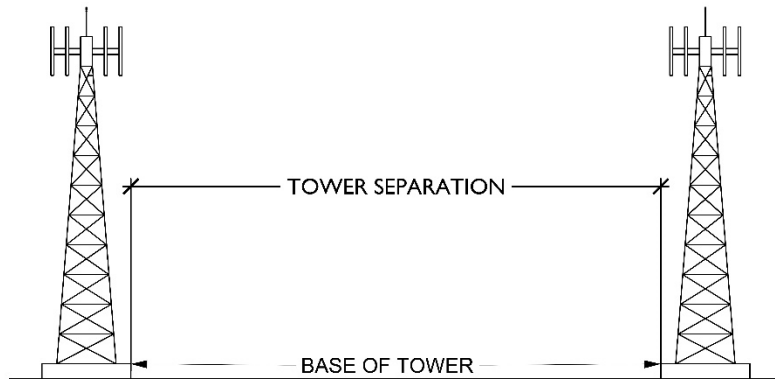
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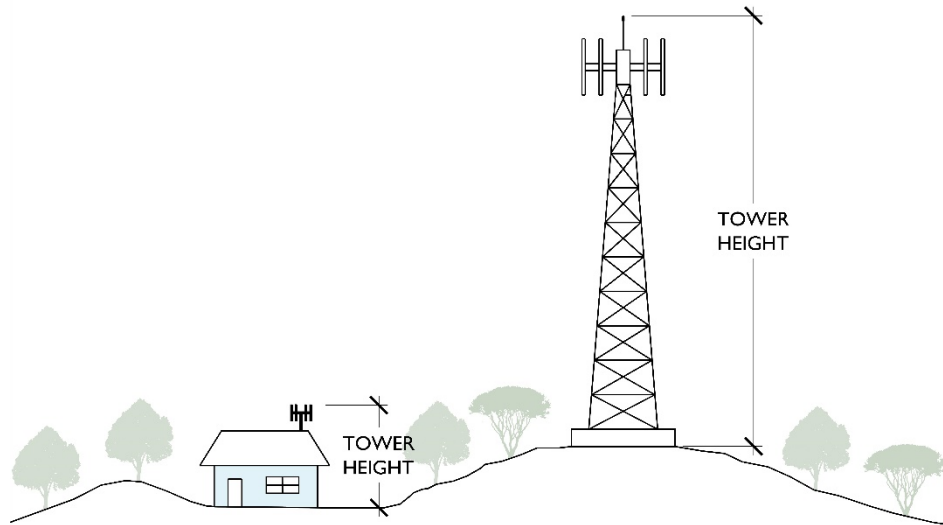
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12639 (3) Height. Shall be measured as the vertical distance, in feet, from the finished grade elevation of the
 12640 parcel to the highest point of the structure, inclusive of towers, antennas, and any other component
 12641 affixed thereto.



12642 **3-E-G.28.f. Towers Specific Use Standards**

(1) Dimensional Use Standards:

(a) <u>Minimum Setback^{1,2,5:}</u>	<u>Towers:</u>	<u>From any lot line</u>	<u>The</u>	<u>75 percent of</u>
		<u>of a Residential</u>		<u>greater</u>
		<u>zone or use:</u>	<u>of:</u>	<u>height³</u>
				<u>or 50 feet</u>
		<u>From any lot line</u>		<u>50 percent of</u>
		<u>of a Non-</u>		<u>the tower's</u>
				<u>height³</u>

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	<u>Residential zone or use:</u>	
	<u>From any existing public or private road or right-of-way⁴: [Relocated from Sec. 3-46.(h)(2) Setback]</u>	<u>50 feet [Relocated from Sec. 3-46.(h)(2) Setback]</u>
	<u>Accessory and attached structures to towers:</u>	<u>Apply setbacks of the lot's zoning district</u>
	<u>Guys and support anchors: [Relocated from Sec. 3-46.(h)(6) Setback]</u>	<u>10 feet</u>
<u>(b) Maximum Height:</u>		<u>250 feet [Relocated from Sec. 3-46.(i) Maximum Height]</u>
<u>(c) Separation between Towers:</u>	<u>≤200 feet</u>	<u>500 feet</u>
	<u>>200 feet</u>	<u>1,000 feet [Relocated from Sec. 3-46.(h)(7) Separation distances]</u>

Footnotes:

¹ All minimum distances and setbacks described in this Subsection shall be based and measured on the zoning of the real property in existence at the time of application for approval of a communication tower and any subsequent rezoning or development of parcels surrounding the property that would impact the minimum standards herein will not render the communication tower use non-conforming under subsequent (2)(e) herein, or an otherwise unlawful use. [Relocated from Sec. 3-46.(h)(8) Setback]

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Part E Use Types and Regulations

<u>2</u>	<u>Setback is based on the applicant's ability to prove that the proposed tower's fall zone will be contained within the subject property. If sufficient documentation is not provided, all setbacks shall be at least 110 percent of the tower's height.</u>
<u>3</u>	<u>Setback for camouflage towers that are up to 250 feet tall may be decreased by up to 50 percent at the discretion of the Planning and Zoning Director, or his/her designee.</u>
<u>4</u>	<u>Excepting tower access roads.</u>
<u>5</u>	<u>Refer to Sec. 3-D-A.3.a. Setback from Waterline, Aquatic Preserves or Outstanding Florida Waters.</u>

12643	(2) Additional Use Standards
12644	(a) <i>Equipment Storage. No equipment, mobile or immobile, not used in direct support of the communication tower or tower function shall be stored or parked on the applicable lot upon which the communication tower is located. <u>Equipment used in direct support of the communication tower or tower function may be stored on-site only in an enclosed accessory structure or fenced area.</u> [Relocated from Sec. 3-46.(j) Equipment Storage]</i>
12645	
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12649	(b) <i>Illumination. Communication towers shall not be artificially lighted except to assure human safety or as required by the FAA. [Relocated from Sec. 3-46.(k) Illumination and storage]</i>
12650	
12651	
12652	(c) <i>Warning Sign. If high voltage is necessary for the operation of the facility and is present in the ground or in the tower, <u>then signs</u> located every 20 feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE - DANGER". <u>For specific standards, refer to Sec. 7-F.8. Incidental Sign.</u> [Relocated from Sec. 3-46.(k) Illumination and storage]</i>
12653	
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12657	(d) <i>Finished Color. Communication towers not requiring FAA painting/markings shall have either a galvanized finish or painted dull blue, gray, or black finish. [Relocated from Sec. 3-46.(l) Finished Color]</i>
12658	
12659	
12660	(e) <i>Non-Conforming Communication Towers. To the extent set forth herein, the restrictions on non-conforming uses and structures contained in Part B Non-Conformities of the Clay County Land Development Code are modified and supplemented by this Section. [Relocated from Sec. 3-46.(p) Nonconforming communication towers]</i>
12661	
12662	
12663	
12664	i. <i>All <u>previously approved</u> communication towers shall be allowed to continue to be used as they presently exist. Bona fide non-conforming communication towers or antennas that are damaged or destroyed may be rebuilt and all such towers or antennas may be modified or replaced without meeting the minimum distance standards specified in Subsection f.(1). The type, height, and location of the tower on-site shall be of the same type, height, and location as the original facility approval. [Relocated from Sec. 3-46.(p) Nonconforming communication towers]</i>
12665	
12666	
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12672	ii. <i>Routine maintenance, replacement with a new tower of like construction, height and location, and modifications to accommodate the co-location of an additional user or users resulting in a height increase of 20 feet or less shall be permitted on such existing towers. Any replacement construction under this Subsection, and modifications to accommodate location on an existing communication on an existing communication tower, shall comply with the <u>standards</u> of Subsection 3-E-</i>
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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part E Use Types and Regulations

12678 G.28.(3)(a) relating to structural design. [Relocated from Sec. 3-46.(p)
12679 **Nonconforming communication towers]**
12680 iii. Building permits to rebuild the tower under this Subsection shall comply with the
12681 applicable Florida Building codes and shall be obtained within 180 days from the
12682 date the tower is damaged or destroyed. If no permit is obtained or if said permit
12683 expires, the communication tower shall be deemed abandoned as specified in
12684 Subsection 3-E-G.28.d.(3)(b)i. Abandonment. [Relocated from Sec. 3-46.(p)
12685 **Nonconforming communication towers]**

3-E-G.28.g. Antennas and Satellite Dishes Specific Use Standards

(1) Dimensional Use Standards

<u>(a)</u>	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
<u>(b)</u>	<u>Minimum Setback:</u>	<u>All structures unless stated otherwise: Apply setbacks of the lot's zoning district, if applicable</u>

(2) Additional Use Standards.

12687 (a) Building- or Roof-Mounted Antennas and Satellite Dishes.
12688 (b) Commercial Advertising. Shall not be permitted.
12689 (c) Lighting. Signals, lights, or illumination shall not be permitted unless required by the FCC or FAA.
12690 (d) Equipment Storage. Equipment building may be permitted on the same site as the antenna or satellite dish.
12691 (e) Controlled Access. Access to the antenna or satellite dish shall be controlled with fencing around the perimeter of the site and with gates to prevent access by the general public.
12692
12693
12694
12695

Sec. 3-26. Nonconforming communication towers

12696 ~~(a) Applicability. This Section shall apply to all lands in the unincorporated area of the County.~~
12697 ~~[Relocated to Sec. 3-E-G.28.a.(2) Applicability]~~
12698
12699 ~~(b) Legislative findings, intent and purpose. The County has on numerous occasions and with~~
12700 ~~increasing frequency been confronted with requests to site communication towers. Prior to the~~
12701 ~~adoption of this Section, the Clay County Land Development Code contained no provision~~
12702 ~~specifically related to siting communication towers. It is the intent of this Section to promote the~~
12703 ~~health, safety, and general welfare of the citizens by regulating the siting of communication towers.~~
12704 ~~Accordingly, the County finds that the promulgation of this Section is warranted and necessary to~~
12705 ~~accomplish the following purposes: [Relocated to Sec. 3-E-G.28.a.(1) Intent]~~
12706 ~~(1) To direct the location of communication towers within the County; [Relocated to Sec. 3-~~
12707 ~~E-G.28.a.(1)(a) Intent]~~
12708 ~~(2) To protect residential zoning districts and land uses from potential adverse impacts of~~
12709 ~~communication towers; [Relocated to Sec. 3-E-G.28.a.(1)(a) Intent]~~
12710 ~~(3) To minimize adverse visual and aesthetic impacts of communication towers through careful~~
12711 ~~design, siting, landscape screening, and innovative aesthetic mitigation; [Relocated to~~
12712 ~~Sec. 3-E-G.28.a.(1)(a) Intent]~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12713 (4) ~~To accommodate the growing need for communication towers; [Relocated to Sec. 3-E-~~
12714 ~~G.28.a.(1)(a) Intent]~~
- 12715 (5) ~~To promote and encourage shared use/co-location of existing and new communication~~
12716 ~~towers as the referred option rather than construction of additional single use towers;~~
12717 ~~[Relocated to Sec. 3-E-G.28.a.(1)(a) Intent]~~
- 12718 (6) ~~To consider the public health and safety of communication towers. [Relocated to Sec. 3-~~
12719 ~~E-G.28.a.(1)(a) Intent]~~
- 12720 (7) ~~To avoid or minimize potential damage to adjacent properties, from the perspective of~~
12721 ~~public safety, from tower failure through engineering and careful siting of tower structures.~~
12722 ~~[Relocated to Sec. 3-E-G.28.a.(1)(a) Intent]~~
- 12723 (c) ~~Definitions. For purposes of this section, definitions provided for in the Clay County Land~~
12724 ~~Development Code shall apply and the following additional words and terms are defined as follows:~~
- 12725 (1) ~~Communication Antenna means an antenna, appurtenant to a structure, designed to~~
12726 ~~transmit and/or receive communications authorized by the Federal Communications~~
12727 ~~Commission (FCC). [Relocated to Sec. 3-E-G.28.c.(2) Antenna, Communication]~~
- 12728 (2) ~~Communication Tower means a primary structure which is principally intended to support~~
12729 ~~communication equipment for telephone and similar communication purposes. The term~~
12730 ~~"communication tower" shall not include" [Relocated to Sec. 3-E-G.28.c.(15) Tower,~~
12731 ~~Communication]~~
- 12732 (i) ~~towers primarily utilized for the provision of commercial and radio broadcasts;~~
12733 ~~[Relocated to Sec. 3-E-G.28.c.(15)(a) Tower, Communication]~~
- 12734 (ii) ~~towers primarily utilized by utility corporations or organizations for communications~~
12735 ~~directly related to the provision of utilities. [Relocated to Sec. 3-E-G.28.c.(15)(b)~~
12736 ~~Tower, Communication]~~
- 12737 (iii) ~~towers primarily utilized by amateur radio operators licensed by the Federal~~
12738 ~~Communications Commission (FCC). [Relocated to Sec. 3-E-G.28.c.(15)(c)~~
12739 ~~Tower, Communication]~~
- 12740 (iv) ~~towers included in subsection 20.3-5(a) of the Clay County Land Development~~
12741 ~~Code. [Relocated to Sec. 3-E-G.28.c.(15)(d) Tower, Communication]~~
12742 ~~The towers listed in subsection (c)(2)(i)(ii)(iii) and (iv) are exempt from the~~
12743 ~~provisions of this section. The towers listed in subsection (c)(1) and (2) shall~~
12744 ~~comply with the provisions of subsection 20.3-5(a) of the Clay County Land~~
12745 ~~Development Code. [Relocated to Sec. 3-E-G.28.c.(15) Tower,~~
12746 ~~Communication]~~
- 12747 (3) ~~Towers Site means a parcel of land smaller than the minimum lot size required in the zoning~~
12748 ~~district completely contained within a lot meeting the requirements of the zoning district for~~
12749 ~~the purposes of locating a communication tower, exclusive of any accessory building or~~
12750 ~~structure, tower support or peripheral anchors. [Relocated to Sec. 3-E-G.28.c.(19) Tower~~
12751 ~~Site]~~
- 12752 (d) ~~Applicability; exemption for government-owned property; use of existing structures.~~
- 12753 (1) ~~All communication tower permits issued after the effective date of this ordinance shall be~~
12754 ~~subject to the Clay County Land Development Code and all other applicable building~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 12755 codes. In the event of any conflict between the zoning district regulations and the
12756 regulations contained in this Section, the provisions of this Section shall override and
12757 supersede such other regulations unless otherwise specifically set forth herein. **[Rewritten**
12758 **in Sec. 3-E-G.28.a.(2)(b) Applicability]**
- 12759 (2) ~~The provisions of this Section shall not apply to communication towers and communication~~
12760 ~~antennas located on property, rights of way or easements owned by any governmental~~
12761 ~~entity, except that all such towers shall comply with applicable building codes and the~~
12762 ~~minimum distances and separation distances described in subsection (h).~~ **[Relocated to**
12763 **Sec. 3-E-G.28.a.(2)(a) Applicability]**
- 12764 (3) ~~For purposes of this Section, a communication tower that has received final approval in the~~
12765 ~~form of either a variance or building permit, but has not yet been constructed, shall be~~
12766 ~~considered an existing tower so long as such approval is valid and unexpired.~~ **[Relocated**
12767 **to Sec. 3-E-G.28.a.(2)(b) Applicability]**
- 12768 (e) ~~Communication Antennas. No approval shall be required to locate a communication antenna on~~
12769 ~~existing structures, which may include, but are not limited to buildings, water towers, existing~~
12770 ~~communications towers, recreational light fixtures and other essential public utility structures,~~
12771 ~~provided that:~~ **[Relocated to Sec. 3-E-G.28.a.(3) Exemption for Communication Antennas]**
- 12772 (1) ~~The placement of the communication antenna does not result in a height increase of more~~
12773 ~~than twenty (20) feet above the highest point of the structure;~~ **[Relocated to Sec. 3-E-**
12774 **G.28.a.(3)(a) Exemption for Communication Antennas]**
- 12775 (2) ~~The communication antenna complies with all applicable FCC and Federal Aviation~~
12776 ~~Administration (FAA) regulations;~~ **[3-E-G.28.a.(3)(b) Exemption for Communication**
12777 **Antennas]**
- 12778 (3) ~~The placement of the communication antenna is in compliance with the current EIA/TIA~~
12779 ~~Standards in effect at the time of placement as verified in writing by a Florida licensed~~
12780 ~~engineer and submitted to the Building Department.~~ **[3-E-G.28.a.(3)(c) Exemption for**
12781 **Communication Antennas]**
- 12782 (h) ~~Minimum Distance of Communication Towers from Residential Zoning Districts and right-of-way~~
12783 ~~and set backs; Separation distances between towers and separation from waterfront.~~
- 12784 (1) ~~Regardless of the zoning district in which the communication tower is located, the minimum~~
12785 ~~distance of the tower shall be not less than two hundred (200) feet from the nearest~~
12786 ~~residentially zoned lot line in the following zoning districts: Single Family Residential~~
12787 ~~District (RA), Single Family Residential District (RB), One, Two or Three Family Residential~~
12788 ~~District (RC), Multi-Family District (RD), Single Family Residential District (RE), Residential~~
12789 ~~Mobile Home Park (RMHP), Country Estates District (AR-1), Rural Estates District (AR-2).~~
12790 **[Deleted]**
- 12791 (2) ~~Regardless of the zoning district which the communication tower is located, the minimum~~
12792 ~~distance of the tower shall be not less than fifty (50) feet from the nearest public or existing~~
12793 ~~private road or right-of-way.~~ **[Relocated to Sec. 3-E-G.28.f.(1)(a) Minimum setback]**
- 12794 (3) ~~All structures shall be set back a minimum of 50 feet landward from the ordinary high water~~
12795 ~~line or mean high water line, whichever is applicable; for waters designated as Aquatic~~
12796 ~~Preserves or Outstanding Florida Waters, the setback will be 100 feet. These setbacks~~

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- 12797 shall not apply to structures on lots or parcels located landward of existing bulkheads
12798 permitted by the St. Johns River Water Management District or Florida Department of
12799 Environmental Protection. **[Deleted and replaced in Sec. 3-E-G.28.f.(1) Footnote 5]**
- 12800 (4) ~~Minimum distances shall be measured from the center of the base of the communication~~
12801 ~~tower. **[Deleted and replaced in Sec. 3-E-G.28.e.(2) Separation Between Towers]**~~
- 12802 (5) ~~All accessory buildings and structures to a communication tower shall conform to the~~
12803 ~~setback requirements for the applicable zoning district in which they are located. **[Deleted]**~~
- 12804 (6) ~~All tower supports and peripheral anchors shall be located within the boundaries of the~~
12805 ~~applicable lot and in no case less than five (5) feet from the lot line. **[Relocated to Sec. 3-**~~
12806 ~~**E-G.28.f.(1)(a) Minimum setback]**~~
- 12807 (7) ~~Separation distances between communication towers shall be applicable for and measured~~
12808 ~~between the proposed tower and those towers that are existing and/or have received a~~
12809 ~~building permit after the effective date of the ordinance enacting this Section. **[Relocated**~~
12810 ~~**to Sec. 3-E-G.28.e.(2)i. Separation Between Towers]** The separation distances shall be~~
12811 ~~measured by drawing or following a straight line between the base of the existing tower~~
12812 ~~and the proposed base, pursuant to a site plan, of the proposed tower. **[Relocated to Sec.**~~
12813 ~~**3-E-G.28.e.(2)ii. Separation Between Towers]** The separation distance shall be one~~
12814 ~~thousand (1,000) feet. **[Relocated to Sec. 3-E-G.28.f.(1)(c) Separation between towers]**~~
12815 ~~Separation distances shall not apply in the following zoning districts: Industrial Select~~
12816 ~~District (IS), Light Industrial District (IA), Heavy Industrial District (IB). **[Deleted]**~~
- 12817 (8) ~~All minimum distances and setbacks described in this subsection shall be based and~~
12818 ~~measured on the current zoning of the real property in existence at the time of application~~
12819 ~~for a building permit for a communication tower, notwithstanding any future land use~~
12820 ~~designation of the subject real property. Subsequent rezoning of real property within the~~
12821 ~~radius of the site of an existing communication tower which could allow for residentially~~
12822 ~~zoned lot lines closer to the communication tower than the minimum distances and~~
12823 ~~setbacks otherwise allowed will not render the communication tower use non-conforming~~
12824 ~~under subsequent (p) herein, or an otherwise unlawful use. **[Relocated to Sec. 3-E-**~~
12825 ~~**G.28.f.(1) Footnote 1]**~~
- 12826 (i) ~~Maximum Height. Measurement of communication tower height shall include antenna, base pad,~~
12827 ~~and other appurtenances and shall be measured from the finished grade of the parcel. The~~
12828 ~~maximum height of communication towers shall be two hundred fifty (250) feet. **[Relocated to Sec.**~~
12829 ~~**3-E-G.28.f.(b) Maximum height]**~~
- 12830 (j) ~~Equipment Storage. No equipment, mobile or immobile, not used in direct support of the~~
12831 ~~communication tower or tower function shall be stored or parked on the applicable lot upon which~~
12832 ~~the communication tower is located. **[Relocated to Sec. 3-E-G.28.f.(2)(a) Equipment Storage]**~~
- 12833 (k) ~~Illumination and signage. Communication towers shall not be artificially lighted except to assure~~
12834 ~~human safety or as required by the FAA. **[Relocated to Sec. 3-E-G.28.f.(2)(c) Warning Sign]** If~~
12835 ~~high voltage is necessary for the operation of the facility and is present in a ground or in the tower,~~
12836 ~~signs located every twenty (20) feet and attached to the fence or wall shall display in large bold~~
12837 ~~letters the following: "HIGH VOLTAGE - DANGER". **[Relocated to Sec. 3-E-G.28.f.(2)(b)**~~
12838 ~~**Illumination]**~~

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- 12839 ~~(l) — Finished Color. Communication towers not requiring FAA painting/marketing shall have either a~~
12840 ~~galvanized finish or painted dull blue, gray or black finish. [Relocated to Sec. 3-E-G.28.f.(2)(d)~~
12841 ~~Finished Color]~~
- 12842 ~~(m) — Structural Design. In order to ensure that the structural failure or collapse of the tower will not~~
12843 ~~create a safety hazard to adjoining properties, all communication towers shall be located on the~~
12844 ~~site so as to provide a minimum distance equal to one hundred and ten (110) percent of the height~~
12845 ~~of the tower from all property lines, or shall be certified by a registered engineer in the State of~~
12846 ~~Florida, who shall submit calculations substantiating the position of the steel antenna towers and~~
12847 ~~antenna supporting structures in effect, as published by Electronic Industries Association. The~~
12848 ~~construction of all communication towers must conform to the current EIA/TIA structural standards~~
12849 ~~for steel antenna towers and antenna support structures, and all applicable County Building Codes.~~
12850 ~~Further, any improvement and/or additions to existing communication towers, excluding that~~
12851 ~~allowed in subsection (e), shall require compliance with the EIA/TIA Standards in effect at the time~~
12852 ~~of said improvement or addition. Said plans shall be submitted to and reviewed and approved by~~
12853 ~~the Building Department at the time building permits are requested. If the minimum distances~~
12854 ~~contained in subsection (h) exceed the minimum distances required by this subsection, then the~~
12855 ~~minimum distances of subsection (h) shall apply. [Relocated to Sec. 3-E-G.28.d.(3)(a) Structural~~
12856 ~~Design]~~
- 12857 ~~(e) — Landscaping. The visual impacts of communication towers shall be mitigated through landscaping~~
12858 ~~or other screening materials at the base of the tower and ancillary structures. [Deleted]~~
- 12859 ~~(1) — The following landscaping and buffering of communication towers shall be required around~~
12860 ~~the perimeter of the tower and accessory structures: [Deleted]~~
- 12861 ~~(i) — A row of shade trees a minimum of six (6) feet tall and a maximum of ten (10) feet~~
12862 ~~apart shall be planted around the perimeter of the fence; [Deleted]~~
- 12863 ~~(ii) — A continuous hedge at least thirty (30) inches high at the time of planting, capable~~
12864 ~~of growing to a least 36 inches in height within eighteen (18) months, shall be~~
12865 ~~planted in front of the tree line referenced above; [Deleted]~~
- 12866 ~~(iii) — All required landscaping shall be of the evergreen variety; and [Deleted]~~
- 12867 ~~(iv) — All required landscaping shall be xeriscape tolerant or irrigated and properly~~
12868 ~~maintained to ensure good health and vitality. [Deleted]~~
- 12869 ~~(2) — Required landscaping shall be installed outside the fence or wall.(3) The use of existing~~
12870 ~~vegetation shall be preserved to the maximum extent practicable and may be credited as~~
12871 ~~appropriate toward meeting landscaping requirements. [Deleted]~~
- 12872 ~~(3) — The use of existing vegetation shall be preserved to the maximum extent practicable and~~
12873 ~~may be credited as appropriate toward meeting landscaping requirements. [Deleted]~~
- 12874 ~~(4) — These standards may be waived by the Zoning Director for those sides of the proposed~~
12875 ~~tower that are located adjacent to undevelopable lands not in public view. [Deleted]~~
- 12876 ~~(p) — Non-Conforming Communication Towers. To the extent set forth herein, the restrictions on~~
12877 ~~nonconforming uses and structures contained in Section 20.3.11 of the Clay County Land~~
12878 ~~Development Code are modified and supplemented by this section. [Relocated to Sec. 3-~~
12879 ~~Relocated to Sec. 3-E-G.28.f.(2)(e) Non-Conforming Communication Towers] All~~
12880 ~~communication towers existing on the effective date of the ordinance enacting this Section shall be~~

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Part E Use Types and Regulations

12881 ~~allowed to continue to be used as they presently exist. Bona fide nonconforming communication~~
12882 ~~towers or antennas that are damaged or destroyed may be rebuilt and all such towers or antennas~~
12883 ~~may be modified or replaced without meeting the minimum distance requirements specified in~~
12884 ~~subsection (h). The type, height, and location of the tower on-site shall be of the same type, height~~
12885 ~~and location as the original facility approval. [Relocated to Sec. 3-E-G.28.f.(2)(e)j. Non-~~
12886 ~~Conforming Communication Towers] Routine maintenance, replacement with a new tower of~~
12887 ~~like construction, height and location and modifications to accommodate the co-location of an~~
12888 ~~additional user or users resulting in a height increase of twenty (20) feet or less shall be permitted~~
12889 ~~on such existing towers. Any replacement construction under this subsection, and modifications to~~
12890 ~~accommodate location on an existing communication on an existing communication tower, shall~~
12891 ~~comply with the requirements of subsection (m) relating to structural design. [Relocated to Sec.~~
12892 ~~3-E-G.28.f.(2)(e)ii. Non-Conforming Communication Towers] Building permits to rebuild the~~
12893 ~~tower under this subsection shall comply with the applicable building codes and shall be obtained~~
12894 ~~within one hundred eight (180) days from the date the tower is damaged or destroyed. If no permit~~
12895 ~~is obtained or if said permit expires, the communication tower shall be deemed abandoned as~~
12896 ~~specified in subsection (q). [Relocated to Sec. 3-E-G.28.f.(2)(e)iii. Non-Conforming~~
12897 ~~Communication Towers]~~
12898 (q) ~~Abandonment. In the event the use of any communication tower has been discontinued for a period~~
12899 ~~of one hundred eighty (180) consecutive days, the tower shall be deemed to be abandoned.~~
12900 ~~Determination of the date of abandonment shall be made by the Zoning Director, based upon~~
12901 ~~documentation and/or affidavits from the communication tower owner/operator regarding the issue~~
12902 ~~of tower usage. Upon the Zoning Director's determination of such abandonment, the~~
12903 ~~owner/operator of the tower shall have an additional one hundred eighty five (185) days within which~~
12904 ~~to reactivate the use of the tower or transfer the tower to another owner/operator who makes actual~~
12905 ~~use of the tower, or dismantle and remove the tower. [Relocated to Sec. 3-E-G.28.d.(3)(b)i.~~
12906 ~~Abandonment] At the earlier of one hundred eighty five (185) days from the date of abandonment~~
12907 ~~without reactivation or upon completion of dismantling and removal, any variance approval, if~~
12908 ~~required, or non-conforming use status, for the tower shall automatically expire. [Relocated to Sec.~~
12909 ~~3-E-G.28.d.(3)(b)ii. Entitlements at Time of Abandonment]~~
12910 (r) ~~Certification of Compliance with Federal Communication Commission (FCC) NIER Standards.~~
12911 ~~Prior to receiving final inspection, adequate proof shall be submitted to the Building Department~~
12912 ~~documenting that the communication tower complies with all current FCC regulations for non-~~
12913 ~~ionized electromagnetic radiation (NIER) and that the radio frequency levels meet the American~~
12914 ~~National Standards Institute (ANSI) C95 guidelines for public safety. [Relocated to Sec. 3-E-~~
12915 ~~G.28.d.(3)(c) Certification of Compliance with FCC]~~
12916 (t) ~~Variance standards and criteria for communication towers. Any request to deviate from any of the~~
12917 ~~requirements of this Section or the Clay County Land Development Regulations regarding the siting~~
12918 ~~of all communication towers and communication antennas, shall require approval of a variance~~
12919 ~~from the Clay County Board of Adjustment. Notwithstanding any other variance criteria in the Clay~~
12920 ~~County Land Development Code, with respect to action upon applications for variances from the~~
12921 ~~requirements of this section, the Board of Adjustment shall grant a variance only if it finds from a~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

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- 12922 ~~preponderance of the evidence that the variance meets the following standards and criteria:~~
12923 **[Relocated to Sec. 3-E-G.28.d.(3)(e) Variance Standards and Criteria]**
12924 (1) ~~Certification by a Florida licensed engineer that the proposed communication tower is~~
12925 ~~reasonably necessary to serve an adjacent or nearby residential area or areas shall be~~
12926 ~~required; [Deleted]~~
12927 (2) ~~In the case of an application for a variance from the requirements of subsections (h)(i), and~~
12928 ~~(vi), relating to minimum distances and separation distances, certification by a Florida~~
12929 ~~licensed engineer that the proposed location of the communication tower is the only~~
12930 ~~location which can serve an adjacent or nearby residential area or areas thereby justifying~~
12931 ~~the shorter minimum distance or separation distance requested and the applicant submits~~
12932 ~~written evidence that all other reasonable siting alternatives which would not require a~~
12933 ~~variance to serve the adjacent or nearby residential area or areas have been explored but~~
12934 ~~are unavailable to the applicant, acting reasonably, due to the failure to secure a lease or~~
12935 ~~purchase of the alternative site from the current owner(s). [Relocated to Sec. 3-E-~~
12936 ~~G.28.d.(3)(e)ii. Variance Standards and Criteria]~~
12937 (3) ~~The variance sought is the minimum necessary to address the need for the variance,~~
12938 ~~subsequent to exploring all reasonable siting alternatives; [Deleted]~~
12939 (4) ~~The location of the proposed communication tower in relation to existing structures, trees,~~
12940 ~~and other visual buffers shall minimize, to the greatest extent reasonably practicable under~~
12941 ~~the circumstances, any impacts on affected residentially-zoned property; [Deleted]~~
12942 (5) ~~If the proposed tower site does not meet the minimum distance, setback or separation~~
12943 ~~distance requirements of subsection (h), then an updated zoning or tax map indicating all~~
12944 ~~affected contiguous and adjacent lots, or existing tower locations within the minimum~~
12945 ~~distances, set back or separation distance requirements shall be provided; [Deleted]~~
12946 (6) ~~Evidence that the applicant has made diligent but unsuccessful efforts to locate the~~
12947 ~~proposed communication tower on suitable government-owned property; [Relocated to~~
12948 ~~Sec. 3-E-G.28.d.(3)(e)iii. Variance Standards and Criteria]~~
12949 (7) ~~The written consent by the applicant that any approval of any variance request shall be~~
12950 ~~conditioned upon requiring the applicant to construct the proposed communication tower~~
12951 ~~so as to provide sufficient excess capacity over the initial single user loading the permit at~~
12952 ~~least one other comparable communication provider to use the proposed tower where~~
12953 ~~feasible and subject to reasonable terms. The term "where feasible", as it applies to co-~~
12954 ~~location means the utilization of a tower by another party which would, at the time of such~~
12955 ~~utilization, comply with sound engineering principles, would not materially degrade or~~
12956 ~~impair the communication tower's utilization by existing users, would not unduly burden the~~
12957 ~~tower structurally, and would not otherwise materially and adversely impact existing users.~~
12958 ~~Reasonable terms for use of a communication tower that may be imposed by the owner~~
12959 ~~include a requirement for reasonable rent or fees, taking into consideration the capitalized~~
12960 ~~cost of the communication tower and land, rental and other charges payable by the tower~~
12961 ~~owner, the incremental cost of designing and constructing the tower so as to accommodate~~
12962 ~~additional users, increases in maintenance expenses relating to the tower and a fair return~~
12963 ~~on investment, provided such amount is also consistent with rates paid by other co-locators~~

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- 12964 ~~at comparable tower sites;~~ **[Relocated to Sec. 3-E-G.28.d.(3)(e)iv. Variance Standards**
12965 **and Criteria]**
- 12966 ~~(8) Information relating to the feasibility for camouflage of the tower and the cost thereof to~~
12967 ~~camouflage communication towers;~~ **[Relocated to Sec. 3-E-G.28.d.(3)(e)v. Variance**
12968 **Standards and Criteria]**
- 12969 ~~(9) The communication tower will be compatible with the existing contiguous uses or zoning~~
12970 ~~and compatible with the general character and aesthetics of the neighborhood or the area,~~
12971 ~~considering the design and height of the communication tower, the mitigating effect of any~~
12972 ~~existing or proposed landscaping, fencing or other structures in the area, the proximity of~~
12973 ~~the communication tower to existing or proposed buildings or structures, and similar~~
12974 ~~factors;~~ **[Deleted]**
- 12975 ~~(10) If the applicant is not co-locating (sharing space) on the proposed communication tower of~~
12976 ~~another communications provider, evidence that it has made diligent but unsuccessful~~
12977 ~~efforts to co-locate its antenna and associated equipment on an existing structure,~~
12978 ~~including proximity distances to all existing towers within a three mile radius of the~~
12979 ~~proposed tower site.~~ **[Deleted and consolidated under Sec. 3-E-G.28.d.(1)(c)**
12980 **Justification and Propagation Study]**
- 12981 ~~(u) Written Decision Requirement. Any approval or denial of an application for a permit to construct~~
12982 ~~and site a communication tower, or any granting or denial of a variance under this section shall be~~
12983 ~~in writing, shall contain factual findings and shall state the grounds supporting the decision.~~
12984 **[Relocated to Sec. 3-E-G.27.d.(3)(f) Written Decision Standard]**
- 12985 **Branan Field**
- 12986 ~~16. Communications Towers. Communications towers are allowed as Conditional uses in the BF Rural~~
12987 ~~Suburbs, BF Master Planned Community, BF Rural Activity Center, BF Community Center, and BF~~
12988 ~~Activity Center districts, within 200 feet of residentially zoned property, if they meet the provisions~~
12989 ~~of Section 20.3.46 of the Land Development Regulations, except that those provisions related to~~
12990 ~~setbacks from residential districts shall not apply, along with the following conditions:~~ **[Deleted]**
- 12991 ~~a. Documentation from a Professional Engineer (P.E.) experienced in the area of radio~~
12992 ~~frequency demonstrating that the tower location is necessary for adequate area coverage~~
12993 ~~and that such coverage carrier's designed service cannot be achieved by placing towers~~
12994 ~~in commercial land use and zoning districts;~~ **[Deleted]**
- 12995 ~~b. Documentation from a Professional Engineer (P.E.) experienced in the area of radio~~
12996 ~~frequency sets the maximum height at no more than that needed for adequate area~~
12997 ~~coverage needed for the carrier's designed service;~~ **[Deleted]**
- 12998 ~~c. Documentation a Professional Engineer (P.E.) experienced in the area of radio frequency~~
12999 ~~that a bona fide need exists for the facility and that no reasonable combination of sites,~~
13000 ~~heights, or designs will achieve the carrier's designed service.~~ **[Deleted]**
- 13001 ~~d. The applicant must further prove that it has made all reasonable efforts to procure antenna~~
13002 ~~space on existing facilities, or and that space is not reasonably available on the structure~~
13003 **[Relocated to Sec. 3-E-G.27.d.(1)(c)ii. Justification and Propagation Study] ;** ~~or the~~
13004 ~~structure cannot reasonably support the antenna facilities~~ **[Relocated to Sec. 3-E-**
13005 **G.27.d.(1)(c)iii. Justification and Propagation Study] ;** ~~or that the cost of co-location~~

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13006 ~~exceeds the cost of a new facility by at least fifty percent.~~ **[Relocated to Sec. 3-E-**
13007 **G.27.d.(1)(c)iv. Justification and Propagation Study]** ~~Prior to the issuance of a permit~~
13008 ~~for a new tower in excess of 100 feet in height, the applicant shall demonstrate commitment~~
13009 ~~to joint use as follows.~~ **[Relocated to Sec. 3-E-G.28.d.(1)(d) Justification and**
13010 **Propagation Study]**
13011 ~~i. The applicant requesting the permit shall submit evidence to the County~~
13012 ~~demonstrating that a genuine effort has been made to solicit additional users for~~
13013 ~~the proposed new tower. Evidence of this shall include, at a minimum, copies of~~
13014 ~~notices sent by registered mail, return receipt requested, to all other providers of~~
13015 ~~cellular and wireless communications services within Clay County and adjacent~~
13016 ~~counties, advising of the intent to construct a new tower, identifying the location,~~
13017 ~~inviting the joint use and sharing of costs, and requesting a written response within~~
13018 ~~fifteen business days.~~ **[Relocated to Sec. 3-E-G.28.d.(1)(d)i. Justification and**
13019 **Propagation Study]**
13020 ~~ii. The applicant shall sign an instrument, maintained by the County, agreeing to~~
13021 ~~encourage and promote the joint use of telecommunications towers within the~~
13022 ~~County and, to that extent, committing that there shall be no unreasonable act or~~
13023 ~~omission that would have the effect of excluding, obstructing or delaying joint use~~
13024 ~~of any tower where fair and just market reasonable compensation is offered for~~
13025 ~~such use.~~ **[Relocated to Sec. 3-E-G.28.d.(1)(d)ii. Justification and Propagation**
13026 **Study]**
13027

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Part E Use Types and Regulations

13028

DIVISION H INDUSTRIAL AND EXCAVATION USES

13029

Sec. 3-E-H.1 Industrial and Excavation Uses

13030

All Industrial and Excavation uses within Clay County are identified in [Table 3-E-B.1.a. Industrial and](#)

13031

[Excavation Use Matrix](#) which only identifies those zoning districts or FLU categories where an Industrial

13032

and Excavation use is allowed subject to a Permitted use, Conditional use, or [Special Exception](#) use

13033

approval process based on the proposed intensity. Development standards specific to each use type shall

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be in compliance regardless of the approval process identified. If a use is provided at a lesser intensity than

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what is required, the Planning and Zoning Director, or his/her designee may allow a lesser permitted

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process of the application(s) and make a final decision of either approve or deny.

13037

Table 3-E-H.1.a. Industrial and Excavation Use Matrix – Standard Development Districts

	<u>AG</u>	<u>AR</u>	<u>AR-1</u>	<u>AR-2</u>	<u>IS</u>	<u>IA</u>	<u>IB</u>	<u>BP</u>	<u>PO-3</u>	<u>EX</u>
<u>Boatyard</u>						<u>P</u>	<u>P</u>			
<u>Contractor Storage Yard</u>	<u>P</u>								<u>P</u>	
<u>Excavation, Class 1</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>						
<u>Excavation, Class 2</u>							<u>C</u>		<u>C</u>	<u>P</u>
<u>Incinerator</u>										<u>P</u>
<u>Manufacturing and Processing, Light</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Manufacturing and Processing, Heavy</u>						<u>P</u>	<u>P</u>			
<u>Medical or Dental Laboratory</u>						<u>P</u>	<u>P</u>			
<u>Vehicle and Boat Storage</u>						<u>P</u>	<u>P</u>			
<u>Warehouse</u>						<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	
<u>Legend:</u> <u>P</u> – Permitted Use <u>C</u> – Conditional Use <u>S</u> – (Special Exception)										

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13038

Table 3-E-H.1.b. Industrial and Excavation Use Matrix – Master Planned Communities

	<u>BF</u>										<u>LAMPA</u>					
	<u>RS</u>	<u>MPC NC</u>	<u>MPC Village Zone</u>	<u>MPC Suburban</u>	<u>RAC</u>	<u>RNC</u>	<u>CC</u>	<u>AC</u>	<u>MU</u>	<u>MPC</u>	<u>RRSV</u>	<u>RC</u>	<u>RF</u>	<u>AC</u>	<u>VC</u>	<u>IVC</u>
<u>Boatyard</u>																
<u>Contractor Storage Yard</u>								P								
<u>Excavation, Class 1</u>	C			C					C	C		C	C			
<u>Excavation, Class 2</u>																
<u>Incinerator</u>																
<u>Manufacturing and Processing, Light</u>																
<u>Manufacturing and Processing, Heavy</u>								P	P							P
<u>Medical or Dental Laboratory</u>																
<u>Vehicle and Boat Storage</u>								C		P	P	P	P			
<u>Warehouse</u>								P	P							P
<u>Legend:</u> P – Permitted Use C – Conditional Use S – (Special Exception)																

13039

Sec. 3-E-H.2. Boatyard

13040

3-E-H.2.a. Description and Typical Uses

13041

A facility intended to provide complete construction and repair facilities, including dry storage for all manner

13042

of marine craft. Typical uses may include, but are not limited to, boat or yacht repairing or overhauling, and

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marine maintenance facilities. [Relocated from Sec. 3-29.(7)]

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3-E-H.2.b. Specific Use Standards

(1) Dimensional Use Standards:

(a) Minimum Lot Size: 4 acres

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(b)	<u>Minimum Setback:</u>	<u>From any lot line of a Residential use:</u>	<u>50 feet</u>
-----	-------------------------	--	----------------

- 13045 (2) Additional Use Standards:
13046 (a) Permanent Docking. Permanent docking of Commercial pleasure boating shall not be
13047 included in this use type.

13048 **3-29. Light Industrial (Zone IA)**

- 13049 (7) ~~Boatyard. This facility is intended to provide complete construction and repair facilities for all~~
13050 ~~manner of marine craft in addition to such dry storage as may be found complimentary to the~~
13051 ~~primary use. Docking of pleasure craft for residential purposes is prohibited. [Partially relocated~~
13052 ~~to Sec. 3-E-H.2. Description and Typical Uses and Sec. 3-E-H.2.c. Accessory and Collocated~~
13053 ~~Uses]~~

- 13054 (8) ~~Marina/Boatyard. The purpose of this operation is to provide boat repair and storage services. The~~
13055 ~~fueling of resident and transient craft is permitted. Docking of pleasure craft for residential purposes~~
13056 ~~is considered as an accessory use. [Consolidated under Sec. 3-E-H.2. Description and typical~~
13057 ~~uses and Sec. 3-E-H.2.c. Accessory and Collocated Uses]~~

13058 **Sec. 3-5. Conditional Uses.**

- 13059 (ak) ~~Marine Facilities.~~

- 13060 (1) ~~Marina/Commercial Boat Dock/Yacht Club. The primary purpose of this facility is wet~~
13061 ~~storage and the docking of pleasure craft for residential purposes. Attendant social and~~
13062 ~~commercial uses such as yacht club, restaurant, lounge, or shops chandler are considered~~
13063 ~~as an accessory use. Parking facilities are permitted. [Consolidated under Sec. 3-E-~~
13064 ~~E.10.a. Description and Typical Uses]~~

- 13065 (2) ~~Marina/Boatel. A marina/boatel may include a full spectrum of residential accommodations~~
13066 ~~including, but not limited to, powered pleasure craft, other floating residential uses, and on-~~
13067 ~~shore motel facilities with attendant restaurant and lounge as accessory uses.~~
13068 ~~[Consolidated under Sec. 3-E-D.9. Hotel or Motel]~~

- 13069 (3) ~~Additional Special Regulations.~~

- 13070 (i) ~~Parking. For each four (4) boats accommodated at the facility, there shall be~~
13071 ~~provided on (1) parking space. In addition, for such accessory facilities as yacht~~
13072 ~~clubs and the like, five (5) spaces per one thousand (1,000) square feet of total~~
13073 ~~area shall be provided. Motels shall provide parking pursuant to the off-street~~
13074 ~~parking and loading regulations of Section 6, Ordinance 82-45, as amended.~~
13075 ~~Boatels shall provide one and one half (1-1/2) spaces per dwelling unit if operated~~
13076 ~~as a condominium. [Relocated to Part F, Division J, Sec. 3-F-J.2.a.(4)(5)and (6)~~
13077 ~~Parking Standards]~~

- 13078 (ii) ~~On Site Sewer and Water Facilities. All marine facilities shall provide at each boat~~
13079 ~~slip an individual sewer and water connection which shall be connected to either~~
13080 ~~an approved on shore sewage treatment plant and water source or to an approved~~
13081 ~~existing sewage system and water source. In lieu of the above, a central dumping~~
13082 ~~station may be provided upon approval of all governmental agencies having~~
13083 ~~appropriate jurisdiction. (Amended 05/04 Ord. 04-28) [Deleted as all~~
13084 ~~development order applications are subject to provision of concurrency~~

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13085 (adequate public facilities), and no need to specify in some uses and not in
 13086 others]

13087 Sec. 3-E-H.3. Contractor Storage Yard

13088 3-E-H.3.a. Description and Typical Uses

13089 A facility which provides storage of construction and mechanical equipment and materials, or
 13090 Commercial/Industrial vehicles used by building trades. Typical uses may include, but are not limited to
 13091 maintenance yard facilities, fuel depots or heavy equipment storage.

13092 3-E-H.3.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Setback:</u>	<u>From any lot line of a Residential use: 50 feet</u>

13093 (2) Additional Use Standards:

- 13094 (a) Central sewer and water shall be available. [Relocated from Sec. 3-5.(bh)(1)]
- 13095 (b) Outdoor storage. All outdoor storage of equipment, supplies, trucks, semi-trailers, shall be
 13096 screened from view from streets and adjacent properties, unless the adjacent lot has
 13097 similar Industrial uses.
- 13098 i. Screening shall include a 6-foot-high opaque fence or wall.
- 13099 ii. Stockpiling of materials shall not be higher than 10 feet and shall be setback a
 13100 minimum of 50 feet from any Non-Industrial lot line.

13101 3-E-H.3.c. Accessory or Collocated Uses

<u>Use</u>	
<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.12.</u>

13102 Sec. 3-5. Conditional Uses.

- 13103 ~~(bh) — Rock Crushing; Rock or Sand Storage Yards; and Stone Cutting.~~
- 13104 ~~(2) — Central sewer and water must be available. [Relocated to Sec. 3-E-H.3.b.(2)(a)]~~
- 13105 **Dimensional Use Standards]**

13106 Sec. 3-E-H.4. Excavation, Class 1

13107 3-E-I.4.a. Description and Typical Uses

13108 An extraction activity for the purpose of creating a pond or lake for recreation, retention/drainage,
 13109 agricultural irrigation or to provide water source for livestock. This may include an improvement of an
 13110 existing water body.

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13111

3-E-I.4.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>		<u>Not Applicable</u>
(b)	<u>Maximum Size:</u>	<u>Water body:</u>	25 <u>percent of the lot</u> [Relocated from Sec. 3-5.(av)(8)]
(c)	<u>Minimum Setback:</u>	<u>Water body:</u>	25 feet [Relocated from Sec. 3-5.(av)(4)]
(d)	<u>Maximum Separation:</u>	<u>From bank of water body:</u> to any part of the underground and/or above ground, septic tank system:	75 feet [Relocated from Sec. 3-5.(av)(7)]

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(2) Additional Use Standards:

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- (a) Encroachment. A water body shall not encroach into or be located in a jurisdictional wetland area as defined by the Army Corps of Engineers, Florida Department of Environmental Protection or the St. Johns River Water Management District, hereafter called Agencies. The applicant shall be responsible for contacting the applicable Agencies in order to determine if the site is within jurisdictional lands. **[Relocated from Sec. 3-5.(av)(1)]**
- (b) Water Level. A water body shall not be located so that diversion of runoff or a water course will be required in order to fill or maintain the water level at any time. **[Relocated from Sec. 3-5.(av)(2)]**No artesian or free running well (no connection to aquifer) will be allowed for water level control and/or filling. Shallow wells connected to a water body for water level control shall be permitted through the St. Johns River Water Management District or Florida Department of Environmental Protection. No dual purpose well connection will be allowed, i.e. connected to dwelling or drinking water and water body or any combination thereof. If a shallow well is to be utilized for controlling the water level, an automatic on/off switch shall be installed at the well pump in addition to an appropriately sized breaker and disconnect in addition to a sensing device installed in the water body to control the pumping activities. **[Relocated from Sec. 3-5.(av)(6)]**
- (c) Runoff. Stormwater runoff from any impervious area shall not be introduced into the water body area at any time.
- (d) Discharge. A water body shall not discharge to any water course, wetland area, or conveyance system without first applying for a permit or permission from the applicable Agencies and/or owner. Any and all permits or agreements shall be presented to the County in letter format or copies thereof prior to the issuance of the permit. **[Relocated from Sec. 3-5.(av)(5)]**
- (e) Slopes. Side slopes of a water body shall have a slope of 4 to 1 maximum and shall have sod and/or seed and mulch placed within 15 days of finished grading. **[Relocated from Sec. 3-5.(av)(9)]**

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- 13140 (f) Permit. Prior to any land clearing or Excavation activity, a completed permit application
13141 along with the following supporting documentation shall be submitted and approved by the
13142 Planning and Zoning Division:
- 13143 i. A site plan showing the location of the water body, size of the water body,
 - 13144 dimension from right-of-way or access point, dimension from property line and side
 - 13145 slopes.
 - 13146 ii. A survey showing all easements, septic location and property dimensions.
 - 13147 iii. A Property Ownership Affidavit. **[Relocated from Sec. 3-5.(av)(11)]**
 - 13148 iv. Permit/inspection fees are required prior to approval. **[Relocated from Sec. 3-**
 - 13149 **5.(av)(10)]**
- 13150 (g) Excavation Length of Time. The permit for Excavation for a 1-year period. If the Excavation
13151 has not been completed during the 1-year period, a new permit shall be required.
13152 **[Relocated from Sec. 3-5.(av)(10)]**

13153 **Sec. 3-5. Conditional Uses.**

- 13154 (av) ~~Private ponds or agricultural livestock ponds.~~
- 13155 (1) ~~A Pond shall not encroach into or be located in a jurisdictional wetland area as defined by~~
13156 ~~the Army Corps of Engineers, Florida Department of Environmental Protection or the St.~~
13157 ~~Johns River Water Management District, hereafter called Agencies. The Applicant shall~~
13158 ~~be responsible for contacting the applicable Agencies in order to determine if the site is~~
13159 ~~within jurisdictional lands. **[Relocated to Sec. 3-E-I.4.b.(2)(a) Additional Use Standards]**~~
 - 13160 (2) ~~A Pond shall not be located so that diversion of runoff or a water course will be required in~~
13161 ~~order to fill or maintain the water level at any time. **[Relocated to Sec. 3-E-I.4.b.(2)(b)**~~
13162 ~~**Additional Use Standards]**~~
 - 13163 (3) ~~Stormwater runoff from any impervious area shall not be introduced into the Pond area at~~
13164 ~~any time. **[Relocated to Sec. 3-E-I.4.b.(2)(c) Additional Use Standards]**~~
 - 13165 (4) ~~A Pond shall not be located, at any one point, closer than 25 feet to right-of-way, easement,~~
13166 ~~access point or property line. **[Relocated to Sec. 3-E-I.4.b.(1)(c) Specific Use**~~
13167 ~~**Standards]**~~
 - 13168 (5) ~~A Pond shall not discharge to any water course, wetland area, or conveyance system~~
13169 ~~without first applying for a permit or permission from the applicable Agencies and/or owner.~~
13170 ~~Any and all permits or agreements shall be presented to the County in letter format or~~
13171 ~~copies thereof prior to Pond permit issuance. **[Relocated to Sec. 3-E-I.4.b.(2)(d)**~~
13172 ~~**Additional Use Standards]**~~
 - 13173 (6) ~~No artesian or free running well (no connection to aquifer) will be allowed for water level~~
13174 ~~control and/or filling. Shallow wells connected to a Pond for water level control shall be~~
13175 ~~permitted through the St. Johns River Water Management District or Florida Department~~
13176 ~~of Environmental Protection. No dual purpose well connection will be allowed, i.e.~~
13177 ~~connected to dwelling or drinking water and Pond or any combination thereof. If a shallow~~
13178 ~~well is to be utilized for controlling the water level, an automatic on/off switch shall be~~
13179 ~~installed at the well pump in addition to an appropriately sized breaker and disconnect in~~
13180 ~~addition to a sensing device installed in the Pond to control the pumping activities.~~
13181 ~~**[Relocated to Sec. 3-E-I.4.b.(2)(b) Additional Use Standards]**~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 13182 (7) ~~A Pond shall be located so that no one point of the bank shall be closer than 75 feet to any~~
 13183 ~~part of the underground and/or above ground, septic tank system.~~ [Relocated to Sec. 3-
 13184 E-I.4.b.(1)(c) Specific Use Standards]
 13185 (8) ~~A Pond shall not be larger than 25% of the property.~~ [Relocated to Sec. 3-E-I.4.b.(1)(b)
 13186 Specific Use Standards]
 13187 (9) ~~Side slopes of a Pond shall have a slope of 4 to 1 maximum and shall have sod and/or~~
 13188 ~~seed and mulch placed within 15 days of finished grading.~~ [Relocated to Sec. 3-E-
 13189 I.4.b.(2)(e) Specific Use Standards]
 13190 (10) ~~A permit for a Pond is required which will provide for Excavation for a one year period. If~~
 13191 ~~Excavation has not been completed during the one year period, a new permit shall be~~
 13192 ~~required.~~ [Relocated to Sec. 3-E-I.7.b.(2)(g) Specific Use Standards] ~~Permit/inspection~~
 13193 ~~fees are required prior to approval.~~ [Relocated to Sec. 3-E-I.4.b.(2)(f) Specific Use
 13194 Standards]
 13195 (11) ~~Prior to any land clearing or Excavation activity, a completed permit application along with~~
 13196 ~~the following supporting documentation must be submitted and approved by the Planning~~
 13197 ~~and Zoning Division:~~
 13198 (i) ~~A site plan showing the location of the Pond, size of the Pond, dimension from~~
 13199 ~~right of way or access point, dimension from property line and side slopes.~~
 13200 (ii) ~~A survey showing all easements, septic location and property dimensions.~~
 13201 (iii) ~~A Property Ownership Affidavit.~~ [Relocated to Sec. 3-E-I.4.b.(2)(f) Specific Use
 13202 Standards]

13203 Sec. 3-E-H.5. Excavation, Class 2

13204 3-E-H.3.a. Definition and Typical Uses

13205 *An extraction from the earth from which natural earth materials are removed and a hole or pit is thereby*
 13206 *created.* [Relocated from Sec. 1-15.(35) Definitions]

13207 3-E-H.3.b. Specific Use Standards

(1) Dimensional Use Standards:

		10 acres ¹
(a)	<u>Minimum Lot Size:</u>	[From Sec. 3-5.(I)(3)]
(b)	<u>Minimum Setback:</u>	75 feet
	From all Excavation activity areas, (edge of the pit):	[From Sec. 3-5.(I)(7)]
	To any part of the underground and/or above ground, septic tank system¹:	[From Sec. 3-5.(I)(7)]

Footnote:

¹ For AG and AR Zoning Districts, the minimum 10 acres shall only comprise 25 percent of the lot. Subject to a Special Exception [MK181] approval, a Borrow Pit may be comprised of up to 50 percent of the lot if it is deemed compatible with adjacent uses. **[From Sec. 3-5.(i)(3)]**

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 13208 (2) Additional Use Standards:
- 13209 (a) Access. Vehicular access shall be from an arterial or collector street.
- 13210 i. Excavation sites with access from a roadway not classified as an arterial, major,
- 13211 or minor collector road shall require a road maintenance agreement approved by
- 13212 the Board of County Commissioners. [Relocated from Sec. 3-5.(I)(10) Borrow
- 13213 Pit]
- 13214 ii. The construction entrance to the Excavation site shall have a driveway per County
- 13215 standards, a washdown pit, and a rock tracking bed, at a minimum, to prevent
- 13216 tracking of materials onto the County's roadways. A construction entrance onto a
- 13217 paved roadway shall additionally require a paved driveway composed of asphaltic
- 13218 concrete or millings, subject to the standards in Article 8 Design and Improvement
- 13219 Standards. A repeat violation of maintaining the construction entrance can result
- 13220 in the permit being revoked. [Relocated from Sec. 3-5.(I)(11)]
- 13221 (b) Permitting. A permit shall be submitted and approved by the Planning and Zoning Director
- 13222 or his/her designee, which will provide for a 5-year operational period, renewable upon
- 13223 request. The permit fee and all inspection fees are required prior to the issuance of the
- 13224 permit and any renewal. [Relocated from Sec. 3-5.(I)(1)]
- 13225 (c) National Pollutant Discharge Elimination System. Full compliance with the applicant's
- 13226 (NPDES) Construction Generic Permit (CGP) shall be required throughout the operational
- 13227 period of the County's permit. [Relocated from Sec. 3-5.(I)(2)]
- 13228 (d) Security Fence. Prior to the commencement of any Excavation activities, the applicant shall
- 13229 construct a 6-foot-high chain link fence with slats along the entire boundary of the
- 13230 Excavation site consistent with the boundary per the approved permit.
- 13231 i. Openings of the fence shall be limited and shall be installed with lockable gates.
- 13232 ii. Danger and/or No Trespassing Signs pursuant to Sec. 7-F-8. Incidental Sign shall
- 13233 be installed on the fence at 200 feet apart. Subsection 7.F.8.d. standards shall not
- 13234 apply.
- 13235 iii. This required fence and signs shall be maintained and remain on the site during
- 13236 the extent of the period of Excavation. [Relocated from Sec. 3-5.(I)(14)]
- 13237 (e) Hours of Operation. Excavation sites shall be limited in operation from 5:00 a.m. to 6:00
- 13238 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday. Operation outside of
- 13239 these hours may be permitted subject to the approval of the Planning and Zoning Director
- 13240 or his/her designee. The applicant shall clearly indicate in the application project narrative
- 13241 that the extension of hours is only for emergency need. [Relocated from Sec. 3-5.(I)(5)]
- 13242 (f) Jurisdictional Wetland. Excavation sites shall not encroach into or be located in a
- 13243 jurisdictional wetland area as defined by the Army Corps of Engineers, Florida Department of
- 13244 Environmental Protection or the St. Johns River Water Management District, hereafter
- 13245 called Agencies. The applicant shall be responsible for contacting the applicable Agencies
- 13246 in order to determine if the site is within jurisdictional lands. Copies of these Agencies'
- 13247 permits shall be provided prior to issuance of the Excavation permit. Where permits are
- 13248 not required by the Agencies, documentation indicating such shall be provided by the
- 13249 Agency prior to issuance of the Excavation permit. [Relocated from Sec. 3-5.(I)(9)]
- 13250 (g) Excavation Standards.

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Part E Use Types and Regulations

- 13251 i. *Excavation may not include any type of processing, manufacturing or other activity*
13252 *that converts the natural earth materials into a product. [Relocated from Sec. 3-*
13253 *5.(l)(12)]*
- 13254 ii. *In no event shall an Excavation site exceed the maximum depth approved by the*
13255 *permit. [Relocated from Sec. 3-5.(l)(13)]*
- 13256 iii. *Excavation shall be performed in a manner that the sides of the pit shall slope at*
13257 *no greater than a 2 to 1 slope from the surrounding ground surface, throughout the*
13258 *Excavation pit, and where the pit will be filled with water, it shall then slope no*
13259 *greater than a 4 to 1 slope from the water's edge to a depth of 8 feet and not*
13260 *greater than a 2 to 1 slope thereafter. [Relocated from Sec. 3-5.(l)(6)]*
- 13261 iv. *The edge of the Excavation pit shall be located at all points at least 30 feet or the*
13262 *horizontal distance of a 2 to 1 slope from natural ground to the proposed bottom*
13263 *of the pit, whichever is greater, to any right-of-way, easement, access point or lot*
13264 *line. [Relocated from Sec. 3-5.(l)(8)]*
- 13265 (h) Screening and Landscaping. Refer to Sec. 3-F-1.4. Excavation.
- 13266 (3) Supplemental Application Standards. In addition to the applicable procedures and submittal
13267 standards as set forth in Article 2, Procedures for Development Review, the applicant shall submit
13268 the following documents:
- 13269 (a) *Completed permit application.*
- 13270 (b) *Construction plan set, signed and sealed by a Florida Registered Professional Engineer,*
13271 *containing the following items:*
- 13272 i. 1 *copy of stormwater calculations which may be in electronic form in PDF format*
13273 *with electronic seal.*
- 13274 ii. 3 *hard copies and 1 electronic copy of construction plans including site and*
13275 *landscape plan, in accordance with the standards referenced in Sec. 3-F-K.3. Plan*
13276 *and Document Format Standards, and the following components:*
- 13277 1. *Property boundary;*
- 13278 2. *State and Federal jurisdictional wetland line, associated upland buffer, and*
13279 *50-foot dry land excavation setback;*
- 13280 3. *Existing and proposed contours;*
- 13281 4. *A typical cross-section;*
- 13282 5. *Existing and proposed surface water drainage patterns;*
- 13283 6. *Erosion and sediment control measures, dewatering method and location;*
- 13284 7. *Plans for any dewatering activities which discharge water offsite;*
- 13285 8. *Access to the project including haul routes to nearest Arterial, Major or*
13286 *Minor Collector;*
- 13287 9. *Hours of operation;*
- 13288 10. *Fence detail;*
- 13289 11. *Cross section of roads and roadway connections;*
- 13290 12. Landscape buffer;
- 13291 13. *Distance to any well or septic system; and*
- 13292 14. *All protection barriers and limits of clearing.*
- 13293 (c) *The following maps shown with project boundaries overlaid:*
- 13294 i. 1 *copy of vicinity map (may be on plan set); and*

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Part E Use Types and Regulations

- 13295 ii. 1 copy of map depicting vegetative cover based on the Florida Cooperative Land
13296 Cover Map.
13297 (d) Road maintenance agreement, if required.
13298 (e) Statement of the intended use of the land following the borrow pit activity.
13299 (f) All appropriate permits, or documentation indicating permits are not required, from the
13300 following agencies:
13301 i. St. Johns River Water Management District;
13302 ii. Florida Department of Transportation;
13303 iii. Florida Department of Environmental Protection; and
13304 iv. U.S. Army Corps of Engineers.
13305 (g) Following receipt of all these submittal standards, a meeting shall be scheduled with the
13306 DRC to discuss the submittals. The Planning and Zoning Director or his/her designee shall
13307 review the application and other submittals and provide comments.
13308 (h) The County Engineer or his/her designee shall conduct annual inspections to monitor
13309 compliance with the County's permit, the applicant's NPDES permit, and any other County
13310 standards.
13311 (i) Upon completion of the Excavation activity, a Registered Professional Engineer shall
13312 submit as-builts to the County Engineer.
13313 **[Relocated from Sec. 3-5.(I)(15)]**

13314 **Sec. 3-5. Conditional Uses**

13315 **(f) Borrow Pits.**

- 13316 ~~(1) A permit to operate a Borrow Pit shall be submitted and approved by the Planning and~~
13317 ~~Zoning Division, which will provide for a five year operational period, renewable upon~~
13318 ~~request. The permit fee and all inspection fees are required prior to the issuance of the~~
13319 ~~permit and any renewal. **[Relocated to Sec. 3-E-H.5.b.(2)(b) Permits, Additional Use**~~
13320 ~~**Standards]**~~
13321 ~~(2) Full compliance with the Applicant's NPDES Construction Generic Permit (CGP) is also~~
13322 ~~required throughout the operational period of the County's permit. **[Relocated to Sec. 3-**~~
13323 ~~**E-H.5.b.(2)(c) National Pollutant Discharge Elimination System, Additional Use**~~
13324 ~~**Standards]**~~
13325 ~~(3) Borrow Pits are only authorized within the AG and AR zoning districts on parcels a~~
13326 ~~minimum of 10 acres and may only comprise 25% of the property. With Board approval,~~
13327 ~~[EG182] a Borrow Pit may be comprised of up to 50% of the property if it is deemed~~
13328 ~~compatible with neighboring properties. **[Relocated to Sec. 3-E-H.5.b.(1) and Footnote**~~
13329 ~~**1]**~~
13330 ~~(4) Any portion of a Borrow Pit visible from the public right of way or nearest residential use~~
13331 ~~shall be screened with dense landscaping to achieve at least 75% opacity. The landscape~~
13332 ~~buffer shall be no less than 10 feet in width at any given point and shall be placed outside~~
13333 ~~the required fence perimeter to achieve maximum dust and noise reduction and visible~~
13334 ~~shielding. Earthen berms with a minimum height of 3 feet can be placed within this buffer~~
13335 ~~area. **[Deleted, and replaced with new Sec. 3-E-H.5.b.(2)(h) Screening and**~~
13336 ~~**Landscaping, Additional Use Standards]**~~
13337 ~~(5) Borrow Pits are limited in operation from 5:00 a.m. to 6:00 p.m. Monday through Friday~~
13338 ~~and 8:00 a.m. to 6:00 p.m. on Saturday. Operation outside of these hours is permitted with~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 13339 ~~written documentation of emergency need.~~ [Relocated to Sec. 3-E-H.5.b.(2)(e) Hours of
13340 Operation, Additional Use Standards]
- 13341 (6) ~~Excavation shall be performed in a manner that the sides of the pit shall slope at no greater~~
13342 ~~than a 2 to 1 slope from the surrounding ground surface, throughout the Borrow Pit, and~~
13343 ~~where the Borrow Pit will be filled with water, it shall then slope no greater than a 4 to 1~~
13344 ~~slope from the water's edge to a depth of 8 feet and not greater than a 2 to 1 slope~~
13345 ~~thereafter.~~ [Relocated to Sec. 3-E-H.5.b.(2)(g)iii. Slope of Excavation Pit, Additional
13346 Use Standards]
- 13347 (7) ~~Borrow Pits shall be located so that no one point of the edge shall be closer than 75 feet~~
13348 ~~to any part of the underground and/or above ground, septic tank system.~~ [Relocated to
13349 Sec. 3-E-H.5.b.(1) Dimensional Use Standards]
- 13350 (8) ~~The edge of a Borrow Pit shall be located at all points at least 30 feet or the horizontal~~
13351 ~~distance of a 2 to 1 slope from natural ground to the proposed bottom of the borrow pit,~~
13352 ~~whichever is greater, to any right-of-way, easement, access point or property line.~~
13353 [Relocated to Sec. 3-E-H.5.b.(2)(g)iv. Excavation Standards, Additional Use
13354 Standards]
- 13355 (9) ~~Borrow Pits shall not encroach into or be located in a jurisdictional wetland area as defined~~
13356 ~~by the Army Corps of Engineers, Florida Department of Environmental Protection or the~~
13357 ~~St. Johns River Water Management District, hereafter called Agencies. The Applicant shall~~
13358 ~~be responsible for contacting the applicable Agencies in order to determine if the site is~~
13359 ~~within jurisdictional lands. Copies of these Agencies' permits shall be provided prior to~~
13360 ~~issuance of a Borrow Pit permit. Where permits are not required by the Agencies,~~
13361 ~~documentation indicating such shall be provided from the Agency prior to issuance of a~~
13362 ~~Borrow Pit permit.~~ [Relocated to Sec. 3-E-H.5.b.(2)(f) Jurisdictional Wetlands,
13363 Additional Use Standards]
- 13364 (10) ~~Borrow Pit sites with access from a roadway other than an Arterial, Major or Minor Collector~~
13365 ~~road shall require a road maintenance agreement approved by the Board.~~ [Relocated to
13366 Sec. 3-E-H.5.b.(2)(a)i. Access, Additional Use Standards]
- 13367 (11) ~~The construction entrance to a Borrow Pit site shall have a driveway per County standards,~~
13368 ~~a washdown pit, and a rock tracking bed, at a minimum, to prevent tracking of materials~~
13369 ~~onto the County's roadways. A construction entrance onto a paved roadway shall~~
13370 ~~additionally require a paved driveway composed of asphaltic concrete or millings, as shown~~
13371 ~~in Exhibits 1-3. A repeat violation of maintaining the construction entrance can result in the~~
13372 ~~permit being revoked.~~ [Relocated to Sec. 3-E-H.5.b.(2)(a)ii. Construction Access,
13373 Additional Use Standards]
- 13374 (12) ~~Excavation may not include any type of processing, manufacturing or other activity that~~
13375 ~~converts the natural earth materials into a product.~~ [Relocated to Sec. 3-E-H.5.b.(2)(g)i.
13376 Limited Activities, Additional Use Standards]
- 13377 (13) ~~In no event shall a Borrow Pit exceed the maximum depth fixed by the permit.~~ [Relocated
13378 to Sec. 3-E-H.5.b.(2)(g)ii. Depth of Pit, Additional Use Standards]
- 13379 (14) ~~Prior to Excavation, the Applicant shall cause to be constructed and maintained on the land~~
13380 ~~to contain a Borrow Pit a substantial fence which encloses the borrow pit and includes~~
13381 ~~locking gates not less than 6 feet in height at all points of access to the Borrow Pit. Durable~~
13382 ~~warning signs shall be posted thereon not more than 200 feet apart bearing the words~~
13383 ~~DANGER and NO TRESPASSING in letters not less than 6 inches in height, which shall~~

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Part E Use Types and Regulations

- 13384 ~~be maintained by the Applicant so as to be clearly legible. The Applicant shall cause the~~
13385 ~~fence to be maintained for the entire existence of the Borrow Pit. [Relocated to Sec. 3-E-~~
13386 ~~H.5.b.(2)(d) Security Fence, Additional Use Standards]~~
13387 ~~(15) Submittal requirements: All of the following items shall be submitted in order to begin the~~
13388 ~~permit review process:~~
13389 ~~(i) Completed permit application.~~
13390 ~~(ii) Construction plan set, signed and sealed by a Florida Registered Professional~~
13391 ~~Engineer, containing the following items:~~
13392 ~~a. One copy of stormwater calculations which may be in electronic form in~~
13393 ~~PDF format with electronic seal.~~
13394 ~~b. Three copies of construction plans including site and landscape plan, no~~
13395 ~~smaller than 11" x 17" and no larger than 24" x 36" and one copy in~~
13396 ~~electronic form in PDF format with electronic seal. The construction plans~~
13397 ~~should show at a minimum the following:~~
13398 ~~1. Property boundary~~
13399 ~~2. State and Federal jurisdictional wetland line, associated upland~~
13400 ~~buffer, and 50' dry land excavation setback~~
13401 ~~3. Existing and proposed contours~~
13402 ~~4. A typical cross section~~
13403 ~~5. Existing and proposed surface water drainage patterns~~
13404 ~~6. Erosion and sediment control measures, dewatering method and~~
13405 ~~location~~
13406 ~~7. Plans for any dewatering activities which discharge water offsite~~
13407 ~~8. Access to the project including haul routes to nearest Arterial,~~
13408 ~~Major or Minor Collector~~
13409 ~~9. Hours of operation~~
13410 ~~10. Fence detail~~
13411 ~~11. Cross section of roads and roadway connections~~
13412 ~~12. The landscape buffer~~
13413 ~~13. Distance to any well or septic system~~
13414 ~~14. All protection barriers and limits of clearing.~~
13415 ~~(iii) The following maps shown with project boundaries overlaid:~~
13416 ~~a. One copy of vicinity map (may be on plan set)~~
13417 ~~b. One copy of map depicting vegetative cover based on the Florida~~
13418 ~~Cooperative Land Cover Map.~~
13419 ~~(iv) Road maintenance agreement, if required.~~
13420 ~~(v) Statement of the intended use of the land following the borrow pit activity.~~
13421 ~~(vi) All appropriate permits, or documentation indicating permits are not required, from~~
13422 ~~the following agencies:~~
13423 ~~a. St. Johns River Water Management District~~
13424 ~~b. Florida Department of Transportation~~
13425 ~~c. Florida Department of Environmental Protection~~
13426 ~~d. U.S. Army Corps of Engineers~~
13427 **[Relocated to Sec. 3-E-H.5.b.(3)(a) through (i) Supplemental Application Standards]**

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Part E Use Types and Regulations

- 13428 ~~(16) — Following receipt of all these submittal requirements, a meeting shall be scheduled with~~
13429 ~~the Development Review Committee (DRC) to discuss the submittals. The DRC shall~~
13430 ~~review the application and other submittals and provide comments. [Relocated to Sec. 3-~~
13431 ~~E-H.5.b.(3)(g) Supplemental Application Standards]~~
13432 ~~(17) — The County Engineer, or his or her designee, shall conduct annual inspections to monitor~~
13433 ~~compliance with the County's permit, the Applicant's NPDES permit, and any other County~~
13434 ~~requirements. [Relocated to Sec. 3-E-H.5.b.(3)(h) Supplemental Application~~
13435 ~~Standards]~~
13436 ~~(18) — Upon completion of the Borrow Pit activity, a Registered Professional Engineer shall submit~~
13437 ~~As-Builts to the County Engineer. [Relocated to Sec. 3-E-H.5.b.(3)(i) Supplemental~~
13438 ~~Application Standards]~~

13439 Sec. 3-E-H.6. Incinerator

13440 3-E-H.6.a. Description and Typical Uses

13441 A facility designed or intended solely for the volume reduction of solid waste, hazardous waste,
13442 biohazardous waste, or biological waste by incineration. [Relocated from 3-44.(b)(2)]

13443 3-E-H.6.b. Additional Use Standards

13444 Permit. All facilities shall be subject to the rules and regulations of the State and Clay County's Solid Waste
13445 Authority. Prior to operation of the facility, the owner of the facility shall obtain a permit from each applicable
13446 authority.

13447 Sec. 3-44. Incinerators (Zone IN)

13448 ~~(b) — Definitions.~~

13449 ~~(2) — "Incinerator" shall mean any facility, or any part thereof, designed or intended solely for the~~
13450 ~~volume reduction of solid waste, hazardous waste, biohazardous waste, or biological waste~~
13451 ~~by incineration. [Relocated to Sec. 3-E-H.5.a. Description and Typical Uses and Sec.~~
13452 ~~1-15. Definitions]~~

13453 Sec. 3-E-H.7. Manufacturing and Processing, Light

13454 3-E-H.7.a. Description and Typical Uses

13455 A facility which engages in the manufacturing or treatment of any commodity including assembly,
13456 disassembly, fabricating, packaging, and processing of any items takes place wholly within an enclosed
13457 building and does not involve the use or production of flammable, explosive, or other hazardous materials.
13458 This excludes heavy industrial manufacturing and processing. Typical uses include the manufacturing of
13459 furniture, textiles, clothing, leather goods, food processing for wholesale distribution.

13460 3-E-H.7.b. Specific Use Standards

(1) Dimensional Use Standards:

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DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

(a)	<u>Minimum Lot Size:</u>	<u>1 acre</u>
(b)	<u>Minimum Setback:</u>	<u>From any Residential use lot line: 50 feet</u>

13461 (2) Additional Use Standards:
 13462 (a) Outdoor Storage. Outdoor storage and packaging activities shall not be permitted and
 13463 shall be located in a completely enclosed building.

13464 Sec. 3-E-H.8. Manufacturing and Processing, Heavy

13465 **3-E-H.8.a. Description and Typical Uses**

13466 A facility where the manufacturing and treatment of raw or hazardous materials including the processing,
 13467 fabricating, transporting, and distribution of these items, generate fumes, gases, smokes, vapors,
 13468 vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which
 13469 may cause adverse effects to the users of adjacent land. Typical uses include the manufacturing of asphalt,
 13470 steel, chemicals, flammable or explosive materials, large building or infrastructure construction, and
 13471 machine tool building. It may also include crushing and storage of rock or sand.

13472 **3-E-H.8.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	<u>5 acres</u>
(b)	<u>Minimum Setback:</u>	<u>From any Residential use lot line: 100 feet</u>

13473 (2) Additional Use Standards:
 13474 (a) Outdoor Storage. All outdoor storage of equipment, supplies, trucks, semi-trailers, shall be
 13475 screened from view from streets and adjacent properties, unless the adjacent lot has
 13476 similar Industrial uses.
 13477 i. Screening shall include a 6-foot-high opaque fence or wall.
 13478 ii. Stockpiling of materials shall not be higher than 10 feet and shall be setback a
 13479 minimum of 50 feet from any Non-Industrial lot line.

13480 **3-E-H.8.c. Accessory or Collocated Uses**

<u>Use</u>	
<u>Office (Administration)</u>	<u>Refer to Sec. 3-E-D.12.</u>

13481 Sec. 3-E-H.9. Medical or Dental Laboratory

13482 **3-E-H.9.a. Description and Typical Uses**

13483 An establishment providing medical or dental testing and diagnostic services.

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

13484 Sec. 3-E-H.10. Vehicle and Boat Storage

13485 3-E-H.10.a. Description and Typical Uses

13486 A facility that provides on-site storage of operative cars, Commercial vehicles, Recreational vehicles, or
13487 accommodations for the dry storage of boats. This use shall not be considered as a Self-Service Storage
13488 Facility.

3-E-H.10.b. Specific Use Standards

(1) Dimensional Use Standards:

(a)	<u>Minimum Lot Size:</u>	3 acres ¹ [Relocated from Sec. 3-5.(ba)]
(b)	<u>Minimum Setback:</u>	<u>From adjacent lot line of a Residential use:</u> 50 feet

Footnote:

1 Except that within a Village Zone, Neighborhood Center, or a Community Center (CC) under the Branan Field (BF) Master Planned Community, or a Village Center of the Lake Asbury Master Planned Community (LA VC). [Relocated from Sec. 3-5.(ba)(1) Recreational Vehicle and Boat Storage]

13489 (2) Additional Use Standards:

- 13490 (a) Access. Vehicular access shall be from an arterial or collector street.
13491 i. Access for the BF Village Zone, Neighborhood Center, or CC, and LA VC may be
13492 from a minor collector street that is directly connected to a major or minor collector
13493 street. [Relocated from Sec. 3-5.(ba)(1) Recreational Vehicle and Boat
13494 Storage]
13495 (b) Paving.
13496 i. Drive aisles shall be paved in accordance with Sec. 8-11. Roadway Design and
13497 Improvements, and any applicable Sections of Article 8, Design and Improvement
13498 Standards.
13499 ii. Storage areas may utilize alternative materials, subject to the approval by the
13500 County Director of Engineering.
13501 iii. All other areas shall be landscaped and/or grassed. [Relocated from Sec. 3-
13502 5.(ba)(4)]
13503 (c) Internal Access to Storage Area. All drive aisles to the storage areas shall have a minimum
13504 width of 15 feet for one-way direction, or a 24-foot-wide lane to accommodate loading and
13505 unloading activity or fire lane purposes. [Relocated from Sec. 3-5.(ba)(5)]
13506 (d) Pervious Areas. A minimum of 20 percent of the lot shall be of pervious area. All required
13507 landscape buffers, setbacks, wetlands and other existing and planted vegetated areas may
13508 be used to achieve this standard. [Relocated from Sec. 3-5.(ba)(3)]

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 13509 (e) Fencing.
13510 i. The facility shall be secured with a 6-foot-high wall or an opaque fence along the
13511 perimeter of the storage area. This wall or fence may be installed within the
13512 required right-of-way and/or perimeter buffer as required pursuant to Article 6, Tree
13513 Ordinance. [Relocated from Sec. 3-5.(ba)(6)]
13514 ii. These fencing standards shall not apply to proposed RV and Boat storage
13515 developments located within Industrial zoned properties where the lot line is
13516 coterminous with the same Industrial zoning district. [Relocated from Sec. 3-
13517 5.(ba)(8)]
13518 iii. Dangerous materials such as electric fence, barbed, or razor wires shall not be
13519 allowed on the wall or fence.
13520 (f) Caretaker's Quarter. A Caretaker's Quarter shall be provided. Refer to Sec. 3-E-I.4
13521 Caretaker's Quarters.
13522 (g) Prior Approval. Expansion of RV and Boat Storage facilities in existence on or before April
13523 22, 2008, shall be exempt from the standards of this Section. [Relocated from Sec. 3-
13524 5.(ba)(7)]

3-E-H.10.c. Accessory or Collocated Uses

Use

Office (Administration)

Refer to Sec. 3-E-D.12.

13526 **Sec. 3-5. Conditional Uses.**

- 13527 ~~(ba) Recreational Vehicle and Boat Storage.~~
13528 ~~(1) The proposed site must consist of a total of at least three (3) acres and have direct access~~
13529 ~~to a roadway defined in the Comprehensive Plan as major collector or above, except that~~
13530 ~~within a Village Zone or Neighborhood Center in a Master Planned Community under the~~
13531 ~~Branan Field Master Plan or within a Community Center under the Branan Field Master~~
13532 ~~Plan or within a Village Center with the Lake Asbury Master Plan. [Relocated to Sec. 3-~~
13533 ~~E-H.10.b.(1) Footnote, Specific Use Standards]~~
13534 ~~access may be to a minor collector or a roadway within the Village Zone, Neighborhood~~
13535 ~~Center, Community Center or Village Center connected directly to a major or minor~~
13536 ~~collector. Only one (1) point of access shall be permitted. [Relocated to Sec. 3-E-~~
13537 ~~H.10.b.(2)(a) Additional Use Standards]~~
13538 ~~(2) Landscaping and tree requirements shall comply with the Clay County Code Article VI,~~
13539 ~~Tree Protection and Landscaping Standards, as amended, with the exception that the~~
13540 ~~perimeter buffer screening shall meet the minimum required for industrial propose land use~~
13541 ~~type. [Deleted as it is addressed under Article 6, Tree Ordinance, Table 5. Perimeter~~
13542 ~~Buffer Screening]~~
13543 ~~(3) At least twenty (20) percent of the site shall be in open space. Upland and landscape~~
13544 ~~buffers, setbacks, wetlands and other existing and planted vegetated areas may be used~~
13545 ~~to achieve this twenty (20) percent requirement. [Relocated to Sec. 3-E-H.10.b.(2)(c)~~
13546 ~~Pervious Areas, Additional Use Standards]~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

- 13547 (4) ~~Drive aisles shall be paved with concrete, asphalt, asphalt millings or other material~~
13548 ~~approved by the County Engineer.~~ [Relocated to Sec. 3-E-H.10.b.(2)(b)(i) Paving,
13549 **Additional Use Standards]**
13550 ~~Storage areas may utilize alternative materials.~~ [Relocated to Sec. 3-E-H.10.b.(2)(b)(ii)
13551 **Paving, Additional Use Standards]**
13552 ~~[All other areas shall be landscaped and/or grassed.~~ [Relocated to Sec. 3-E-
13553 **H.10.b.(2)(b)(iii) Paving, Additional Use Standards]**
13554 (5) ~~All drive aisles shall be designed with one (1) ten (10) foot wide loading/unloading lane and~~
13555 ~~one (1) fifteen (15) foot travel lane.~~ [Relocated to Sec. 3-E-H.10.b.(2)(c) Internal Access
13556 **to Storage Area, Additional Use Standards]**
13557 (6) ~~The site shall be secured with a wall or fence that is at least six (6) feet in height. Walls~~
13558 ~~must be finished or painted on the exterior side. Razor wire and electric fences are not~~
13559 ~~permitted. Along the boundaries of the site fronting on a public road and running along the~~
13560 ~~sides of such site a distance sufficient to screen the site from view from such public road~~
13561 ~~and along the boundaries of the site adjacent to property having a less intense use, the~~
13562 ~~wall or fence shall be opaque; except that no opacity shall be required along a boundary~~
13563 ~~of the site adjacent to wetlands, platted open space or areas subject to a conservation~~
13564 ~~easement that preserves vegetation sufficient to screen the site from view across such~~
13565 ~~areas. A wrought iron fence (or fence resembling wrought iron) may be utilized in~~
13566 ~~conjunction with a hedge or natural vegetation that provides for 100% opacity within two~~
13567 ~~years of the time of planting.~~ [Relocated but replaced with new language in Sec. 3-E-
13568 **H.10.b.(2)(e), Fencing, Additional Use Standards]**
13569 (7) ~~Expansion of RV and Boat Storage facilities in existence on or before April 22, 2008, are~~
13570 ~~exempt from the requirements of this section. Rev. 04/22/08~~ [Relocated to Sec. 3-E-
13571 **H.10.b.(2)(g) Previous Approval]**
13572 (8) ~~Provisions under subsection (ba)(6) shall not apply to proposed RV and Boat storage~~
13573 ~~developments located within industrial zoned properties where the property boundary is~~
13574 ~~coterminous with the same industrial zoning district.~~ [Relocated to Sec. 3-E-
13575 **H.10.b.(2)(e)(ii), Fencing, Additional Use Standards]**

13576 **Sec. 3-32.(1)(4) Conditional Uses.** ~~Recreational vehicle and boat storage which is not enclosed shall be~~
13577 ~~located in that area of the PID established for said use, provided that at least twenty (20) percent of the site~~
13578 ~~shall be in open space. Landscape buffers and other vegetative areas located within the area of the PID~~
13579 ~~designated for said use may be used to achieve the twenty (20) percent requirement.~~ [Deleted as this
13580 repeats new Sec. 3-E-H.10.b(2)(b) and (2)(d)]

13581 Sec. 3-E-H.11. Warehouse

13582 3-E-H.11.a. Description and Typical Uses

13583 A facility used for the storage of raw materials or goods typically before their export or distribution for sale.
13584 Typical uses include Commercial facilities such as wholesale companies, cold storage, but exclude Self-
13585 Service Storage Facilities.

13586 3-E-H.11.b. Permitted Process

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND DEVELOPMENT REGULATIONS

Part E Use Types and Regulations

13587 A Warehouse use may be permitted at lesser intensity approved under an administrative DRO process.

13588 **3-E-H.10.c. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>		<u>1 acre</u> ¹
(b)	<u>Minimum Setback:</u> ¹		
	i.	<u>Front:</u>	<u>From lot line to adjacent Residential zoning district:</u> <u>40 feet</u>
			<u>From lot line to adjacent Non-Residential zoning district:</u> <u>25 feet</u>
	ii.	<u>Side:</u>	<u>From lot line to adjacent Residential zoning district:</u> <u>25 feet</u>
			<u>From lot line to adjacent Non-Residential zoning district:</u> <u>15 feet</u>
	iii.	<u>Rear:</u>	<u>From lot line to adjacent Residential zoning district:</u> <u>25 feet</u>
			<u>From lot line to adjacent Non-Residential zoning district:</u> <u>15 feet</u>

Footnote:

¹ Except that within a Village Zone, Neighborhood Center, or a Community Center (CC) under the Branam Field (BF) Master Planned Community, or a Village Center of the Lake Asbury Master Planned Community (LA VC). **[Relocated from Sec. 3-5.(ba)(1) Recreational Vehicle and Boat Storage]**

13589 (2) Additional Use Standards

- 13590 (a) Access. Vehicular access shall be from an arterial or collector street and shall have a
 13591 minimum of 100 feet of frontage on the arterial or collector street where the main vehicular
 13592 access is located.
 13593 (b) Commercial Zoning Districts. Outdoor storage and activities affiliated to an accessory
 13594 warehouse of a Commercial use shall not be allowed.
 13595 (c) Baydoors. All baydoors of a warehouse shall be screened from street view or adjacent lots
 13596 that have not Non-Industrial uses.

13597 **3-E-H.11.c. Accessory or Collocated Uses**

Use

<u>Office (Administration)</u>	<u>Refer to</u> Sec. 3-E-D.12.
<u>Retail, Sales General</u>	<u>Refer to</u> Sec. 3-E-D.17.

13598

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

Part E Use Types and Standards

13599 DIVISION I ACCESSORY USES AND STRUCTURE

13600 Sec. 3-E-I.1. Accessory Use and Structure

13601 An Accessory use is customarily affiliated with a Principal use and is subordinate in area or extent of the
 13602 Principal use. Uses that are not allowed in a zoning district shall not be accessory to a Principal use, unless
 13603 stated otherwise in the Specific Use or Additional Use Standards.

13604 For Accessory structures, refer to Part F, Division H Accessory Structures.

13605 All Accessory uses within Clay County are identified in the Table 3-E-I.1.a. Accessory Use and Structures
 13606 Matrix which only identifies those zoning districts or FLU categories where an Accessory use is allowed
 13607 subject to a Permitted use or Conditional use approval process. Development standards specific to each
 13608 use type shall be in compliance regardless of the approval process identified.

Table 3-E-I.1.a. Accessory Use and Structure Matrix – Standard and Planned Development Districts

	<u>Agricultural</u>						<u>Residential</u>					
	<u>AG</u>	<u>AR</u>	<u>AR-1</u>	<u>AR-2</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>RD</u>	<u>RE</u>	<u>RMHP</u>	<u>PUD</u>	
<u>Accessory Dwelling Unit (ADU)</u>	C	C	C	C	C	C			C		C	
<u>Backyard Poultry</u>			P	C	C	C		C	C			
<u>Caretaker's Quarter</u>	C	C	C	C	C	C	C	C	C	C	C	
<u>Home Occupation</u> [MK183]	C	C	C	C	C	C	C	C	C	C	C	
<u>Mobile Home for Medical Hardship</u>		C										
<u>Pond Excavation</u>	C	C	C	C	C	C	C	C	C	C	C	
<u>Keeping of Domesticated Animals</u>			P	P	P	P	P		P		P	

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

Part E Use Types and Standards

13611

Table 3-E-1.1.b. Accessory Use Matrix – Master Planned Communities

	BF					LAMPA				
	RS	MPC	CC	AC	MU	MPC	RRSV	RC	RF	AC
<u>Accessory Dwelling Unit (ADU)</u>					C	C				
<u>Backyard Poultry</u>										
<u>Caretaker's Quarter</u>	C									
<u>Home Occupation</u> [MK184]	C	C	C		C	P	P	P	P	
<u>Mobile Home for Medical Hardship</u>										
<u>Pond Excavation</u>	C	C	C	C	C					C
<u>Keeping of Domesticated Animals</u>	C	C			P	P	P	P	P	

13612

3-E-1.1.b. Location

- 13613 (1) All Accessory uses and/or structures shall be located on the same lot as the Principal use(s). An
 13614 Accessory use may be located within the Principal structure, or as an independent structure on the
 13615 same lot meeting the same setbacks of the Principal structure, unless stated otherwise in this Code.
 13616 (2) Accessory structures shall not be located in the:
 13617 (a) Front yard, with the exception of waterfront lots; [Relocated from Sec. 3-14.(b)(1) (i) AR-
 13618 1]
 13619 (b) Side yard where it abuts a street;
 13620 (c) Landscape buffer; easements or parking area.
 13621 (3) Exceptions. The following Accessory uses or structures shall be exempt from the standards of
 13622 Subsection 3-E-1.1.b.(2)(c).
 13623 (a) Dumpsters that are screened from view;
 13624 (b) Fences, walls, and columns;
 13625 (c) Decorative entrance feature such as gates, fountains, planters;
 13626 (d) Bicycle rack;
 13627 (e) Detached garage for a Residential use;
 13628 (f) Caretaker's Quarter; and
 13629 (g) Any other Accessory structure that may be allowed by the Planning and Zoning Director,
 13630 or his/her designee to be located in the front or side street yard. The Planning and Zoning
 13631 Director, or his/her designee shall utilize the following criteria to make a decision on the
 13632 proposed location:
 13633 i. The Accessory structure is screened from street view by a perimeter buffer;
 13634 ii. The Accessory structure will not impede any internal pedestrian or vehicular traffic;
 13635 and

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

Part E Use Types and Standards

13636 iii. By placing such Accessory structure in the front or side yard will not impose
13637 negative impacts to the Principal use/structure.

13638 **3-E-1.1.c. Floor Area**

13639 (1) Maximum Floor Area.

13640 (a) For a Residential use, the Accessory use or structure shall not exceed 50 percent of the
13641 GFA of the Principal structure.

13642 (b) For a Non-Residential use, the Accessory use or structure shall not exceed 30 percent of
13643 the GFA of the Principal structure.

13644 *WORKING: Insert a graphic explaining Subsection (b)*

13645 (c) Exemption. The maximum floor area of this Section shall not apply to ADU pursuant to
13646 Sec. 3-E-1.2 Accessory Dwelling Unit (ADU).

13647 **3-E-1.1.d. Development Standards**

13648 (1) Lot Size and Setback. An Accessory structure shall meet all setback and lot size standards as
13649 established within this Article and within the zoning district in which the existing dwelling is located.

13650 **[Relocated from Sec. 3-5.(v)(2)(iii)]**

13651 (2) Height. All Accessory structures shall be less than or at the same height as the Principal structure,
13652 not exceeding an overall height of 25 feet measuring from the finished grade to the highest point of
13653 the Accessory structure.

13654 *WORKING: Insert a graphic for Subsection (2) Height*

13655 **3-E-1.1.e. Building Permit**

13656 No Accessory structure or use may be constructed or established on any lot prior to the issuance of a
13657 building permit for the Principal structure. **[Relocated from Sec. 3-14.(b)(1) (i) (a) AR-1]**

13658 **Sec. 3-14.(b)(1)(i)**

13659 (i) ~~Accessory structures, subject to the following:~~

13660 a. ~~No accessory structure or use may be constructed or established on any lot prior to the~~
13661 ~~issuance of a building permit for the principal structure. **[Relocated to Sec. 3-E-1.1.e.**~~
13662 ~~**Building Permit]**~~

13663 b. ~~With the exception of waterfront lots, no accessory structure may be located within the~~
13664 ~~front yard. **Rev. 05/24/14 [Sec. 3-E-1.1.b.(2)(a) Location]**~~

13665 **Sec. 3-E-1.2. Accessory Dwelling Unit (ADU)** [MK185]

13666 **3-E-1.2.a. Description and Typical Uses**

13667 A separate habitable unit equipped with a sleeping area, provisions for sanitation and cooking facilities, and
13668 located on the same lot as the Principal dwelling unit of which it is occupied by the owner.

13669 (1) An ADU may be in the form of a separate and detached unit or as an apartment over a detached
13670 or attached garage, generally equipped with 1 kitchen only. **[Relocated from Sec. 3-5.(c) (2)]**

13671 **3-E-1.2.b. Specific Use Standards**

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Part E Use Types and Standards

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot size:</u>	15,000 square feet [Relocated from Sec. 3-5(c)(5)]
(b)	<u>Minimum Setback:</u>	
	i. <u>Front:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
	<u>Side:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
	ii. <u>Rear:</u>	7.5 feet
(c)	<u>Minimum Floor Area:</u>	375 feet [Relocated from Sec. 3-5.(c)(6)]
(d)	<u>Maximum Floor Area:</u>	40 percent of the <u>Principal Residential building's GFA</u> or 1,000 square feet, whichever is less. [Relocated from Sec. 3-5.(c)(6)]
(e)	<u>Maximum Lot Coverage:</u>	For all buildings <u>located on the same lot:</u> 35 percent [Relocated from Sec. 3-5.(c)(6)]

13672	(2)	<u>Additional Use Standards</u>
13673	(a)	<u>Conforming Lot. An ADU is allowed only on parcels conforming to the zoning district and this Code.</u>
13674	(b)	<u>Heir or Homestead Exemption and Medical Hardship. An ADU is not permitted on lots created through the Heirs or Homestead provisions as set forth in Divisions of Part C, or on lots containing a Mobile Home for Medical Hardship or an ADU with 2 Kitchens pursuant to Subsection 3-E-1.2.c Limitation below. [Relocated from Sec. 3-5.(c)(1)]</u>
13675	(c)	<u>Limitation. Not more than 1 ADU shall be permitted for each Single-Family unit in the zoning districts where allowed. The ADU shall be subordinate to the Principal building as to location, height, square footage, and building coverage. [Relocated from Sec. 3-5.(c)(2)]</u>
13676	(d)	<u>Establishment of an ADU. An ADU shall not be permitted before construction of the Principal building has commenced or a lawful Principal use is established. [Relocated from Sec. 3-5.(c)(3)]</u>
13677	(e)	<u>Owner Occupied Primary Residence. An ADU is permitted only if the owner occupies the Principal Residence and only if the Principal Residence is homesteaded. The ADU cannot be sold separately from the Principal Residence. [Relocated from Sec. 3-5.(c)(4)]</u>
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Part E Use Types and Standards

- 13689 (f) Subdivision. A lot containing an ADU shall not be subdivided to separate the ADU from the
13690 Principal use. [Relocated from Sec. 3-5.(c)(5)]
13691 (g) Orientation. Where an ADU is proposed at a second story level, all exterior doorways and
13692 outdoor living areas such as porches or balconies, shall be oriented toward the interior of
13693 the property. [Relocated from Sec. 3-5.(c)(7)]
13694 (h) Parking. One off-street parking space is required for each ADU, in addition to the parking
13695 required for the Principal use. [Relocated from Sec. 3-5.(c)(8)]
13696 (i) Building and Housing Codes. The ADU shall comply with the standards of any applicable
13697 housing codes or the Florida Building Code. [Relocated from Sec. 3-5.(c)(9)]

13698 **3-E-1.2.c. Specific Use Standards for an ADU with 2 Kitchens**

13699 This type of ADU is intended for and limited to the accommodation of parents, grandparents, or a child 18
13700 years of age or older, of the owner of the dwelling only. The ADU may be detached from or attached to the
13701 existing Principal dwelling structure. The second kitchen shall be located within the ADU. All development
13702 standards shall be pursuant to Sec. 3-E-1.2.b. Specific Use Standards, where applicable.

- 13703 (1) Attached ADU with 2 Kitchens.
13704 (a) Aesthetic Appearance. The ADU shall maintain the outward appearance of a Single-Family
13705 dwelling unit and shall not have the appearance of a duplex unit.
13706 (b) Entrance. The Principal dwelling shall not have more than 1 front or side entrance. If water-
13707 front property, then the elevation of the dwelling that faces the addressed road frontage
13708 shall not have more than 1 entrance.
13709 (c) Address and Driveway. The Principal property shall not have more than 1 address and
13710 shall have only 1 driveway access point.
13711 (d) Parking for ADU. One additional detached garage or parking space may be permitted,
13712 provided all setback and lot size standards are met as established within the zoning district
13713 in which the Principal dwelling unit is located. [Relocated from Sec. 3-5.(v)(1)]
13714 **Construction of dwelling unit with two kitchens]**
13715 (2) Detached ADU with 2 Kitchens.
13716 (a) Aesthetic Appearance and Construction. The exterior of the addition shall be of the same
13717 construction type and similar material as the existing dwelling and be compatible with the
13718 dwelling in terms of color, siding, roof pitch, window detailing, roofing materials, and
13719 foundation or skirting appearance. [Relocated from Sec. 3-5.(v)(2)(iv)]
13720 (b) Entrance. This addition shall not create an additional front or side entrance to the existing
13721 Principal dwelling. [Relocated from Sec. 3-5.(v)(2)(v)]
13722 (c) Address and Driveway. The Principal dwelling shall not have more than 1 address and
13723 shall have only 1 driveway access. [CP186][Relocated from Sec. 3-5.(v)(2)(vi)]
13724 (e) Parking for ADU. One additional detached garage or parking space may be permitted,
13725 provided all setback and lot size standards are met as established within the zoning district
13726 in which the Principal dwelling unit is located. [Relocated from Sec. 3-5.(v)(2)(vii)]
13727 (f) Manufactured or Mobile Home as an ADU. Within AG, AR, and RE Zoning Districts only,
13728 a Manufactured Home or Mobile Home can be attached as an addition, to the rear of the
13729 existing dwelling, if the existing dwelling is a Manufactured Home or Mobile Home,
13730 provided that both the existing Manufactured Home or Mobile Home is under the same
13731 roof and all other conditions are met. [Relocated from Sec. 3-5.(v) (2)(viii)] **Construction**
13732 **of an additional with a kitchen to an existing dwelling unit]**

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

Part E Use Types and Standards

- 13733 **Sec. 3-5.(c) Accessory Dwelling Unit**
13734 ~~(c) Accessory Dwelling Unit (ADU). Accessory dwelling units will be allowed within the PUD, AG, AR,~~
13735 ~~AR-1, AR-2, RA, RB, and RE Zoning District subject to the following criteria: [Deleted,~~
13736 ~~consolidated under the Accessory Use Matrix]~~
13737 ~~(1) ADUs are allowed only on parcels conforming to the zoning and land use requirements of~~
13738 ~~Clay County. [Relocated to Sec. 3-E.1.2.b.(2)(a)]~~
13739 ~~ADUs are not permitted on lots created through the Heirs or Homestead provisions or on~~
13740 ~~lots containing a Mobile Home for Medical Hardship or a Dwelling Unit with Kitchen Addition~~
13741 ~~as defined in the Conditional Uses section of this Code. [Relocated to Sec. 3-~~
13742 ~~E.1.2.b.(2)(b)]~~
13743 ~~(2) Not more than one ADU shall be permitted for each single family dwelling in the zoning~~
13744 ~~districts where allowed. The ADU may be in the form of a separate and detached unit or~~
13745 ~~as an apartment over a garage. In either case, the ADU shall be subordinate to the~~
13746 ~~principal building as to location, height, square footage and building coverage. [Relocated~~
13747 ~~to Sec. 3-E.1.2.b.(2)(c)]~~
13748 ~~(3) An ADU shall not be permitted before construction of the principal building has commenced~~
13749 ~~or a lawful principal use is established. [Relocated to Sec. 3-E.1.2.b.(2)(d)]~~
13750 ~~(4) ADUs are permitted only if the owner occupies the primary residence and only if the primary~~
13751 ~~residence is homesteaded. The ADU cannot be sold separately from the primary~~
13752 ~~residence. [Relocated to Sec. 3-E.1.2.b.(2)(e)]~~
13753 ~~(5) The establishment of a new ADU shall only be allowed if the lot area of the principal building~~
13754 ~~is at least 15,000 square feet. [Relocated to Sec. 3-E.1.3.b.(1)(a)] A lot containing an ADU~~
13755 ~~shall not be subdivided to separate the ADU from the principal use. [Relocated to Sec. 3-~~
13756 ~~E.1.2.b.(2)(f)]~~
13757 ~~(6) The design of the ADU shall be uniform in appearance to the primary residence. The floor~~
13758 ~~area shall be no less than 375 square feet and no greater than 40 percent of the primary~~
13759 ~~building's gross floor area or 1000 square feet, whichever is less. Maximum lot coverage~~
13760 ~~for all buildings may not exceed 35%. [Relocated to Sec. 3-E.1.2.b.(1)(c)(d) Specific Use~~
13761 ~~Standards]~~
13762 ~~(7) Where an ADU is proposed at a second story level, all exterior doorways and outdoor living~~
13763 ~~areas such as porches or balconies, shall be oriented toward the interior of the property.~~
13764 ~~[Relocated to Sec. 3-E.1.2.b.(2)(g)]~~
13765 ~~(8) One off street parking space is required for each ADU, in addition to the parking required~~
13766 ~~for the primary residence. [Relocated to Sec. 3-E.1.3.b.(2)(h)]~~
13767 ~~(9) The ADU shall comply with the requirements of any applicable housing or building codes.~~
13768 ~~[Relocated to Sec. 3-E.1.2.b.(2)(i)]~~
13769 ~~Application submittals shall include a written statement to include a description of the~~
13770 ~~ADU's exterior material and a site plan showing building placement, size, and setbacks.~~
13771 ~~(Rev. 05/26/09, 06/22/10) [Deleted. Application standards should follow procedures~~
13772 ~~of Article 2, project narrative and site plans are also mentioned in Part F, Division~~
13773 ~~K]~~

13774 **Sec. 3-5. Conditional Uses.**

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

Part E Use Types and Standards

- 13775 ~~(v) Dwelling Unit with Kitchen Addition for Parent, Grandparent or Child:~~
13776 ~~To promote housing diversity and affordable housing, a residential structure having two kitchens~~
13777 ~~or an addition with a kitchen to be attached to an existing single-family dwelling, can be constructed,~~
13778 ~~provided the following conditions are met: [Deleted, replaced with new description]~~
13779 ~~(1) Construction of dwelling unit with two kitchens:~~
13780 ~~(i) The second kitchen shall be for the parents, grandparents or a child 18 years of~~
13781 ~~age or older, of the owner of the dwelling only. [Relocated to Sec. 3-E-1.2.c.~~
13782 ~~Specific Use Standards for ADU with 2 Kitchens]~~
13783 ~~(ii) The dwelling should maintain the outward appearance of a single-family dwelling~~
13784 ~~unit and shall not have the appearance of a duplex unit. [Deleted as this is~~
13785 ~~repetitive to (iv) below which suggests the ADU should be designed similar~~
13786 ~~to the Principal residence]~~
13787 ~~(iii) The dwelling shall not have more than one front or side entrance. If water front~~
13788 ~~property, the elevation of the dwelling that faces the addressed road frontage shall~~
13789 ~~not have more than one entrance. [Relocated to Sec. 3-E-1.2.c.(1)(b) Entrance]~~
13790 ~~(iv) The dwelling shall not have more than one address and shall have only one~~
13791 ~~driveway access. [Relocated to Sec. 3-E-1.2.c.(1)(c) Address and Driveway]~~
13792 ~~(v) The dwelling shall have only one garage. One additional detached garage may~~
13793 ~~be permitted, provided all setback and lot size requirements are met as established~~
13794 ~~within the zoning district in which the primary dwelling is located. [Relocated to~~
13795 ~~Sec. 3-E-1.2.c.(1)(d) Garage]~~
13796 ~~(vi) All setback and lot size requirements must be met as established within this Article~~
13797 ~~and within the zoning district in which the dwelling is located. [Deleted, referred~~
13798 ~~to Sec. 3-E-1.2.b. Specific Use Standards]~~
13799 ~~(2) Construction of an addition with a kitchen to an existing dwelling unit:~~
13800 ~~(i) The addition shall be for the parents, grandparents or a child 18 years of age or~~
13801 ~~older, of the owner of the existing dwelling only. [Deleted as this repeats Sec. 3-~~
13802 ~~E-1.2.c]~~
13803 ~~(ii) The dwelling and addition should maintain the outward appearance of a single~~
13804 ~~family dwelling unit and shall not have the appearance of a duplex unit. [Relocated~~
13805 ~~to Sec. 3-E-1.2.c.(2)(a) Aesthetic Appearance and Construction]~~
13806 ~~(iii) The addition must meet all setback and lot size requirements as established within~~
13807 ~~this Article and within the zoning district in which the existing dwelling is located.~~
13808 ~~[Relocated to Sec. 3-E-1.1.d.(1) Development Standards]~~
13809 ~~(iv) The exterior of the addition shall be of the same construction type and similar~~
13810 ~~material as the existing dwelling and be compatible with the dwelling in terms of~~
13811 ~~color, siding, roof pitch, window detailing, roofing materials, and foundation or~~
13812 ~~skirting appearance. [Relocated to Sec. 3-E-1.2.c.(2)(a)i. Aesthetic Appearance~~
13813 ~~and Construction]~~
13814 ~~(v) This addition shall not create an additional front or side entrance to the existing~~
13815 ~~dwelling. [Relocated to Sec. 3-E-1.2.c.(2)(b) Entrance]~~
13816 ~~(vi) The existing dwelling shall not have more than one address and shall have only~~
13817 ~~one driveway access to the existing dwelling. [Relocated to Sec. 3-E-1.2.c.(2)(d)~~
13818 ~~Address and Driveway]~~

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

Part E Use Types and Standards

- 13819 (vii) ~~The existing dwelling shall have only one garage. One separate detached garage~~
13820 ~~may be permitted, provided all setback and lot size requirements must be met as~~
13821 ~~established within the zoning district in which the primary dwelling is located.~~
13822 **[Relocated to Sec. 3-E-1.2.c.(2)(e) Garage]**
13823 (viii) ~~Within AG, AR and RE zoning district only, a manufactured home or mobile home~~
13824 ~~can be attached as an addition, to the rear of the existing dwelling, if the existing~~
13825 ~~dwelling is a manufactured home or mobile home, provided that both the existing~~
13826 ~~manufactured home or mobile home is under the same roof and all other~~
13827 ~~conditions are met. (Amended 5/03 Ord. 03-40) [Relocated to Sec. 3-E-1.2.c.(2)~~
13828 **(f) Manufactured or Mobile Home]**

Sec. 3-E-1.3. Backyard Poultry

3-E-1.3.a. Description and Typical Uses

The keeping and raising of domesticated poultry species for home use, eggs, and meat production. For the purpose of this Section, the term "chicken" female species (*Gallus domesticus*) shall only be allowed.

3-E-1.3.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | | |
|-----|---|--|
| (a) | <u>Minimum Lot Size:</u> | <u>Apply the standards of the lot's zoning district, if applicable</u> |
| (b) | <u>Minimum Setback:</u> <u>Enclosure:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |
| (c) | <u>Maximum Size of the Enclosure:</u> | <u>100 square feet</u>
[Relocated from Sec. 3-5.(o)(4)(ii)] |

(2) Additional Use Standards:

- (a) Use.
- i. *All chickens maintained on the parcel shall be for personal use only, and no permit holder shall sell or permit to be sold any eggs, manure or any other products obtained from such chickens. [Relocated from Sec. 3-5.(o)(4)(v)]*
- ii. *No chickens maintained on the parcel may be bred for Commercial purposes. [Relocated from Sec. 3-5.(o)(4)(vi)]*
- (b) Number of Chickens. *A maximum of 4 chickens may be maintained on the parcel at any one time. [Relocated from Sec. 3-5.(o)(4)(i)]*
- (c) Enclosure. *All chickens maintained on the parcel shall be secured inside an appropriate enclosure in the rear yard of the Single-Family dwelling thereon between dusk and dawn. [Relocated from Sec. 3-5.(o)(4)(ii)]*
- (d) Slaughter. *No chicken shall be slaughtered on the parcel. [Relocated from Sec. 3-5.(o)(4)(iv)]*

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

Part E Use Types and Standards

- 13848 (e) Sanitation. ~~All areas of the parcel in which chickens are maintained shall be maintained in~~
13849 ~~a sanitary condition, with chicken feed kept in rodent-proof and raccoon-proof enclosed~~
13850 ~~containers. [Relocated from Sec. 3-5.(o)(4)(vii)]~~
13851 (f) Permit. ~~Each permit shall be personal to the applicant, shall be limited to the parcel~~
13852 ~~identified in the application, and shall not be transferable. Each permit shall be effective~~
13853 ~~upon issuance and shall continue in effect until it expires or is revoked. [Relocated from~~
13854 ~~Sec. 3-5.(o)(5) Conditional Uses.]~~
13855 (g) Expiration of Permit. ~~An approved permit shall automatically expire on the day that the~~
13856 ~~holder thereof no longer resides on the parcel identified in the permit. [Relocated from~~
13857 ~~Sec. 3-5.(o)(6) Conditional Uses.]~~

13858 3-E-1.3.c. Supplemental Application Standards

13859 In addition to the applicable procedures and submittal standards as set forth in Article 2, Procedures for
13860 Development Review and Part F, Division K Application Submission Standards the applicant shall submit
13861 the following documents:

- 13862 (1) Site Plan: Show the location, height, and intended use of all existing and proposed structures.

13863 3-E-1.3.d. Permits

- 13864 (1) Permit. ~~Each permit shall be personal to the applicant, shall be limited to the parcel identified in the~~
13865 ~~application, and shall not be transferable. Each permit shall be effective upon issuance and shall~~
13866 ~~continue in effect until it expires or is revoked. [Relocated from Sec. 3-5.(o)(5)]~~
13867 (2) Expiration of Permit. ~~An approved permit shall automatically expire on the day that the holder~~
13868 ~~thereof no longer resides on the parcel identified in the permit. [Relocated from Sec. 3-5.(o)(6)]~~
13869 (3) Revocation of Permit. ~~Shall be pursuant to Sec. 12-15. Enforcement and Sec. 12-16. Permit~~
13870 ~~Revocation.~~

13871 Sec. 3-5.(o) Conditional Uses. Chickens, Backyard Residential.

- 13872 (1) ~~For purposes of this subsection, the term "chicken" refers only to a female of the species~~
13873 ~~Gallus domesticus. [Deleted and consolidated under Sec. 3-E-1.3.a. Description and~~
13874 ~~Typical Uses]~~
13875 (2) ~~Chickens are permitted to be maintained as a conditional use on a parcel which contains~~
13876 ~~an occupied detached single family dwelling, subject to the performance standards,~~
13877 ~~limitations, conditions and development criteria established in paragraph (4). [Deleted and~~
13878 ~~consolidated under Table 3-E-1.1.a Accessory Use Matrix]~~
13879 (3) ~~Prior to commencing maintenance of chickens on a parcel that is subject to this subsection,~~
13880 ~~the occupant of the parcel must submit to the Planning and Zoning Division an application~~
13881 ~~for a permit authorizing the same and obtain the permit. The application must be on a form~~
13882 ~~provided by the Planning and Zoning Division, and must be accompanied by a site plan~~
13883 ~~and such other information as the Planning and Zoning Division may require to determine~~
13884 ~~whether the applicant has the ability and facilities to comply with the performance~~
13885 ~~standards, limitations, conditions and development criteria established in paragraph (4).~~
13886 ~~The form of the application must set forth each of such performance standards, limitations,~~
13887 ~~conditions and development criteria and include an acknowledgment by the applicant of~~
13888 ~~the applicant's continuing obligation to comply therewith. The applicant must submit with~~
13889 ~~the application a fee established by resolution of the Board of County Commissioners, as~~

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

Part E Use Types and Standards

- 13890 ~~the same may be amended from time to time. [Deleted and deferred to Article 2 and~~
13891 ~~Part F, Division K]~~
- 13892 (4) ~~The performance standards, limitations, conditions and development criteria applicable to~~
13893 ~~the maintenance of chickens on a parcel as authorized under paragraph (2) are as follows:~~
- 13894 (i) ~~A maximum of four chickens may be maintained on the parcel at any one time.~~
13895 ~~[Relocated to Sec. 3-E-I.3.b.(2)(b) Number of Chickens]~~
- 13896 (ii) ~~All chickens maintained on the parcel must be secured inside an appropriate~~
13897 ~~enclosure in the rear yard of the single family dwelling thereon between dusk and~~
13898 ~~dawn. [Relocated to Sec. 3-E-I.3.b.(2)(c) Enclosure] Such enclosure shall not~~
13899 ~~exceed 100 square feet in size [Relocated to Sec. 3-E-I.3.b.(1)(c) Minimum size~~
13900 ~~of enclosure], and shall satisfy the required setbacks for accessory structures~~
13901 ~~applicable to the zoning classification for the parcel. [Deleted, consolidated in~~
13902 ~~Sec. 3-E-I.3.b.(1) Dimensional Use Standards]~~
- 13903 (iii) ~~All chickens maintained on the parcel must be secured either inside the enclosure~~
13904 ~~required under subparagraph (ii) or within a fenced area in the rear yard of the~~
13905 ~~single family dwelling thereon between dawn and dusk. [Deleted, repeated Sec.~~
13906 ~~3-5(o).4.(ii)]~~
- 13907 (iv) ~~No chicken shall be slaughtered on the parcel. [Relocated to Sec. 3-E-I.3.b(2)(d)~~
13908 ~~Slaughter]~~
- 13909 (v) ~~All chickens maintained on the parcel shall be for personal use only, and no permit~~
13910 ~~holder shall sell or permit to be sold any eggs, manure or any other products~~
13911 ~~obtained from such chickens. [Relocated to Sec. 3-E-I.3.b(2)(a) i. Use]~~
- 13912 (vi) ~~No chickens maintained on the parcel may be bred for commercial purposes.~~
13913 ~~[Relocated to Sec. 3 Sec. 3-E-I.3.b(2)(a) ii. Use]~~
- 13914 (vii) ~~All areas of the parcel in which chickens are maintained must be maintained in a~~
13915 ~~sanitary condition, with chicken feed kept in rodentproof and raccoon-proof~~
13916 ~~enclosed containers. [Relocated to Sec. 3-E-I.3.b.(2)(e) Sanitation]~~
- 13917 (5) ~~Upon receipt of an application for a permit under subsection (3) that complies with the requirements~~
13918 ~~thereof together with the fee required thereunder, and upon determining that the applicant has the~~
13919 ~~ability and facilities to comply with the performance standards, limitations, conditions and~~
13920 ~~development criteria established in paragraph (4) with respect to the application, the Planning and~~
13921 ~~Zoning Division shall issue the permit. Each permit shall be personal to the applicant, shall be~~
13922 ~~limited to the parcel identified in the application, and shall not be transferable. Each permit shall be~~
13923 ~~effective upon issuance and shall continue in effect until it expires or is revoked. [Relocated to~~
13924 ~~Sec. 3-E-I.3.d.(1) Permit]~~
- 13925 (7) ~~Upon determining that the holder of a permit issued under paragraph (5) has failed to comply with~~
13926 ~~any of the performance standards, limitations, conditions and development criteria established in~~
13927 ~~paragraph (4), the Planning and Zoning Division may issue to the holder a written notice of intent~~
13928 ~~to revoke the permit. Such notice shall set forth with reasonable particularity the factual basis for~~
13929 ~~the revocation, shall advise the holder of the right to request a hearing as provided under subsection~~
13930 ~~(8), and shall include verbatim the provisions of subsections (8), (9), (10) and (11).~~
- 13931 (8) ~~The holder of a permit to whom a written notice of intent to revoke has been issued under paragraph~~
13932 ~~(7) shall have a period of ten calendar days following the date of issuance to submit to the Planning~~
13933 ~~and Zoning Division a written request for a hearing before the Director thereof. If the holder fails to~~

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Part E Use Types and Standards

- 13934 ~~timely request a hearing, the Director shall forthwith issue to the holder a written notice revoking~~
 13935 ~~the permit, which shall be effective upon the date of the issuance thereof.~~
 13936 (9) ~~— If a hearing has been timely requested under paragraph (8), the Director of the Planning and Zoning~~
 13937 ~~Division shall promptly schedule a hearing and provide reasonable prior written notice thereof to~~
 13938 ~~the holder of the permit. At the hearing, the Director shall cause to be presented sufficient evidence~~
 13939 ~~supporting the factual basis for the revocation, and the holder of the permit shall be permitted to~~
 13940 ~~cross examine all witnesses and examine all documentary evidence so presented, and to present~~
 13941 ~~testimony and other evidence supporting a determination against the revocation. The Director shall~~
 13942 ~~cause an audio recording of the hearing to be made, and shall place all witnesses under oath. The~~
 13943 ~~holder of the permit shall be entitled to be represented by counsel at the hearing at the holder's~~
 13944 ~~expense. The minimum requirements of due process shall be observed at the hearing.~~
 13945 (10) ~~— Following a hearing under subsection (9), the Director of the Planning and Zoning Division shall~~
 13946 ~~promptly issue to the holder of the permit a written decision revoking the permit or withdrawing the~~
 13947 ~~notice of intent to revoke. The decision shall be effective upon the date of the issuance thereof.~~
 13948 (11) ~~— A notice issued under subsections (7) and (8) and a decision issued under subsection (10) shall~~
 13949 ~~be effective upon the date deposited with the United States Postal Service.~~
 13950 (12) ~~— The holder of a permit that has been revoked under this subsection shall not be eligible to obtain a~~
 13951 ~~permit under this subsection for a period of two years following the effective date of the revocation.~~
 13952 **[Deleted as the violation of any development order shall be pursuant to Sec. 12-15**
 13953 **Enforcement and Sec. 12-16 Permit Revocation]**

13954 Sec. 3-E-I.4. Caretaker's Quarter

13955 3-E-I.4.a. Description and Typical Uses

13956 ~~A living facility to be resided in by a steward, who performs managerial, security and/or custodial type of~~
 13957 ~~services to the facility.~~

13958 3-E-I.4.b. Specific Use Standards

(1)	<u>Dimensional Use Standards:</u>	
(a)	<u>Minimum Lot Size:</u>	<u>Apply the standards of the lot's zoning district, if applicable</u>
(b)	<u>Minimum Floor Area:</u>	<u>750 square feet</u>
(c)	<u>Maximum Floor Area:</u>	<u>1,200 square feet</u>
(d)	<u>Minimum Setback:</u>	
	<u>i. Front:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
	<u>ii. Side:</u>	<u>Apply setbacks of the lot's zoning district, if applicable</u>
	<u>i. Rear:</u>	<u>7.5 feet</u>

13959 (2) Additional Use Standards

13960 (a) Number. Only 1 Caretaker's Quarter that is affiliated with the Principal use is allowed.

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Part E Use Types and Standards

- 13961 (b) Occupancy. The Quarter shall be resided by the caretaker and his/her family.
13962 (c) Vehicular Access. Shall be from the same access point(s) as the Principal use. Separate
13963 access on the same lot may be allowed subject to County Engineer's approval.
13964 (d) Temporary Use. A Caretaker's Quarter shall not be provided for a Temporary use except
13965 stated otherwise in Subsection 3-E-1.4.b(2)(e) below.
13966 (e) Mobile Home. A Mobile Home may be allowed to serve as a Caretaker's Quarter only in
13967 AG, AR, and Industrial Zoning Districts. This shall be subject to a removal agreement,
13968 executed and notarized between the County Building Department and the applicant prior
13969 to the issuance of the building permit for the Mobile Home Caretaker's Quarter.

13970 Sec. 3-E-1.5. Home Occupation [MK188]

13971 3-E-1.5.a. Description and Typical Uses

13972 A limited small-scale business or occupation that is conducted by the property owner in his/her dwelling
13973 unit. The business or occupation shall be carried on solely by the residents of the dwelling, when conducted
13974 entirely within the dwelling, when clearly incidental and secondary to the use of the dwelling for dwelling
13975 purposes, and when no change in the character of the dwelling occurs. [Relocated from Sec. 3-5.(ad)
13976 Home Occupations]

13977 3-E-1.5.b. Specific Use Standards

(1) Dimensional Use Standards:

- | | | |
|-----|--|--|
| (a) | <u>Minimum Lot Size:</u> | <u>Apply standards of the lot's zoning district, if applicable</u> |
| (b) | <u>Minimum Setback:</u> <u>All structures unless stated otherwise:</u> | <u>Apply setbacks of the lot's zoning district, if applicable</u> |

(2) Additional Use Standards

- 13978 (a) Prohibited Home Occupations. The following or similar professions or occupations are
13979 expressly prohibited as home occupations:
13980 (1) Vehicle Repair and Maintenance such as major and minor auto or machinery repair
13981 or paint shops, including welding;
13982 (2) Light Manufacturing and Processing such as carpentry, upholstery, cabinet
13983 making, electric machinery or appliance repair;
13984 (3) Personal Services such as beauty shops and barber shops;
13985 (4) Private or Public Schools with organized classes other than limited individual
13986 tutoring;
13987 (5) Day Care centers for the care of more than 6 unrelated children;
13988 (6) Office, Business and Professional such as medical or dental offices; psychological
13989 or psychiatric counseling offices;
13990 (8) Retail Sales, General such as direct consumer sales, retail, or wholesale, of any
13991 good or commodity on the premises; and
13992 (9) Landscape/yard maintenance services, except in AG and AR districts. [Relocated
13993 from Sec. 3-5.(ad) (2)(i) through (ix) Home Occupations]
13994

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

Part E Use Types and Standards

- 13995 (b) Rules and Standards for Home Occupations.
13996 (1) Homeowner Occupation. The use shall be conducted by a member or members
13997 of the immediate family residing on the premises. [Relocated from Sec. 3-
13998 5.(ad)(2)(i)]
13999 (2) Equipment. No chemical, electrical, or mechanical equipment is to be used except
14000 that which is normally used for purely domestic or household purposes.
14001 [Relocated from Sec. 3-5.(ad)(2)(ii)]
14002 (3) No Sale or Display of Commodity. No commodity or item shall be sold upon the
14003 premises, nor shall a display of products be visible from the street. [Relocated
14004 from Sec. 3-5.(ad)(2)(iii)]
14005 (4) Zoning District Limitations. Within the RA, RB, RE, RMHP, RC, AR-2, RD, and
14006 PUD Zoning Districts, the activities comprising the Home Occupation shall take
14007 place entirely within the Principal dwelling. The area devoted to the Home
14008 Occupation shall not be the dominant use of the dwelling and in no case shall
14009 exceed 20 percent of the total square footage of the Principal dwelling living area.
14010 Within the AG, AR, and AR-1 Zoning Districts, in cases where the size of the
14011 residence's lot exceeds 1 acre, the Home Occupation may take place within an
14012 Accessory building. [Relocated from Sec. 3-5.(ad)(2)(iv)]
14013 (5) Sign. Shall be pursuant to Sec. 7-F.2. Address Number Sign. The sign shall be
14014 attached to the dwelling, not more than 2 feet from the front entrance. [Relocated
14015 from Sec. 3-5.(ad)(2)(v)]
14016 (6) Outdoor Alteration. There shall be no alteration in the residential character of the
14017 premises in connection with such Home Occupation. [Relocated from Sec. 3-
14018 5.(ad)(2)(vi)]
14019 (7) Traffic and Pedestrian Circulation. The occupation shall not create any greater
14020 vehicle or pedestrian traffic than is usual and normal for the residence in which the
14021 Home Occupation is located. [Relocated from Sec. 3-5.(ad)(2)(vii)]
14022 (8) Outside Storage. No outside storage of products or the materials used in their
14023 manufacture shall be permitted anywhere on the premises. [Relocated from Sec.
14024 3-5.(ad)(2)(viii)]
14025 (9) Enforcement and Violation. All Home Occupations shall be subject, at any time, to
14026 review and investigation by the Clay County Code Enforcement Division, or
14027 designee. [Relocated from Sec. 3-5.(ad)(2)(ix)] A willful violation of this Section
14028 by a resident shall be grounds for the immediate and permanent revocation of the
14029 Home Occupation use. [Relocated from Sec. 3-5.(ad)(2)(x)]
14030 (10) Parking. No additional vehicles shall be routinely parked at the residence other
14031 than those owned by the members of the immediate family residing on the
14032 premises or their guests. [Relocated from Sec. 3-5.(ad)(2)(xi)]

14033 Sec.3-5. Conditional Uses.

- 14034 (ad) ~~Home Occupations. Home occupations may be allowed as a conditional use within the AG, AR,~~
14035 ~~RA, RB, RE, RMHP, RC, AR-1, AR-2, RD and PUD zoning districts [Deleted and consolidated~~
14036 ~~under Sec. 3-E-1.1.a Accessory Use Matrix] when carried on solely by the residents of the~~
14037 ~~dwelling, when conducted entirely within the dwelling, when clearly incidental and secondary to the~~
14038 ~~use of the dwelling for dwelling purposes, and when no change in the character of the dwelling~~

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

Part E Use Types and Standards

- 14039 occurs thereby, subject to the following conditions: [Relocated to Sec. 3-E-1.5.a. Description and
14040 Typical Uses]
- 14041 (1) ~~Prohibited Home Occupations. The following or similar professions or occupations are~~
14042 ~~expressly prohibited as home occupations:~~
- 14043 (i) ~~Major and minor auto or machinery repair or paint shops, including welding.~~
14044 (ii) ~~Carpentry, upholstery, and cabinet making.~~
14045 (iii) ~~Beauty shops and barber shops.~~
14046 (iv) ~~Private schools with organized classes other than limited individual tutoring.~~
14047 (v) ~~Electric machinery or appliance repair.~~
14048 (vi) ~~Day care centers for the care of more than six (6) unrelated children.~~
14049 (vii) ~~Medical or dental offices; psychological or psychiatric counseling offices.~~
14050 (viii) ~~Direct consumer sales, retail or wholesale, of any good or commodity on the~~
14051 ~~premises.~~
- 14052 (ix) ~~Landscape/yard maintenance services, except in AG and AR residential districts.~~
14053 [Relocated to Sec. 3-E-1.5.b.(2) Prohibited Home Occupations, Additional Use
14054 Standards]
- 14055 (2) ~~Rules and Regulations for Home Occupations:~~
- 14056 (i) ~~The use must be conducted by a member or members of the immediate family~~
14057 ~~residing on the premises. [Relocated to Sec. 3-E-1.5.b.(2)(b)(1) Homeowner~~
14058 ~~Occupation]~~
- 14059 (ii) ~~No chemical, electrical, or mechanical equipment is to be used except that which~~
14060 ~~is normally used for purely domestic or household purposes. [Relocated to Sec.~~
14061 ~~3-E-1.5.b.(2)(b)(2) Equipment]~~
- 14062 (iii) ~~No commodity or item shall be sold upon the premises nor shall a display of~~
14063 ~~products be visible from the street. [Relocated to Sec. 3-E-1.5.b.(2)(b)(3) No Sale~~
14064 ~~or Display of Commodity]~~
- 14065 (iv) ~~Within the RA, RB, RE, RMHP, RC, AR-2, RD and PUD zoning districts, the~~
14066 ~~activities comprising the Home Occupation shall take place entirely within the~~
14067 ~~principal dwelling. The area devoted to the home occupation shall not be the~~
14068 ~~dominant use of the dwelling and in no case shall exceed twenty (20) percent of~~
14069 ~~the total square footage of living area. Within the AG, AR, and AR-1 zoning~~
14070 ~~districts, in cases where the size of the residence's lot exceeds one acre, the Home~~
14071 ~~Occupation may take place within an accessory building. [Relocated to Sec. 3-E-~~
14072 ~~1.5.b.(2)(b)(4) Zoning District Limitations]~~
- 14073 (v) ~~One sign, not over two (2) square feet in area, may be permitted showing only the~~
14074 ~~name of the business or the profession. The sign must be attached to the dwelling,~~
14075 ~~nor more than two (2) feet from the front entrance. [Deleted part of this standard~~
14076 ~~and deferred to Sec. 7-F.2. Address Number Sign. Relocated remainder to~~
14077 ~~Sec. 3-E-1.5.b.(2)(b)(5) Sign]~~
- 14078 (vi) ~~There shall be no alteration in the residential character of the premises in~~
14079 ~~connection with such home occupation. [Relocated to Sec. 3-E-1.5.b.(2)(b)(6) No~~
14080 ~~Outdoor Alteration]~~
- 14081 (vii) ~~The occupation shall not create any greater vehicle or pedestrian traffic than is~~
14082 ~~usual and normal for the residence in which the home occupation is located.~~

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Part E Use Types and Standards

- 14083 [Relocated to Sec. 3-E-1.5.b.(2)(b)(7) Limited Traffic and Pedestrian
14084 Circulation]
14085 (viii) ~~No outside storage of products or the materials used in their manufacture shall be~~
14086 ~~permitted anywhere on the premises.~~ [Relocated to Sec. 3-E-1.5.b.(2)(b)(8)
14087 Outside Storage]
14088 (ix) ~~All home occupations shall be subject, at any time, to review and investigation by~~
14089 ~~the Clay County Code Enforcement Division, or designee.~~ [Relocated to Sec. 3-
14090 E-1.5.b.(2)(b)(9) Enforcement and Violation]
14091 (x) ~~A willful violation of this subsection by a resident shall be grounds for the~~
14092 ~~immediate and permanent revocation of the Home Occupation use.~~ [Relocated to
14093 Sec. 3-E-1.5.b.(2)(b)(9) Enforcement and Violation]
14094 (xi) ~~No additional vehicles shall be routinely parked at the residence other than those~~
14095 ~~owned by the members of the immediate family residing on the premises or their~~
14096 ~~guests.~~ [Relocated to Sec. 3-E-1.5.b.(2)(b)(10) Parking]

14097 Sec. 3-E-1.6. Mobile Home for Medical Hardship

14098 3-E-1.6.a. Description

14099 A Mobile Home used exclusively to house a family member of the head of the household, or of his or her
14100 spouse, of the Principal residence, together with the immediate family of such member, under
14101 circumstances whereby either:

- 14102 (1) such a family member suffers from a medical hardship which requires constant or recurring physical
14103 care and assistance from a family member residing in the primary residence; or
14104 (2) a family member residing in the Principal residence suffers from a medical hardship which requires
14105 constant or recurring physical care and assistance from the family member residing in the Mobile
14106 Home. [Relocated from Sec. 3-5.(ao)(2)(i) and (ii) Mobile Home for Medical Hardships]

14107 3-E-1.6.b. Specific Use Standards

(1) Dimensional Use Standards:

- (a) Minimum Lot Size: Apply the standards of the lot's zoning district, if applicable
(b) Minimum Setback: Apply setbacks of the lot's zoning district, if applicable

(2) Additional Use Standards

- 14108 (a) Location. The Mobile Home shall be located as close to the Principal Residential structure
14109 as possible while still complying with all applicable setbacks. [Relocated from Sec. 3-
14110 5.(ao)(6)]
14111 (b) Lawful Status. The Mobile Home shall be accessory to the primary Residential use which
14112 otherwise lawfully exists.
14113 (c) Proof of Hardships. The Mobile Home may lawfully continue, and any permit issued
14114 hereunder shall remain valid, only so long as all of the conditions listed below continue to
14115 exist, the additional living accommodations are necessary to avoid undue hardship, and
14116 the medical hardship clearly exists. Once the conditions authorized hereunder no longer
14117

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

Part E Use Types and Standards

14118 exist, the permit shall be deemed expired and the mobile home shall be removed within 60
14119 days.
14120 (d) Valid Permit. The Mobile Home authorized hereunder may commence and thereafter
14121 continue only under a valid permit therefore issued by the Planning and Zoning
14122 Department. Such permit and each renewal thereof shall only be valid for a period of 1 year
14123 from the date of issuance, and may be renewed annually so long as the conditions continue
14124 to exist.
14125 (e) Expired Permit. In the event the permit expires, is revoked, or is nonrenewed, the use shall
14126 be terminated immediately, and all permits issued by the Building Department for the
14127 Mobile Home shall be deemed revoked, any such permits having been deemed hereby to
14128 have been issued conditioned upon the continued existence of the permit or renewal of the
14129 permit. [Relocated from Sec. 3-5.(1) through (5)]

14130 **Sec. 3-5-Conditional Uses.**

14131 (ao) ~~Mobile Home for Medical Hardship.~~

14132 (1) ~~The use must be accessory to the primary residential use which otherwise lawfully exists.~~
14133 ~~[Relocated to Sec. 3-E-1.6.b.(2)(b) Additional Use Standards, Mobile Home for~~
14134 ~~Medical Hardship]~~

14135 (2) ~~The mobile home must be used exclusively to house a family member of the head of the~~
14136 ~~household, or of his or her spouse, of the primary residence, together with the immediate~~
14137 ~~family of such member, under circumstances whereby either:~~

14138 (i) ~~such a family member suffers from a medical hardship which requires constant or~~
14139 ~~recurring physical care and assistance from a family member residing in the~~
14140 ~~primary residence; or~~

14141 (ii) ~~a family member residing in the primary residence suffers from a medical hardship~~
14142 ~~which requires constant or recurring physical care and assistance from the family~~
14143 ~~member residing in the mobile home.~~[Relocated to Sec. 3-E-1.6.a. Description
14144 and Typical Uses]

14145 (3) ~~The use authorized hereunder may lawfully continue, and any permit issued hereunder~~
14146 ~~shall remain valid, only so long as all of the conditions described in this paragraph continue~~
14147 ~~to exist, the additional living accommodations are necessary to avoid undue hardship, and~~
14148 ~~the medical hardship clearly exists. Once the conditions authorized hereunder no longer~~
14149 ~~exist, the permit shall be deemed expired and the mobile home must be removed within~~
14150 ~~sixty (60) days.~~ [Relocated to Sec. 3-E-1.6.b.(2)(c) Additional Use Standards, Mobile
14151 Home for Medical Hardship]

14152 (4) ~~For purposes of this paragraph, the following terms shall have the following definitions:~~

14153 (i) ~~Family member. Mother, father, brother, sister, child, grandchild, grandparent,~~
14154 ~~great-grandparent, adopted child, adopted grandchild, and the spouse or in-law of~~
14155 ~~any such person.~~ [Relocated to Sec. 1-15. Definitions]

14156 (ii) ~~Medical hardship. A condition of health requiring constant or recurring physical~~
14157 ~~care and assistance, as stated in writing by a duly licensed physician. An original~~
14158 ~~letter from the physician on the physician's letterhead shall be submitted annually~~
14159 ~~from the date of issuance.~~ [Relocated to Sec. 1-15. Definitions]

14160 (5) ~~The use authorized hereunder may commence and thereafter continue only under a valid~~
14161 ~~permit therefor issued by the Planning and Zoning Department. Such permit and each~~

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

Part E Use Types and Standards

14162 ~~renewal thereof shall only be valid for a period of one (1) year from the date of issuance,~~
14163 ~~and may be renewed annually so long as the conditions provided under this paragraph~~
14164 ~~continue to exist.~~ [Relocated to Sec. 3-E-1.6.b.(2) (d) Additional Use Standards,
14165 **Mobile Home for Medical Hardship**]
14166 ~~In the event the permit expires, is revoked, or is nonrenewed, the use must be terminated~~
14167 ~~immediately, and all permits issued by the Building Department for the mobile home shall~~
14168 ~~be deemed revoked, any such permits having been deemed hereby to have been issued~~
14169 ~~conditioned upon the continued existence of the permit or renewal of the permit provided~~
14170 ~~under this sub-paragraph.~~ [Relocated to Sec. 3-E-1.6.b.(2)(e) Additional Use
14171 **Standards, Mobile Home for Medical Hardship**]
14172 (6) ~~The mobile home shall be located as close to the primary structure as possible while still~~
14173 ~~complying with all applicable setbacks required in the Code.~~ [Relocated to Sec. 3-E-
14174 1.6.b.(2)(a) Additional Use Standards, Mobile Home for Medical Hardship]

14175 Sec. 3-E-1.7. Keeping of Domesticated Animals

14176 3-E-1.7.a. Description and Typical Uses

14177 ~~The keeping of domesticated cats and dogs with a limit of 6 total per household over 6 months in age shall~~
14178 ~~be allowed.~~ [Relocated from Sec. 3-15.(d)(1) and (2) AR-2 Zoning District]

14179 Sec. 3-E-1.8. Agricultural District Specific Accessory Uses

14180 3-E-1.8.a. Agricultural and Agricultural/Residential Zoning Districts

14181 ~~In addition to the types of Accessory use identified in Sec. 3-E-1.1. Accessory Use and Structures through~~
14182 ~~Sec. 3-E-1.6. Mobile Home for Medical Hardship, there are uses that are customary, accessory, and/or~~
14183 ~~incidental to the Principal use in a specific Agricultural or Agricultural Residential zoning district, as follows:~~

14184 3-E-1.8.b. AG Zoning District

14185 ~~For lots of greater than 1 acre in size, Permitted uses include general farming activities: dairying, forestry,~~
14186 ~~greenhouses, livestock raising, nurseries, poultry, and egg production (excluding broilerhouse operations~~
14187 ~~and mass production egg laying), crop raising, horticulture, apiculture, pisciculture, and groves. Agricultural~~
14188 ~~Accessory uses and affiliated structures shall be permitted:~~ [Relocated from Sec. 3-12.(b)(2) Uses
14189 **Permitted, AG]**

14190 (1) ~~Accessory buildings directly incidental to the Agricultural pursuits.~~

14191 (2) ~~Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided the~~
14192 ~~structure does not exceed 3,000 square feet of GFA.~~

14193 (3) ~~Stand for the sale of products which are raised on the premises.~~ [Relocated from Sec. 3-
14194 **12.(b)(1)(i) to (iii) Zone AG]**

14195 (4) ~~Satellite dish receivers for individual use.~~ [Relocated from Sec. 3-12.(b)(7) Zone AG]

14196 (5) ~~Minimum Setbacks (excluding fences):~~

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

Part E Use Types and Standards

(a)	Front:	<u>From lot line when adjacent to any district:</u>	30 feet [From Sec. 3-12.(f)(6)]
(b)	Side:	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-12.(f)(7)]
(c)	Rear:	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-12.(f)(7)]

14197 **Sec. 3-12.(b)(2)(Zone AG)**

- 14198 (1) ~~For lots of greater than one (1) acre in size, permitted uses include general farming activities:~~
 14199 ~~dairying, forestry, greenhouses, livestock raising, nurseries, poultry and egg production (excluding~~
 14200 ~~broilerhouse operations and mass production egg laying), crop raising, horticulture, apiculture,~~
 14201 ~~pisciculture, and groves. [Relocated to Sec. 3-E-1.9.b. AG Zoning District]~~
 14202 (i) ~~Agricultural accessory uses that are customary and incidental to principal agricultural use~~
 14203 ~~shall be permitted as follows:~~
 14204 (ii) ~~Accessory buildings directly incidental to the agricultural pursuits listed above.~~
 14205 ~~Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided~~
 14206 ~~the structure does not exceed three thousand (3,000) square feet of gross floor area.~~
 14207 (iii) ~~Stand for the sale of products which are raised on the premises. [Relocated to Sec. 3-E-~~
 14208 ~~1.9.b. (1) through (3) AG]~~
 14209 **Sec. 3-12.(b)(7).**
 14210 (7) ~~Satellite dish receivers for individual use. [Relocated to Sec. 3-E-1.9.b.(4) AG]~~

14211 **Sec. 3-12.(f)(6) and (7)(Zone AG)**

- 14212 (6) ~~Minimum Front Yard Setback for Accessory Structures~~ 30 feet
 14213 (7) ~~Minimum Rear and Side Yard Setback for Accessory Structures,~~ 7.5 feet
 14214 ~~Excluding Fences [Relocated to Sec. 3-E-1.9.b.(4) AG]~~

14215 **3-E-1.8.c. AR Zoning District**

- 14216 Agricultural Accessory uses and affiliated structures shall be permitted:
 14217 (1) Accessory buildings directly incidental to the Agricultural pursuits.
 14218 (2) Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided the
 14219 structure does not exceed 3,000 square feet of GFA.
 14220 (3) Stand for the sale of products which are raised on the premises. [Relocated from Sec. 3-13.(b)(4)
 14221 (i) to (iii) Zone AR]
 14222 (4) Satellite dish receivers for individual use. [Relocated from Sec. 3-13.(b)(9) Zone AR]

(5)	Minimum Setbacks (excluding fences):		
(a)	Front:	<u>From lot line when adjacent to any district:</u>	30 feet [From Sec. 3-13.(f)(6)]
(b)	Side:	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-13.(f)(7)]
(c)	Rear:	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-13.(f)(7)]

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

Part E Use Types and Standards

14223 **Sec. 3-13.(b) (Zone AR)**

- 14224 (i) ~~Agricultural accessory uses that are customary and incidental to principal agricultural use shall be~~
14225 ~~permitted as follows:~~
- 14226 (ii) ~~Accessory buildings directly incidental to the agricultural pursuits listed above.~~
14227 ~~Sheds for the storage and repair of the owner's or tenant's farm equipment only, provided the~~
14228 ~~structure does not exceed three thousand (3,000) square feet of gross floor area.~~
- 14229 (iii) ~~Stand for the sale of products which are raised on the premises. [Relocated to Sec. 3-E-I.8.c.(1)~~
14230 ~~to (3) AR]~~

14231 **Sec. 3-13.(f)(6) and (7)(Zone AR)**

- 14232 (6) ~~Minimum Front Yard Setback for Accessory Buildings Excluding Fences~~
14233 ~~30 feet~~
- 14234 (7) ~~Minimum Rear and Side Yard Setback for Accessory Buildings, 7.5 feet~~
14235 **[Relocated to Sec. 3-E-I.8.c.(5) AR]**
- 14236 (9) ~~Satellite dish receivers for individual uses. [Relocated to Sec. 3-E-I.8.c.(4) AR]~~

14237 **3-E-I.9.c. AR-1 Zoning District**

14238 Agricultural Accessory uses and affiliated structures shall be permitted:

- 14239 (1) The Non-Commercial breeding, raising, grazing or keeping of animals, fowl, and insects including,
14240 but not limited to, customary farm animals similar to horses, cattle, goats, pigs, rabbits, insects, or
14241 poultry and domestic animals similar to dogs, cats, or birds. Provided, however, that no more than
14242 1 insect hive or 1 adult customary farm animal 6 months of age or older, per each 1/2 acre of land,
14243 and no more than 1 domestic animal 6 months of age or older per each 1/5 acre (8,712 sq. ft.) shall
14244 be raised, grazed, kept, or maintained, and provided further, that no animal pen, stall, stable, cage,
14245 kennel, or other similar animal enclosure, nor insect hive shall be nearer than 100 feet from any
14246 Residential dwelling under different ownership or occupancy. If said Residential dwelling is
14247 constructed subsequent to any of the aforementioned animal enclosures or hives, which may be
14248 located on an abutting lot or parcel, then the 100-foot separation shall be deemed non-applicable
14249 and the appropriate property setbacks as established herein, shall apply. The farm or domestic
14250 animals or hives referenced herein shall be raised, grazed, kept, or otherwise maintained upon the
14251 same parcel upon which the main residence is located, or may be upon another parcel which lies
14252 immediately abutting the parcel upon which the main residence is located. [Relocated from Sec.
14253 3-14.(d) Uses or Activities Permitted as Accessory, AR-1]
- 14254 (2) The keeping of all animals shall be subject to the following restrictions:
- 14255 (a) No animal shelter, stall, stable, kennel, cage, hive, or other similar enclosure shall be less
14256 than 150 feet from the Residential dwelling of a different property owner when such
14257 dwelling is separated by an existing street or roadway.
- 14258 (b) The keeping and maintenance of all animals shall conform with all State, County and Local
14259 regulations and standards affecting such concerns as, but not limited to, health, safety,
14260 drainage, and environmental protection. [Relocated from Sec. 3-14.(d)(1)(i) and (ii) AR-
14261 1 Zoning District]
- 14262 (3) Non-Commercial Agricultural pursuits of a variety similar, but not limited to, truck gardens,
14263 horticultural farming, greenhouse, nurseries, farms and fruit groves as a secondary use to the
14264 Principal residence. Provided, however, that said Agricultural pursuit as referenced herein is

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Part E Use Types and Standards

14265 located and conducted upon a parcel which is the same as or immediately abuts the parcel upon
14266 which the main residence is located. [Relocated from Sec. 3-14.(d)(2) AR-1 Zoning District]

14267 (4) Satellite dish receivers for individual use. [Relocated from Sec. 3-14.(b)(3) AR-1]

(5) Minimum Setbacks (excluding fences):

(a)	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	30 feet [From Sec. 3-14.(g)(6)]
(b)	<u>Side:</u>	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-14.(g)(6)]
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	7.5 feet [From Sec. 3-14.(g)(6)]

14268 **Sec. 3-14.(b) and (d) (Zoned AR-1)**

14269 ~~(b) (3) Satellite dish receivers for individual use.~~ [Relocated to Sec. 3-E-1.8.c.(4) AR-1]

14270 ~~(d) Uses or Activities Permitted as Accessory. The use of land or activities upon such land, which are secondary or incidental to the primary use as set forth herein, shall be as follows:~~

14271 ~~(1) The non-commercial breeding, raising, grazing or 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. Provided, however, that no more than one (1) insect hive or one (1) adult customary farm animal six (6) months of age or older, per each one-half (1/2) acre (21,780 sq. ft.) of land, and no more than one (1) domestic animal six months of age or older per each one-fifth (1/5) acre (8,712 sq. ft.) shall be raised, grazed, kept, or maintained, and provided further, that no animal pen, stall, stable, cage, kennel, or other similar animal enclosure, nor insect hive shall be nearer than one hundred (100) feet from any residential dwelling under different ownership or occupancy. If said residential 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. 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.~~
14288 [Relocated to Sec. 3-E-1.8.c.(1) AR-1]

14289 ~~The keeping of all animals as set forth herein shall be subject to the following restrictions:~~

14290 (i) ~~No animal shelter, stall, stable, kennel, cage, hive, or other similar enclosure shall be less than 150 feet from the residential dwelling of a different property owner when such dwelling is separated by an existing street or roadway.~~

14293 (ii) ~~The keeping and maintenance of all animals as set forth herein shall conform with all State, County and Local regulations and requirements affecting such concerns as, but not limited to, health, safety, drainage, and environmental protection.~~

14297 [Relocated to Sec. 3-E-1.8.c.(1) (a)(b) AR-1]

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

Part E Use Types and Standards

- 14298 (2) ~~Non-commercial agricultural pursuits of a variety similar, but not limited to, truck gardens,~~
 14299 ~~horticultural farming, greenhouse, nurseries, farms and fruit groves as a secondary use to~~
 14300 ~~the primary residence. Provided, however, that said agricultural pursuit as referenced~~
 14301 ~~herein is located and conducted upon a parcel which is the same as or immediately abuts~~
 14302 ~~the parcel upon which the main residence is located.~~
 14303 (3) ~~Garage sales will be allowed up to a maximum of two (2) garage sales within any calendar~~
 14304 ~~year. The duration of each garage sale shall be a maximum of seventy-two (72) hours and~~
 14305 ~~may be conducted only within daylight hours. No sign advertising a garage sale may be~~
 14306 ~~placed on any public right-of-way. [Deleted and this is repeated in Sec. 3-12.(b)(6), and~~
 14307 ~~that section has been consolidated under new Sec. 3-E-J.a. Garage or Yard Sale]~~

Sec. 3-14.(g)(6)

- 14309 (6) ~~Minimum setback from all lot lines of accessory structures, except fences, side and rear 7.5 ft. front~~
 14310 ~~(but in no event nearer to front line than the front of the principal building.) 30 ft. [Relocated to Sec.~~
 14311 ~~3-E-I.8.d.(5) AR-1]~~

3-E-I.8.d. AR-2 Zoning District

14313 Agricultural Accessory Uses and affiliated structures shall be permitted:

- 14314 (1) ~~Non-Commercial Agricultural pursuits of a variety similar, but not limited to, truck gardens,~~
 14315 ~~horticultural farming, greenhouse, nurseries, farms and fruit groves as a secondary use to the~~
 14316 ~~primary residence. Provided, however, that said AgriculturalSpursuit as referenced herein is~~
 14317 ~~located and conducted upon a parcel which is the same as or immediately abuts the parcel upon~~
 14318 ~~which the main residence is located. [Relocated from Sec. 3-15.(d)(1) and (2) AR-2 Zoning~~
 14319 ~~District]~~
 14320 (2) ~~Satellite dish receivers for individual use. [Relocated from Sec. 3-15.(b)(3) AR-2]~~

(3) Minimum Setbacks (excluding fences):

(a)	<u>Front:</u>	<u>From lot line when adjacent to any district:</u>	<u>30 feet [From Sec. 3-15.(g)(6)]</u>
(b)	<u>Side:</u>	<u>From lot line when adjacent to any district:</u>	<u>7.5 feet [From Sec. 3-15.(g)(6)]</u>
(c)	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	<u>7.5 feet [From Sec. 3-15.(g)(6)]</u>

Sec. 3-15.(b) and (d) (Zoned AR-2)

14322 (b)(3) ~~Satellite dish receivers for individual use. [Relocated to Sec. 3-E-I.8.d(2) AR-2]~~

14323 ~~Uses or Activities Permitted By Right as Accessory. The use of land or activities upon such land, which~~
 14324 ~~are secondary or incidental to the primary use as set forth herein, shall be as follows:~~

- 14326 (1) ~~The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
 14327 ~~in age. [Relocated to Sec. 3-E-I.7. Domesticated Animals]~~
 14328 (2) ~~Non-commercial agricultural pursuits of a variety similar, but not limited to, truck gardens,~~
 14329 ~~horticultural farming, greenhouse, nurseries, farms and fruit groves as a secondary use to the~~
 14330 ~~primary residence. Provided, however, that said agricultural pursuit as referenced herein is located~~

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

Part E Use Types and Standards

14331 ~~and conducted upon a parcel which is the same as or immediately abuts the parcel upon which the~~
 14332 ~~main residence is located.~~ [Relocated to Sec. 3-E-I.8.d.(1) AR-2 Zoning District]
 14333 (3) ~~Garage sales will be allowed up to a maximum of two (2) garage sales within any calendar year.~~
 14334 ~~The duration of each garage sale shall be a maximum of seventy-two (72) hours and may be~~
 14335 ~~conducted only within daylight hours. No sign advertising a garage sale may be placed on any~~
 14336 ~~public right-of-way.~~ [Deleted and this is repeated in Sec. 3-12.(b)(6), and that section has been
 14337 consolidated under new Sec. 3-E-J.a. Garage or Yard Sale]

14338 **Sec. 3-15.(g)(6) AR-2**
 14339 (6) ~~Minimum setback from all lot lines of accessory structures, except fences, side and rear 7.5 ft. front~~
 14340 ~~(but in no event nearer to front line than the front of the principal building.) 30 ft.~~ [Relocated to Sec.
 14341 3-E-I.8.d.(2) AR-2]

14342 Sec. 3-E-I.9. Residential District Specific Accessory Use and Structure

14343 3-E-I.9.a. Residential Zoning Districts

14344 In addition to the types of Accessory uses identified in [Sec. 3-E-I.1. Accessory Use and Structures through](#)
 14345 [Sec. 3-E-I.6. Mobile Home for Medical Hardship](#), there are uses that are customary, Accessory and/or
 14346 incidental to the Principal use in a specific Residential zoning district, as follows:

14347 3-E-I.9.b. RA, RB, and RC Zoning Districts

14348 Accessory structures in the RA, RB, and RC Zoning Districts shall comply with the following:
 14349

<u>(1) Dimensional Use Standards:</u>			
<u>(a) Minimum Setbacks:</u>			
<u>i. Front:</u>	<u>From lot line when adjacent to any district:</u>	<u>7.5 feet</u> [From Sec. 3-16.(f)(7), 3-17.(f)(6) and 3-18.(e)(6)]	
<u>ii. Side:</u>	<u>From lot line when adjacent to any district:</u>	<u>7.5 feet</u> [From Sec. 3-16.(f)(7), 3-17.(f)(6) and 3-18.(e)(6)]	
<u>iii. Rear:</u>	<u>From lot line when adjacent to any district:</u>	<u>7.5 feet</u> [From Sec. 3-16.(f)(7), 3-17.(f)(6) and 3-18.(e)(6)]	
<u>(b) Maximum Building Height:</u>			
<u>i. On lots of ≤ 1 acre:</u> [Relocated from Sec. 3-16.(b)(1)(i)]	<u>UC (10) or UF FLU:</u>	<u>Same height or less than the Principal structure of the same lot</u>	

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

Part E Use Types and Standards

	<u>ii.</u> On lots of <u>> 1 acre and ≤ 2 acres;</u>	<u>UC (10) or UF FLU:</u>	<u>May exceed the height of the Principal structure if the structure is set back at least 15 feet from the side and rear property lines.¹</u>
			<u>In no event shall the height of such Accessory structure exceed more than 20 feet.¹ [Relocated from Sec. 3-16.(b)(1)(ii)]</u>
	<u>iii.</u> On lots of <u>> 2 acres;</u>	<u>UC (10) FLU:</u>	<u>May exceed the height of the Principal structure if the structure is set back at least 15 feet from the side and rear property lines.¹</u>
			<u>In no event shall the height of such Accessory structure exceed the height of the Primary structure by more than 25 percent.¹ [Relocated from Sec. 3-16.(b)(1)(iii)]</u>

Footnote:

1 Height shall be measured pursuant to [Sec. 3-E-1.1.d.](#)

- 14350 (2) Additional Use Standards:
 14351 (a) Private boat pier or slip for the use of occupants of **Principal Residential** structures of the
 14352 abutting lot; provided said pier or slip does not interfere with navigation. [Relocated from
 14353 **Sec. 3-16.(b)(3) RA Zoning District]**
 14354 (b) Satellite dish receivers for individual use. [Relocated from **Sec. 3-16.(b)(5) RA Zoning**
 14355 **District] [Relocated from **Sec. 3-16.(b)(6) RA Zoning District]****

- 14356 ~~**Sec. 3-16.(b) (Zone RA), 3-17.(b) (Zone RB) 3-18.(b) (Zone RC)**~~
 14357 ~~(b) Uses Permitted. (Rev. 07/27/2010)~~
 14358 ~~(1) Single family dwellings, including the accessory uses and buildings, subject to the~~
 14359 ~~following:~~
 14360 ~~(i) On lots of one acre or less:~~
 14361 ~~a. no accessory structure shall exceed the height of the primary structure;~~
 14362 ~~and,~~

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

Part E Use Types and Standards

- 14363 b. ~~all other lot size requirements must be met as established within this~~
14364 ~~Article.~~ [Relocated to/tabularized under Sec. 3-E-I.9.b. RA Zoning
14365 ~~District]~~
14366 (ii) ~~On lots of more than one but less than two acres:~~
14367 a. ~~no accessory structure shall exceed the height of the primary structure~~
14368 ~~within Urban Core (10) or Urban Fringe land use.~~
14369 b. ~~within rural fringe land use, no accessory structure shall exceed the height~~
14370 ~~of the primary structure unless the structure is set back at least fifteen (15)~~
14371 ~~feet from the side and rear property lines. In no event shall the height of~~
14372 ~~such accessory structure exceed more than twenty (20) feet measured~~
14373 ~~from the lowest floor of the primary dwelling. [Relocated to/tabularized~~
14374 ~~under Sec. 3-E-I.9.b. RA Zoning District]~~
14375 c. ~~all other lot requirements must be met as established within this Article.~~
14376 (iii) ~~On lots of more than two acres:~~
14377 a. ~~no accessory structure shall exceed the height of the primary structure~~
14378 ~~within Urban Core (10) or Urban Fringe land use.~~
14379 b. ~~within rural fringe land use, no accessory structure shall exceed the height~~
14380 ~~of the primary structure unless the structure is set back at least fifteen (15)~~
14381 ~~feet from the side and rear property lines. In no event shall the height of~~
14382 ~~such accessory structure exceed the height of the primary structure by~~
14383 ~~more than 25%; and,~~
14384 c. ~~all other lot requirements must be met as established within this Article.~~
14385 ~~(Amended 7/03 — Ord. 03-74) [Relocated to/tabularized under Sec. 3-~~
14386 ~~E-I.9.b. RA Zoning District]~~
14387 (2) ~~No accessory structure or use may be constructed or established on any lot prior to the~~
14388 ~~issuance of a building permit for the principal structure. Accessory structures are~~
14389 ~~prohibited within the side and, with the exception of waterfront lots, front yards. Rev.~~
14390 ~~05/24/11 [Relocated to Sec. 3-E-I.1.e. Building Permit]~~
14391 (3) ~~Private boat pier or slip for the use of occupants of principal residential structures of the~~
14392 ~~abutting lot; provided said pier or slip does not interfere with navigation. [Relocated to~~
14393 ~~Sec. 3-E-I.9.b.(3) RA Zoning District]~~
14394 (4) ~~Garage sales will be allowed up to a maximum of two (2) garage sales within any calendar~~
14395 ~~year. The duration of each garage sale shall be a maximum of 72 hours and may be~~
14396 ~~conducted only within daylight hours. No sign advertising a garage sale may be placed on~~
14397 ~~any public right-of-way. [Deleted and this is repeated in Sec. 3-12.(b)(6), and that~~
14398 ~~section has been consolidated under new Sec. 3-E-J.a. Garage or Yard Sale]~~
14399 (5) ~~Satellite dish receivers for individual use. [Relocated to Sec. 3-E-I.9.b.(4) RA Zoning~~
14400 ~~District]~~
14401 (6) ~~The keeping of domesticated cats and dogs with a limit of six total per household over six~~
14402 ~~months in age. [Relocated to Sec. 3-E-I.7. Keeping of Domesticated Animals]~~

14403 **Sec. 3-16.(f)(7) and (9) RA**
14404 (7) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ 7.5 feet
14405 ~~Excluding Fences [Relocated to Sec. 3-E-I.9.b.(1) Minimum Setbacks]~~
14406 (9) ~~Maximum Percentage of Rear Yard Coverage~~ 30 percent

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

Part E Use Types and Standards

14407 [Deleted since lot coverage should be for the entire lot and no need to place
14408 additional restrictions for the rear yard]

14409 **Sec. 3-17.(f)(6) and (8) RB**
14410 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ 7.5 feet
14411 ~~Excluding Fences~~ [Relocated to Sec. 3-E-1.9.b.(1) Minimum Setbacks]
14412 (8) ~~Maximum Percentage of Rear Yard Coverage~~ 30 percent
14413 [Deleted since lot coverage should be for the entire lot and no need to place additional
14414 restrictions for the rear yard]

14415 **Sec. 3-18.(e)(6) and (8) RG**
14416 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures,~~ 7.5 feet
14417 ~~Excluding Fences~~ [Relocated to Sec. 3-E-1.9.b.(1) Minimum Setbacks]
14418 (8) ~~Maximum Percentage of Rear Yard Coverage~~ 30 percent
14419 [Deleted since lot coverage should be for the entire lot and no need to place
14420 additional restrictions for the rear yard]

3-E-1.9.d. RD Zoning District

- 14421 (1) Accessory uses and affiliated structures in the RD Zoning District shall include the following, and subject to the :
14422 (a) *Satellite dish receivers to serve the development in which located.*
14423 (b) *On-premises consumption of alcoholic beverages within recreation- and clubhouse-type facilities developed as part of a unified plan of development and only for use by the residents and their guests and licensed under Chapter 11-C of the Florida Division of Alcoholic Beverage and Tobacco.*
14424 (c) *Private boat pier or slip for the use of occupants of Principal Residential structures of the abutting lot; provided said pier or slip does not interfere with navigation.*
14425 (d) *Recreational facilities and areas.*
14426 (e) *Washing facilities for use by residents.*
14427 (f) *Storage of travel trailers, recreational vehicles and boats provided such units are stored in a separate area, landscaped, and maintained. Storage of these units shall not be permitted on individual lots. [Relocated from Sec. 3-19.(b)(3) to (8) RD Zoning District]*
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14435

(2) Dimensional Use Standards:

(a) <u>Minimum Setbacks (excluding fences):</u>	
i. <u>Front:</u>	<u>From lot line when adjacent to any district:</u> 20 feet [From Sec. 3-19.(f)(2)]
ii. <u>Side:</u>	<u>From lot line when adjacent to any district:</u> 5 feet [From Sec. 3-19.(f)(2)]
iii. <u>Rear:</u>	<u>From lot line when adjacent to any district:</u> 5 feet [From Sec. 3-19.(f)(2)]
(b) <u>Maximum Building Height:</u>	<u>Not to exceed 1 story or;</u>

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

Part E Use Types and Standards

20 feet
[From Sec. 3-
19.(f)(2)]

- 14436 **Sec. 3-19. (Zone RD)**
14437 ~~(b) Uses Permitted. (All sub-districts.) (Rev. 07/27/2010)~~
14438 ~~(1) Single family attached or detached dwellings, multiple family dwellings, dormitories,~~
14439 ~~rooming houses, and accessory buildings incidental thereto, subject to the following:~~
14440 ~~(i) On lots of one acre or less:~~
14441 ~~a. no accessory structure shall exceed the height of the primary structure;~~
14442 ~~and,~~
14443 ~~b. all other lot size requirements must be met as established within this~~
14444 ~~Article. [Deleted as this is addressed in Sec. 3-E-I.1. General]~~
14445 ~~(ii) On lots of more than one acre:~~
14446 ~~a. no accessory structure shall exceed the height of the primary structure;~~
14447 ~~and,~~
14448 ~~b. all other lot size requirements must be met as established within this~~
14449 ~~Article. [Deleted as this is addressed in Sec. 3-E-I.1. General]~~
14450 ~~(2) No accessory structure or use may be constructed or established on any lot prior to the~~
14451 ~~issuance of a building permit for the principal structure. Accessory structures are~~
14452 ~~prohibited within the side and, with the exception of waterfront lots, front yards. Rev.~~
14453 ~~05/24/11 [Deleted as this is addressed in Sec. 3-E-I.1.e. Building Permit]~~
14454 ~~(3) Satellite dish receivers to serve the development in which located.~~
14455 ~~(4) On-premises consumption of alcoholic beverages within recreation and clubhousetype~~
14456 ~~facilities developed as part of a unified plan of development and only for use by the~~
14457 ~~residents and their guests and licensed under Chapter 11-C of the Florida Division of~~
14458 ~~Alcoholic Beverage and Tobacco.~~
14459 ~~(5) Private boat pier or slip for the use of occupants of principal residential structures of the~~
14460 ~~abutting lot; provided said pier or slip does not interfere with navigation.~~
14461 ~~(6) Recreational facilities and areas.~~
14462 ~~(7) Washing facilities for use by residents.~~
14463 ~~(8) Storage of travel trailers, recreational vehicles and boats provided such units are stored in~~
14464 ~~a separate area, landscaped, and maintained. Storage of these units shall not be permitted~~
14465 ~~on individual lots. [Relocated to Sec. 3-E-I.9.d.(1) (a) to (f) RD Zoning District]~~
14466 ~~(9) Garage sales will be allowed up to a maximum of two garage sales within any calendar~~
14467 ~~year. The duration of each garage sale shall be a maximum of 72 hours and may be~~
14468 ~~conducted only within daylight hours. No sign advertising a garage sale may be placed on~~
14469 ~~any public right-of-way. Rev. 04/22/08 [Deleted and this is repeated in Sec. 3-12.(b)(6),~~
14470 ~~and that section has been consolidated under new Sec. 3-E-J.a. Garage or Yard Sale]~~

- 14471 **Sec. 3-19.(f)(2)**
14472 ~~(2) Accessory Buildings (Not to exceed one (1) story).~~
14473 ~~(i) Minimum Setback from Lot Line~~
14474 ~~Front _____ 20 ft.~~
14475 ~~Rear _____ 5 ft.~~

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

Part E Use Types and Standards

14476 ~~Side~~ ~~5 ft.~~
 14477 [Relocated to Sec. 3-E-I.9.d. RD]

14478 **3-E-I.9.e. RE Zoning District**

14479 Accessory uses and affiliated structures in the RE Zoning District shall comply with the following:

14480 (1) Structures in the UC(10) or UF FLU category may have the same height or less than the Principal
 14481 structure of the same lot.

<u>(a) Dimensional Use Standards:</u>			
<u>i.</u>	<u>Minimum Setbacks:</u>	<u>From lot line when adjacent to any district:</u>	7.5 feet
<u>ii.</u>	<u>Maximum Building Height:</u>		
		<u>UC(10) or UF FLU:</u>	<u>Same height or less than the Principal structure of the same lot</u>
<u>iii.</u>	<u>On lots of ≤ 1 acre:</u> [Relocated from Sec. 3-20.(b)(1)(i)]	<u>RF or RR FLU:</u>	<u>May exceed the height of the Principal structure if the structure is set back at least 7.5 feet from the side and rear property lines.¹</u>
			<u>In no event shall the height of such Accessory structure exceed more than 20 feet.¹ [Relocated from Sec. 3-20.(b)(1)(ii)]</u>
<u>ii.</u>	<u>On lots of > 1 acre and ≤ 2 acres:</u>	<u>RF or RR FLU:</u>	<u>May exceed the height of the Principal structure if the structure is set back at least 15 feet from the side and rear property lines.¹</u>
			<u>In no event shall the height of such Accessory structure exceed more than 20 feet.¹ [Relocated from Sec. 3-20.(b)(1)(ii)]</u>
<u>iii.</u>	<u>On lots of > 2 acres:</u>	<u>RF or RR FLU:</u>	<u>May exceed the height of the Principal structure if the structure is set back at least 15 feet from the side and rear property lines.¹</u>

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Part E Use Types and Standards

In no event shall the height of such Accessory structure exceed the height of the Principal structure by more than 25 percent.¹ [Relocated from Sec. 3-20.(b)(1)(iii)]

Footnote:

1 Refer to [Sec. 3-E-I.1.d.\(2\) Development Standards.](#)

- 14482 (2) Additional Use Standards:
14483 (a) Private boat piers or slips for the use of occupants of Principal Residential structures of the
14484 abutting lot; provided said pier or slip does not interfere with navigation. [Relocated from
14485 **Sec. 3-20.(b)(4) RE Zoning District**]
14486 (b) Satellite dishes shall be for individual use only. [Relocated from **Sec. 3-20.(b)(7) RE**
14487 **Zoning District**]

14488 **Sec. 3-20.(b) (Zone RE)**

- 14489 (b) ~~Uses Permitted. (Rev. 07/27/2010)~~
14490 (1) ~~Single family dwellings, including the customary accessory uses and buildings, subject to~~
14491 ~~the following:~~
14492 (i) ~~On lots of one acre or less:~~
14493 a. ~~no accessory structure shall exceed the height of the primary structure~~
14494 ~~within Urban Core (10) or Urban Fringe land use.~~
14495 b. ~~within Rural Fringe and Rural Residential land use, no accessory structure~~
14496 ~~shall exceed the height of the primary structure unless the structure is set~~
14497 ~~back at least seven and one half (7 1/2) feet from the side and rear~~
14498 ~~property lines, and in no event shall the height of such accessory structure~~
14499 ~~exceed more than twenty (20) feet from the lowest floor of the primary~~
14500 ~~dwelling.~~
14501 c. ~~all other lot size requirements must be met as established within this~~
14502 ~~Article. [Relocated to/tabularized under Sec. 3-E-I.9.e.(2) (a)RE Zoning~~
14503 ~~District]~~
14504 ii. ~~On lots of more than one but less than two acres:~~
14505 a. ~~no accessory structure shall exceed the height of the primary structure~~
14506 ~~within Urban Core (10) or Urban Fringe land use.~~
14507 b. ~~within Rural Fringe and Rural Residential land use, no accessory structure~~
14508 ~~shall exceed the height of the primary structure unless the structure is set~~
14509 ~~back at least fifteen (15) feet from the side and rear property lines. In no~~
14510 ~~event shall the height of such accessory structure exceed more than~~
14511 ~~twenty (20) feet measured from the lowest floor of the primary dwelling.~~
14512 ~~[Relocated to/tabularized under Sec. 3-E-I.9.e.(2) (b)RE Zoning~~
14513 ~~District]~~
14514 c. ~~all other lot requirements must be met as established within this Article.~~

Notes/Legend:

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

Part E Use Types and Standards

- 14515 (iii) ~~On lots of more than two acres:~~
- 14516 a. ~~no accessory structure shall exceed the height of the primary structure~~
- 14517 ~~within Urban Core (10) or Urban Fringe land use.~~
- 14518 b. ~~within Rural Fringe and Rural Residential land use, no accessory structure~~
- 14519 ~~shall exceed the height of the primary structure unless the structure is set~~
- 14520 ~~back at least fifteen (15) feet from the side and rear property lines. In no~~
- 14521 ~~event shall the height of such accessory structure exceed the height of the~~
- 14522 ~~primary structure by more than 25%; and,~~
- 14523 c. ~~all other lot requirements must be met as established within this Article.~~
- 14524 ~~(Amended 7/03 — Ord. 03-74) [Relocated to/tabularized under Sec. 3-~~
- 14525 ~~E-1.9.e. (2)(c)RE Zoning District]~~
- 14526 (3) ~~Single family residences consisting of either modular building or mobile homes, so long as the~~
- 14527 ~~aforesaid modular building or mobile home complies with all over provisions of these regulations~~
- 14528 ~~governing modular buildings or mobile homes. Mobile homes must meet the requirements as~~
- 14529 ~~stated in Sec. 20.3-3, Subsection (d). [Deleted, Modular building shall not be permanent single-~~
- 14530 ~~family units]~~
- 14531 (4) ~~Private boat piers or slips for the use of occupants of principal residential structures of the abutting~~
- 14532 ~~lot; provided said pier or slip does not interfere with navigation. [Relocated to Sec. 3-E-1.9.e.(3)~~
- 14533 ~~RE Zoning District]~~
- 14534 (5) ~~Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The~~
- 14535 ~~duration of each garage sale shall be a maximum of 72 hours and may be conducted only within~~
- 14536 ~~daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.~~
- 14537 ~~[Deleted and this is repeated in Sec. 3-12.(b)(6), and that section has been consolidated~~
- 14538 ~~under new Sec. 3-E-J.a. Garage or Yard Sale]~~
- 14539 (6) ~~The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
- 14540 ~~in age. [Relocated to Sec. 3-E-1.7. Keeping of Domesticated Animals]~~
- 14541 (7) ~~Satellite dishes for individual use. [Relocated to Sec. 3-E-1.9.e.(4) RE Zoning District]~~

14542 **Sec. 3-20.(2) (Zone RE)**

- 14543 (2) ~~No accessory structure or use may be constructed or established on any lot prior to the issuance~~
- 14544 ~~of a building permit for the principal structure. [Relocated to Sec. 3-E-1.1.e. Building Permit]~~
- 14545 ~~Accessory structures are prohibited within the side and, with the exception of waterfront lots, front~~
- 14546 ~~yards. Rev. 05/24/11. [Sec. 3-E-1.1.b.(2)(a) Location]~~

14547 **Sec. 3-20.(f)(6)**

- 14548 (6) ~~Minimum Setback from all Lot Lines of Accessory Structures, 7.5 feet Excluding Fences~~
- 14549 ~~[Relocated to Sec. 3-E-1.9.e.(1)]~~

14550 **3-E-1.9.f. RMHP Zoning District**

- 14551 Accessory use and affiliated structures to Mobile Homes in the RMHP Zoning District shall be as follows:
- 14552 (1) Cabanas, carports, porches or awnings, and other customary accessory buildings and uses.
- 14553 (2) Structures and uses relating to and for the exclusive use of residents of the RMHP shall be as
- 14554 follows:
- 14555 (a) Recreational facilities and areas.
- 14556 (b) Caretaker's Quarter as set forth in Sec. 3-E-1.4. Caretaker's Quarters.

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

Part E Use Types and Standards

- 14557 (c) Community centers.
 14558 (d) Washing facilities for use by residents.
 14559 (e) Private marinas.
 14560 (f) Storage of travel trailers, recreational vehicles and boats provided such units are stored in
 14561 a separate area, landscaped, and maintained. Storage of these units shall not be permitted
 14562 on individual lots.
 14563 (3) Satellite dish receivers, limited to the specific development in which it is located.
 14564 [Relocated from Sec. 3-21.(b)(2) and (3) RMHP Zoning District]

14565 **Sec. 3-21.(b) (Zone RMHP)**

- 14566 (2) ~~Accessory structures to mobile homes as follows: cabanas, carports, porches or awnings, and~~
 14567 ~~other customary accessory buildings and uses.~~
 14568 (3) ~~Structures and uses relating to and for the exclusive use of residents of the mobile home park as~~
 14569 ~~follows:~~
 14570 (i) ~~Recreational facilities and areas.~~
 14571 (ii) ~~One (1) single family residence not less than 750 square feet indoor area use by the~~
 14572 ~~resident manager.~~
 14573 (iii) ~~Community centers.~~
 14574 (iv) ~~Washing facilities for use by residents.~~
 14575 (v) ~~Private marinas.~~
 14576 (vi) ~~Storage of travel trailers, recreational vehicles and boats provided such units are stored in~~
 14577 ~~a separate area, landscaped, and maintained. Storage of these units shall not be permitted~~
 14578 ~~on individual lots. (No old cars)~~
 14579 (4) ~~Satellite dish receivers, limited to the specific development in which it is located.~~ [Relocated to
 14580 Sec. 3-E-1.9.f.(1) and (2) RMHP Zoning District]

14581 **3-E-1.9.g. PUD Zoning District**

- 14582 (1) Within the Residential portions of a PUD, customary Accessory uses and affiliated structures shall
 14583 be permitted subject to the following:
 14584 (a) Accessory structures located in UC(10), UF, or PUD FLU shall not exceed the height of
 14585 the Principal structure. [Relocated from Sec. 3-33.(m)(1)(i);(2)(i) and (3)(i), PUD Zoning
 14586 District]

(b) Minimum Setbacks:

i.	<u>Front:</u>		<u>Apply the lot's zoning district standards, if applicable</u>
ii.	<u>Side:</u>	<u>From lot line when adjacent to any district:</u>	<u>5 feet [Relocated from Sec. 3-33.(m)(2)(iv)]</u>
iii.	<u>Rear:</u>	<u>From lot line when adjacent to any district:</u>	<u>5 feet [Relocated from Sec. 3-33.(m)(2)(iv)]</u>

(c) Maximum Building Height:

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

Part E Use Types and Standards

i.	On lots of <u>≤1</u> acre: [Relocated from Sec. 3-16.(b)(1)(i)]	Minimum setbacks for <u>Accessory structures</u> shall be 5 feet from side and rear property lines. <u>[Relocated from Sec. 3-33(m)(1)(iii)]</u>
ii.	On lots of <u>> 1</u> acre and <u>≤ 2</u> acres:	RF, RR and AR FLU: <u>May</u> exceed the height of the <u>Principal</u> structure <u>if</u> the structure is setback at least 15 feet from the side and rear property lines. ¹ In no event shall the height of such <u>Accessory structure</u> exceed more than 20 feet. ¹ <u>[Relocated from Sec. 3-33.(m)(2)(i)(ii)]</u>
ii.	On lots of <u>> 2</u> acres:	<u>May</u> exceed the height of the <u>Principal</u> structure <u>if</u> the structure is set back at least 15 feet from the side and rear property lines. ¹ In no event shall the height of such <u>Accessory structure</u> exceed the height of the <u>Principal</u> structure by more than 25 percent. ¹ <u>[Relocated from Sec. 3-33.(m)(3)(ii)]</u>

Footnote:

1 Refer to Sec. 3-E-1.1.d.(2) Development Standards.

14587 **Sec. 3-33. PUD Zoning District**
14588 (m) ~~Accessory Structure — Within the residential portions of planned unit developments, customary~~
14589 ~~accessory structures shall be permitted subject to the following: (Rev. 07/27/2010)~~
14590 (1) ~~On lots of one acre or less: [Relocated to/tabularized under Sec. 3-E-1.9.g.(1)(b)]~~
14591 (i) ~~no accessory structure shall exceed the height of the primary structure; and,~~
14592 **[Relocated to Sec. 3-E-1.9.g.(1)(a) PUD Zoning District]**
14593 (ii) ~~all other lot size requirements must be met as established within this Article.~~

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

Part E Use Types and Standards

- 14594 (iii) ~~minimum setbacks for accessory structures shall be five (5) feet from side and rear~~
14595 ~~property lines; and~~ [Relocated to/tabularized under Sec. 3-E-1.9.g.(1)(a) PUD
14596 Zoning District]
- 14597 (iv) ~~maximum rear yard coverage by accessory structures shall be 30%. [Deleted as~~
14598 ~~there are sufficient setback and lot coverage standards that will address the rear~~
14599 ~~yard limitation]~~
- 14600 (2) ~~On lots of more than one but less than two acres:~~ [Relocated to/tabularized under Sec.
14601 3-E-1.9.g.(1)(c)]
- 14602 (i) ~~no accessory structure shall exceed the height of the primary structure within~~
14603 ~~Urban Core, Urban Fringe or planned community land use; and,~~ [Relocated from
14604 Sec. 3-E-1.9.g.(1)(a) PUD Zoning District]
- 14605 (ii) ~~within Rural Fringe, Rural Residential and Agriculture Residential land use, no~~
14606 ~~accessory structure shall exceed the height of the primary structure unless the~~
14607 ~~structure is set back at least fifteen (15) feet from the side and rear property lines.~~
14608 ~~In no event shall the height of such accessory structure exceed more than twenty~~
14609 ~~(20) feet measured from the lowest floor of the primary dwelling. [Relocated~~
14610 ~~to/tabularized under Sec. 3-E-1.9.g.(1)(c) PUD Zoning District]~~
- 14611 (iii) ~~all other lot requirements must be met as established within this Article.~~
- 14612 (iv) ~~minimum setbacks for accessory structures shall be five (5) feet from side and rear~~
14613 ~~property lines; and,~~ [Relocated to/tabularized under Sec. 3-E-1.9.g.(1)(c) PUD
14614 Zoning District]
- 14615 (v) ~~maximum rear yard coverage by accessory structures shall be 30%. [Deleted as~~
14616 ~~there are sufficient setback and lot coverage standards that will address the~~
14617 ~~rear yard limitation]~~
- 14618 (3) ~~On lots of more than two acres:~~ [Relocated to/tabularized under Sec. 3-E-1.9.g.(1)(d)]
- 14619 (i) ~~no accessory structure shall exceed the height of the primary structure within~~
14620 ~~Urban Core (10), Urban Fringe or Planned Community land use; and,~~ [Relocated
14621 from Sec. 3-E-1.9.g.(1)(a) PUD Zoning District]
- 14622 (ii) ~~within Rural Fringe, Rural Residential and Agriculture Residential land use, no~~
14623 ~~accessory structure shall exceed the height of the primary structure unless the~~
14624 ~~structure is set back at least fifteen (15) feet from the side and rear property lines.~~
14625 ~~In no event shall the height of such accessory structure exceed the height of the~~
14626 ~~primary structure by more than 25%; and,~~ [Relocated to/tabularized under Sec.
14627 3-E-1.9.g.(1)(d)]
- 14628 (iii) ~~all other lot requirements must be met as established within this Article.~~
- 14629 (iv) ~~minimum setbacks for accessory structures shall be five (5) feet from side and rear~~
14630 ~~property lines; and,~~ [Relocated to/tabularized under Sec. 3-E-1.9.g.(1)(d)]
- 14631 (v) ~~maximum rear yard coverage by accessory structures shall be 30%. (Amended~~
14632 ~~7/03 Ord. 03-74)~~
- 14633 ~~No accessory structure or use may be constructed or established on any lot prior to the~~
14634 ~~issuance of a building permit for the principal structure. Accessory structures are prohibited~~
14635 ~~within the side and, with the exception of waterfront lots, front yards. Rev. 05/24/11~~
14636 ~~[Relocated to Sec. 3-1.1.e. Building Permit]~~

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

Part E Use Types and Standards

14637 Sec. 3-E-I.10. Branan Field Specific Accessory Uses

14638 3-E-I.10.a. FLU Categories or Zoning Districts

14639 In addition to the types of Accessory use identified in [Sec. 3-E-I.1. Accessory Use and Structures through](#)
14640 [Sec. 3-E-I.6.](#), there are uses that are customary, Accessory and/or incidental to the Principal use in a
14641 specific FLU category or zoning district within the Branan Field (BF) Master Planned Community, as follows:

14642 3-E-I.10.b. BF RS FLU Category/Zoning District

- 14643 (1) For lots over 1 acre in size, the ~~Non-Commercial~~ keeping and raising of horses, cattle, sheep,
14644 goats, swine, and other similar animals.
- 14645 (2) ~~Non-Commercial~~ Agricultural pursuits of a variety similar, but not limited to, truck gardens,
14646 horticultural farming, greenhouse, nurseries, farms, and fruit groves as a secondary use to the
14647 Principal residence; provided, however, that said Agricultural pursuit as referenced herein is
14648 located and conducted upon a parcel which is the same as or immediately abuts the parcel upon
14649 which the Principal residence is located. **[Relocated from BF RS Sec. 3-33A.II.1.c. Uses or**
14650 **Activities Permitted By Right as Accessory]**

14651 Sec. 3-33A.II.1.c.

- 14652 ~~c. Uses or Activities Permitted By Right as Accessory. The use of land or activities upon such land, which~~
14653 ~~are secondary or incidental to the primary use as set forth herein, shall be as follows:~~
- 14654 ~~i. The keeping of domesticated cats and dogs with a limit of six total per household over six months~~
14655 ~~in age. **[Relocated to Sec. 3-E-I.7. Keeping of Domesticated Animals]**~~
- 14656 ~~ii. For lots over one acre in size, the non-commercial keeping and raising of horses, cattle, sheep,~~
14657 ~~goats, swine and other similar animals.~~
- 14658 ~~iii. Non-commercial agricultural pursuits of a variety similar, but not limited to, truck gardens,~~
14659 ~~horticultural farming, greenhouse, nurseries, farms and fruit groves as a secondary use to the~~
14660 ~~primary residence; provided, however, that said agricultural pursuit as referenced herein is located~~
14661 ~~and conducted upon a parcel which is the same as or immediately abuts the parcel upon which the~~
14662 ~~main residence is located. **[Relocated to Sec. 3-E-I.10.b. BF RS FLU Category/Zoning District]**~~
- 14663 ~~iv. Garage sales will be allowed up to a maximum of two (2) garage sales within any calendar year.~~
14664 ~~The duration of each garage sale shall be a maximum of seventy two (72) hours and may be~~
14665 ~~conducted only within daylight hours. No sign advertising a garage sale may be placed on any~~
14666 ~~public right-of-way. **[Deleted and this is repeated in Sec. 3-12.(b)(6), and that section has been**~~
14667 ~~consolidated under new Temporary Use Sec. 3-E-J.a. Garage or Yard Sale]~~

14668 3-E-I.10.c. BF MPC FLU Category/Zoning District

14669 The following Accessory uses and/or structures in the Village Zone or Suburban Zone of the BF MPC FLU
14670 category shall be permitted subject to specified standards:

- 14671 (1) Satellite dish receivers to serve the development in which it is located. **[Relocated from Sec. 3-**
14672 **33A.II.2.a.ii.D. Village Zone Uses Permitted By Right]**
- 14673 (2) Private boat pier or slip for the use of occupants of Principal Residential structures of the abutting
14674 lot; provided this pier or slip does not interfere with navigation. **[Relocated from Sec. 3-**
14675 **33A.II.2.a.ii.F. Village Zone Uses Permitted By Right]**

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

Part E Use Types and Standards

14676 (3) Suburban Zone. Storage of travel trailers, recreational vehicles, and boats for residents of a
14677 subdivision, within that subdivision, provided such units are stored in a separate area that is
14678 landscaped, visually screened, and maintained. Storage of these units shall not be permitted on
14679 individual lots. [Relocated from Sec. 3-33A.II.2.a.iii.H. Suburban Zone Uses Permitted By
14680 Right]

Sec. 3-33A.II.2.a.ii.D.F. Village Zone, BF MP

14681 ~~D. Satellite dish receivers to serve the development in which located. [Relocated to Sec. 3-E-~~
14682 ~~I.10.c.(1) BF MPC]~~

14684 ~~F. Private boat pier or slip for the use of occupants of principal residential structures of the abutting~~
14685 ~~lot; provided said pier or slip does not interfere with navigation. [Relocated to Sec. 3-E-I.10.c.(2)~~
14686 ~~BF MPC]~~

Sec. 3-33A.II.2.a.iii.B.D.H. Suburban Zone, BF MPC

14687 ~~B. Satellite dish receivers to serve the development in which located. [Relocated to Sec. 3-E-~~
14688 ~~I.10.c.(1) BF MPC]~~

14689 ~~D. Private boat pier or slip for the use of occupants of principal residential structures of the abutting~~
14690 ~~lot; provided said pier or slip does not interfere with navigation. [Relocated to Sec. 3-E-I.10.c.(2)~~
14691 ~~BF MPC]~~

14692 ~~H. Storage of travel trailers, recreational vehicles and boats for residents of a subdivision, within that~~
14693 ~~subdivision, provided such units are stored in a separate area that is landscaped, visually screened,~~
14694 ~~and maintained. Storage of these units shall not be permitted on individual lots. [Relocated to~~
14695 ~~Sec. 3-E-I.10.c.(3) BF MPC]~~

14696 ~~c. Uses or Activities Permitted By Right as Accessory. The use of land or activities upon such land,~~
14697 ~~which are secondary or incidental to the primary use as set forth herein, shall be as follows:~~

14698 ~~i. The keeping of domesticated cats and dogs with a limit of six total per household over six~~
14699 ~~months in age. [Relocated to Sec. 3-E.I.7. Keeping of Domesticated Animals]~~

14700 ~~ii. Garage sales will be allowed up to a maximum of two (2) garage sales within any calendar~~
14701 ~~year. The duration of each garage sale shall be a maximum of seventy two (72) hours and~~
14702 ~~may be conducted only within daylight hours. No sign advertising a garage sale may be~~
14703 ~~placed on any public right-of-way. [Deleted and this is repeated in Sec. 3-12.(b)(6), and~~
14704 ~~that section has been consolidated under new Temporary Use Sec. 3-E-J.a. Garage~~
14705 ~~or Yard Sale]~~

Sec. 3-33A.III.6.a.xi.

14707 ~~xi. Uses permitted by right as accessory to residential uses:~~

14708 ~~A. Keeping of domesticated cats and dogs with a limit of six per household over six months of~~
14709 ~~age. [Relocated to Sec. 3-E.I.7. Keeping of Domesticated Animals]~~

14710 ~~B. Garage sales will be allowed with a maximum of 2 per calendar year. The duration of each~~
14711 ~~garage sale shall be a maximum of 72 hours, conducted in daylight hours. No sign may be placed on any~~
14712 ~~public right-of-way. [Deleted and this is repeated in Sec. 3-12.(b)(6), and that section has been~~
14713 ~~consolidated under new Temporary Use Sec. 3-E-J.a. Garage or Yard Sale]~~

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

Part E Use Types and Standards

14715 DIVISION J TEMPORARY USE AND STRUCTURE

14716 Sec. 3-E-J.1. Temporary Use and Structure

14717 Temporary uses and structures are not intended to be located permanently in one location and are
14718 restricted to a limited time period.

14719 All Temporary uses and structures within Clay County may be allowed subject to a **Special Event Use**
14720 [MK189]approval process, unless stated otherwise in a specific use type. Development standards specific to
14721 each use type shall be in compliance regardless of the approval process identified.

14722 **3-E-J.1.b. Location**

14723 All Temporary uses and related activities, structures, equipment and/or vehicles shall comply with the
14724 following:

- 14725 (1) located in a defined area of a lot that will not impede traffic and pedestrian circulation of the lot,
14726 unless the lot is vacant.
14727 (2) not located in the setbacks, landscape buffers, access easement, fire lane, loading area, and any
14728 vehicular circulation area, unless stated otherwise.

14729 **3-E-J.1.c. Permits**

14730 Electrical or Mechanical Service. All electrical or mechanical equipment shall comply with the Building
14731 Permit standards.

14732 **3-E-J.1.d. Application Submission**

14733 In addition to the Application Submission standards as set forth in [Article 2 Procedures for Development](#)
14734 [Review](#), and [Part F, Division K Application Submission Standards](#), the applicant shall submit the following:

- 14735 (1) Consent. A consent form completed between the applicant and the owner of the lot of which the
14736 Temporary use will be held.
14737 (2) Liability. The applicant shall provide proof of a liability insurance and a hold harmless affidavit
14738 clearly indicating that the Clay County BCC is not connected with the operation of such use or an
14739 activity and shall hold the BCC harmless.

14740 Sec. 3-E-J.2. Garage or Yard Sale

14741 **3-E-J.2.a. Description**

14742 The sale of used household or personal goods.

14743 **3-E-J.2.b. Specific Use Standards**

14744 Garage or Yard Sales shall be allowed per lot up to a maximum of 2 garage sales within any calendar year.
14745 The duration of each garage sale shall be a maximum of 72 hours and may be conducted only within
14746 daylight hours. **[Relocated from Sec. 3-12.(b)(6), 3-13.(b)(7), 3-14(d)(3) and 3-15(d)(3) Uses Permitted]**

- 14747 (1) Signage. Refer to [Sec. 7-E-5. Yard Sign](#).

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

Part E Use Types and Standards

- 14748 (2) Planned Development. In RMHP and PUD, Garage or Yard Sale shall be subject to the approval
14749 by the Homeowners' or Property Owners' Association.
14750 (3) Other Districts. Other zoning districts that have Residential use(s) may allow a Garage or Yard
14751 Sale and shall comply with the standards under this Section.

14752 **Sec. 3-12.(b)(6) Uses Permitted**

- 14753 (6) ~~Garage sales will be allowed up to a maximum of two garage sales within any calendar year. The~~
14754 ~~duration of each garage sale shall be a maximum of 72 hours and may be conducted only within~~
14755 ~~daylight hours. No sign advertising a garage sale may be placed on any public right-of-way.~~
14756 **[Relocated to Sec. 3-E-J.2.b. Specific Use Standards]**
14757

Sec. 3-E-J.3. Special Event

14759 **3-E-J.3.a. Description and Typical Uses**

14760 A temporary gathering of people occurring outside normal programs that are designed for celebration,
14761 leisure, or other purpose. Typical uses include carnivals, arts and crafts sales, farmers market, holiday
14762 events.

14763 **3-E-J.3.b. Specific Use Standards**

(1) Dimensional Use Standards:

(a)	<u>Minimum lot size:</u>			<u>Not Applicable</u>
(b)	<u>Minimum setback:</u>	<u>Temporary structure:</u>	<u>From any Residential uses/structures:</u>	<u>200 feet</u>

(2) Additional Use Standards: [MK190]

- 14764 (a) Number of Days. Special Event shall be limited to 14 consecutive days, unless the Planning
14765 and Zoning Director, or his/her designee grants an extension up to 21 consecutive days.
14766 The applicant shall provide reasons in the application justifying for the time extension.
14767 i. In granting the extension, the Planning and Zoning Director, or his/her designee
14768 shall consider the types of activities that warrant a longer period of time for such
14769 Temporary use, and the time extension shall not impact negatively the adjacent
14770 properties.
14771 (b) Maximum Number of Events. Shall be limited to 4 times a year (consecutive months) on
14772 the same lot.
14773 (c) Access. Shall be from a collector or arterial street. Traffic generated from a Special Event
14774 shall not be directly backing out from the lot of which the Special Event is held.
14775 (d) Parking. Shall be located within the lot of which the Special Event is held, over-flow parking
14776 may occur off-site subject to the Shared Parking standards as set forth in [Sec. 8-12.\(6\)](#)
14777 [Alternative Parking Regulations](#), where applicable.
14778

Sec. 3-E-J.4. Temporary Construction Structure

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Part E Use Types and Standards

14780 **3-E-J.4.a. Description and Typical Uses**
 14781 *A Mobile Home that generally functions as a temporary office for development, sales, and storage during*
 14782 *development stage. It may also be in the form of a portable container for storage of personal belongings*
 14783 *and other objects.*

14784 **3-E-J.4.b. Specific Use Standards**

(1)	<u>Dimensional Use Standards:</u>		
(a)	<u>Minimum Lot Size:</u>		<u>Not Applicable</u>
(b)	<u>Minimum Setback:</u>	<u>Temporary structure:</u>	<u>From all lot lines:</u> <u>5 feet</u> [Relocated from Sec. 3-5.(au)(4) Portable Storage Structure]
(c)	<u>Minimum Separation:</u>	<u>Temporary structure:</u>	<u>From the nearest wall of a building that is located on the site:</u> <u>5 feet</u> [Relocated from Sec. 3-5.(au)(5) Portable Storage Structure]
(d)	<u>Maximum size:</u>	<u>Portable container:</u>	<u>8 feet wide, 8 feet high, and 20 feet long</u> [Relocated from Sec. 3-5(au) Portable Storage Structure]

14785 (2) Additional Use Standards for Portable Containers
 14786 (a) Number of Container. *There can be no more than 1 Portable Storage container per*
 14787 *property. **[Relocated from Sec. 3-5.(au)(1)]***
 14788 (b) Duration. *The Portable Storage container shall not remain on a property in excess of 30*
 14789 *consecutive days (per owner) and shall not be placed at any one property in excess of 30*
 14790 *days in a calendar year. **[Relocated from Sec. 3-5.(au)(3)]***
 14791 (c) Location. *The Portable Storage container shall be placed outside of any County right-of-*
 14792 *way. **[Relocated from Sec. 3-5.(au)(6)]***
 14793 (d) Construction Site.
 14794 i. Commercial Dumpster. *Commercial dumpsters associated with construction at a*
 14795 *site where a building permit has been issued are permitted for the duration of*
 14796 *construction and shall be removed from the site within 14 days of the end of*
 14797 *construction. These containers are exempt from the above [Subsections \(1\) to \(3\)](#).*
 14798 **[Relocated from Sec. 3-5.(au)(7)]**
 14799 ii. Portable Storage Containers. *Portable Storage containers associated with*
 14800 *construction at a site where a building permit has been issued are permitted for*

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

Part E Use Types and Standards

14801 the duration of construction, but in no case may remain on the property for a period
14802 longer than 365 days. These containers are exempt from the above [Subsections](#)
14803 [\(1\) to \(3\)](#). [Relocated from Sec. 3-5.(au)(8)]

14804 **(3) Additional Use Standards for Temporary Construction Structure:**

14805 **(a) Number of Construction Structure.** There may be no more than 1 Temporary Construction
14806 Structure per construction site based on the intensity of the development.

14807 **(b) Duration.** The Temporary Construction Structure may remain on the construction site
14808 within the duration of the development stage and shall be removed from the premises
14809 before a Certificate of Occupancy is issued of the new building(s). [Relocated from Sec.
14810 3-5.(bq)(2) Temporary Structure or Buildings]

14811 **Sec. 3-5.(au) Portable Storage Structure**

14812 ~~(1) There can be no more than one portable storage structure per property. [Relocated to Sec. 3-E-~~
14813 ~~J.4.b.(2) (a) Number of Container, Additional Use Standards]~~

14814 ~~(2) The portable storage structure must be no larger than 8 feet wide, 8 feet high, and 20 feet long.~~
14815 ~~[Relocated to Sec. 3-E-J.4.b.(1)(d) Maximum size]~~

14816 ~~(3) The portable storage structure must not remain on a property in excess of 30 consecutive days~~
14817 ~~(per owner) and must not be placed at any one property in excess of 30 days in a calendar year.~~
14818 ~~[Relocated to Sec. 3-E-J.4.b.(2) Duration, Additional Use Standards]~~

14819 ~~(4) The portable storage structure must be set back a minimum of five feet from all property lines.~~
14820 ~~[Relocated to Sec. 3-E-J.4.b.(1)(b) Minimum setback]~~

14821 ~~(5) The portable storage structure must be set back a minimum of five feet from the nearest wall of a~~
14822 ~~building. [Relocated to Sec. 3-E-J.4.b.(1)(c) Minimum distance]~~

14823 ~~(6) The portable storage structure must be placed outside of any County right-of-way. [Relocated to~~
14824 ~~Sec. 3-E-J.4.b.(2)(c) Prohibited Location, Additional Use Standards]~~

14825 ~~(7) Commercial dumpsters associated with construction at a site where a building permit has been~~
14826 ~~issued are permitted for the duration of construction and shall be removed from the site within 14~~
14827 ~~days of the end of construction. These containers are exempt from the above conditions.~~
14828 ~~[Relocated to Sec. 3-E-J.4.b.(2)(d) Commercial Dumpster, Additional Use Standards]~~

14829 ~~(8) Portable storage structures associated with construction at a site where a building permit has been~~
14830 ~~issued are permitted for the duration of construction, but in no case may remain on the property for~~
14831 ~~a period longer than 365 days. These containers are exempt from the above conditions.~~
14832 ~~[Relocated to Sec. 3-E-J.4.b.(2)(e) Portable Storage Containers, Additional Use Standards]~~

14833 **Sec. 3-5.(bq) Temporary Structures or Buildings-**

14834 ~~(1) Construction sheds and tool houses for contractors and construction workers on the premises while~~
14835 ~~a building is under construction on said premises. Said temporary structure shall be removed from~~
14836 ~~the premises before permitting occupancy of new structure. [Relocated to Sec. 3-E-J.4.b.(3)~~
14837 ~~Duration, Additional Use Standards for Temporary Construction Structure]~~

14838 ~~(2) Mobile homes used as temporary offices for development, sales, and storage during development~~
14839 ~~stage. [Relocated to 3-E-J.4.a. Description]~~

14840 **Sec. 3-E-J.5. Temporary Living Quarter**

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

Part E Use Types and Standards

14841 3-E-J.5.a. Description and Typical Uses

14842 *Any recreational vehicle-type unit, primarily designed as temporary living quarters for recreational, camping*
14843 *or travel use, which either has its own motive power or is mounted on or drawn by another vehicle, these*
14844 *vehicles shall include travel trailers and fifth wheel travel trailer, camping trailer, truck camper, motor home*
14845 *van conversion, park trailer or similar type vehicle. This unit may also serve as a temporary living quarter*
14846 *during construction of a residence. **[Relocated from Sec. 3-5.(bm)(1) Definition]***

14847 3-E-J.5.b. Specific Use Standards

(1) Dimensional Use Standards:

<u>(a)</u>	<u>Minimum lot size:</u>	<u>Not Applicable</u>
<u>(b)</u>	<u>Minimum setback:</u>	<u>Temporary structure: Apply setbacks of the lot's zoning district, if applicable</u>

(2) Additional Use Standards for Recreational Purpose:

14848 (a) *A property owner, tenant, or a guest of a property owner or tenant who is the owner of a*
14849 *recreational vehicle, may temporarily occupy the recreational vehicle on a Single-Family*
14850 *Residentially zoned parcel, provided the following conditions are met:*
14851 *i. No person shall be allowed to occupy the recreational vehicle more than 14*
14852 *consecutive calendar days and no more than 2 times in any calendar year for a*
14853 *particular property owner and/or tenant.*
14854 *ii. The recreational vehicle shall be self-contained and shall not be connected to an*
14855 *outside source of potable water, or sewage disposal. All wastewater and solid*
14856 *waste shall be disposed of properly at a licensed facility. If electrical connection is*
14857 *needed, then the vehicle shall be connected to an approved outside electrical*
14858 *source.*
14859 *iv. There shall be no more than 1 recreational vehicle on the deeded private property*
14860 *parcel in contiguous ownership at any one time.*
14861 *v. If property is located within floodplain AE, the following standards must be met:*
14862 *a. Be on the site for fewer than 14 consecutive days,*
14863 *b. Be fully licensed and ready for highway use, or*
14864 *c. Meet the permit standards, elevation and anchoring standards*
14865 *for "manufactured homes" and all other Land Development Regulations.*
14866 ***[Relocated from Sec. 3-5.(bb)(2) (i) through (v) Recreational Vehicle***
14867 ***Temporary Use]***

(3) Additional Use Standards for Construction Purpose:

14869 (a) *A recreational vehicle may be used for temporary living quarters pending construction of a*
14870 *permanent Residential dwelling, provided the following conditions are met:*
14871 *i. The property shall be within the RR, AR, AG FLU, BF RS, or LA RC FLU category.*
14872 *ii. A copy of the building permit for the permanent residence shall be displayed on*
14873 *the recreational vehicle.*
14874 *iii. A septic tank permit or an existing tank letter and a well permit issued by the State*
14875 *of Florida Environmental Health Department shall be obtained if the unit is not self-*
14876 *contained. All wastewater and solid waste shall be disposed of properly at a*
14877

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

Part E Use Types and Standards

- 14878 licensed facility. If electrical connection is needed, the vehicle shall be connected
14879 to an approved outside electrical source.
- 14880 iv. The recreational vehicle shall meet all setbacks required for the Principle dwelling
14881 in the zoning district where the recreational vehicle will be parked.
- 14882 v. The temporary living quarters shall be removed within 10 days from the date of the
14883 final electrical approval for the permanent Residential structure by the Building
14884 Department of the County.
- 14885 vi. The temporary electrical power or electrical source for the temporary recreational
14886 vehicle shall be disconnected and shut off at the time the permanent electrical
14887 connection for the permanent Residential structure has been approved.
- 14888 vii. The recreational vehicle shall be removed from the property at the expiration of 3
14889 years from the date the temporary living quarters was placed on the property.
14890 Should the building permit for the proposed residence expire, the recreational
14891 vehicle shall be removed within 45 days.
- 14892 viii. There shall be no more than 1 recreational vehicle on the premises at any one
14893 time.
- 14894 ix. If property is located within floodplain AE, the following standards shall be met:
14895 A. Be on the site for fewer than 180 consecutive days,
14896 B. Be fully licensed and ready for highway use, or
14897 C. Meet the permit standards, elevation and anchoring standards for
14898 “manufactured homes” and all other Land Development Regulations.
14899 **[Relocated from Sec. 3-5.(bm)(2) (i) through (ix)]**

14900 **Sec. 3-5.(bb) Recreational Vehicle Temporary Use.**

- 14901 ~~(bb) — Recreational Vehicle Temporary Use. Under no circumstances shall a recreational vehicle be used~~
14902 ~~for living or sleeping quarters, except as provided below:~~
- 14903 ~~(1) — Definition. For the purposes of this section, the following word shall have the meaning~~
14904 ~~ascribed by this subsection:~~
- 14905 ~~(i) — Recreational Vehicle. Any vehicle-type unit, primarily designed as temporary living~~
14906 ~~quarters for recreational, camping or travel use, which either has its own motive~~
14907 ~~power or is mounted on or drawn by another vehicle, said vehicles shall include~~
14908 ~~travel trailers and fifth wheel travel trailer, camping trailer, truck camper, motor~~
14909 ~~home van conversion or a similar type vehicle. **[Relocated to Sec. 3-E-J.5.a.**~~
14910 ~~**Description]**~~
- 14911 ~~(2) — A property owner or tenant or a guest of a property owner or tenant who is the owner of a~~
14912 ~~recreational vehicle, may temporarily occupy the recreational vehicle on a single family~~
14913 ~~residentially zoned parcel, provided the following conditions are met:~~
- 14914 ~~(i) No person shall be allowed to occupy the recreational vehicle more than fourteen~~
14915 ~~(14) consecutive calendar days and no more than two (2) times in any calendar~~
14916 ~~year for a particular property owner and/or tenant.~~
- 14917 ~~(ii) The recreational vehicle shall be self-contained and shall not be connected to an~~
14918 ~~outside source of potable water, or sewage disposal. All waste water and solid~~
14919 ~~waste shall be disposed of properly at a licensed facility. If electrical connection~~
14920 ~~is needed, the vehicle must be connected to an approved outside electrical source.~~

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

Part E Use Types and Standards

- 14921 (iii) ~~Side and rear setbacks required for the principle dwelling in the zoning district~~
14922 ~~where the recreational vehicle will be parked, shall be met. [Deleted,~~
14923 ~~consolidated under Sec. 3-E-J.5.b.(1) Specific Use Standards]~~
14924 (iv) ~~There shall be no more than one recreational vehicle on the deeded private~~
14925 ~~property parcel in contiguous ownership at any one time.~~
14926 (v) ~~If property is located within floodplain AE, the following requirements must be met:~~
14927 (i) ~~Be on the site for fewer than fourteen (14) consecutive days,~~
14928 (ii) ~~Be fully licensed and ready for highway use, or~~
14929 (iii) ~~Meet the permit requirements, elevation and anchoring requirements for~~
14930 ~~“manufactured homes” and all other Land Development Regulations.~~
14931 ~~(amended 11/07 — Ord.2007-66 —) [Relocated to Sec. 3-E-J.5.c.(1)~~
14932 ~~Additional Use Standards for Recreational Purpose]~~

14933 ~~Sec. 3-5.(bm) Temporary living quarters during construction of a residence.~~

14934 ~~Temporary living quarters during construction of a residence —under no circumstances shall a recreational~~
14935 ~~vehicle be used for living or sleeping quarters, except as provided below:~~

14936 (1) ~~Definition. For the purposes of this section, the following word shall have the meaning ascribed by~~
14937 ~~this subsection:~~

14938 ~~Recreational Vehicle. Any vehicle type unit, primarily designed as temporary living~~
14939 ~~quarters for recreational, camping or travel use, which either has its own motive power or~~
14940 ~~is mounted on or drawn by another vehicle, said vehicles shall include travel trailers and~~
14941 ~~fifth wheel travel trailer, camping trailer, truck camper, motor home van conversion, park~~
14942 ~~trailer or similar type vehicle. [Relocated to Sec. 3-E-J.5.a. Description and Typical~~
14943 ~~Uses]~~

14944 (2) ~~A recreational vehicle may be used for temporary living quarters pending construction of a~~
14945 ~~permanent residential dwelling, provided the following conditions are met:~~

14946 (i) ~~The property must be within the Rural Residential, Agriculture Residential, Agriculture land~~
14947 ~~use category, Branan Field Master Plan Rural Suburbs land use category or Lake Asbury~~
14948 ~~Master Plan Rural Community land use category. [Relocated to Sec. 3-E-J.5.b.(a)(1)]~~

14949 (ii) ~~A copy of the building permit for the permanent residence shall be displayed on the~~
14950 ~~recreational vehicle. [Relocated to Sec. 3-E-J.5.b.(a)(2)]~~

14951 (iii) ~~A septic tank permit or an existing tank letter and a well permit issued by the State of~~
14952 ~~Florida Environmental Health Department must be obtained if the unit is not self-contained.~~
14953 ~~All waste water and solid waste shall be disposed of properly at a licensed facility. If~~
14954 ~~electrical connection is needed, the vehicle must be connected to an approved outside~~
14955 ~~electrical source. [Relocated to Sec. 3-E-J.5.b.(a)(3)]~~

14956 (iv) ~~The recreational vehicle must meet all setbacks required for the principle dwelling in the~~
14957 ~~zoning district where the recreational vehicle will be parked. [Relocated to Sec. 3-E-~~
14958 ~~J.5.b.(a)(4)]~~

14959 (v) ~~The temporary living quarters shall be removed within ten days from the date of the final~~
14960 ~~electrical approval for the permanent residential structure by the building department of the~~
14961 ~~county. [Relocated to Sec. 3-E-J.5.b.(a)(5)]~~

14962 (vi) ~~The temporary electrical power or electrical source for the temporary recreational vehicle~~
14963 ~~shall be disconnected and shut off at the time the permanent electrical connection for the~~
14964 ~~permanent residential structure has been approved.~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part E Use Types and Standards

- 14965 ~~(vii)~~ *The recreational vehicle shall be removed from the property at the expiration of ~~three~~ years*
14966 *from the date the temporary living quarters was placed on the property. Should the building*
14967 *permit for the proposed residence expire, the recreational vehicle shall be removed within*
14968 *45 days.*
- 14969 ~~(viii)~~ *There shall be no more than ~~one~~ recreational vehicle on the premises at any one time.*
- 14970 ~~(ix)~~ *If property is located within floodplain AE, the following ~~requirements~~ must be met:*
- 14971 *a. ~~Be on the site for fewer than 180 consecutive days,~~*
- 14972 *b. ~~Be fully licensed and ready for highway use, or~~*
- 14973 *c. ~~Meet the permit ~~requirements~~, elevation and anchoring ~~requirements~~ for~~*
14974 *“manufactured homes” and all other Land Development Regulations. ~~(amended~~*
14975 *11/07 — Ord.2007-66 —) [Relocated to Sec. 3-E-J.5.b.(2)(a)(1) through (9)*
14976 **Additional Standards]**

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

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Part F Summary of Amendments	
Section #	Section Title
DIVISION A	GENERAL
Purpose and Intent	Established the intent of this Division to carry forward the Adequate Public Facilities (APF) of the Branan Field and Lake Asbury Master Planned Communities. Established min./max. standards for building, lighting, parking and loading and other types of accessory structures.
Applicability	Explained where to apply these requirements.
Conflict	Clarified what should apply when there is a conflict or inconsistency between texts and between text and a graphic.
DIVISION B	ADEQUATE PUBLIC FACILITIES
General	Clarified these Adequate Public Facilities (APF) include drainage, fire rescue, roads, parks and recreation, water and wastewater, public transportation and schools and each of the required level of services based on the proposed development density and/or intensity.
Applicability	Explained where to apply these requirements.
Exemptions	Provided a list of structures, developments that are exempt from the APF requirements
Application Standards	Deferred application contents and submittal requirements to Article 4 of this Code.
Credits	Carried forward current Code text as it related to the construction of APF road by the developer, and credits for the cost of construction can be deducted from the proportionate cost associated with the development traffic. Carried forward current Code text which relates to developer's donation credits towards road impact fees.
Donations	Carried forward current Code text which relates to developer's extent of donations and priorities.
Payment In Lieu of Donation	Carried forward current Code text as it related to contribution of land to the County instead of payment.

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Part F Technical Requirements

Donation Over Required Minimum	Carried forward current Code text as it related to if the developer over contributes to the County, and the developer may redefine the priority of public facilities to claim impact fee credits.
Development Agreement	Carried forward current Code text as it related to development agreement between the developer and the County.
DIVISION C	ROADS
General Development Standards	This Section included roadway standards, connectivity, access, and median openings. Carried forward current Code text, tabularized the dimensional and capacity requirements.
Street Pattern	This Section included street pattern within a proposed development, street stub for future connection, and gates.
Roadway Configuration	This Section included roadway configuration, roundabout, alley and interior courtyard and traffic calming component.
Transit	This Section included transit-oriented design and transit stop. Carried forward current Code text.
Sidewalk	Carried forward current Code text and referred to Sec. 8-14.(2) of the Land Development Code.
Bicycle Lane	This Section included current Code text and added alternative pedestrian circulation and bike lanes may be approved by the Development Review Official.
Street Trees	This Section included current Code text and added reference to Sec. 6-5.(4) Landscaping Adjacent to Street Right-of-Way.
DIVISION D	PARKS AND RECREATION
Purpose and Intent	Clarified the intent of the APF parks and civic spaces are to address the population of the proposed development in BF and LAMPA communities. Also clarified the timing of the implementation of these recreational facilities.
Applicability	Clarified where to apply these requirements.
Types of Park	Carried forward current Code text as it related to the different types of parks: Community, Primary Neighborhood, and Pocket parks and their maximum distance requirements to residential communities that the individual park serves.
Park Facilities	Carried forward current Code text as it related to the required recreational facilities for each type of park.
Level of Service Standards	Carried forward/tabularized current Code text as it related to the level of service standards based on the residential population.
Platting	Carried forward current Code text as it related to the platting requirements.
Pedestrian and Bicycle Linkage	Carried forward current Code text as it related to the network/linkage.
Ownership and Control	Carried forward current Code text as it related to the implementation of recreational facilities and the maintenance by the homeowners or property owners' association.
DIVISION E	SCHOOLS

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Part F Technical Requirements

Purpose and Intent	Clarified the school sites are part of the APF requirements for residential developments.
Location of School	Carried forward current Code text as it related to school sites and are to be determined by the School District of Clay County.
Development Standards	Referred to Part E Public and Private Facilities Schools, Public and Private
DIVISION F	ARCHITECTURAL DESIGN GUIDELINES
Purpose and Intent	Clarified guidelines to promote good and aesthetic design of new development or redevelopment.
Applicability	Established thresholds to trigger architectural design guidelines as determined by the Planning and Zoning Director or his/her designee. Added exemptions from the following standards.
Residential and Non-Residential Developments	Carried forward the specific architectural design elements from the existing Master Planned Communities
DIVISION G	EXTERIOR LIGHTING
General Provisions	Carried forward current Code with regards to the intent of the outdoor lighting standards.
Photometric Plan	Added requirements for application submission and refer to Article 2 Procedures for Development Review.
Illumination	Carried forward current Code with regards to the technical requirements for illumination for different uses such as residential and non-residential parking areas and pedestrian lighting, and any outdoor lighting.
Light Fixtures	Carried forward current Code on types of light fixtures, that nay full-cut-off fixtures shall be incorporated as an integral design.
Time Controls	Carried forward current Code with regards to time controls.
Upgrade or Replacement	Carried forward current Code with regards to upgrade and replacement. Replaced the term project with “development”.
Gas and Fuel Sales	Carried forward current Code with regards to the gas and fuel sales. Other requirements for the gas sales facility have been relocated to Part E under Commercial uses.
DIVISION H	ACCESSORY STRUCTURES
Purpose and Intent	Clarified the purpose of accessory uses and affiliated structures. Specified that an accessory use or structure shall be located on the same site as the principal use. Explained what is exempt from the location requirements such as an approved off-site parking or an enclosed dumpster.
Fence, Wall, and Column	Provided design (finishing materials) and technical requirements such as height for fences, walls and decorative columns. Provided graphics to explain how to measure when there is a grade difference of a site and its neighboring property. Clarified and provided requirements for dangerous materials that may be collocated on a fence or a wall.

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

Part F Technical Requirements

Waste Storage Area	Developed location, setback and screening standards for waste storage areas. Provided a graphic for the storage area, with dimensions and illustrate how to measure from the adjacent property lines.
Screen Enclosure	Created new setback dimensions for screen enclosure that may be constructed for enclosing a patio or swimming pool.
Swimming Pool and Spa	Created new setback dimensions for swimming pool or a spa that may be located in a single dwelling unit or in a clubhouse.
DIVISION I	LANDSCAPING
Purpose and Intent	This Division is to supplement Article 6, Tree Ordinance, and subsequently will be relocated to Article 6 by County staff.
Vested Development	Carried forward current code and referred to Article 6 for applicable requirements.
Perimeter Buffer	Consolidated current code
Excavation	Carried forward landscaping/screening requirements for excavation, and land clearing debris disposal.
DIVISION J	PARKING
Purpose and Intent	This Division is to supplement Sec. 8-12 Parking Requirements and Appendix A, and subsequently will be relocated to Article 8 by County staff.
Parking Standards	This new Section is created to carry forward parking requirements that are currently in Article 3 but not in Sec. 8-12/Appendix A.
Commercial Vehicle Parking in AG and AR Zoning Districts	Carried forward current code on commercial vehicle requirements in the AG and AR districts.
Prohibited Parking	Carried forward current code on prohibited parking.
Master Planned Communities Parking	Carried forward parking requirements under the Development Standards for Branam Field and LAMPA master planned communities to reduce redundancy, and only consolidated those requirements that are not repeating parking requirements per Sec. 8-12 or Appendix A, but specifically pertinent to these 2 communities.
DIVISION K	APPLICATION SUBMISSION STANDARDS
Purpose and Intent	This Division is to establish submission standards for planning and zoning types of application and supplement Article 2. This Division will be subsequently relocated and consolidated under Article 2.
Application Submission Standards	Provided a list of application forms and requirements, and referred to the County Fee Schedule.
Plan and Document Format Standards	Established drafting and formatting standards for plans, documents, and geometry information.
Project Narrative	Listed what are required to complete a summary of the requests, site information and other relevant information pertinent to the application.
Adequate Public Facilities	Required an application to provide how the requests will be meet the adequate public facilities requirements.
Landscape Plan	Deferred all landscape plans to Sec. 6-9. Landscape Plan Required.

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	Added required notes and specifications as a requirement for preparation of landscape plans.
Survey	Carried forward current code language with not substantive edits.

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Part F Technical Requirements

14978

DIVISION A GENERAL

14979

Sec. 3-F-A.1. Purpose and Intent

14980

The purpose and intent of this Part is to consolidate the following important components that are required for a proposed development or redevelopment. Part F is divided into several Divisions containing the information as follows:

14981

14982

14983

a. Carry forward the required concurrency providers (Adequate Public Facilities) specifically for the adopted County's Master Planned Communities.

14984

14985

b. Establish minimum and maximum design standards for buildings, exterior lighting, landscaping, parking and loading, and accessory structures.

14986

14987

c. Add specific process and procedures for Planning and Zoning related applications for subsequent consolidation in Article 2 of the County's Land Development Code (LDC).

14988

14989

Sec. 3-F-A.2. Applicability

14990

Where applicable, Part F shall apply to all applications for a Development Order.

14991

Sec. 3-F-A.3. Conflict

14992

Where there is a conflict between the text and graphics in these Divisions, then the text shall govern and control, unless stated otherwise herein. Where the text in these Divisions is in conflict with other Divisions of the LDC or any State provisions, then the standards found in these Divisions shall govern and control, unless stated otherwise herein.

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Part F Technical Requirements

14996 DIVISION B ADEQUATE PUBLIC FACILITIES

14997 Sec. 3-F-B.1. Purpose and Intent

14998 The purpose and intent of this Division is to ensure that Adequate Public Facilities (APF) are provided for
14999 the incremental development of the Master Planned Communities. Some of these public facilities are
15000 located in other current Articles of the Code.

15001 3-F-B.1.a. Typical ADF

<u>Drainage</u>	<u>Article 8 Design and Improvement Standards</u>
<u>Fire Rescue</u>	<u>Ask County to reference the Department</u>
<u>Roads</u>	<u>Part F Division C Roads</u>
<u>Parks and Recreation</u>	<u>Part F Division D</u>
<u>Potable Water, Sanitary Sewer, and Solid Waste</u>	<u>Ask County to reference the Department</u>
<u>Public Transportation</u>	<u>Ask County to reference the Department</u>
<u>School</u>	<u>Part F Division E</u>
	<u>PLACEHOLDER</u> ^[MK191]

15002 3-F-B.1.b. Level of Services

15003 APF shall be provided based on the proposed development or redevelopment and shall be consistent with
15004 the Level of Services (LOS) for those public facilities that are adopted in the [Clay County Comprehensive](#)
15005 [Plan](#).

15006 3-F-B.1.c. Management of APF

15007 A ~~monitoring system~~^[MK192] shall be required to address the impacts of the development or redevelopment
15008 on the existing public facilities.

15009 Sec. 3-F-B.2. Applicability

15010 Part F, Division B shall apply to all new developments or redevelopments, unless stated otherwise in [Sec.](#)
15011 [3-F-B.3. Exemptions](#).

15012 Sec. 3-F-B.3. Exemptions

15013 The following shall be exempt from this Division:

- 15014 a. ~~A lot of record that received an exemption~~^[CP193] issued by the County.
- 15015 b. ~~All construction or alteration of accessory buildings or structures that does not add impact on public~~
15016 ~~facilities.~~

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- 15017 c. All types of permits as set forth in [Sec. 4-6.\(1\) Applicability and General Provisions](#).
15018 d. All Low Impact Threshold Developments (LITDs) ^[EG194] which generate 10 or less PM peak hour
15019 trips per day and do not have direct access to a Dashed Line Road. A primary purpose for the
15020 creation of the Dashed Line Roads is to open large tracts of acreage for major new development.
15021 As such, the benefit to the LITD from the construction of the Dashed Line Roads is minimal. As a
15022 result, LITDs are exempt from the donation and payment obligations. A development which would
15023 otherwise qualify as a LITD and which has a Dashed Line Road on its property or directly accesses
15024 a Dashed Line Road will significantly benefit from the construction of the Dashed Line Road. These
15025 developments are not exempt from the donation and payment obligations. [Relocated from Sec.
15026 3-33B.E.1.d. Low Impact Threshold Development (LITDs)]

15027 Sec. 3-F-B.4. Application Standards

- 15028 All development or redevelopment projects shall comply with Article 4 Concurrency Management, [Sec. 4-](#)
15029 [7. Application Content and Submittal Requirements](#), unless stated otherwise by the Planning and Zoning
15030 Director or his/her designee.

15031 Sec. 3-F-B.5. Timing

- 15032 If APF lands are conveyed to the County by deed, then donation shall be made prior to issuance of a
15033 building permit or at a later date as agreed to by the County. APF requirements may be made on a phase-
15034 by-phase basis, or for an entire development at the option of the developer. [Relocated from Sec. 3-
15035 33A.I.3.a. and Sec. 3-33B.E.1.a.]

15036 Sec. 3-F-B.6. Credits^[MK195]

15037 3-F-B.6.a. Credit for Construction of Public Facilities

- 15038 RAPF Roads that traverse a development shall be constructed by the developer. The County shall approve
15039 the construction plans for APF Roads based on the applicable Clay County standards and the additional
15040 improvements by road type. The developer shall be entitled to credits for the cost of the construction of
15041 APF Roads, less the proportionate cost associated with traffic on a per trip (capacity) basis. [Relocated
15042 from Sec. 3-33B. Credits]

15043 3-F-B.6.b. Road Impact Fees

- 15044 If the developer opts to satisfy the APF requirements for roads, such donations shall be credited toward
15045 road impact fees. ^[CP196]
15046 (1) Construction costs that exceed the calculated "fair share" or proportionate share amount may be
15047 credited toward road impact fees.
15048 (2) Donation of lands for roads that are in excess of the required APF contribution may be counted
15049 toward required fair share payments.

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- 15050 (3) When donations are made for an entire, phased development, the County shall “bank” excess
15051 credits for future phases for the purposes of meeting APF requirements and for potential impact
15052 fee credits.
15053 (4) Road impact fee credits may be transferable within the individual boundary of a Master Planned
15054 Community and may not be transferred outside the boundary. [Relocated from Sec. 3-33A.I.3.b.]

15055 Sec. 3-F-B.7. Donations

15056 3-F-B.7.a. BF Standards

15057 Developers shall be required to donate 5 percent of developable land acreage for the following public
15058 facilities in order of priority: roads, fire stations, libraries, transit facilities, greenway trails, community parks,
15059 regional retention, and conservation lands where applicable. Developable lands in this case shall not
15060 include wetland areas, required upland-wetland buffers and lands contained within the BF Primary
15061 Conservation Network. [Relocated from Sec. 3-33A.I.3.c.]

15062 3-F-B.7.b. LAMPA Standards

15063 Developers shall be required to donate 1.35 percent of developable lands for APF road rights-of-way (APF
15064 Requirement). The APF road rights-of-way (Dashed Line Roads) are depicted on the adopted FLUM as
15065 proposed new roads. The land area of the APF Requirement shall be calculated by the developer of each
15066 development and approved by the County. With the mutual consent of the County and the applicant, lands
15067 needed for state roads may be required for donation. [Relocated from Sec. 3-33B.E.1. LAMPA Public
15068 Facilities Criteria]

15069 Sec. 3-F-B.8. Payment in Lieu of Donation

15070 3-F-B.8.a. BF Standards

- 15071 (1) If no public facilities lands are present on a specific site or less than 5 percent of the APF
15072 requirement, then that development may satisfy this requirement by paying an APF fee that is
15073 equivalent to 5 percent of the Fair Market Value [MK197] of the developable lands.
15074 (2) Fair Market Value shall be determined at the expense of the developer by an appraiser approved
15075 by the County.
15076 (3) Value shall be based on land use, and an average per-acre value shall be determined by dividing
15077 the total development parcel value by total developable acres.
15078 (a) When a road divides 2 land uses, the value shall be based on the more intensive use. This
15079 value shall be adjusted annually using the appropriate Consumer Price Index, with the
15080 option of obtaining a new appraisal.
15081 (b) This fee shall be paid to a fund dedicated to public facilities acquisition and construction
15082 occurring within 3 miles of the property in question. [Relocated from Sec. 3-33A.I.3.d.]

15083 3-F-B.8.b. LAMPA Standards

- 15084 (1) If no public facilities lands are present on a specific site or they represent less than 1.35 percent of
15085 the developable lands, the development may satisfy the APF Requirement by paying an APF Fee

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15086 that, independently or in combination with public facilities land donation, meets the minimum 1.35
15087 percent APF Requirement. If no APF Lands are present, the APF Fee shall be the Fair Market
15088 Value of 1.35 percent of the developable lands within the development. If the APF Fee is provided
15089 in conjunction with the donation of APF Lands, the APF Fee shall be the Fair Market Value of the
15090 difference in the land area of APF Lands donated and the land area of the APF Requirement for
15091 the development.
15092 (2) The Fair Market Value shall be determined at the expense of the developer by an appraiser
15093 approved by Clay County and shall be based on land use with an average per-acre value being
15094 determined by dividing the total development parcel value by total developable acres. **[Relocated**
15095 **from Sec. 3-33B.E.1.]**

15096 Sec. 3-F-B.9. Donation over Required Minimum [CP198]

15097 3-F-B.9.a. BF Standards

15098 (1) If land is needed for a public facility that is in excess of the 5 percent contribution, then the County
15099 shall either pay the difference or remove the facility from the FLUM.
15100 (2) Should the County commit to a contribution, final approval shall be given by the Board of County
15101 Commissioners upon execution of a development agreement as set forth in Sec. 3-F-B.11.
15102 (3) In situations where a developer contributes different APF Lands and the total donation is in excess
15103 of the requirement, the developer may redefine the priority of public facilities in order to claim impact
15104 fee credits. **[Relocated from Sec. 3-33A.I.3.e.]**

15105 3-F-B.9.b. LAMPA Standards

15106 If the location of an APF on the Lake Asbury FLUM is such that an individual development would be required
15107 to donate land in excess of the land area of the APF Requirement, then one of the following shall occur:
15108 (1) The County shall either: pay the developer the Fair Market Value of the difference in the APF
15109 Requirement and the lands necessary to provide the facility; or remove or relocate the facility by
15110 Plan Amendment from the FLUM.
15111 (a) The developer may elect to donate land in excess of the APF Requirement for a
15112 development. Land donation in excess of the APF Requirement may be credited toward
15113 the applicable impact fee or may be banked for future phases of the development for the
15114 purpose of meeting future phase APF Requirements. Credit for land donated in excess of
15115 the APF Requirement for a development may also be transferred to another development
15116 within LAMPA for the purpose of meeting APF Requirements.
15117 (b) If the County elects to compensate the developer for lands in excess of the APF
15118 Requirement for a development, then final approval shall be given by the Board of County
15119 Commissioners by execution of a Development Agreement. The value of the County's
15120 contribution shall be the Fair Market Value of the land as would have been calculated for
15121 the purpose of assessing the APF Fee times the area of the excess land area acquired by
15122 the County. **[Relocated from Sec. 3-33B.E.1.b.]**

15123 Sec. 3-F-B.10. Development Agreement

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Part F Technical Requirements

15124 3-D-R.10.a. Review and Approval Procedures

15125 *Prior to the entry into a Development Agreement, the County shall first have had an opportunity to review*
15126 *and approve the construction plans for the additional connections and to review the projected costs of*
15127 *constructing the additional connections (including right-of-way acquisition, design and other soft costs, hard*
15128 *construction costs and County administrative costs, including attorney's fees associated with the*
15129 *enforcement of the Development Agreement, in the event the County shall complete the development) in*
15130 *order to ascertain the appropriate amount of the construction bond. [Relocated from Sec. 3-33A.1.7.a.ii.B]*

15131 3-D-R.10.b. Additional Connections

15132 *In addition, prior to entry into the Agreement, the County shall have had an opportunity to review and*
15133 *approve the location of the additional connections. The Development Agreement may include such other*
15134 *terms that the County, acting necessary, deems necessary. [Relocated from Sec. 3-33A.1.7.a.ii.B]*

15135 3-D-R.10.c. Terms of Development Agreement

15136 *The Development Agreement shall contain the following material terms:*

- 15137 (1) *road improvements that shall be completed and accepted by the County within 18 months of the*
15138 *date of the Development Agreement;*
- 15139 (2) *a liquidated damages clause for delay in completion;*
- 15140 (3) *a construction bond, in a form acceptable to the County, or a letter of credit, in an amount sufficient*
15141 *to reimburse the County for all expenses and damages incurred in the event of default under the*
15142 *terms of the development agreement by the developer;*
- 15143 (4) *a mechanism for the transfer of real property upon which the additional connections will be*
15144 *constructed in the event the developer defaults under the terms of the Development Agreement by*
15145 *not commencing or completing the construction of the additional connections; and*
- 15146 (5) *the amount of the construction bond.*

15147 *The Development Agreement may include such other terms that the County, acting necessary, deems*
15148 *necessary. [Relocated from Sec. 3-33A.1.7.a.ii.B.]*

15149 Sec. 3-33A.1.3.

15150 ~~3. Adequate Public Facilities. Developers shall donate lands for planned road, (shown as “dashed line~~
15151 ~~roads”) and other public facilities as required herein at or prior to approval of final plat. Public facilities~~
15152 ~~must be shown on the adopted Future Land Use Map. [Deleted, referenced in Sec. 3-D-R.10. and~~
15153 ~~relocated to Sec. 3-F-B.1. General]~~

15154 ~~a. Timing. If such lands are conveyed to the County by deed, donation shall be made prior to issuance~~
15155 ~~of a building permit or at a later date as agreed to by the County. APF donations may be made on~~
15156 ~~a phase by phase basis, or for an entire development at the option of the developer. [Relocated~~
15157 ~~to Sec. 3-F-B.5. Timing]~~

15158 ~~b. Credits. Such donations shall be credited toward road impact fees, if such fees are adopted by the~~
15159 ~~County. Construction costs that exceed the calculated “fair share” or proportionate share amount,~~
15160 ~~if the County adopts such a program, may be credited toward road impact fees. Donation of lands~~
15161 ~~for roads that are in excess of the required APF contribution may be counted toward required fair~~
15162 ~~share payments, if such a program is adopted by the County. When donations are made for an~~
15163 ~~entire, phased development, the County shall “bank” excess credits for future phases for the~~
15164 ~~purposes of meeting APF requirements and for potential impact fee credits. Road impact fee~~

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15165 ~~credits may be transferable throughout the Branan Field Plan area.~~ [Relocated to Sec. 3-F-B.6.
15166 **Credits]**
15167 e. ~~Extent of Donation and Priorities. Developers shall be required to donate 5% of developable land~~
15168 ~~acreage for the following public facilities in order of priority: roads, fire stations, libraries, transit~~
15169 ~~facilities, greenway trails, community parks, regional retention, and BF Primary Conservation~~
15170 ~~Network. Developable lands in this case shall not include wetland areas, required upland wetland~~
15171 ~~buffers and lands contained within the BF Primary Conservation Network.~~ [Deleted, as there is
15172 **sufficient requirements under APF]**

15173 d. ~~Payment in Lieu of Donation. If no public facilities lands are present on a specific site or less than~~
15174 ~~5% of the APF requirement, that development may satisfy this requirement by paying an adequate~~
15175 ~~public facilities fee that is equivalent to 5% of the fair market value of the developable lands. Fair~~
15176 ~~market value shall be determined at the expense of the developer by an appraiser approved by the~~
15177 ~~County. Value shall be based on land use, and an average per-acre value shall be determined by~~
15178 ~~dividing the total development parcel value by total developable acres. When a road divides two~~
15179 ~~land uses, the value shall be based on the more intensive use. This value shall be adjusted~~
15180 ~~annually using the appropriate Consumer Price Index, with the option of obtaining a new appraisal.~~
15181 ~~This fee shall be paid to a fund dedicated to public facilities acquisition and construction occurring~~
15182 ~~within three miles of the property in question.~~ [Relocated to Sec. 3-F-B.8.a.(1) BF Requirements,
15183 **Payment in Lieu of Donation]**

15184 f. ~~Donation over Required Minimum. If land is needed for a public facility that is in excess of the 5%~~
15185 ~~contribution, the County must either pay the difference or remove the facility from the Future Land~~
15186 ~~Use Map. Should the County commit to a contribution, final approval shall be given by the Board~~
15187 ~~of County Commissioners upon execution of a development agreement. In situations where a~~
15188 ~~developer contributes different APF lands and the total donation is in excess of the requirement,~~
15189 ~~the developer may redefine the priority of public facilities in order to claim impact fee credits.~~
15190 [Relocated to Sec. 3-F-B.9.a.(1) BF Requirements, Donation over Required Minimum]

Sec. 3-33A.1.7.a.ii.B.

15191 ~~Prior to the entry into a development agreement, the County must first have had an opportunity to~~
15192 ~~review and approve the construction plans for the additional connections and to review the projected~~
15193 ~~costs of constructing the additional connections (including right of way acquisition, design and other~~
15194 ~~soft costs, hard construction costs and County administrative costs, including attorney's fees~~
15195 ~~associated with the enforcement of the development agreement, in the event the County must complete~~
15196 ~~the project) in order to ascertain the appropriate amount of the construction bond. In addition, prior to~~
15197 ~~entry into the Agreement, the County must have had an opportunity to review and approve the location~~
15198 ~~of the additional connections. The development agreement may include such other terms that the~~
15199 ~~County, acting necessary, deems necessary. The development agreement must contain the following~~
15200 ~~material terms: (1) road improvements that must be completed and accepted by the County within 18~~
15201 ~~months of the date of the Development Agreement; (2) a liquidated damages clause for delay in~~
15202 ~~completion; (3) a construction bond, in a form acceptable to the County, or a letter of credit, in an~~
15203 ~~amount sufficient to reimburse the County for all expenses and damages incurred in the event of default~~
15204 ~~under the terms of the development agreement by the developer; (4) a mechanism for the transfer of~~
15205 ~~real property upon which the additional connections will be constructed in the event the developer~~
15206 ~~defaults under the terms of the development agreement by not commencing or completing the~~
15207

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

Part F Technical Requirements

15208 ~~construction of the additional connections; and (5) the amount of the construction bond. The~~
15209 ~~development agreement may include such other terms that the County, acting necessary, deems~~
15210 ~~necessary. [Relocated to Sec. 3-F-B.10. Development Agreement]~~

15211 **Sec. 3-33A.1.3.**

15212 ~~3. Adequate Public Facilities. Developers shall donate lands for planned road, (shown as “dashed line~~
15213 ~~roads”) and other public facilities as required herein at or prior to approval of final plat. Public facilities~~
15214 ~~must be shown on the adopted Future Land Use Map. [Deleted, referenced only in Sec. 3-D-R.10.~~
15215 ~~and relocated to Sec. 3-F-B.1. General]~~

15216 ~~a. Timing. If such lands are conveyed to the County by deed, donation shall be made prior to issuance~~
15217 ~~of a building permit or at a later date as agreed to by the County. APF donations may be made on~~
15218 ~~a phase-by-phase basis, or for an entire development at the option of the developer. [Relocated~~
15219 ~~to Sec. 3-F-B.5. Timing]~~

15220 ~~b. Credits. Such donations shall be credited toward road impact fees, if such fees are adopted by the~~
15221 ~~County. Construction costs that exceed the calculated “fair share” or proportionate share amount,~~
15222 ~~if the County adopts such a program, may be credited toward road impact fees. Donation of lands~~
15223 ~~for roads that are in excess of the required APF contribution may be counted toward required fair~~
15224 ~~share payments, if such a program is adopted by the County. When donations are made for an~~
15225 ~~entire, phased development, the County shall “bank” excess credits for future phases for the~~
15226 ~~purposes of meeting APF requirements and for potential impact fee credits. Road impact fee~~
15227 ~~credits may be transferable throughout the Branan Field Plan area. [Relocated to Sec. 3-F-B.6.~~
15228 ~~Credits]~~

15229 ~~c. Extent of Donation and Priorities. Developers shall be required to donate 5% of developable land~~
15230 ~~acreage for the following public facilities in order of priority: roads, fire stations, libraries, transit~~
15231 ~~facilities, greenway trails, community parks, regional retention, and **BF Primary Conservation**~~
15232 ~~**Network**. Developable lands in this case shall not include wetland areas, required upland-wetland~~
15233 ~~buffers and lands contained within the BF Primary Conservation Network. [Relocated to Sec. 3-~~
15234 ~~F-B.7.a.(1) BF Requirements, Donations]~~

15235 ~~e. Payment in Lieu of Donation. If no public facilities lands are present on a specific site or less than~~
15236 ~~5% of the APF requirement, that development may satisfy this requirement by paying an adequate~~
15237 ~~public facilities fee that is equivalent to 5% of the fair market value of the developable lands. Fair~~
15238 ~~market value shall be determined at the expense of the developer by an appraiser approved by the~~
15239 ~~County. Value shall be based on land use, and an average per acre value shall be determined by~~
15240 ~~dividing the total development parcel value by total developable acres. When a road divides two~~
15241 ~~land uses, the value shall be based on the more intensive use. This value shall be adjusted~~
15242 ~~annually using the appropriate Consumer Price Index, with the option of obtaining a new appraisal.~~
15243 ~~This fee shall be paid to a fund dedicated to public facilities acquisition and construction occurring~~
15244 ~~within three miles of the property in question. [Relocated to Sec. 3- F-B.8.a.(1) BF Requirements,~~
15245 ~~Payment in Lieu of Donation]~~

15246 ~~f. Donation over Required Minimum. If land is needed for a public facility that is in excess of the 5%~~
15247 ~~contribution, the County **must** either pay the difference or remove the facility from the Future Land~~
15248 ~~Use Map. Should the County commit to a contribution, final approval shall be given by the Board~~
15249 ~~of County Commissioners upon execution of a development agreement. In situations where a~~
15250 ~~developer contributes different APF lands and the total donation is in excess of the requirement,~~

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

Part F Technical Requirements

15251 ~~the developer may redefine the priority of public facilities in order to claim impact fee credits.~~
15252 [Relocated to Sec. 3-F-B.9.a.(1) BF Requirements, Donation over Required Minimum]

15253 ~~E.~~ **E. PUBLIC FACILITIES CRITERIA**

15254 ~~1.~~ **1. Adequate Public Facilities.**

15255 ~~Developers shall be required to donate 1.35 percent of developable lands for APF road rights of way~~
15256 ~~(APF Requirement). The APF road rights of way (Dashed Line Roads) are depicted on the adopted~~
15257 ~~Future Land Use Map (FLUM) as proposed new roads. The land area of the APF Requirement shall~~
15258 ~~be calculated by the developer of each development and approved by the County. With the mutual~~
15259 ~~consent of the County and the applicant, lands needed for state roads may be required for donation.~~

15260 [Relocated to Sec. 3-F-B.7.b. LAMPA Standards]

15261 ~~If no Public Facilities Lands are present on a specific site or they represent less than 1.35 percent of~~
15262 ~~the developable lands, the development may satisfy the APF Requirement by paying an Adequate~~
15263 ~~Public Facilities (APF) Fee that, independently or in combination with public facilities land donation,~~
15264 ~~meets the minimum 1.35 percent APF Requirement. If no APF Lands are present, the APF Fee shall~~
15265 ~~be the fair market value of 1.35 percent of the developable lands within the project. If the APF Fee is~~
15266 ~~provided in conjunction with the donation of APF Lands, the APF Fee shall be the fair market value of~~
15267 ~~the difference in the land area of APF Lands donated and the land area of the APF Requirement for~~
15268 ~~the development. [Relocated to Sec. 3-F-B.8.b. LAMPA Standards]~~

15269
15270 ~~The Fair Market Value shall be determined at the expense of the developer by an appraiser approved~~
15271 ~~[MK199] by Clay County and shall be based on land use with an average per acre value being determined~~
15272 ~~by dividing the total development parcel value by total developable acres. [Deleted. Ask County~~
15273 ~~whether this should be in Art. 8, OR Relocated to Sec. 1-15.F.2.]~~

15274 ~~a. Timing. If APF Lands are conveyed to Clay County by deed, donation shall be made prior to~~
15275 ~~issuance of a building permit or at a later date accepted by the County. At the developer's option,~~
15276 ~~the APF Requirement may be met on a phase basis or for the development as a whole.~~

15277 [Relocated to Sec. 3-F-B.5. Timing]

15278 ~~b. Donation Over Required Minimum. If the location of an Adequate Public Facility on the Lake Asbury~~
15279 ~~Future Land Use Map is such that an individual development would be required to donate land in~~
15280 ~~excess of the land area of the APF Requirement, the County must either:~~

15281 ~~i. pay the developer the fair market value of the difference in the APF Requirement and the lands~~
15282 ~~necessary to provide the facility.; or ii. remove or relocate the facility by Plan Amendment~~
15283 ~~from the Future Land Use Map.~~

15284 ~~The developer may elect to donate land in excess of the APF Requirement for a development.~~
15285 ~~Land donation in excess of the APF Requirement may be credited toward the applicable impact~~
15286 ~~fee or may be banked for future phases of the project for the purpose of meeting future phase~~
15287 ~~APF Requirements. Credit for land donated in excess of the APF Requirement for a~~
15288 ~~development may also be transferred to another development within LAMPA for the purpose~~
15289 ~~of meeting APF Requirements. [Relocated to Sec. 3-F-B.9.b.(1) LAMPA Standards]~~

15290 ~~If the County elects to compensate the developer for lands in excess of the APF Requirement~~
15291 ~~for a development, final approval shall be given by the Board of County Commissioners by~~
15292 ~~execution of a Development Agreement. The value of the County's contribution shall be the~~
15293 ~~Fair Market Value of the land as would have been calculated for the purpose of assessing the~~

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

Part F Technical Requirements

- 15294 *APF Fee times the area of the excess land area acquired by the County. [Relocated to Sec.*
15295 *3-F-B.9.b.(1) LAMPA Standards]*
- 15296 e. ~~Credit for Construction of Public Facilities. Adequate Public Facilities (APF) Roads that traverse a~~
15297 ~~development shall be constructed by the developer. The County shall approve the construction~~
15298 ~~plans for APF Roads based on the applicable Clay County standards and the additional~~
15299 ~~improvements by road type contained herein. The developer shall be entitled to credits for the cost~~
15300 ~~of the construction of APF Roads, less the proportionate cost associated with project traffic on a~~
15301 ~~per trip (capacity) basis. [Relocated to Sec. 3-F-B.6. Credits]~~
- 15302 d. ~~Low Impact Threshold Developments (LITDs) are low impact developments which generate ten~~
15303 ~~(10) or less P.M. peak hour trips per day and do not have direct access to a Dashed Line Road. A~~
15304 ~~primary purpose for the creation of the Dashed Line Roads is to open up large tracts of acreage~~
15305 ~~for major new development. As such, the benefit to the LITD from the construction of the Dashed~~
15306 ~~Line Roads is minimal. As a result, LITDs are exempt from the donation and payment obligations~~
15307 ~~of this Policy. A development which would otherwise qualify as a LITD and which has a Dashed~~
15308 ~~Line Road on its property or directly accesses a Dashed Line Road will significantly benefit from~~
15309 ~~the construction of the Dashed Line Road. These developments are not exempt from the donation~~
15310 ~~and payment obligations of this Policy. [Relocated to Sec. 3-F-B.3.(d) Exemptions]~~

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

Part F Technical Requirements

DIVISION C ROADS

15311

15312

Sec. 3-F-C.1. General Development Standards

15313

3-F.C.1.a. Roadways Standards

15314

The intent is to establish a safe, convenient, and orderly flow of traffic to implement the planned and unplanned roadway network for the Master Planned Communities. This Division ensures that the required types of roadways are in place as planned and are adequate to provide a Level of Service (LOS) for the existing and new developments consistent with the approved Plan of each Master Planned Community.

15315

15316

15317

15318

[Relocated from Sec. 3-33A.I.7.]

15319

3-F.C.1.b. Connectivity

15320

A connected system of streets allows for improved pedestrian and vehicular movement and shorter vehicle trips, allows for quicker access by emergency vehicles, provides alternative routes during natural disasters or accidents, allows better access for school buses, and eliminates backtracking by service vehicles.

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Variations on the grid street pattern are allowed, with cul-de-sacs, or "U" shaped streets used where such street design will respond to and preserve natural features. Arterials and collector roads shall continue through the Plan Area without interruption. [Relocated from Sec. 3-33A.I.7.a. and 7.a.i. Deleted/consolidated Sec. 3-33B.C.I.13.a.i to reduce redundancy]

15327

3-F-C.1.c. Access

15328

Any development, based on the intensity, shall have a front street property line abutting a collector or arterial street where the principal access point is provided to serve the proposed development. Arterial and collector streets shall be pursuant to Sec. 8-4. Roadway Classification System of this Code. Based on the Site Impact Study per Sec. 8-10. Access Management, a secondary access may be required on a street, which may be the same or lower classification as the principal access. See Table below.

15329

15330

15331

15332

<u>Number of Residential Units</u>	<u>Minimum number of access point</u>	<u>Minor Collector and above (per Sec.8-4)</u>
≤ 100	1	Yes ¹
≥ 100 to 250	2 ²	Yes
251 +	2 ²	Yes

Footnotes:

¹

If the development has a frontage that is less than 1,000 feet, or if it is determined by the County's Engineering Department that the additional entrance would constitute a substantive traffic safety problem, then the access point may be required to have a median between the ingress/egress lanes.

²

If the planned second access connects to the thoroughfare via a Dashed Line Roadway, Residential development greater than 100 dwelling units may be approved and constructed prior

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Part F Technical Requirements

to the Dashed Line Roadway being included in the financially feasible 10-year schedule of capital improvements specified in LA Policy 1.5.1.

[Relocated from and consolidated Sec. 3-33A.I.7.a.ii.A. and B. and Sec. 3-33B.C.I.13.a.ii.B.]

- 15333 (1) Completion of Access and Connections. These connections shall be completed and accepted by
 15334 the County during the course of the development and construction of the first 150 dwelling units.
 15335 The developer has the option of delaying the completion of the additional connections if it enters
 15336 into a Development Agreement (Refer to Sec. 3-F-B.10 Development Agreement.) with the County
 15337 prior to the issuance of the building permit for the 151st or 251st dwelling unit which commits to the
 15338 construction and completion of the additional connections through acceptance and bonding by the
 15339 County pursuant to the County's subdivision standards. **[Relocated from Sec. 3-33A.I.7.a.ii.B.]**
- 15340 (2) Exemptions. Developments meeting the following conditions shall be exempt from the access
 15341 standards as indicated above. No exemption shall be allowed on developments with more than 500
 15342 units.
- 15343 (a) External connection points every 700 feet (average). The spacing requirement shall be
 15344 relaxed when the presence of an existing wetland or an existing development (prior to plan
 15345 adoption) would prevent the placement of the connection at that location.
- 15346 (b) Neighborhood Park Space exceeding 200 percent of the minimum required.
- 15347 (c) An area or Office and/or Commercial use shall be provided at a ratio of 50 square feet per
 15348 unit. **[Relocated from Sec. 3-33A.I.7.a.ii.C.]**

3-F-C.1.d. Median Openings

15349 Shall be in accordance with Sec. 8-10.(4) Table 3. Minimum Connection Spacing Requirements (hyperlink).

Sec. 3-F-C.2. Street Pattern

3-F-C.2.a. Street Pattern within a Development

- 15352 The pattern of streets in a new Residential development shall provide for the continuation of existing
 15353 collector and in some cases local streets from adjoining areas, or for their proper projection where adjoining
 15354 land is not subdivided. **[Relocated/consolidated Sec. 3-33A.I.7.a.ii.A. and from Sec. 3-
 15355 33B.C.I.13.a.ii.A.]**
- 15357 (1) Non-Residential. ~~Non-Residential~~ development shall be served by internal shopping streets, except
 15358 where existing (prior to plan adoption) street layout does not allow utilization of same, or when
 15359 development consists of a single freestanding building. Such streets do not have required right-of-
 15360 way. ~~Non-Residential~~ development shall provide vehicular and pedestrian connections to adjacent
 15361 development. **[Relocated from Sec. 3-33B.C.I.13.C.]**
- 15362 (2) Residential. The threshold to provide through streets is as follows:

<u>Number of Residential Units</u>	<u>Minimum distance between through streets (in linear feet)</u>	<u>Number of through street ¹</u>
------------------------------------	--	--

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Part F Technical Requirements

≤ 100	1,000 feet ²	=
≥ 100 to 250	2 <u>feet</u>	<u>Yes</u>
251 +	2 <u>feet</u>	<u>Yes</u>

Footnotes:

- 1 Applicant may request for flexibility in administering these standards per Sec. 3-D-R.9.c.(4) Through Street Criteria.
- 2 May extend to 1,500 feet if a pedestrian pass-through is provided between street connections.

15363 [Data in table are from Sec. 3-33A.1.7.a.ii.A. and B.]

15364 (3) Street Stubs. All street stubs shall be provided with a cul-de-sac that reaches the adjoining property
 15365 line and is constructed at the same time that the other streets are constructed for a particular
 15366 development or phase of a development, and the restoration and extension of the street shall be
 15367 the responsibility of any future developer of the abutting land unless physical constraints of the land
 15368 prevent such connection. Refer to Sec. 8-11.(4) Temporary Cul-de-sacs and Sec. 8-11.(5) Cul-de-
 15369 sac for applicable technical compliance. [Relocated from Sec. 3-33A.1.7.a.ii.A. and from Sec. 3-
 15370 33B.C.I.13.a.ii.A.]

15371 WORKING: Insert a graphic to illustrate how stub-out at cul-de-sac works.

15372 (4) Gates. Gated developments may be allowed but may not block off any arterial, collector, or public
 15373 local streets and shall receive no impact fee credits for roads, parks, or other facilities contained
 15374 within the development. [Relocated from Sec. 3-33A.1.7.a.(iii) and Sec. 3-33B.C.I.6. Gated
 15375 communities]

15376 Sec. 3-F-C.3. Roadway Configuration

15377 3-F-C.3.a. Roadway Design.

15378 Road design shall comply with the following table [CP200] and with the roadway design standards included as
 15379 appendices to this document. Minimum widths may not be exceeded by more than 2 feet, except where
 15380 turning radii or other factors justify a wider paved width.

<u>Roadway Design Dimensions</u>	<u>Minimum Paved Width</u>	<u>Minimum Right-of-Way with curb and gutter</u>	<u>On-Street Parking</u>
Alley (one-way/lane)	<u>12 feet</u> [CP201]	18 <u>feet</u>	No (allowed outside <u>of</u> <u>the</u> right-of-way)
Alley (two-way/lane)	BF	<u>18 feet</u> [CP202]	No
	LAMPA	16 <u>feet</u>	(allowed outside <u>of</u> <u>the</u> right-of-way)

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Local Residential	24 <u>feet</u>	60 <u>feet</u> with 3- <u>foot</u> easements <u>on</u> both sides	<u>1</u> side only
Local Residential	24 <u>feet</u>	60 <u>feet</u> with 3- <u>foot</u> easements <u>on</u> both sides	Both sides
	LAMPA 30 <u>feet</u>	66 <u>feet</u>	
Non-Residential Internal Street	20 <u>feet</u>	None	<u>1</u> side only
Non-Residential Internal Street	24 <u>feet</u>	None	Both sides required (outside of 24 feet)
Residential Collector	24 <u>feet</u>	80 <u>feet</u>	<u>1</u> side only
Minor Collector	24 <u>feet</u>	80 <u>feet</u> [MK203]	<u>1</u> side only
	LAMPA 12 <u>feet</u> per lane		
Major Collector	24 <u>feet</u>	80 <u>feet</u>	No
	LAMPA 12 <u>feet</u> per lane		

15381 3-F-C.3.b. Roundabouts

15382 Roundabouts shall be encouraged for intersections of the following roads in any combination: minor
 15383 collectors, neighborhood collectors, and local roads. Roundabout design shall be approved by the Director
 15384 of Engineering. [Relocated from Sec. 3-33A.I.7.e. and Sec. 3-33B.C.I.13.d.i]

15385 3-F-C.3.c. Alleys and Interior Courtyards

15386 (1) Alleys shall provide access to rear parking and/or delivery area for Residential and Non-Residential
 15387 areas;

15388 (2) Width and setbacks shall be consistent with Sec. 8-9. Table 1. Right-of-Way Widths [MK204]
 15389 Or use this which comes from LAMPA [MK205]:

<u>Width of alley:</u>	18 <u>feet</u> measuring from edge of pavement
<u>Setback from building:</u>	5 <u>feet</u> measuring from edge of pavement to building facade
<u>Setback from rear loaded garage:</u>	14 <u>feet</u> measuring from edge of alley pavement to garage door

15390 (3) Alley and courtyard paving may be of concrete or asphalt;

15391 (4) Alleys shall be publicly or privately retained and maintained with easements either granted to the
 15392 County Commission or the HOA/POA, whichever one is applicable; and [Relocated
 15393 from/consolidated under Sec. 3-33A.I.7.g. and Sec. 3-33B.C.I.13.d.iii.]

15394 (5) Inside of the alley area, the standard pavement requirements shall apply for courtyards. The depth
 15395 of such interior courtyards may not exceed 250 feet. Interior courtyards shall have landscape strips
 15396 with a width of at least 10 feet to separate parking rows, and landscape islands with shade trees
 15397 at least every 80 feet. [Relocated from Sec. 3-33A.I.7.g. Alley/Interior Courtyard Standards.]

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Part F Technical Requirements

15398 WORKING: Insert a graphic in how to measure, see dimensions in (2) A plan and a cross-section

15399 **3-F-C.3.d. Traffic Calming**

15400 *Through local residential collector streets of more than 2 blocks in length shall employ traffic calming*
15401 *techniques such as vertical deflections, horizontal deflections, road narrowing, ripples, pavers, central*
15402 *islands, entry or gateway treatments, raised medians, roundabouts, raised crosswalks, textured pavement,*
15403 *and bulbouts (neckdowns), and similar treatments with the approval of the Engineering Director.*

15404 (1) **Pedestrian Crossing**. Such techniques shall also be applied at pedestrian crossings on minor and
15405 major collectors and within **specific districts**:

15406 (a) **BF Master Planned Communities**: Neighborhood, BF Community, and BF Activity Centers.

15407 (b) **LAMPA Planned Communities**: Village Center and Activity Center, when block length
15408 exceeds 700 feet, mid-block pedestrian crossings consisting of striped pavement, raised
15409 crosswalks, or different pavement treatments shall be required. **[Relocated from Sec. 3-**
15410 **33A.1.7.h. and Sec. 3-33B.C.1.16.]**

15411 **Sec. 3-F-C.4. Transit**

15412 **3-F-C.4.a. Transit-Oriented Design (TOD)**

15413 *Areas within the Activity Centers of the Master Planned Communities shall be identified as park and ride*
15414 *lots/future transit stations and shall be acquired through the APF process. Sites within the Neighborhood,*
15415 *Community, and Activity Centers shall include adequate right-of-way for potential future bus stops.*
15416 **[Relocated from Sec. 3-33A.1.7.i. and Sec. 3-33B.C.1.17.]**

15417 **3-F-C.4.b. Transit Stop**

15418 *Transit stops or pullout bays shall be planned for during the construction of roadways and development of*
15419 *adjacent parcels at major stops or destinations such as community centers and schools. **[Relocated from***
15420 ***Sec. 3-33A.1.7.m.]***

15421 **Sec. 3-F-C.5. Sidewalk**

15422 **3-F-C.5.a. Sidewalks**

15423 *Sidewalks shall be required on both sides of all streets and shall comply with standards as set forth in Sec.*
15424 *8-14.(2).*

15425 (1) Local streets shall have a minimum sidewalk width of 5 feet. *Arterial and Major Collectors shall*
15426 *have a minimum of 8-foot-wide sidewalks and shall be separated from the road with a landscape*
15427 *strip that is at least 15 feet in width.*

15428 (2) *Minor and Residential Collectors shall have a minimum of 6-foot-wide sidewalks.*

15429 (3) *Special sidewalk standards may be required in specific areas as stated in Divisions S or T.*
15430 **[Relocated from Sec. 3-33A.1.7.j.]**

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Part F Technical Requirements

15431 Sec. 3-F-C.6. Bicycle Lane

15432 All roads classified as Minor Collector or above shall have a minimum of 5-foot-wide dedicated or
15433 designated bicycle lanes. Where in-street bicycle lanes are not provided, a minimum 8-foot-wide off-street
15434 bicycle/pedestrian path shall be provided. These standards may be substituted with an approved alternative
15435 pedestrian circulation system that accomplishes the same result in terms of pedestrian and bicycle
15436 movement, subject to the review and approval of the DRC. [Relocated from Sec. 3-33A.I.7.k.]

15437 Sec. 3-F-C.7. Street Trees

15438 3-F-C.7.a. Right-of-way Tree Planting.

15439 All roads classified as Minor Collector or above, with the exception of Branan Field Road, shall have
15440 street^[MK206] trees planted in the rights-of-way on both sides of the road.

15441 (1) Spacing. In addition to Sec. 6-5.(4) Landscaping Adjacent to Street Right-of-Way, the street trees
15442 shall be planted at intervals of not more than 1 tree per 30 lineal feet or less than 1 tree per 50
15443 lineal feet, the exact distance dependent on local conditions and the joint approval of the County
15444 Engineer and the Planning and Zoning Director or his/her designee. [Relocated from Sec. 3-
15445 33A.I.7.I.]

15446 Sec. 3-33A.I.7.

15447 ~~7. Roadway Standards.~~ [Relocated to Sec. 3-F-C.1.a. Roadway Standards]

15448 ~~a. Connectivity.~~

15449 ~~i. General. A connected system of streets allows for improved pedestrian and vehicular~~
15450 ~~movement and shorter vehicle trips, allows for quicker access by emergency vehicles, provides~~
15451 ~~alternative routes during natural disasters or accidents, allows better access for school buses,~~
15452 ~~and eliminates backtracking by service vehicles. Variations on the grid street pattern are~~
15453 ~~allowed, with cul-de-sacs, or "U" shaped streets used where such street design will respond to~~
15454 ~~and preserve natural features. Arterials and collector roads shall continue through the plan~~
15455 ~~area without interruption.~~ [Relocated to Sec. 3-F-C.1.b. Connectivity]

15456 ~~ii. Street Pattern.~~

15457 ~~A. Residential. The pattern of streets in new residential subdivisions shall provide for the~~
15458 ~~continuation of existing collector and in some cases local streets from adjoining areas, or~~
15459 ~~for their proper projection where adjoining land is not subdivided.~~ [Relocated to Sec. 3-F-
15460 C.2.a. Street Pattern within a Development]

15461 ~~All street stubs shall be provided with a cul-de-sac that reaches the adjoining property line~~
15462 ~~and is constructed at the same time that the other roads are constructed for a particular~~
15463 ~~project or phase of a project, and the restoration and extension of the street shall be the~~
15464 ~~responsibility of any future developer of the abutting land unless physical constraints of the~~
15465 ~~land prevent such connection.~~ [Relocated to Sec. 3-F-C.2.a.(3) Street Stubs, Street
15466 Pattern]

15467 ~~The design of a development shall allow for through streets at least every one thousand~~
15468 ~~feet along the periphery. As an alternative, developments shall allow for through streets~~
15469 ~~at least every fifteen hundred feet with a separate pedestrian connection midway between~~

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

Part F Technical Requirements

15470 ~~street connections.~~ [Consolidated development requirements and tabularized in Sec.
15471 3-F-C.2.a.(2) Residential, Street Pattern]

15472
15473 ~~The Planning Director may utilize averaging to provide flexibility in administering this~~
15474 ~~standard. The through street spacing requirement shall be relaxed when the presence of~~
15475 ~~an existing wetland or an existing development (prior to plan adoption) would prevent the~~
15476 ~~placement of the connection at that location. In that event, the connection shall be placed~~
15477 ~~outside the wetland boundary, or if the configuration of the wetland area or existing~~
15478 ~~development practically prohibits through streets, then that connection may be eliminated.~~
15479 [Relocated to Sec. 3-D-R.9.c. Interpretation Flexibility]

15480 **Sec. 3-33A.1.7.a.ii.B.**

15481 ~~B. Residential developments with more than 100 dwelling units shall have at least two entrances fronting~~
15482 ~~on the principal thoroughfare. This thoroughfare must be classified as a minor collector or above, and~~
15483 ~~must be part of the County's Concurrency Management System of roadways. This standard shall not~~
15484 ~~apply if frontage along that thoroughfare is less than 1,000 feet, or if it is determined by the County's~~
15485 ~~Engineering Department that the additional entrance would constitute a substantive traffic safety~~
15486 ~~problem. In the event that only one entrance is provided along the principal thoroughfare, the entrance~~
15487 ~~must be constructed as a two-lane boulevard with a median. Residential developments with more than~~
15488 ~~150 dwelling units must provide at least two through connections to a secondary road with a~~
15489 ~~classification of minor collector or above. Such connection must be made prior to issuance of the~~
15490 ~~building permit for the 151st dwelling unit. Residential developments with more than 250 dwelling units~~
15491 ~~must provide at least two through connections to at least two different roads classified as minor collector~~
15492 ~~or above. Residential developments with more than 250 dwelling units must provide at least two~~
15493 ~~through connections or construction bonds for such connections to at least two different secondary~~
15494 ~~roads classified as minor collector or above. [Relocated to/tabularized under Sec. 3-F-C.1.c.~~

15495 **Access]**

15496 ~~These connections must be completed and accepted by the County during the course of the~~
15497 ~~development and construction of the first 150 dwelling units. The Developer has the option of delaying~~
15498 ~~the completion of the additional connections if it enters into a development agreement with the County~~
15499 ~~prior to the issuance of the building permit for the 151st or 251st dwelling unit which commits to the~~
15500 ~~construction and completion of the additional connections through acceptance and bonding by the~~
15501 ~~County pursuant to the County's subdivision regulations. [Relocated to Sec. 3-F-C.1.c.(1) Completion~~
15502 ~~of Access and Connections]~~

15503 ~~C. Developments meeting the following conditions shall be exempt from the access standards found in~~
15504 ~~subpart B. above. No exemption shall be allowed on developments with more than 500 units.~~

- 15505 ● ~~Connectivity index of 1.5 or higher~~
- 15506 ● ~~External connection points every 700 feet (average). The spacing requirement shall be~~
15507 ~~relaxed when the presence of an existing wetland or an existing development (prior to~~
15508 ~~plan adoption) would prevent the placement of the connection at that location.~~
- 15509 ● ~~Neighborhood park space exceeding 200% of the minimum required~~
- 15510 ● ~~An area or office and/or commercial use must be provided at a ratio of 50 square feet~~
15511 ~~per unit. [Relocated to Sec. 3-F-C.1.c.(2) Exemptions. Deleted Connectivity index~~
15512 ~~based on the inclusion of all the road connectivity elements, block system, not~~
15513 ~~necessary to impose this requirement, may not feasible to implement.]~~

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15514 ~~D.—Nonresidential.—Nonresidential development shall be served by internal streets, except where existing~~
15515 ~~(prior to plan adoption) street layout does not allow utilization of internal streets. Such streets do not~~
15516 ~~have required right of way, but developments must comply with all other applicable County standards,~~
15517 ~~and must provide for location of required utilities within the development. Nonresidential and residential~~
15518 ~~development must provide vehicular and pedestrian connections to adjacent development. [Deleted,~~
15519 ~~redundant information]~~

15520 **Sec. 3-33A.1.7.a.iii.**

15521 ~~iii. Gated Communities.—Gated communities are allowed but may not block off any arterial, collector,~~
15522 ~~or public local streets and will receive no impact fee credits for roads, parks, or other facilities~~
15523 ~~contained within the development. [Relocated to Sec. 3-F-C.2.a.(4) Gates, Street Pattern]~~

15524 ~~iv. Connectivity Index.—The following connectivity index is established. (In this context, “nodes” are~~
15525 ~~through intersections where at least three streets converge, and “street links” are street segments~~
15526 ~~between nodes.) The measure of connectivity to be used is the number of street links (as~~
15527 ~~measured between nodes) divided by the number of nodes and street linkends including cul-de-~~
15528 ~~sacs. The more links relative to nodes, the more connectivity. A connectivity index of at least~~
15529 ~~1.2 is required for the street network within Branan Field. In the event that topographical or parcel~~
15530 ~~shape (at the time of adoption) prevent conformity with this standard, pedestrian connections and~~
15531 ~~emergency accessways in keeping with the intent of this provision shall substitute for strict~~
15532 ~~adherence. [Deleted Connectivity index based on the inclusion of all the road connectivity~~
15533 ~~elements, block system, not necessary to impose this requirement, may not feasible to~~
15534 ~~implement]~~

15535 ~~b.—Linkage.—While limited use of separate pedestrian and bicycle pathways are allowed, vehicular and~~
15536 ~~pedestrian routes shall be predominantly linked. Separate pedestrian/bicycle systems may not~~
15537 ~~generate sufficient traffic to provide for real or perceived security. [Deleted eliminate redundant~~
15538 ~~information]~~

15539 ~~c.—Access Control.—The County shall strive to limit access points through the use of shared access,~~
15540 ~~secondary access between adjacent uses, and reasonable spacing between primary access~~
15541 ~~points. Residential dwellings shall not be accessed by roadways classified as minor collector or~~
15542 ~~above. The following standards shall be applied to minor collector, major collector, and arterial~~
15543 ~~roads to reduce traffic congestion and safety issues, reduce the amount of pavement in driveways,~~
15544 ~~as well as to reduce the visual impacts of strip development caused by multiple access points.~~
15545 ~~[Deleted eliminate redundant information]~~

15546 ~~i.—Access Points.—Median openings will be allowed only at intersections of other arterial or~~
15547 ~~collector roads. Auxiliary lanes may be required. Additional access points may be permitted~~
15548 ~~only if deemed necessary by the Engineering Director for reasons of public safety. [Deleted~~
15549 ~~eliminate redundant information]~~

15550 ~~ii.—Access Separation.—The first point of access for a commercial/multi-family driveway or a new~~
15551 ~~road not shown on the Future Land Use Map shall be at least 200 feet from the intersection of~~
15552 ~~an arterial, collector, and/or an existing local road. Subsequent access points must be spaced~~
15553 ~~at least 400 feet apart, except for minor and residential collectors, which must be spaced at~~
15554 ~~least 280 feet apart. Additional access points may be permitted only if deemed necessary by~~
15555 ~~the Engineering Director for reasons of public safety. [Deleted as access points and~~
15556 ~~separation should be reviewed based on traffic study of the proposed development, and~~
15557 ~~Art. 8]~~

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15558 ~~d. Roadway Configurations. Road design shall comply with the following table and with the roadway~~
 15559 ~~design standards included as appendices to this document.~~^[MK207] ~~Minimum widths may not be~~
 15560 ~~exceeded by more than two feet, except where turning radii or other factors justify a wider paved~~
 15561 ~~width.~~

Type Road	Min. Paved Width	Min. Right-of-Way* ²	On-Street Parking
Alley (one-way/lane)	12'	18'	No (allowed outside right-of-way)
Alley (two-way/lane)	18'	24'	No (allowed outside right-of-way)
Local Residential	24'	60' with 3' easements both sides	One side only
Local Residential	24'	60' with 3' easements both sides	Both sides
Nonresidential Internal Street	20'	None	Both sides required (outside of 24')
Residential Collector	24'	None	One side only
Minor Collector	24'	80'	One side only
Major Collector	24'	80'	No

15563
 15564 ~~* As an incentive for Traditional Neighborhood Developments, right-of-way widths may be reduced by~~
 15565 ~~the following dimensions when developments are served by rear alleys. Right-of-way widths may~~
 15566 ~~be reduced by the following dimensions when the following utilities, which are typically placed in~~
 15567 ~~the right-of-way, are not present in the right-of-way: water (10'), reuse (6'). [Relocated~~
 15568 ~~to/tabularized in Sec. 3-F-C.3.a. Roadway Configuration]~~

15569 ~~e. Roundabouts. Roundabouts shall be encouraged for intersections of the following roads in any~~
 15570 ~~combination: minor collectors, neighborhood collectors, and local roads. Roundabout design shall~~
 15571 ~~be approved by the Director of Engineering. [Relocated to Sec. 3-F-C.3.b. Roundabouts, Street~~
 15572 ~~Pattern]~~

15573 ~~g. Alley and Interior Courtyard Standards. Alleys shall provide access to rear parking and/or delivery area~~
 15574 ~~for residential and nonresidential areas, as further described in standards for land use categories.~~
 15575 ~~Alley and courtyard paving may be of concrete or asphalt. The alleys shall be publicly retained and~~
 15576 ~~maintained with easements granted to the County Commission. While paved width may be less,~~
 15577 ~~alley width must be at least 18 feet. Buildings must be set back at least eight feet from the edge~~
 15578 ~~of pavement. For a distance of one foot from both edges of pavement, the pavement shall consist~~
 15579 ~~of a minimum of two inches of asphalt on ten inches of limerock base. Alternate base groups may~~
 15580 ~~be substituted if approved by the County Engineer. Inside of this area, the standard pavement~~
 15581 ~~requirements shall apply. The depth of such interior courtyards may not exceed 250 feet. Interior~~
 15582 ~~courtyards must have landscape strips with a width of at least 10 feet to separate parking rows,~~
 15583 ~~and landscape islands with shade trees at least every 80 feet. [Relocated to Sec. 3-F-C.3.c.~~
 15584 ~~Alley and Interior Courtyard. Deleted other requirements for Courtyard, and defer to Art. 8~~
 15585 ~~on Alley construction and technical requirements]~~

15586 ~~h. Traffic Calming. Through local residential collector streets of more than two blocks in length shall~~
 15587 ~~employ traffic calming techniques such as vertical deflections, horizontal deflections, road~~
 15588 ~~narrowing, ripples, pavers, central islands, entry or gateway treatments, raised medians,~~
 15589 ~~roundabouts, raised crosswalks, textured pavement, and bulbouts (neckdowns), and similar~~
 15590 ~~treatments with the approval of the Engineering Director. Such techniques will also be applied at~~

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- 15591 ~~pedestrian crossings on minor and major collectors and within Neighborhood, BF Community, and~~
15592 ~~BF Activity Centers. For streets such as this, when block length exceeds 700 feet, mid-block~~
15593 ~~pedestrian crossings consisting of striped pavement, raised crosswalks, or different pavement~~
15594 ~~treatments shall be required. [Relocated to Sec. 3-F-C.3.d. Traffic Calming, Street Pattern]~~
15595 ~~i. Transit Oriented Design (TOD). Areas within the BF Activity Centers shall be identified as park~~
15596 ~~and ride lots/future transit stations, and shall be acquired through the Adequate Public Facilities~~
15597 ~~process. Sites within the Neighborhood, BF Community, and BF Activity Centers shall include~~
15598 ~~adequate right-of-way for potential future bus stops. [Relocated to Sec. 3-F-C.4.a. Transit-~~
15599 ~~oriented design (TOD), Transit]~~
15600 ~~j. Sidewalks. Sidewalks shall be required on both sides of all streets. Local streets shall have a~~
15601 ~~minimum sidewalk width of five feet. Arterial and Major Collectors shall have minimum eight-foot~~
15602 ~~wide sidewalks and shall be separated from the road with a landscape strip that is at least fifteen~~
15603 ~~feet in width. Minor and Residential Collectors shall have minimum six-foot sidewalks. Special~~
15604 ~~sidewalk standards are detailed in the Neighborhood Center, BF Community Center, and BF~~
15605 ~~Activity Center standards. [Relocated to Sec. 3-F-C.5.a. Sidewalks]~~
15606 ~~k. Bicycle Lanes. All roads classified as Minor Collector or above will have minimum four-foot wide~~
15607 ~~dedicated or designated bicycle lanes. Where in-street bicycle lanes are not provided, a minimum~~
15608 ~~eight foot wide off-street bicycle/pedestrian path shall be provided. These standards may be~~
15609 ~~substituted with an approved alternative pedestrian circulation system that accomplishes the same~~
15610 ~~result in terms of pedestrian and bicycle movement, as set forth in the land development~~
15611 ~~regulations. [Relocated to Sec. 3-F-C.6.a. Bicycle Lane]~~
15612 ~~l. Right-of-way Tree Planting. All roads classified as Minor Collector or above, with the exception of~~
15613 ~~Branan Field Road, will have trees planted in the rights-of-way on both sides of the road at intervals~~
15614 ~~of not more than one tree per 30 lineal feet or less than one tree per 50 lineal feet, the exact~~
15615 ~~distance dependent on local conditions and the approval of the County. [Relocated to Sec. 3-F-~~
15616 ~~C.7.a. Right-of-way Tree Planting]~~
15617 ~~m. Transit Stops. Transit stops or pullout bays shall be planned for during the construction of~~
15618 ~~roadways and development of adjacent parcels at major stops or destinations such as community~~
15619 ~~centers and schools. [Relocated to Sec. 3-F-C.4.b. Transit Stop, Transit]~~
- 15620 **Sec. 3-33B.C.1.6.**
- 15621 ~~6. Connectivity. Developments shall provide for external and internal connectivity. External vehicular~~
15622 ~~connections shall be provided for every 2,500 linear feet of perimeter, excluding wetlands,~~
15623 ~~conservation areas, and existing (pre-Master Plan) developments. External connection points may~~
15624 ~~be extended to no more than 3,000 feet if a mid-block pedestrian connection is provided. Parcels~~
15625 ~~with less than 2500 feet of perimeter may be required to provide a minimum of one perimeter~~
15626 ~~connection. [Deleted. To be determined at application review, and there are other~~
15627 ~~requirements that can implement through streets]~~
15628 ~~The following connectivity index is established. (In this context, “nodes” are through intersections~~
15629 ~~where at least three streets converge, and “street links” are street segments between nodes.) The~~
15630 ~~measure of connectivity to be used is the number of street links (as measured between nodes)~~
15631 ~~divided by the number of nodes and street link ends including cul-de-sacs. The more links relative~~
15632 ~~to nodes, the more connectivity. A connectivity index of at least 0.8 is required for street networks.~~
15633 ~~In the event that topographical or parcel shape (at the time of plan adoption) prevent conformity~~

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15634 with this standard, pedestrian connections and emergency accessways in keeping with the intent
15635 of this provision shall substitute for strict adherence. **[Deleted]**
15636 Gated communities are allowed but may not block off any arterial, collector, or public local streets
15637 and will receive no impact fee credits for roads, parks, or other facilities contained within the
15638 development. **[Deleted/consolidated under Sec. 3-F-C.2.a.(4) Gates, Street Pattern]**

15639 **Sec. 3-33B.C.1.13. LAMPA**

15640 ~~13. Roadway Standards.~~

15641 ~~a. Connectivity.~~

15642 ~~i. General. A connected system of streets allows for improved pedestrian and vehicular~~
15643 ~~movement and shorter vehicle trips, allows for quicker access by emergency vehicles,~~
15644 ~~provides alternative routes during natural disasters or accidents, allows better access for~~
15645 ~~school buses, and eliminates backtracking by service vehicles. Variations on the grid~~
15646 ~~street pattern are allowed, with cul-de-sacs, or "U" shaped streets used where such street~~
15647 ~~design will respond to and preserve natural features. APF arterials and major collector~~
15648 ~~roads shall continue through the plan area without interruption. **[Consolidated under Sec.**~~
15649 ~~**3-F-C.1.b. Connectivity]**~~

15650 ~~ii. Street Pattern.~~

15651 ~~A. Residential.~~

15652 ~~The pattern of streets in new residential subdivisions shall provide for the continuation~~
15653 ~~of existing collector and in some cases local streets from adjoining areas, or for their~~
15654 ~~proper projection where adjoining land is not subdivided. **[Relocated to Sec. 3-F-**~~
15655 ~~**C.2.a. Street Pattern within a Development]** All street stubs shall be provided with a~~
15656 ~~cul-de-sac that reaches the adjoining property line and is constructed at the same time~~
15657 ~~that the other roads are constructed for a particular project or phase of a project, and~~
15658 ~~the restoration and extension of the street shall be the responsibility of any future~~
15659 ~~developer of the abutting land unless physical constraints of the land prevent such~~
15660 ~~connection. **[Relocated to/consolidated under Sec. 3-F-C.2.a. (3) Street Stubs,**~~
15661 ~~**Street Pattern within a Development]**~~

15662 ~~B. Residential developments with more than 100 dwelling units shall have at least two~~
15663 ~~entrances fronting on the principal thoroughfare. This thoroughfare shall be classified~~
15664 ~~as a minor collector or above, and shall be part of the County's Concurrency~~
15665 ~~Management System of roadways. This standard shall not apply if frontage along that~~
15666 ~~thoroughfare is less than 1,000 feet, or if it is determined by the County's Engineering~~
15667 ~~Division that the additional entrance would constitute a substantive traffic safety~~
15668 ~~problem. **[Relocated to/tabularized in Sec. 3-F-C.2.a.(2) Residential, Street**~~
15669 ~~**Pattern]** If the planned second entrance connects to the thoroughfare via a Dashed~~
15670 ~~Line Roadway, residential development greater than 100 dwelling units may be~~
15671 ~~approved and constructed prior to the Dashed Line Roadway being included in the~~
15672 ~~financially feasible ten-year schedule of capital improvements specified in LA Policy~~
15673 ~~1.5.1. In the event that only one entrance is provided along the principal thoroughfare,~~

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- 15674 ~~the entrance must be constructed as a two-lane boulevard with a median. [Relocated~~
 15675 ~~and consolidated/tabularized under Sec. 3-F-C.1.c. Access table]~~
 15676 ~~C. Nonresidential. Nonresidential development shall be served by internal shopping~~
 15677 ~~streets, except where existing (prior to plan adoption) street layout does not allow~~
 15678 ~~utilization of same, or when development consists of a single freestanding building.~~
 15679 ~~Such streets do not have required right of way. Nonresidential development must~~
 15680 ~~provide vehicular and pedestrian connections to adjacent development. [Relocated to~~
 15681 ~~Sec. 3-F-C.2.a.(1) Non-residential, Street Pattern]~~
 15682 ~~iii. Gated Communities. Gated communities are allowed but may not block off any arterial,~~
 15683 ~~collector, or public local streets and will receive no impact fee credits for roads, parks, or~~
 15684 ~~other facilities contained within the development. [Relocated and consolidated under~~
 15685 ~~Sec. 3-F-C.2.a. (4) Gates, Street Pattern]~~
 15686 ~~b. Linkage. While limited use of separate pedestrian and bicycle pathways are allowed, vehicular~~
 15687 ~~and pedestrian routes shall be predominantly linked. Separate pedestrian/bicycle systems~~
 15688 ~~may not generate sufficient traffic to provide for real or perceived security. [Deleted redundant~~
 15689 ~~information]~~
 15690 ~~e. Access Control. The County shall strive to limit access points through the use of shared~~
 15691 ~~access, secondary access between adjacent uses, and reasonable spacing between primary~~
 15692 ~~access points. Residential dwellings shall not be accessed by roadways classified as minor~~
 15693 ~~collector or above. The following standards shall be applied to minor collector, major collector,~~
 15694 ~~and arterial roads to reduce traffic congestion and safety issues, reduce the amount of~~
 15695 ~~pavement in driveways, as well as to reduce the visual impacts of strip development caused~~
 15696 ~~by multiple access points. [Deleted and deferred to Sec. 8-10. Access Management]~~
 15697 ~~i. Access Points. Median openings will be allowed only at intersections of other arterial or~~
 15698 ~~collector roads or at points separated by at least 1320'. Auxiliary lanes may be required.~~
 15699 ~~Additional access points may be permitted only if deemed necessary by the Engineering~~
 15700 ~~Director for reasons of public safety. [Deleted and deferred to Sec. 8-10. Table 3.~~
 15701 ~~Minimum Connection Spacing Requirements]~~
 15702 ~~ii. Access Separation. The first point of access for a commercial/multi-family driveway or a~~
 15703 ~~new road not shown on the Master Plan map shall be at least 200 feet from the intersection~~
 15704 ~~of an arterial, collector, and/or an existing local road. Subsequent access points must be~~
 15705 ~~spaced at least 400 feet apart, except for minor and residential collectors, which must be~~
 15706 ~~spaced at least 280 feet apart. Additional access points may be permitted only if deemed~~
 15707 ~~necessary by the Engineering Director for reasons of public safety. [Deleted and deferred~~
 15708 ~~to Sec. 8-10.(4)(e) Access Management]~~

<i>Type Road</i>	<i>Min. Paved Width</i>	<i>Two 5' bike lanes required</i>	<i>Min. Right-of-Way *</i>		<i>On-Street Parking</i>
			<i>Urban</i>	<i>Suburban</i>	

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<i>Alley (oneway/lane)</i>	12'	no	18'	n/a	No (allowed outside right-of-way)
<i>Alley (two-way/lane)</i>	16'	no	20'	n/a	No (allowed outside right-of-way)
<i>Local Residential</i>	24'	no	60' with 3'	n/a	One side only
Type Road	Min. Paved Width	Two 5' bike lanes required	Min. Right-of-Way*		On-Street Parking
			Urban	Suburban	
			easements both sides		
<i>Local Residential</i>	30'	no	66'	n/a	Both sides
<i>Nonresidential Internal Street</i>	20'	no	None	n/a	One side only
<i>Nonresidential Internal Street</i>	24'	no	None	n/a	Both sides required (outside of 24')
<i>Residential Collector</i>	24'	no	80'	n/a	One side only
<i>Minor Collector</i>	12' per lane	yes	80'	155'	One side only, urban section only
<i>Major Collector</i>	12' per lane	yes	80'	155'	No

15709 d. ~~Roadway Configurations. Road design shall comply with the following table and with the~~
15710 ~~roadway design standards included as appendices to this document. Minimum widths may not~~
15711 ~~be exceeded by more than two feet, except where turning radii or other factors justify a wider~~
15712 ~~paved width. Where bike lanes are required, the minimum pavement width shall be the sum~~
15713 ~~of the minimum pavement width indicated and the required bike lane width. As an incentive for~~
15714 ~~Traditional Neighborhood Developments, right of way widths may be reduced by a maximum~~
15715 ~~of ten feet when the following utilities, which are typically placed in the right of way, are not~~
15716 ~~present in the right of way: water (10'), reuse (6').~~ [Relocated and consolidated under Sec.
15717 **3-F-C.3.a. Roadway Configuration. Minor amendments to text to be consistent with**
15718 **Branan Field]**
15719 i. ~~Roundabouts. Roundabouts shall be encouraged for intersections of the following roads~~
15720 ~~in any combination: minor collectors, neighborhood collectors, and local roads.~~

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- 15721 *Roundabout design shall be approved by the Director of Engineering.* [Relocated to Sec.
15722 **3-F-C.3.b. Roundabout]**
- 15723 ii. ~~TND Relief. The following standard shall provide relief from the County's Subdivision~~
15724 ~~Regulations: curb returns at intersections of traditional neighborhood developments shall~~
15725 ~~be rounded and may have a minimum of 15-foot radius provided additional design~~
15726 ~~elements ensure the safety of pedestrians and the accessibility of fire and other service~~
15727 ~~vehicles. An effective radius of 20' shall be provided after the placement of signage, and~~
15728 ~~utility risers. [Deleted as the standards are not consistent with the TND standards]~~
- 15729 iii. ~~Alley/Interior Courtyard Standards. Alleys shall provide access to rear parking and/or~~
15730 ~~delivery area for residential and nonresidential areas, as further described in standards for~~
15731 ~~land use categories. Alley and courtyard paving may be of concrete or asphalt. The alleys~~
15732 ~~shall be either privately maintained as common area or publicly retained and maintained~~
15733 ~~with easements granted to the County Commission. While paved width may be less, alley~~
15734 ~~width must be at least 18 feet. Buildings must be set back at least five feet from the edge~~
15735 ~~of pavement however a building face that includes a garage door must be set back 14 feet.~~
15736 ~~Corner lots on an alley must meet a five foot build-to-line for structures on the alley. For a~~
15737 ~~distance of one foot from both edges of pavement, the pavement shall consist of a~~
15738 ~~minimum of two inches of asphalt on ten inches of limerock base. Alternate base groups~~
15739 ~~may be substituted if approved by the County Engineer. Inside of this area, the standard~~
15740 ~~pavement requirements shall apply. The depth of such interior courtyards may not exceed~~
15741 ~~250 feet. Interior courtyards must have landscape strips with a width of at least 10 feet to~~
15742 ~~separate parking rows, and landscape islands with shade trees at least every 80 feet.~~
15743 **[Relocated to/consolidated under Sec. 3-F-C.3.c. Alley and interior courtyard,**
15744 **Roadway Configuration]**
- 15745 16. ~~Traffic Calming. Local and collector streets should be designed to be pedestrian-friendly, with~~
15746 ~~street tree plantings, medians, and other elements that encourage walking and bicycling. Streets~~
15747 ~~should provide continuity between neighborhoods, Village Centers, and the Activity Center. Traffic~~
15748 ~~calming methods on residential collectors and local streets should be employed to reduce speed~~
15749 ~~in residential neighborhoods. Traffic calming techniques such as vertical deflections, horizontal~~
15750 ~~deflections, road narrowing, ripples, pavers, central islands, entry or gateway treatments, raised~~
15751 ~~medians, roundabouts, raised crosswalks, textured pavement, and bulbouts (neckdowns), and~~
15752 ~~similar treatments are permitted. To ensure pedestrian-friendly streets, sidewalks that are at least~~
15753 ~~five foot in width shall be provided on both sides of streets. [Relocated to/consolidated under~~
15754 ~~Sec. 3-F-C.3.d. Traffic Calming]~~
- 15755 17. ~~Transit-Oriented Design (TOD). Areas within the Activity Centers shall be identified as park and~~
15756 ~~ride lots/future transit stations, and shall be acquired through the Adequate Public Facilities~~
15757 ~~process. Sites within the Neighborhood, Community, and Activity Centers shall include adequate~~
15758 ~~right-of-way for potential future bus stops. [Relocated to/consolidated under Sec. 3-F-C.4.~~
15759 ~~Transit-oriented design, Transit]~~
- 15760 **Sec. 3-33B.E.5.**
- 15761 5. ~~Roads. Developers shall provide for access and through movement by providing right-~~
15762 ~~of-way for roads shown on the Future Land Use Map. Each development shall be required~~
15763 ~~to provide at least 1.35 percent of project developable lands for needed through road right-~~
15764 ~~of-way as shown on this map. Developments that do not have through road obligations~~
15765 ~~shall pay a fee that is equivalent to the value of this percentage of developable land. The~~

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15766 through road system for a development must be completed prior to the time that building
15767 permits have been issued for 50% of the approved units and/or square footage. Road
15768 construction costs may be utilized for credits against fair share or road impact fee
15769 obligations after factoring out project traffic. ~~[Deleted, sufficient information requiring~~
15770 ~~road dedication under APF]~~

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15771 DIVISION D PARKS AND RECREATION

15772 Sec. 3-F-D.1. Purpose and Intent

15773 This Division is to ensure adequate Parks, on-site Recreation areas, and Civic facilities are provided for
15774 developments within each Master Planned Community, as follows:

- 15775 a. Establish Recreational standards for both Residential and Non-Residential developments;
15776 b. Ensure the development of land is well balanced with the built environment and provides adequate
15777 Open Space of passive and active Recreational facilities; and
15778 c. Ensure the timing of the Recreational improvements are implemented concurrent with the
15779 construction of each development.

15780 Sec. 3-F-D.2. Applicability

15781 *Neighborhood and Community Parks, and other open spaces shall be designated during development*
15782 *review. The standards of this Division shall apply to all new developments and redevelopments if the*
15783 *proposed intensity exceeds the previously approved recreation and Park Adequate Public Facilities.*
15784 **[Relocated from Sec. 3-33A.I.4.]**

15785 Sec. 3-F-D.3. Types of Parks

15786 3-F-D.3.a. Community Park

15787 *This type of park shall be designed to serve the needs of the surrounding larger community within a 3-mile*
15788 *radius or a population of up to 25,000, offering a variety of programs and facilities. [Relocated from Sec.*
15789 *3-33A.I.4.g. and Sec. 3-33B.E.3.a. Community Parks, LAMPA]*

15790 (1) *Location: Shall be located along a collector street, adjacent to a school is preferred to maximize*
15791 *utilization of facilities, and community Parks shall also be located in close proximity to a community*
15792 *center or a neighborhood center. [Relocated from Sec. 3-33A.I.4.g. and Sec. 3-33B.E.3.a.*
15793 *Community Parks, LAMPA]*

15794 (2) *Construction and Operation: The County shall construct and operate Community Parks.*

15795 (3) *APF Requirements: Developers may donate land for and/or construct facilities for Community*
15796 *Parks under the Adequate Public Facilities (APF) requirement. If Park impact fees are instituted,*
15797 *Park impact fee credits will also be available for developers who construct Community Park*
15798 *facilities. Park impact fee revenues would also be available if the County determines that*
15799 *community Park land is needed on a development site (as shown on the FLUM, as amended) and*
15800 *the APF requirement has been met with other facility land, or if additional Community Park land*
15801 *was needed along with APF Park land reserved on that site. [Relocated from Sec. 3-33A.I.4.g.*
15802 *and Sec. 3-33B.E.3.a.]*

15803 3-F-D.3.b. Neighborhood and Pocket Parks

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

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15804 A Primary Neighborhood or Pocket Park in Residential categories shall be required for each development
 15805 with more than 100 units. **[Relocated from Sc. 3-33B.E.3.d.ii. Primary Parks, LAMPA]** This type of park
 15806 shall be designed to provide fewer facilities and smaller ball courts than a Community Park.

15807 (1) Residential Location. A Neighborhood or Pocket Park shall be located in close proximity to the
 15808 Residential units of which it serves. All parks shall be connected to the Residential units through
 15809 sidewalks or other form of pedestrian circulation system. **[Relocated from Sec. 3-33A.I.4.b(1).**
 15810 **and Sec. 3-33B.D.2.a.]**

<u>Master Planned Communities</u>	<u>Maximum Walking Distance</u>
<u>BF MPC Village Zone:</u>	1,000 feet
<u>BF MPC Suburban Zone:</u>	1,200 feet
<u>LAMPA Village Center and Activity Center:</u>	1,000 feet
<u>LAMPA, Rural Fringe, Rural Reserve, and Rural Community (where intensity bonuses are utilized):</u>	1,200 feet

15811 (a) Civic Space. Developments with more than 100 units are required to have a central Civic
 15812 Space within a Neighborhood or Pocket Park. Refer to Sec. 3-F-D.4.b. Residential FLU
 15813 Category.

15814 (2) Non-Residential Location. The Neighborhood or Pocket Park may be in the form of a plaza or green
 15815 and shall be centrally located within a Non-Residential center as listed below. If more than 1 plaza
 15816 or green is required, the separation distance shall be measured from the perimeter of the Park or
 15817 green to the closest perimeter line of the other. **[Relocated from Sec. 3-33A.I.4.c. and Sec. 3-**
 15818 **33B.D.2.b.]**

<u>Master Planned Communities</u>	<u>Maximum Separation Distance</u>
<u>BF Activity Center (AC), BF Community Center (CC) and BF Neighborhood Center (NC):</u>	1,320 feet
<u>LA Activity Center (AC), LA Village Center (LA VC), and LA Interchange Village Center (LA IVC):</u>	

Insert a graphic how to measure from closest point of a perimeter to the other park or green

15819 Sec. 3-F-D.4. Park Facilities

15820 Park facilities shall be provided in the following ways:

<u>Park Type or Location:</u>	<u>Description:</u>
<u>Community Park:</u>	<u>Football field, baseball fields, tennis courts, basketball courts, pickle ball courts</u>

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	<p><u>Swimming pool and/or wading pool</u></p>
	<p>Golf course/range</p>
	<p><u>Playground equipment, picnic areas, and a multi-use playfield, and may also include basketball courts, tennis courts, or other recreational uses [Relocated from Sec. 3-33A.I.4.a.]</u></p>
<p><u>Residential FLU category.</u></p>	<p>Developments with more than 100 units <u>shall be</u> required to have a central <u>Civic Space</u> within a neighborhood park including a clubhouse or open-air pavilion. Structure size shall be set at <u>5</u> square feet per unit for an enclosed building and <u>10</u> 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 from Sec. 3-33B.D.2.a. Residential, Parks LAMPA]</p> <p><u>Such</u> structure shall be constructed prior to the issuance of a building permit for more than 50 <u>percent</u> of the lots and/or units of the development. The developer shall be responsible for construction and <u>the Homeowners' Association shall take</u> upkeep of the <u>Civic Space</u>. [Relocated from Sec. 3-33B.E.3.c.]</p>
<p><u>Residential FLU category.</u> <u>Pocket Park:</u></p>	<p><u>A gazebo structure, or at least 2 picnic tables, or the equivalent thereof as approved by the Planning and Zoning Director or his/her designee. [Relocated from Sec. 3-33A.I.4.]</u></p>
	<p><u>Non-Residential Parks shall be provided at the rate of 200 square feet per 1,000 square feet of gross leasable area (GLA). [Relocated from Sec. 3-33B.E.3.d.]</u></p>
<p><u>Non-Residential FLU category.</u> <u>Neighborhood Park:</u></p>	<p><u>Shall include areas predominately grass or ground cover, with benches and at least 1 gazebo structure. [Relocated from Sec. 3-33A.I.4.]</u></p> <p><u>A plaza centrally located within shopping streets, office parks, and other areas. The plaza may also include small outdoor amphitheaters and stages. [Relocated from Sec. 3-33A.I.4.]</u></p> <p><u>Non-Residential parks shall not be required when the development is a single freestanding building on an individual lot. [Relocated from Sec. 3-33B.E.3.d.]</u></p>
	<p>[Relocated from Sec. 3-33A.I.4 and Sec. 3-33B.E.3.d.]</p>

15821 Sec. 3-F-D.5. Recreation Level of Service Standards

15822 The Recreation Level of Service (LOS) for the Master Planned Communities are as follows:

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<u>Type of Park:</u>	<u>BF Standard:</u>	<u>LA Standards:</u>	<u>Minimum Size:</u>
Neighborhood Park (overall)	500 <u>square feet</u> per Single-Family Detached <u>unit</u> ;	500 <u>square feet</u> per Single-Family Detached <u>unit</u> ;	<u>2.39 people per unit</u> [EG208]
	150 <u>square feet</u> per Multi-Family <u>unit</u>	250 <u>square feet</u> per Multi-Family <u>unit</u>	<u>1.25 acres per 1,000 population .006 acre per unit</u> [EG209]
Primary (Neighborhood) Park – with facilities ¹	Minimum 300 <u>square feet</u> per Single-Family Detached <u>unit</u> ;	Minimum 400 <u>square feet</u> per Single-Family Detached <u>unit</u> ;	15,000 <u>square feet</u>
	Minimum 100 <u>square feet</u> per Multi-Family <u>unit</u> (up to 60,000 <u>square feet</u>)	Minimum 150 <u>square feet</u> per Multi-Family <u>unit</u> (up to 60,000 <u>square feet</u>)	30,00 <u>square feet</u> unless applied LOS is less, then 20,000 <u>square feet</u> minimum
Pocket (Neighborhood) Parks – (for developments with 100 or more units)	=	=	7,500 <u>square feet</u>
Neighborhood Park - Non-Residential (Plaza or Green)	200 <u>square feet</u> per 1,000 <u>square feet</u> Commercial <u>space</u>	=	2,500 <u>square feet</u>
Community Park ²	500 <u>square feet</u> per <u>unit</u>	=	20 <u>acres</u>

Footnotes:

1 Where the development provides a swimming pool, tennis courts, or basketball courts, the alternative standards in Sec. 3-F-D.5.b. may apply.

2 Community Park space in excess of APF requirements will count toward Neighborhood Park LOS standards.

[Relocated from Sec. 3-33A.I.4.h. and Sec. 3-33B.E.3.b.]

15823

3-F-D.5.d. Alternative Standards

15824 (1) Swimming Pool. When a Swimming Pool (minimum 1,000 square feet) is provided, the LOS
15825 Neighborhood Park standard may be reduced by 10 times the square foot of the pool area. The
15826 Neighborhood Park minimum size may be reduced by this calculation, provided that the minimum
15827 Park size is not reduced by more than 75 percent.

15828 (2) Tennis or Basketball Court. When Tennis Courts or Basketball Courts (minimum of 2) are provided,
15829 the LOS Neighborhood Park standards may be reduced by 8,750 square feet per tennis court and
15830 5,000 square feet per basketball court. The Neighborhood Park minimum size may be reduced by
15831 this calculation, provided that the minimum Park size is not reduced by more than 75 percent.

15832

[Relocated from Sec. 3-33A.I.4.h.i. and ii.]

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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15833 Sec. 3-F-D.6. Platting

15834 *Park acreage shall be platted. Improvements shall be made prior to the occupancy of 50 percent of the lots*
15835 *and/or units within a development. [Relocated from Sec. 3-33A.I.4.i. and Sec. 3-33B.E.3.a.]*

15836 Sec. 3-F-D.7. Pedestrian and Bicycle Linkage

15837 *All development shall provide a system of bikeways, footpaths, or nature trails linking larger, improved*
15838 *Recreational facilities and Open Space with Residential areas. Pathway corridors provided above and*
15839 *beyond required sidewalks and bike lanes shall receive credit toward Adequate Public Facilities or Park*
15840 *LOS standards. Pathway corridor width shall be 15 feet. At such time as the County establishes a*
15841 *pedestrian/bikeway master plan, such plan shall guide development of the system. [Relocated from Sec.*
15842 *3-33A.I.4.j.]*

15843 Sec. 3-F-D.8. Ownership and Control

15844 *Neighborhood Parks shall be provided by the developer and shall be owned and maintained by the*
15845 *Homeowners' or Property Owners' Association unless otherwise authorized by a Development Agreement.*
15846 *[Relocated from Sec. 3-33A.I.4.j.]*

15847 **Sec. 3-33A.I.4.Recreation**

15848 ~~2. Recreation. Neighborhood and Community Parks will be designated during development review.~~
15849 ~~Neighborhood parks are only required for residential developments within the BF Master Planned~~
15850 ~~Community, BF Community Center and BF Activity Center land uses, and only for residential projects~~
15851 ~~utilizing the density bonus program within the BF Rural Suburbs. All parks shall be designed to~~
15852 ~~sensitively connect with residential areas and with each other. [Relocated to Sec. 3-F-D.2.~~
15853 ~~Applicability]~~
15854 ~~a. Park Types. A primary neighborhood park in residential categories shall be required for each~~
15855 ~~development. Primary parks shall be equipped with playground equipment, picnic areas, and a~~
15856 ~~multi-use playfield, and may also include basketball courts, tennis courts, or other recreational~~
15857 ~~uses. [Relocated to Sec. 3-F-D.4.b. Residential FLU Category] Other neighborhood parks~~
15858 ~~(pocket parks) may include open, grassed areas. In such areas, improvements may be installed~~
15859 ~~but are not required. Pocket parks shall provide a gazebo structure, or at least two picnic tables,~~
15860 ~~or the equivalent thereof as approved by the Director of Planning. [Relocated to/tabularized~~
15861 ~~under Sec. 3-F-D.4.c. Residential FLU Category, Pocket Park, Park Facilities]~~
15862 ~~b. Residential Park Accessibility. All homes shall be within a reasonable walking distance of a~~
15863 ~~neighborhood park facility. In the BF MPC Village Zones, all dwelling units must be within 1,000~~
15864 ~~feet of a pocket park or a primary park. In the BF MPC Suburban Zone, all dwelling units must be~~
15865 ~~within 1,200 feet of a pocket park or a primary park. All residential units shall be able to reach~~
15866 ~~neighborhood parks via a sidewalk or other form of pedestrian circulation approved through review~~

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- 15867 ~~process.~~ [Relocated to/tabularized in Sec. 3-F-D.3.b.(1) Residential Location, Neighborhood
 15868 and Pocket Parks]
- 15869 ~~c. Nonresidential Park Accessibility. Within the BF Activity Center, BF Community Center, and~~
 15870 ~~Neighborhood Centers, plazas or greens shall be centrally located within areas of greater activity.~~
 15871 ~~If more than one plaza or green is required, each must be located no more than 1,320 feet,~~
 15872 ~~measured in walking distance, from the other.~~ [Relocated to/tabularized in Sec. 3-F-D.3.b.(2)
 15873 Non-Residential Location, Neighborhood and Pocket Parks]
- 15874 ~~d. Nonresidential Park Facilities. Neighborhood parks in non-residential categories shall include~~
 15875 ~~areas predominately with grass or ground cover, with benches and at least one gazebo structure.~~
 15876 ~~Such plazas may also include small outdoor amphitheaters and stages. Plazas shall be located~~
 15877 ~~centrally within shopping streets, office parks, and other areas.~~ [Relocated to/tabularized under
 15878 Sec. 3-F-D.4.a. Community Park, Park Facilities]
- 15879 ~~e. Residential Park Parking. Primary parks shall provide at least five on-site parking spaces. More~~
 15880 ~~spaces will be required depending on the extent of facilities. Neighborhood park design shall allow~~
 15881 ~~for adjacent on-street parallel parking.~~ [Deleted as parking requirements are in Appendix A]
- 15882 ~~f. Ownership and Control. Neighborhood parks shall be provided by the developer and must be~~
 15883 ~~owned and maintained by the homeowners association unless otherwise authorized by a~~
 15884 ~~development agreement.~~ [Relocated to Sec. 3-F-D.8. Ownership and Control]
- 15885 ~~g. Community Parks. Community parks shall be designed to serve the needs of the surrounding~~
 15886 ~~larger community, offering a variety of programs and facilities~~ [Relocated to Sec. 3-F-D.3.a.
 15887 Community Park, Types of Park] ~~such as baseball fields, swimming pools and tennis~~
 15888 ~~courts.~~ [Relocated to Sec. 3-F-D.4.a. Community Park, Park Facilities]
 15889 ~~Location adjacent to a school is preferred to maximize utilization of facilities, and community parks~~
 15890 ~~shall also be located in close proximity to a community center or a neighborhood center.~~
 15891 [Relocated to Sec. 3-F-D.3.a.(1) Location, Community Park, Types of Park]
 15892 ~~Community parks shall be located on the Future Land Use Map.~~
 15893 ~~The County will construct and operate community parks,~~ [Relocated to Sec. 3-F-D.3.a.(2)
 15894 Construction and Operation, Types of Park]
 15895 ~~although developers may donate land for and/or construct facilities for community parks under the~~
 15896 ~~Adequate Public Facilities requirement. If park impact fees are instituted, park impact fee credits~~
 15897 ~~will also be available for developers who construct community park facilities. Park impact fee~~
 15898 ~~revenues would also be available if the County determines that community park land is needed on~~
 15899 ~~a development site (as shown on the Future Land Use Map and amended by ordinance) and the~~
 15900 ~~adequate public facilities requirement has been met with other facility land, or if additional~~
 15901 ~~community park land was needed along with APF park land reserved on that site.~~ [Relocated to
 15902 Sec. 3-F-D.3.a.(3) APF Requirements, Types of Park]
- 15903 ~~h. Level of Service Standards. The County will adopt and maintain the following recreation levels of~~
 15904 ~~service (LOS) for parks within the Master Plan Area:~~ [Relocated to/tabularized under Sec. 3-F-
 15905 D.5. Recreation Level of Service Standards]

Type of Park	Standard	Minimum Size
<i>Neighborhood Park (overall)</i>	500 SF per Single-Family Detached Unit; 150 SF per Multi-Family Unit	

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Primary (Neighborhood) Park * with facilities	Minimum 300 SF per Single Family Detached Unit; minimum 100 SF per Multi- Family Unit (up to 60,000 SF)	15,00 0 SF
Pocket (Neighborhood) Parks (for developments with 100 or more units)		7,500 SF
Neighborhood Park Nonresidential (Plaza or Green)	200 SF per 1,000 SF Commercial Space	2,500 SF
Community Park **	500 SF per Unit	20 Acres

[Relocated to/tabularized under Sec. 3-F-D.5. Recreation Level of Service Standards]

* ~~Where the development provides a swimming pool, tennis courts or basketball courts, the following alternative standards may apply.~~

** ~~Community park space in excess of APF requirements will count toward neighborhood park LOS requirements.~~ [Relocated to/tabularized under footnotes of Sec. 3-F-D.5. Recreation Level of Service Standards]

~~i. When a Swimming Pool (minimum 1,000 sf) is provided, the LOS neighborhood park standard may be reduced by ten times the square foot of pool area. Neighborhood park minimum size may be reduced by this calculation, provided that such minimum park size is not reduced by more than 75%. [Relocated to Sec. 3-F-D.5.d. Alternative Standards, Recreation Level of Service Standards]~~

~~ii. When Tennis Courts or Basketball Courts (minimum of two) are provided, the LOS neighborhood park standards may be reduced by 8,750 SF per tennis court and 5,000 SF per basketball court. Neighborhood park minimum size may be reduced by this calculation, provided that such minimum park size is not reduced by more than 75%. [Relocated to Sec. 3-F-D.5.b.(2) Alternative Standards, Recreation Level of Service Standards]~~

~~i. Platting. Park acreage shall be platted. Improvements shall be made prior to the occupancy of 50% of the lots and/or units within a development. [Relocated to Sec. 3-F-D.6. Platting]~~

~~j. Pedestrian/Bicycle Linkage. All development shall provide a system of bikeways, footpaths, or nature trails linking larger, improved recreational facilities and open space with residential areas. Pathway corridors provided above and beyond required sidewalks and bike lanes shall receive credit toward adequate public facilities or park LOS standards. Pathway corridor width shall be 15 feet. At such time as the County establishes a pedestrian/bikeway master plan, such plan will guide development of the system. [Relocated to Sec. 3-F-D.7. Pedestrian and Bicycle Linkage]~~

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Part F Technical Requirements

15930 **Sec. 3-33B.D.2.**

15931 2.—Parks. Residential and non-residential development shall provide parks at the level of service identified
15932 in Section E. Public Facilities Criteria.

15933 a.—Residential. All centrally served homes shall be within a reasonable walking distance of a
15934 neighborhood park facility. In the Lake Asbury Village Center and Activity Center, all dwelling units
15935 must be within 1,000 feet (walking distance) of a pocket park, primary park, or community park. In
15936 the Lake Asbury Master Planned Community, Rural Fringe, Rural Reserve, and Rural Community
15937 (where density bonuses are utilized), **[Relocated to/tabularized under Sec. 3-F-D.3.b.(1)**
15938 **Residential Location, Neighborhood and Pocket Parks]** all dwelling units must be within 1,200
15939 feet (walking distance) of a pocket park, primary park, community park. All residential units shall
15940 be able to reach neighborhood parks via a sidewalk or other form of pedestrian circulation approved
15941 through review process. **[Relocated to Sec. 3-F-D.3.b.(1) Residential Location]** Park
15942 landscaping shall emphasize the shading of strategic areas such as sidewalks, playfields,
15943 playgrounds, other exercise areas, and picnic areas. At a minimum, primary parks shall be
15944 equipped with playground equipment, picnic areas, fitness or jogging trail, and a multi-use playfield,
15945 and may also include basketball courts, tennis courts, or other recreational uses. Developments
15946 with more than 100 units are required to have a central civic space within a neighborhood park
15947 including a clubhouse or open air pavilion. Structure size shall be set at five square feet per unit for
15948 an enclosed building and ten square feet per unit for an open air pavilion. Enclosed buildings and
15949 pavilions shall have a minimum size of 750 square feet. Enclosed buildings and pavilions shall not
15950 be required to exceed 2,000 square feet. **[Relocated to/tabularized under Sec. 3-F-D.4 Park**
15951 **Facilities]**

15952 b.—Nonresidential. Such facilities must be located no more than 1,320 feet (walking distance) from
15953 each other. These facilities shall include either greens with grass or ground cover, or plazas with
15954 decorative paved surfaces. Nonresidential parks shall include shaded seating areas with benches
15955 and at least one gazebo structure to encourage use by shoppers and employees. Such areas can
15956 also be located adjacent to uses such as outdoor cafes. Landscaping shall emphasize a variety of
15957 ground covers, understory plantings, and canopy trees for such areas. The placement of canopy
15958 trees should emphasize creating comfortable areas shaded from the south and west. **[Deleted,**
15959 **consolidated under Sec. 3-F-D.3.b.(2) Non-Residential Location]**

15960 **Sec. 3-33B.E.3.a.**

15961 3.—Parks. Parks provided within a platted development shall be platted. Improvements shall be made prior
15962 to the occupancy of 50% of the lots and/or units within a development. **[Relocated to and**
15963 **consolidated under Sec. 3-F-D.6.a. Platting]**

15964 a.—Community Parks. Community parks shall be located along collector roads and shall be designed
15965 to serve the needs of multiple neighborhoods. They offer a variety of programs and facilities such
15966 as baseball fields, swimming pools and tennis courts and are intended to serve residents within a
15967 three-mile radius or a population of up to 25,000. Location adjacent to a junior or senior high school
15968 is preferred to maximize utilization of facilities. **[Relocated to and consolidated under Sec. 3-F-**
15969 **D.3.a. Community Park]**

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

Part F Technical Requirements

15970 b. ~~Levels of Service. The County will adopt and maintain the following recreation levels of service~~
 15971 ~~(LOS) for neighborhood parks within residential subdivisions: [Relocated to/tabularized under~~
 15972 ~~Sec. 3-F-D.5. Recreation Level of Service]~~
 15973 ~~[Relocated to/tabularized under Sec. 3-F-D.5. Recreation Level of Services (LOS)]~~

Type of Park	Standard	Minimum Size
Neighborhood Park (overall)	500 SF per Single Family Detached Unit; 250 SF per Multi-Family Unit	15974 15975 15976
Primary (Neighborhood) Park — with facilities	Minimum 400 SF per Single Family Detached Unit; Minimum 150 SF per Multi-Family Unit (up to 60,000 SF)	15977 30,000 SF unless applied LOS is less, then 20,000 SF minimum
Pocket (Neighborhood) Parks		7,500 SF 15980
Neighborhood Park— Nonresidential (Plaza or Green)	200 SF per 1,000 SF Commercial Space	2,500 SF

15981 ~~———— Civic Developments with more than 100 units shall be required to have a central~~
 15982 ~~civic space within a neighborhood park including a clubhouse or open air pavilion. This~~
 15983 ~~structure shall be constructed prior to the issuance of a building permit for more than 50%~~
 15984 ~~of the lots and/or units of the development. The developer and later the homeowners~~
 15985 ~~association shall be responsible for construction and upkeep of the civic space. [Relocated~~
 15986 ~~to Sec. 3-F-D.4.b. Residential FLU Category, Park Facilities]~~

15987 d. ~~Nonresidential Parks. Within the Activity Center and Village Center categories, plazas or~~
 15988 ~~greens shall be centrally located within areas of greater activity including shopping streets,~~
 15989 ~~office parks, and other areas. Nonresidential parks shall be provided at the rate of 200~~
 15990 ~~square feet per 1000 square feet of gross leasable area. Nonresidential parks shall not be~~
 15991 ~~required when development is a single freestanding building on an individual lot.~~
 15992 ~~[Relocated to/tabularized under Sec. 3-F-B.4.(d). Non-Residential FLU Category~~
 15993 ~~Neighborhood Park, Park Facilities]~~

15994 i. ~~Ownership. Parks shall be provided by the developer and must be owned and~~
 15995 ~~maintained by a property owners' association unless otherwise authorized by~~
 15996 ~~a development agreement. [Consolidated under Sec. 3-F-E.8. Ownership~~
 15997 ~~and Control]~~

15998 ii. ~~Primary Parks. A primary neighborhood park in residential categories shall be~~
 15999 ~~required for each development with more than 100 units. Regardless of~~
 16000 ~~individual development size, all homes must be within one mile of a primary~~
 16001 ~~park. [Relocated to Sec. 3-F-D.3.b. Neighborhood and Pocket Parks]~~

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

Part F Technical Requirements

16002 DIVISION E SCHOOLS

16003 Sec. 3-F-E.1. Purpose and Intent

16004 The purpose and intent of this Division is to ensure that Public Schools are adequately provided within the
16005 Master Planned Communities and to measure the school capacity based on the projected school-aged
16006 population of new developments.

16007 Sec. 3-F-E.2. Location of Public School

16008 3-F-E.2.a. General Location and Contribution

16009 As part of the Public School Adequate Public Facilities (APF), the developer shall contribute lands for a
16010 school in proximity to the Residential components of a development. Final site locations shall be determined
16011 by the School District. [Relocated from Sec. 3-33B.E.6. LAMPA Schools]

16012 3-F-E.2.b. Preferred Location

16013 The locating of Public Schools in or adjacent to Village Centers is encouraged. To promote a campus effect
16014 and encourage the maximum use of facilities, junior and senior high schools should be located adjacent to
16015 public facilities such as parks, libraries and civic uses creating an activity node for primary use by students
16016 and their families. [Relocated from Sec. 3-33B.E.6. LAMPA Schools]

16017 Sec. 3-F-E.3. Development Standards

16018 The following standards shall apply to schools located within a Master Planned Community. These
16019 standards for Public Schools shall be approved by the Clay County School District.^[MK210]

16020 3-F-E.3.a. Vista Termination

16021 To reinforce the importance of these facilities, whenever possible schools shall be sited at strategic
16022 intersections, along roadway curves, and at the ends of streets to create important vistas. [Relocated from
16023 Sec. 3-33A.I.5.a. and Sec. 3-33B.E.6.a. Vista Termination, Schools]

16024 3-F-E.3.b. Architectural Interest

16025 Where applicable, the building elevations of the school shall comply with Part F, Division F Architectural
16026 Design Guidelines. Parts of the building that face the road shall include window arrangements – large blank
16027 walls associated with cafeterias, gymnasiums, and similar uses shall orient toward the rear or sides of the
16028 school. [Relocated from Sec. 3-33A.I.5.c Sec. 3-33B.E.6.c.]

16029 3-F-E.3.c. Landscaping

16030 Shall be pursuant to Article 6 Tree Ordinance and shall follow the Crime Prevention Through Environmental
16031 Design (CPTED) standards.

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

Part F Technical Requirements

16032 **3-F-E.3.d. Additional Development Standards**

16033 Refer to [Sec. 3-E-G.18 Private or Public School](#).

16034 **Sec. 3-33A.1.5. Schools**

16035 ~~5. Schools. School sites are designated in the Future Land Use Map Series, which may be amended as~~
16036 ~~needed by the County Commission by ordinance with the concurrence of the Clay County School~~
16037 ~~Board. The following standards shall apply to schools. [Deleted, map is maintained by County, no~~
16038 ~~need to tell County what to do on their maps]~~

16039 ~~a. Vista termination. To reinforce the importance of these facilities, schools shall be sited at strategic~~
16040 ~~intersections and at the ends of streets to create important vistas within the community.~~
16041 ~~[Relocated to Sec. 3-F-E.3.a.(1) Vista Termination]~~

16042 ~~b. Entry highlighting. Tower elements, arbors, gateways, or other architectural features shall be used~~
16043 ~~at entries to school buildings. [Deleted since there are Architectural Design Guidelines, and~~
16044 ~~School District may not have the funds to add all these features]~~

16045 ~~c. Parts of the building that face the road shall include window arrangements—large blank walls~~
16046 ~~associated with cafeterias, gymnasiums, and similar uses shall orient toward the rear or sides of~~
16047 ~~the school. [Consolidated under Sec. 3-F-E.3.b. Architectural Interest, Schools]~~

16048 ~~d. Pedestrian orientation. School buildings shall front on the street, with parking on the side and/or~~
16049 ~~the rear. Driveways may be placed in front of the building, but not parking areas. [Deleted,~~
16050 ~~unneeded information and there are requirements under Part E, Use Types]~~

16051 ~~e. Screening of parking areas. When parking areas are adjacent to a street, a landscape buffer of at~~
16052 ~~least 25 feet shall be provided. Shade trees shall be located within this buffer, or as an alternative~~
16053 ~~between the sidewalk and the street, with a minimum spacing of 30 feet. The spacing of shade~~
16054 ~~trees may exceed the 30 foot standard no more than 150%, if the Landscape Reviewer finds that~~
16055 ~~wider spacing is needed due to tree species. The landscape buffer shall also include a continuous~~
16056 ~~hedge to visually screen the parking area that when established will be between 36 and 48 inches~~
16057 ~~in height. [Deleted since there are Tree Ordinance, and should apply CPTED]~~

16058 ~~f. Shade Coverage. The County's Landscape and Tree Ordinance provides for increased shade~~
16059 ~~coverage, reduced erosion, reduction of the "heat island" effect, and other goals through the~~
16060 ~~preserving and/or planting of shade trees. Given the large size of school sites, the County~~
16061 ~~encourages the School Board to consider preserving or placing shade trees in strategic areas such~~
16062 ~~as parking lot islands, the perimeter of athletic fields, along walkways and driveways, property~~
16063 ~~perimeters, areas adjacent to street right-of-ways, and within areas that would shade the southern~~
16064 ~~exposure of buildings. [Deleted since there are Tree Ordinance, and should apply CPTED]~~

16065 **Sec. 3-33B.E.6. LAMPA current code**

16066 ~~6. Schools. Neighborhood school location shall allow students to walk or bike to school. Final site~~
16067 ~~locations will be determined by the School District. [Relocated to Sec. 3-F-E.2.a. Location]~~

16068 ~~The locating of elementary schools in or adjacent to Village Centers is encouraged. To promote a~~
16069 ~~campus effect and encourage the maximum use of facilities, junior and senior high schools should~~
16070 ~~be located adjacent to public facilities such as parks, libraries and civic uses creating an activity~~
16071 ~~node for primary use by students and their families. The following standards shall apply to schools.~~
16072 ~~[Relocated to Sec. 3-F-E.2.b. Preferred Location]~~

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

Part F Technical Requirements

- 16073 a. ~~Vista termination. To reinforce the importance of these facilities, whenever possible schools shall~~
16074 ~~be sited at strategic intersections, along roadway curves, and at the ends of streets to create~~
16075 ~~important vistas. [Relocated to Sec. 3-F-E.3.a. Vista Termination Development Standards]~~
16076
- 16077 b. ~~Entry highlighting. Tower elements, arbors, gateways, or other architectural features shall be used~~
16078 ~~at entries to school buildings. [Deleted since there are Architectural Design Guidelines, and~~
16079 ~~School District has the funds to add all these features]~~
- 16080 ~~c. Architectural interest. Parts of the building that face the road shall include window arrangements~~
16081 ~~—large blank walls associated with cafeterias, gymnasiums, and similar uses shall orient toward~~
16082 ~~the rear or sides of the school. [Relocated to Sec. 3-F-E.3.b. Architectural Interest,~~
16083 ~~Development Standards]~~
- 16084 d. ~~Screening of parking areas. When parking areas are adjacent to a street, a landscape buffer of at~~
16085 ~~least 25 feet shall be provided. Shade trees shall be located within this buffer, or as an alternative~~
16086 ~~between the sidewalk and the street, with a minimum spacing of 30 feet. The spacing of shade~~
16087 ~~trees may exceed the 30-foot standard no more than 150%, if the Landscape Reviewer finds that~~
16088 ~~wider spacing is needed due to tree species. The landscape buffer shall also include a continuous~~
16089 ~~hedge to visually screen the parking area that when established will be between 36 and 48 inches~~
16090 ~~in height. [Deleted since there are Tree Ordinance, and should apply CPTED]~~
- 16091 e. ~~Shade Coverage. The County's Landscape and Tree Ordinance provides for increased shade~~
16092 ~~coverage, reduced erosion, reduction of the "heat island" effect, and other goals through the~~
16093 ~~preserving and/or planting of shade trees. Given the large size of school sites, the County~~
16094 ~~encourages the School Board to consider preserving or placing shade trees in strategic areas such~~
16095 ~~as parking lot islands, the perimeter of athletic fields, along walkways and driveways, property~~
16096 ~~perimeters, areas adjacent to street right-of-ways, and within areas that would shade the southern~~
16097 ~~exposure of buildings. [Deleted since there are Tree Ordinance, and should apply CPTED]~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part F Technical Requirements

16098 DIVISION F ARCHITECTURAL DESIGN GUIDELINES

16099 Sec. 3-F-F.1. Purpose and Intent

16100 These guidelines are established to promote design and aesthetic qualities of the built environment of Clay
16101 County, specifically in the Branan Field (BF) and Lake Asbury Area (LAMP) Master Planned Communities.
16102 These guidelines are intended to ensure that new development or redevelopment will enhance the
16103 appearance of the surrounding communities by encouraging *architectural diversity, variation in street*
16104 *patterns, building setbacks, hardscape, planting, and preservation of existing vegetation.* [Relocated from
16105 Sec. 3-33B.C.I.2.]

16106 Sec. 3-F-F.2. Applicability

16107 These guidelines shall apply to all new and redevelopment buildings and structures, unless stated otherwise.

16108 3-F-F.2.a. Threshold

- 16109 (1) Apply to all Residential Multi-Family, and Single-Family Attached buildings and Non-Residential
16110 buildings, as set forth within the Branan Field [Part D Division S](#) and the Lake Asbury Master Area
16111 [Part D Division T](#) Planned Communities.
16112 (2) Any development, such as a Planned Development or subdivision, if determined by the Planning
16113 and Zoning Director or his/her designee, may be imposed as a condition of approval of a
16114 development order, where applicable. [MK211]

16115 3-F-F.2.b. Exemptions

16116 The following shall be exempt from this Division:

- 16117 (1) Agricultural use buildings;
16118 (2) Buildings which are subject to Federal or State statutes, and that are exempt from the Clay
16119 County Building permit process;
16120 (3) Clay County Government Facilities that are not visible from the public rights-of-way;
16121 (4) Industrial use buildings that are substantially screened by a perimeter buffer and are not visible
16122 from public rights-of-way and adjacent properties; and
16123 (5) Accessory structures such as water tanks, mechanical or electrical equipment, cooling towers, and
16124 structures that are not habitable and individual structure is under 1,000 square feet.

16125 Sec. 3-F-F.3. Residential and Non-Residential Developments

16126 All Residential and Non-Residential buildings shall include the following design components to achieve an
16127 overall unified architectural character consisting of a variation in rooflines, colors, materials and decorative
16128 features, and proportional fenestrations in the facade.

16129 3-F-F.3.a. Design Components

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

Part F Technical Requirements

16130 Each type of Residential or Non-Residential building shall be required to provide with the applicable design
 16131 component as indicated with a ✓ and section reference to additional standards for a specific type of building:

	<u>Non-Residential</u>	<u>Non-Residential Large-scaled</u>	<u>Residential Multi-Family</u>	<u>Residential Single-Family Attached</u>
<u>Roofline</u>	✓	✓ 3-F-F.3.a.(2)	✓	✓
<u>Facade</u>	✓	✓ 3-F-F.3.b.(1)(b)	✓	✓
<u>Exterior Wall Material or Finishing</u>	✓	✓ 3-F-F.3.c.	✓	✓
<u>Fenestration</u>	✓	✓ 3-F-F.3.d. and d.(2)	✓	✓
<u>Entrance Features</u>	✓	✓ 3-F-F.3.e.(2)	✓	✓
<u>Covered Entry Area</u>	✓	✓	✓	NA
<u>Balcony</u>	✓	NA	✓ 3-F-F.3.f.	<u>Optional if there is a second floor</u>
<u>Front Stoop or Front Porch</u>	NA	NA	NA	<u>Either a stoop or a porch</u>

16132 **3-F-F.3.a. Roof Line**

16133 Roof lines may be pitched, gabled, or flat and are subject to the following standards for both primary and
 16134 secondary rooflines:

<u>Pitched or gabled</u>	<u>40 percent of the roof line for the front building side and 30 percent for the remainder building sides</u>
<u>Slope</u>	<u>4:12</u>
<u>Overhang eaves</u>	<u>12 inches</u>
<u>Flat</u>	<u>Include parapet walls or partial roofs.</u>

- 16135 (1) Rooftop Equipment. HVAC and other rooftop equipment shall be screened from view.
 16136 **[Relocated/consolidated 3-33A.III.5.k. Roofline Pitch and 3-33B.C.I.2.b. Roofline Pitch]**
 16137 (2) Large-Scaled Non-Residential Building. A minimum 30 percent of the parapet walls along the front
 16138 facade, and the side facade where it faces a street shall be articulated with a variation in height of
 16139 3 feet to 5 feet. The length of the height variation shall be proportional to the overall length facade.

16140 **3-F-F.3.b. Façade**

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

Part F Technical Requirements

16141 *A building shall avoid long, monotonous, uninterrupted walls or roof planes by applying at least 2 of the*
16142 *following design elements: [Relocated/consolidated Sec. 3-33A.II.2.f.i.H.Item 5; Sec. 3-33A.III.4.c.xi.B.*
16143 *and Sec. 3-33B.]*

16144 (1) Pronounced Wall Plane Offsets and Projections. A blank facade that is at least 100 feet in length
16145 and 20 feet in height, shall introduce recesses or projections.

16146 (a) Dimensions. Each recess or projection shall be, unless stated otherwise:

16147 i. Spaced not to exceed 100 feet between each recess or projection;

16148 ii. A minimum of 12 inches in depth; and

16149 iii. A minimum of 15 feet in length.

16150 (b) Large-Scaled Non-Residential Building. In addition to the standards as set forth in Sec. 3-
16151 F-F.3.b.1.(a), a minimum of 20 percent of the total front and side facade length shall have
16152 a 15-foot in length ecess or projection.

16153 WORKING: Insert a graphic to show a 15-foot length/width projection and the wall
16154 dimension as 100' and 35' high.

16155 (c) Expansion or Control Joints. Those located on a facade shall not be considered as a recess
16156 or projection unless it meets the dimensional standards. [Relocated/consolidated Sec.
16157 3-33A.II.2.f.i.H.Item 5; Sec. 3-33A.III.4.c.xi.B. and Sec. 3-33B.C.I.2.]

16158 (2) Vertical Architectural Elements. Features such as pilasters, columns, canopies/porticos, arcades,
16159 colonnades, and/or parapets shall be included to interrupt facades into modules of less than 60
16160 feet. [Relocated from Sec. 3-33A.III.5.j.i.D. and E. and Sec. 3-33B.C.I.2.a.iv. and v.]

3-F-C.3.c. Exterior Wall Material or Finishing

16162 (1) Acceptable Materials. Exterior walls shall be constructed of finished materials such as stucco,
16163 natural brick or stone, finished or scored concrete, wood or other similar material including synthetic
16164 materials similar in appearance and durability to those materials previously named on all sides.
16165 [Relocated/consolidated Sec. 3-33A.II.2.f.i.H.Item 8; Sec. 3-33A.III.4.c.xi.B.]

16166 (2) Prohibited Materials. [MK212] Exposed smooth concrete block, corrugated or other metal finishes,
16167 untextured tilt-up concrete panels, pre-fabricated steel panels and the like, shall not be permitted.
16168 [Relocated from and consolidated Sec. 3-33A.III.5.i. and Sec. 3-33B.C.I.3.a.]

16169 (3) Large-Scaled Non-Residential Building. Shall have more than 1 exterior material or finishing.

3-F-F.3.d. Fenestration

16171 Windows, and other openings in the façade of a building shall be present and shall be proportioned to
16172 reflect pedestrian scale and movement, and to encourage interest at the street level.
16173 [Relocated/consolidated Sec. 3-33A.II.2.f.i.H.Item 2; Sec. 3-33A.III.4.c.xi.B.,

16174 (1) Multi-Tenant Building. For multiple Commercial uses within a single building, the street level façade
16175 of each store shall provide windows between the height of 2 feet and minimum of 8 feet above the
16176 walkway grade, for no less than 60 percent of the horizontal length of the building façade that faces
16177 streets or pedestrian areas for each store. [Relocated from Sec. 3-33B-C.I.3.c.]

16178 (2) Large-SScaled Non-Residential Building. A minimum of 60 percent of the facade length of the front
16179 and side facades if facing a street shall be designed for fenestration.

3-F-F.3.e. Entrance

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

Part F Technical Requirements

16181 Buildings may have their entrances from parking areas but shall also provide a useable entrance to the
16182 street, if applicable, shall be clearly articulated through the use of architectural detailing.

16183 (1) Architectural Elements. Entrances shall include 3 of the following features:

16184 (a) raised above-the doorway cornice parapets.

16185 (b) peaked roof forms,

16186 (c) arches,

16187 (d) integrated awnings,

16188 (e) covered walkways,

16189 (f) open colonnades, or

16190 (g) similar weather protection architectural details such as tile work, moldings, or planters.

16191 **[Relocated/consolidated Sec. 3-33A.II.2.f.i.H.Item 6; Sec. 3-33A.III.4.c.xi.B, and Sec.**
16192 **3-33B.C.I.3.b. Entryways]**

16193 (2) If covered walkways or open colonnades are provided, the minimum percent shall apply to the front
16194 and side of a building, as follows:

<u>Type of Building</u>	<u>Front</u>	<u>Side</u>
<u>All Non-Residential and Multi-Family Buildings</u>	<u>50 percent</u>	<u>30 percent</u>
<u>Large-Scale Non-Residential Building</u>	<u>70 percent</u>	<u>30 percent</u>

16195 **3-F-F.3.f. Balcony and Porch**

16196 A minimum of 30 percent of the Multi-Family buildings shall be provided with an individual balcony or porch.

16197 (1) Dimensions. Front stoops and porches shall have a minimum width of 4 feet and floor level at least
16198 18 inches higher than the top of curb. [Relocated from Sec. 3-33A.III.6.f.vii.D.3.]

16199 **Sec. 3-33A.III.5.j.**

16200 ~~j.—Architectural and Additional Standards.~~

16201 ~~i.—Reduction of building mass shall be achieved by using the following techniques:~~

16202 ~~A.—Variation in the rooflines and form.~~

16203 ~~B.—Use of ground level arcades and covered areas.~~

16204 ~~C.—Use of protected and recessed entries.~~

16205 ~~D.—Use of vertical elements (including architectural features such as pilasters, columns,~~
16206 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~
16207 ~~walls, to interrupt facades into modules of less than 60 feet. [Relocated to Sec. 3-F-F-~~
16208 ~~3.b.(2) Facade]~~

16209 ~~E.—Use of pronounced wall plane offsets and projections. [Relocated to Sec. 3-F-F-3.b. (1)~~
16210 ~~Facade]~~

16211 ~~F.—Use of focal points and vertical accents.~~

16212 ~~G.—Inclusion of storefront and other windows on elevations facing streets and pedestrian~~
16213 ~~areas.~~

16214 ~~H.—Retaining a clear distinction between roof, body and base of a building.~~

16215 ~~I.—Office and Industrial buildings that are substantially screened by landscaping shall not have~~
16216 ~~to meet Items i.D, i.E, i.F, i.H. [Deleted, consolidated in Sec. 3-F-F.3.b. Facade]~~
16217

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

Part F Technical Requirements

- 16218 ~~k. **Roofline Pitch.** Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must~~
16219 ~~include parapet walls or partial roofs. HVAC and other rooftop equipment should be screened~~
16220 ~~from view. [Deleted, consolidated in Sec. 3-F-F.3.a. Roofline]~~
16221 ~~l. **Exterior Wall Material.** Exterior walls shall be constructed of finished materials such as stucco;~~
16222 ~~natural brick or stone; colored, sand blasted, or stained textured masonry; scored concrete~~
16223 ~~masonry units; textured tilt-up concrete panels; wood; or other similar material including~~
16224 ~~synthetic materials similar in appearance and durability to those materials previously named~~
16225 ~~on all sides. Exposed smooth concrete block, corrugated or other metal finishes, untextured~~
16226 ~~tilt-up concrete panels, pre-fabricated steel panels and the like, shall not be permitted. Roofs~~
16227 ~~shall be covered by metal, concrete or clay tile, or architectural shingles. [Deleted,~~
16228 ~~consolidated in Sec. 3-F-F.3.c. Exterior Wall Material or Finishing]~~
16229 ~~m. **Entryways.** At least one building entrance must face the street and be clearly articulated~~
16230 ~~through the use of architectural detailing. This buffer shall be at least ten feet wide, with~~
16231 ~~foundation landscaping in planting beds and a minimum of one parking lot tree every 30 feet.~~
16232 ~~Customer entrances shall be clearly defined and include at least three of the following features:~~
16233 ~~canopies/porticoes; overhangs; recesses/projections; arcades; raised above the doorway~~
16234 ~~cornice parapets; peaked roof forms; arches; outdoor patios; display windows; integrated~~
16235 ~~architectural details such as tile work, moldings, planters; and/or landscaped sitting areas.~~
16236 ~~[Deleted, consolidated in Sec. 3-F-F.3.e. Entrance Features]~~
16237 ~~n. **Fenestration.** For commercial buildings and for facades on office and industrial buildings that~~
16238 ~~face the street or a parking area, doorways and windows shall be proportioned to reflect~~
16239 ~~pedestrian scale and movement, and to encourage interest at the street level. For multiple~~
16240 ~~commercial uses within a single building, the following standard shall apply. The street level~~
16241 ~~façade of each store shall provide windows between the height of three feet and eight feet~~
16242 ~~above the walkway grade, for no less than 60 percent of the horizontal length of the building~~
16243 ~~façade for each store. [Relocated to/ consolidated in Sec. 3-F-F.3.d. Fenestration]~~
16244
16245 ~~o. **Covered Entry Areas.** Commercial structures must include awnings, covered walkways, open~~
16246 ~~colonnades, or similar weather protection. Such features shall be applied to the front of the~~
16247 ~~building, and to the sections of the sides of building where direct pedestrian links from adjacent~~
16248 ~~or nearby shopping areas exist. [Deleted and consolidated in Sec. 3-F-F.3.e. Entrance]~~
- 16249 **Sec. 3-33A.6.f.vii. D.**
16250 **D.** Design standards for residential development:
16251 1. ~~Doorways, windows, and other openings in the façade of a residential building shall be~~
16252 ~~present and shall be proportioned to reflect pedestrian scale and movement, and~~
16253 ~~encourage interest at the street level. [Relocated to Sec. 3-F-F.4. Residential~~
16254 ~~Development]~~
16255 2. ~~To create a walkable environment, residential buildings shall be grouped close together.~~
16256 ~~Within each block residential buildings shall occupy at least 65 percent of the street~~
16257 ~~frontage. [Deleted as Block length is described in Sec. 3-D-S. 14. BF CC and AC~~
16258 ~~Design Standards]~~
16259 3. ~~Apartment buildings shall have a balcony or porch for each unit facing the street;~~
16260 ~~townhouses and single family attached shall provide a change in plane at a minimum of~~

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

Part F Technical Requirements

- 16261 ~~every 60 feet.~~ [Relocated to Sec. 3-F-F.4.b. Townhouse and Single-family Attached
16262 Design Components]
16263 4. ~~Residential buildings may have their entrances from parking areas, but must also provide~~
16264 ~~an entrance to the street. The street entrance shall be clearly articulated through the use~~
16265 ~~of architectural detailing. Entrances shall include at least two of the following features:~~
16266 ~~pediment raised above the doorway parapets with cornice, peaked roof forms, side lites~~
16267 ~~and/or transoms, arched doorways. The architectural details shall be consistent with the~~
16268 ~~architectural style of the building as a whole.~~ [Deleted as this is consolidated under 3-
16269 F-F.3.e. Entrance Features]
16270 5. ~~Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include~~
16271 ~~parapet walls or partial roofs.~~ [Deleted as this consolidated in Sec. 3-F-F.3.a. Roofline]
16272 6. ~~Exterior walls shall be constructed of finished materials such as stucco, natural brick or~~
16273 ~~stone, finished concrete, wood or other similar material including synthetic materials similar~~
16274 ~~in appearance and durability to those materials previously named on all sides. Exposed~~
16275 ~~smooth concrete block or metal finishes shall not be permitted.~~ [Deleted as this
16276 consolidated in Sec. 3-F-F.3.c. Exterior Wall Material and Finishing]
16277 7. ~~Front porches are required for all single family attached and townhome development.~~
16278 ~~Front stoops and porches must have a minimum width of four feet and floor level at least~~
16279 ~~18 inches higher than the top of curb.~~ [Relocated to Sec. 3-F-F.4.b. Single-family
16280 Attached]
16281 8. ~~Front stoops and porches shall be consistent with prudent utility practice.~~
16282 [Deleted. The building design is in Part F Division F Architectural Design
16283 Guidelines.]

16284 C. Lake Asbury Overlay Standards

16285 I. Development Standards

16286 Sec. 3-33B.C.1.2.

- 16287 2. ~~Architectural Standards for Nonresidential, Attached Single Family Residential, and MultiFamily~~
16288 ~~Residential. Architectural diversity shall be realized by variation in street patterns, setbacks, site~~
16289 ~~landscape and hardscape, unit color, and other non-structural facade elements.~~ [Relocated to Sec. 3-
16290 F-F.1. Purpose and Intent]
16291 a. ~~Reduction of building mass shall be achieved by using the techniques listed. Buildings with a~~
16292 ~~façade that is less than 100 feet in length do not need to employ items iv, v, or vi. Buildings with a~~
16293 ~~façade of 100 feet or more must employ all of the techniques listed.~~
16294 i. ~~Variation in the rooflines and form.~~
16295 ii. ~~Use of ground level arcades and covered areas.~~
16296 iii. ~~Use of protected and recessed entries.~~
16297 iv. ~~Use of vertical elements (including architectural features such as pilasters, columns,~~
16298 ~~canopies/porticos, arcades, colonnades, and/or parapets) on or in front of expansive blank~~
16299 ~~walls, to interrupt facades into modules of less than 60 feet.~~ [Deleted, consolidated under
16300 Sec. 3-F-F-3.b. (2) Facade]
16301 v. ~~Use of pronounced wall plane offsets and projections.~~ [Deleted, consolidated under Sec. 3-
16302 F-F-3.b. (1) Facade]
16303 vi. ~~Retaining a clear distinction between roof, body and base of a building.~~

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

Part F Technical Requirements

- 16304 ~~b.—Roofline Pitch. Primary rooflines must be pitched or gabled at a minimum 3:12 slope or, if flat, must~~
16305 ~~include parapet walls or partial roofs. HVAC and other rooftop equipment should be screened from~~
16306 ~~view. [Deleted, consolidated under Sec. 3-F-F.3.a. Roofline]~~
- 16307 ~~3.—Additional Architectural Standards for Nonresidential.—Architectural diversity shall be realized by~~
16308 ~~variation in street patterns, setbacks, site landscape and hardscape, unit color, and other non-structural~~
16309 ~~façade elements. [Deleted. Redundant, and now addressed under Purpose and Intent of Sec. 3-~~
16310 ~~F-F.1.]~~
- 16311 ~~a. Exterior Wall Material.—Exterior walls shall be constructed of finished materials such as stucco;~~
16312 ~~natural brick or stone; colored, sand blasted, or stained textured masonry; scored concrete~~
16313 ~~masonry units; textured tilt-up concrete panels; wood; or other similar material including synthetic~~
16314 ~~materials similar in appearance and durability to those materials previously named on all sides.~~
16315 ~~Exposed smooth concrete block, corrugated or other metal finishes, untextured tilt-up concrete~~
16316 ~~panels, pre-fabricated steel panels and the like, shall not be permitted. Roofs shall be covered by~~
16317 ~~metal, concrete or clay tile, asphalt, or architectural shingles. [Deleted and consolidated under~~
16318 ~~Sec. 3-F-F.3.c. Exterior Wall Material of Finishing]~~
- 16319 ~~b. Entryways. At least one building entrance must face the street frontage and be clearly articulated~~
16320 ~~through the use of architectural detailing. Customer entrances shall be clearly defined and include~~
16321 ~~at least three of the following features: canopies/porticoes; overhangs; recesses/projections;~~
16322 ~~arcades; raised above the doorway cornice parapets; peaked roof forms; arches; outdoor patios;~~
16323 ~~display windows; integrated architectural details such as tile work, moldings, planters; and/or~~
16324 ~~landscaped sitting areas. [Deleted, consolidated under Sec. 3-F-F.3.e. Entrance Features]~~
- 16325 ~~c.—Fenestration. For commercial buildings and for façades on office and industrial buildings that face~~
16326 ~~the street or a parking area, doorways and windows shall be proportioned to reflect pedestrian~~
16327 ~~scale and movement, and to encourage interest at the street level. For multiple commercial uses~~
16328 ~~within a single building, the following standard shall apply. The street level façade of each store~~
16329 ~~shall provide windows between the height of two feet and minimum of eight feet above the walkway~~
16330 ~~grade, for no less than 60 percent of the horizontal length of the building façade that faces streets~~
16331 ~~or pedestrian areas for each store. [Deleted, consolidated under Sec. 3-F-F.3.d. Fenestration]~~
- 16332 ~~d.—Covered Entry Areas. Freestanding retail structures, freestanding office structures—under 25,000~~
16333 ~~square feet, and shopping center structures must include awnings, covered walkways, open~~
16334 ~~colonnades, or similar weather protection.—Such features shall be applied to the front of the~~
16335 ~~building, and to the sections of the sides of building where direct pedestrian links from adjacent or~~
16336 ~~nearby shopping areas exist.—Attached single family structures must have porches elevated at~~
16337 ~~least 12 inches above the adjacent grade. [Deleted and consolidated under Sec. 3-F-F.3.d.(2)~~
16338 ~~Covered Entry Areas, porches elevation should be a Building Code to address FEMA~~
16339 ~~requirement]~~

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

Part F Technical Requirements

16340

DIVISION G EXTERIOR LIGHTING

16341

Sec. 3-F-G.1. General Provisions

16342

These standards are intended to ensure that exterior (outdoor) lighting positively enhances the visual impact of a building or project on surrounding properties and uses. Exterior lighting at a building or a development shall be designed and installed in a consistent and coordinated fashion to provide safe, convenient, and efficient lighting for customers, pedestrians, and vehicles, and to avoid the creation of hot spots, glare, obtrusive light, light pollution, light trespass, and visual nuisance. In addition, exterior lighting shall accentuate key architectural elements of the building or project and highlight or otherwise emphasize landscape features. These standards will help to reduce light pollution, meaning the adverse effect of manmade lights on the night sky, commonly known as urban sky glow. [Relocated from Sec. 3-33A.1.8. Exterior Lighting]

16350

16351

3-F-G.1.a. Applicability

16352

These standards shall apply to all buildings and developments with exterior lighting, including accessory uses and structures. [Relocated from Sec. 3-33A.1.8. Exterior Lighting]

16353

16354

3-F-G.1.b. Exemptions

16355

The following shall be exempt from this Division:

16356

(1) Agricultural uses.

16357

(2) Single-Family Detached or Attached units that are located on a single lot. [Relocated from Sec. 3-33A.1.8. Exterior Lighting]

16358

16359

(3) Temporary Lighting. Temporary (3 months) Holiday lighting during the months of November, December, and January shall be exempt from the provisions of this Section, provided that such lighting does not create dangerous glare on adjacent streets or properties. [Relocated from Sec. 3-33A.1.8.L Temporary Lighting, Exterior Lighting]

16360

16361

16362

16363

(4) Any Temporary uses and/or structures as set forth in Sec. 3-E.J.

16364

(5) Streetlights in the public rights-of-way that are subject to the standards of FDOT or any other government agencies.

16365

16366

(6) Landscape or accent lighting that may be subject to the Florida Building Code.

16367

3-F-G.1.c. Definitions

16368

Refer to Sec. 1-15. Definitions of this Code. [Relocated from Sec. 3-33A.1.8.a.]

16369

(1) Footcandle (f.c.). Refer to Sec. 1-15.F.(14).

16370

(2) Full Cutoff Fixture. Refer to Sec. 1-15.F.(22).

16371

(3) Luminaire. Refer to Sec. 1-15.L.(20).

16372

(4) Photometric Plan. Refer to Sec. 1-15.P.(16).

16373

(5) Uniformity Ratio. Refer to Sec. 1-15.U.(1).

16374

16375

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

Part F Technical Requirements

16376 Sec. 3-F-G.2. Photometric Plan

16377 3-F-G.2.a. Application Requirements

16378 In addition to the submittal requirements as set forth in [Article 2 Procedures for Development Review](#), all
16379 applications that include the use of external lighting are subject to the submittal of a photometric plan, which
16380 shall include but are not limited to the following:

- 16381 (1) A table identifying the average, minimum, and maximum foot-candles; average to minimum ratio;
16382 average to maximum ratio; and the proposed height of the luminaire;
16383 (2) A grid for the photometric calculation shall be at a maximum of 10 feet;
16384 (3) A copy of the manufacturer's sheets, descriptions of lenses, and appropriate data tables; and
16385 (4) A Photometric Plan that is prepared by a Florida licensed Architect, Engineer, or Landscape
16386 Architect, and who shall certify that the plan complies with this Code. [Relocated from Sec. 3-
16387 33A.1.8.b.]

16388 Sec. 3-F-G.3. Illumination

16389 All exterior lights and illuminated signs shall be designed, located, installed, and directed in such a manner
16390 as to prevent objectionable light trespass and glare across the property lines and or disability glare at any
16391 location on or off the property. The "maintained horizontal luminance recommendation" set by the
16392 Illuminating Engineers Society of North America (IESNA) shall be observed.

16393 3-F-G.3.a. General Parking Lot and Pedestrian Lighting

Levels of Activity	Average Light Level – not to exceed (Footcandles)	Minimum Light Level (Footcandles)	Uniformity Ratio
High	3.6	0.9	4:1
Medium	2.4	0.6	4:1
Low	0.8	0.2	4:1
Legend:			
High	Civic/Recreational Fields, Fast Food Facilities, Gas/Convenience Stores		
Medium	Shopping Centers, Office Parks, Hospital Parking, Transportation Parking, Residential Complex Parking		
Low	Neighborhood Shopping, Industrial Employee Parking, Storage Parking		

16394 [Relocated from Sec. 3-33A.1.8.c.]

- 16395 (1) Example: U. Ratio = 4:1 for the given area, the lowest level of illumination (1) should be no less
16396 than 25 percent or "4 times less" than the average (4) level of illumination. [Relocated from Sec.
16397 3-33A.1.8.a. Definitions]

3-F-G.3.b. Footcandle Intensities

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

Part F Technical Requirements

16398 *Footcandle intensities specified in this Division shall be maintained values calculated using a maintenance*
16399 *factor (“m.f.”) not lower than 72 percent of original intensity. [Relocated from Sec. 3-33A.1.8.d. Footcandle*
16400 *Intensities]*

3-F-G.3.c. Illumination Levels

16402 *Illumination levels at the property line of the building or development shall not be more than 0.5 footcandles*
16403 *at any point when the building or development is located next to any Residential use and shall not be more*
16404 *than 1.0 footcandles when located next to any other use. To avoid glare or spill light from encroaching onto*
16405 *adjacent properties, illumination shall be installed with house-side shields and reflectors, and shall be*
16406 *maintained in such a manner as to confine light rays to the premises of the building or development.*
16407 *[Relocated from Sec. 3-33A.1.8.d.]*

Sec. 3-F-G.4. Light Fixtures

3-F-G.4.a. Types of Light Fixture

16410 *All light fixtures, including security lighting, shall be full cut-off fixtures, and shall be incorporated as an*
16411 *integral design element that complements the design of the building or development through style, material,*
16412 *or color. [Relocated from Sec. 3-33A.1.8.e.]*

3-F-G.4.b. Building Lighting

16414 *Lighting of or on buildings shall be limited to wall-washer type fixtures or up-lights, which do not produce*
16415 *spill light or glare.*
16416 *(1) A cutoff fixture shall not have more than 1 percent of lamp lumens above horizontal. Sag lenses,*
16417 *convex lenses, and drop lenses shall be prohibited.*
16418 *(2) Lighting at a building or project shall not be comprised in whole or part of any floodlights, except*
16419 *floodlights may be permitted with a Non-Commercial Industrial use, provided the floodlights are*
16420 *shielded to meet cut-off standards. [Relocated from Sec. 3-33A.1.8.f.]*

3-F-G.4.c. Height

16422 *The following identifies the maximum height for freestanding or wall-mounted light fixtures. [Relocated*
16423 *from Sec. 3-33A.1.8.f.]*

<u>Location for:</u>	<u>Maximum Height</u>
<u>Residential</u>	<u>20 feet</u>
<u>Commercial, Public/Private Facilities</u>	<u>30 feet</u>
<u>Industrial</u>	<u>40 feet</u>
<u>Outdoor Recreation</u>	<u>Apply IESNA Lighting Handbook</u>
<u>Buildings - Wall</u>	<u>25 feet</u>
<u>Pedestrian Walkway</u>	<u>12 feet</u>

[Relocated from Sec. 3-33A.1.8.j.]

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

Part F Technical Requirements

16424 Sec. 3-F-G.5. Time Controls

16425 *Non-Residential lighting shall be installed with time controls so that light levels are reduced not later than*
16426 *1 hour after the close of operations to the minimum levels needed under the IESNA to ensure safety and*
16427 *security (approximately a 50 percent reduction). [Relocated from Sec. 3-33A.I.8.h.]*

16428 Sec. 3-F-G.6. Upgrade or Replacement

16429 *When 50 percent or more of any component (e.g., luminaries, poles) of the exterior lighting system at a*
16430 *building or development is upgraded, changed, or replaced (not including regular maintenance), such*
16431 *component for the remainder of the exterior lighting shall be brought into substantial compliance with the*
16432 *standards of this Code. [Relocated from Sec. 3-33A.I.8.i.]*

16433 Sec. 3-F-G.7. Gas and Fuel Sales

16434 *Lighting for a Gas and Fuel Sales facility and its associated building and structure, such as a convenience*
16435 *store, car wash and fueling station canopy, shall be subject to the following additional criteria:*

16436 3-F-G.7.a. Canopies

16437 *Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the*
16438 *bottom surface (ceiling) of the canopy and/or shielded by the fixture or edge of the canopy such that the*
16439 *light is restrained to no more than 85 degrees from vertical. [Relocated from Sec. 3-33A.I.8.k.d. and 3-*
16440 *33B.C.I.8.f.]*

16441 Sec. 3-33A.I.8.

16442 ~~8. *Exterior Lighting. These standards are intended to ensure that exterior (outdoor) lighting positively*~~
16443 ~~*enhances the visual impact of a building or project on surrounding properties and uses. To that end,*~~
16444 ~~*exterior lighting at a building or project shall be designed and installed in a consistent and coordinated*~~
16445 ~~*fashion to provide safe, convenient and efficient lighting for customers, pedestrians and vehicles, and*~~
16446 ~~*to avoid the creation of hot spots, glare, obtrusive light, light pollution, light trespass, and visual*~~
16447 ~~*nuisance. Also, exterior lighting shall accentuate key architectural elements of the building or project,*~~
16448 ~~*and highlight or otherwise emphasize landscape features. [Relocated to Sec. 3-F-G.1. General*~~
16449 ~~**Provisions]**~~

16450 ~~*These standards shall apply to all buildings and projects with exterior lighting, except agricultural uses;*~~
16451 ~~*and single family residential, duplexes, triplexes, and quadraplexes on single lots. [Relocated to Sec.*~~
16452 ~~**3-F-G.1.b. Exemptions]**~~

16453 ~~*These standards will help to reduce light pollution, meaning the adverse effect of manmade lights on*~~
16454 ~~*the night sky, commonly known as urban sky glow. [Relocated to Sec. 3-F-G.1.a. General*~~
16455 ~~**Provisions]**~~

16456 ~~a.—Definitions.~~

16457 ~~i.—*Footcandle (f.c.) shall mean a measure of light noted as a unit of luminance amounting to one*~~
16458 ~~*lumen per square foot. [Relocated to Sec. 1-15.F.(14)]*~~

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

Part F Technical Requirements

- 16459 ~~ii. Full cutoff fixture shall mean an outdoor light fixture that, by design of the housing, does not~~
16460 ~~allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the~~
16461 ~~base of the fixture. [Relocated to Sec. 1-15.F.(22)]~~
- 16462 ~~iii. Luminaire shall mean a complete lighting unit consisting of the lamp, the fixture and other parts~~
16463 ~~designed to distribute the light. [Relocated to Sec. 1-15.L.(20)]~~
- 16464 ~~iv. Photometric plan shall mean a schematic that shows predicted maintained lighting levels of all~~
16465 ~~proposed lighting fixtures on a site. [Relocated to Sec. 1-15.P.(16)]~~
- 16466 ~~v. Uniformity Ratio describes the average level of illumination in relation to the lowest level of~~
16467 ~~illumination for a given area. Example: U. Ratio = 4:1 for the given area, the lowest level of~~
16468 ~~illumination (1) should be no less than 25% or "4 times less" than the average (4) level of~~
16469 ~~illumination. [Relocated to Sec. 1-15.U.(1)]~~
- 16470 ~~b. Exterior Lighting Plan. An exterior lighting plan, including a photometric plan (which covers the~~
16471 ~~parcel which is the site of the building or project in question), appropriate pole, fixture, and lamp~~
16472 ~~cut sheets, and descriptions of lenses and appropriate data tables, shall be submitted for review.~~
16473 ~~The exterior lighting plan shall be prepared by a licensed professional, who shall certify that the~~
16474 ~~exterior lighting plan complies with this article. (The photometric plan shall be prepared in a scale~~
16475 ~~that is easily legible.) The plan shall be submitted at the time of construction plan submittal.~~
16476 ~~[Relocated to Sec. 3-F-G.2.a. Application Requirements]~~
- 16477 ~~c. Illumination. All exterior lights and illuminated signs shall be designed, located, installed and~~
16478 ~~directed in such a manner as to prevent objectionable light trespass and glare across the property~~
16479 ~~lines and or disability glare at any location on or off the property. The "maintained horizontal~~
16480 ~~luminance recommendation" set by the Illuminating Engineers Society of North America (IESNA)~~
16481 ~~shall be observed. (See "Lighting Table" below) [Relocated to Sec. 3-F-G.3. Illumination]~~
16482

Lighting Tables

Levels of Activity	General Parking Lot and Pedestrian Lighting		
	Average Light Level — not to exceed (Footcandles)	Minimum Light Level (Footcandles)	Uniformity Ratio
High	3.6	0.9	4:1
Medium	2.4	0.6	4:1
Low	0.8	0.2	4:1

- 16483 ~~High— Civic/Recreational Fields, Fast Food Facilities, Gas/Convenience Stores~~
16484 ~~Medium— Shopping Centers, Office Parks, Hospital Parking, Transportation Parking,~~
16485 ~~Residential Complex Parking~~
16486 ~~Low— Neighborhood Shopping, Industrial Employee Parking, Storage Parking~~
16487 ~~[Relocated to Sec. 3-F-G.3.a. General Parking Lot and Pedestrian Lighting]~~

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

Part F Technical Requirements

- 16488 ~~d. Footcandle Intensities. Footcandle intensities specified in this article shall be maintained values~~
16489 ~~calculated using a maintenance factor (“m.f.”) not lower than 72% of original intensity.~~
16490 **[Relocated to Sec. 3-F-G.3.b. Footcandle Intensities]**
- 16491 ~~e. Light fixtures; types. All light fixtures, including security lighting, shall be full cut-off fixtures, and~~
16492 ~~shall be incorporated as an integral design element that complements the design of the building or~~
16493 ~~project through style, material or color. [Relocated to Sec. 3-F-G.4.a.]~~
- 16494 ~~f. Building Lighting. Lighting of or on buildings shall be limited to wall washer type fixtures or up-~~
16495 ~~lights, which do not produce spill light or glare. A cutoff fixture shall not have more than one percent~~
16496 ~~(1%) of lamp lumens above horizontal. Sag lenses, convex lenses, and drop lenses shall be~~
16497 ~~prohibited. Lighting at a building or project shall not be comprised in whole or part of any floodlights,~~
16498 ~~except floodlights may be permitted with a non-commercial industrial use, provided the floodlights~~
16499 ~~are shielded to meet cut-off standards. [Relocated to Sec. 3-F-G.4.b. Building Lighting]~~
- 16500 ~~g. Illumination Levels. Illumination levels at the property line of the building or project shall not be~~
16501 ~~more than 0.5 f.c. at any point when the building or project is located next to any residential use,~~
16502 ~~and shall not be more than 1.0 f.c. when located next to any other use. To avoid glare or spill light~~
16503 ~~from encroaching onto adjacent properties, illumination shall be installed with houseside shields~~
16504 ~~and reflectors, and shall be maintained in such a manner as to confine light rays to the premises~~
16505 ~~of the building or project. [Relocated to Sec. 3-F-G.3.c. Illumination Levels]~~
- 16506 ~~h. Time Controls. Non-residential lighting shall be installed with time controls so that light levels are~~
16507 ~~reduced not later than one hour after the close of operations to the minimum levels needed under~~
16508 ~~the IESNA to ensure safety and security (approximately a 50% reduction). [Relocated to Sec. 3-~~
16509 ~~F-G.5. Time Controls]~~
- 16510 ~~i. Upgrade or Replacement. When fifty percent (50%) or more of any component (e.g., luminaries,~~
16511 ~~poles) of the exterior lighting system at a building or project is upgraded, changed or replaced (not~~
16512 ~~including regular maintenance), such component for the remainder of the exterior lighting shall be~~
16513 ~~brought into substantial compliance with the requirements of this article. [Relocated to Sec. 3-F-~~
16514 ~~G.6. Upgrade or Replacement]~~
- 16515 ~~j. Height. Light fixtures shall not exceed 30 feet in height in parking areas and other parts of the site,~~
16516 ~~and along sidewalks and parking lot pedestrian corridors may not exceed 12 feet in height, unless~~
16517 ~~otherwise required by FDOT. [Relocated to Sec. 3-F-G.4.c.]~~
- 16518 ~~k. Lighting of Gas Station/Convenience Store Aprons and Canopies. All of the above standards shall~~
16519 ~~apply for gas stations/convenience stores, as well as the following standards:~~
- 16520 ~~a. Lighting levels on gas station/convenience store aprons and under canopies shall be adequate~~
16521 ~~to facilitate the activities taking place in such locations. Lighting of such areas shall not be used~~
16522 ~~to attract attention to the businesses;~~
- 16523 ~~b. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage~~
16524 ~~shall be illuminated in accordance with the requirements for parking areas set forth elsewhere~~
16525 ~~in this section. If no gasoline pumps are provided, the entire apron shall be treated as a parking~~
16526 ~~area;~~
- 16527 ~~c. Areas around the pump islands and under canopies shall be illuminated in accordance with~~
16528 ~~the Lighting Table; and~~
- 16529 ~~d. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or~~
16530 ~~flush with the bottom surface (ceiling) of the canopy and /or shielded by the fixture or the edge~~
16531 ~~of the canopy so that light is restrained to no more than 85 degrees from vertical. [Relocated~~
16532 ~~to Sec. 3-F-G.7.a. Gas and Fuel Sales]~~

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

Part F Technical Requirements

16533 ~~i. Temporary Lighting. Temporary (3 months) Holiday lighting during the months of November,~~
16534 ~~December and January shall be exempt from the provisions of this section, provided that such~~
16535 ~~lighting does not create dangerous glare on adjacent streets or properties. [Relocated to Sec. 3-~~
16536 ~~F-G.1.b.(3) Temporary Lighting, Exemptions]~~

16537 **LAMPA Sec. 3-33B.1.8. Exterior Lighting**

16538 ~~8. Exterior Lighting. All exterior lights and illuminated signs shall be designed, located, installed and~~
16539 ~~directed in such a manner as to prevent objectionable light trespass and glare across the property lines~~
16540 ~~and or disability glare at any location on or off the property. Lighting of such areas shall not be used to~~
16541 ~~attract attention to the businesses. [Deleted and consolidated in Sec. 3-F-G.1. General Provisions]~~

16542 ~~a. The average light level shall not exceed 3.6 footcandles on any part of the site, the minimum light~~
16543 ~~level shall be 0.9 footcandles, and the uniformity ratio shall not exceed 4:1. Areas used for parking~~
16544 ~~or vehicle storage shall be illuminated in accordance with the requirements for parking areas set~~
16545 ~~forth elsewhere in this section. [Consolidated/tabularized in Sec. 3-F-G.3.a. General Parking~~
16546 ~~and Pedestrian Lighting Illumination]~~

16547 ~~b. Lighting of or on buildings shall be limited to wall washer type fixtures or up lights, which do not~~
16548 ~~produce spill light or glare. A cutoff fixture shall not have more than one percent (1%) of lamp~~
16549 ~~lumens above horizontal. Sag lenses, convex lenses, and drop lenses shall be prohibited. Lighting~~
16550 ~~at a building or project shall not be comprised in whole or part of any floodlights. [Relocated and~~
16551 ~~consolidated in Sec. 3-F-G.4.b. Building Lighting, Light Fixtures]~~

16552 ~~c. Illumination levels at the property line of the building or project shall not be more than 0.5 f.c. at~~
16553 ~~any point when the building or project is located next to any residential use, and shall not be more~~
16554 ~~than 1.0 f.c. when located next to any other use. To avoid glare or spill light from encroaching onto~~
16555 ~~adjacent properties, illumination shall be installed with houseside shields and reflectors, and shall~~
16556 ~~be maintained in such a manner as to confine light rays to the premises of the building or project.~~
16557 ~~[Relocated and consolidated in Sec. 3-F-G.3.c. Illumination Levels, Illumination]~~

16558 ~~d. Lighting shall be installed with time controls so that light levels are reduced not later than one hour~~
16559 ~~after the close of operations to the minimum levels needed under the IESNA to ensure safety and~~
16560 ~~security (approximately a 50% reduction). [Relocated and consolidated in Sec. 3-F-G.5. Time~~
16561 ~~Control]~~

16562 ~~Light fixtures shall not exceed 20 feet in height in parking areas and other parts of the site, and~~
16563 ~~along sidewalks and parking lot pedestrian corridors, decorative streetlights shall be provided with~~
16564 ~~a height not to 12 feet with lights spaced no more than 40 feet apart. A photometric plan and site~~
16565 ~~lighting plan shall be required with construction drawings to ensure these standards have been~~
16566 ~~met. [Relocated and consolidated in Sec. 3-F-G.4.c. Height]~~

16567 ~~e. Light fixtures shall not exceed 25 feet in height in parking areas and other parts of the site, and~~
16568 ~~along sidewalks and parking lot pedestrian corridors may not exceed 12 feet in height. [Relocated~~
16569 ~~and consolidated in Sec. 3-F-G.4.c. Height]~~

16570 ~~f. Lighting of Gas Station/Convenience Store Aprons and Canopies shall also be subject to the~~
16571 ~~following additional criteria:~~

16572 ~~i. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or~~
16573 ~~flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or edge~~

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part F Technical Requirements

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~~of the canopy such that the light is restrained to no more than 85 degrees from vertical~~
[Relocated to Sec. 3-F-G.7.a. Gas and Fuel Sales]

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

Part F Technical Requirements

16576

DIVISION H ACCESSORY STRUCTURES

16577

Sec. 3-F-H.1. Purpose and Intent

16578

The intent of this Division is to establish standards for accessory structures such as fences, walls, screen enclosures that serve to provide screening from views; safety; security; privacy; and aesthetic purposes.

16579

16580

16581

3-F-H.1.a. Accessory Use or Structure

16582

An accessory use or structure shall be subject to the same standards that apply to the principal use or structure, as follows:

16583

16584

(1) Location. All accessory uses and structures shall be located on the same lot as the principal use. No accessory structure shall be located in the front or side street yard except for dumpsters, or unless stated otherwise herein.

16585

16586

16587

(2) Exemption. The following accessory use or structure shall be exempt from the location requirements of Subsection b.

16588

16589

i. Any approved off-site parking; and

16590

ii. Enclosed dumpsters may be allowed to be located on the side street yard if adjacent to a perimeter buffer.

16591

16592

3-F-H.1.b. Accessory Uses and Use Matrix

16593

(1) Accessory Uses and affiliated Specific Use Standards are indicated in [Part E, Division I Accessory Use and Structure](#).

16594

16595

(2) Approval process for each Accessory Use is indicated in [Table 3-E.1](#). Where the Use Matrix shows as blank in a zoning district or a FLU category, that use shall not be allowed as accessory to a principal use unless stated otherwise in the standards of a type of use.

16596

16597

16598

Sec. 3-F.H-2. Fence, Wall, and Column

16599

3-F-H-2.a. Construction Materials

16600

Fences, walls, and columns may be constructed with different materials as follows:

16601

(1) Fence. Wood, PVC, or vinyl-coated chain-link fence. Wood or PVC fences may be constructed in a semi-opaque or solid pattern.

16602

16603

(a) The finished surface of a fence shall face on the exterior side of the property. The posts and bracing of the fence shall be located on the interior side of the property.

16604

16605

(2) Wall or Column. ~~Concrete block~~^(MK213), precast concrete, or poured concrete.

16606

3-F-H-2.b. Finishing Materials

16607

All walls, and columns shall meet the following standards:

16608

(1) Wall.

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Part F Technical Requirements

- 16609 (a) Pre-cast, poured concrete or concrete block walls shall have a plastered, stucco, or
 16610 decorative finish on both sides above ground level.
 16611 (b) Split-faced concrete blocks or textured wall finish may also be allowed.
 16612 (2) Decorative Column.
 16613 (a) Decorative columns may utilize bricks or apply the same finishing materials as the wall as
 16614 set forth in [Sec. 3-F-H-2.b.\(2\)](#).

3-F.H.2.c. Location

16616 A fence, wall, column or hedge may be located on the property line, in the setbacks, adjacent to or within
 16617 a perimeter buffer, or any area interior to the property for screening of outdoor storage and disposal area.

3-F.H.2.d. Measurement of Height

16619 Height of fences, walls, decorative columns, or hedges shall be measured from the lowest grade on either
 16620 side of the structure, unless stated otherwise below.

3-F.H.2.e. Maximum Height for Walls, Fences, and Hedges^{[MK214]s}

<u>Fence, Wall or Hedge</u>	<u>Residential</u>	<u>Non-Residential</u>
<u>Front:</u>	<u>4 feet¹</u>	<u>6 feet</u>
<u>Side:</u>	<u>6 feet</u>	<u>8 feet</u>
<u>Rear:</u>	<u>6 feet</u>	<u>8 feet</u>

Footnote:

- 1 *Fences along the front property line may not exceed 4 feet in height unless constructed with pickets no wider than 1 inch and openings between pickets at least 3 inches apart, in which case the fence may not exceed 6 feet. **[Relocated from Sec. 3-5.(y) Fencing]***

- 16622 (1) Decorative Columns. Columns may exceed the height limitations of fences and walls by 25 percent
 16623 and subject to the following standards:
 16624 (a) Light fixtures and other ornamental features shall be permitted on top of the columns with
 16625 a maximum height of 18 inches above the column.
 16626 *WORKING: Insert a graphic showing a fence around a building with the Sec. 3-F.H.2.e.*
 16627 *dimensions.*
 16628 (2) Exemption. These maximum heights shall not apply to the following:
 16629 (a) Government owned entities, public facilities, or conservation lands;
 16630 (b) Golf courses, ball courts, and other recreational facilities;
 16631 (c) Noise mitigation walls adjacent to street rights-of-way; and
 16632 (d) All fencing related to stormwater management facilities ~~that~~ shall be consistent with the
 16633 requirements of the St. Johns River Water Management District. **[Relocated from Sec. 3-**
 16634 **5.(y) Fencing]**
 16635 (3) Gates. Shall be permitted to align with the same height of the fence or wall. If the fence or wall has
 16636 a decorative feature, then that portion of the feature may exceed the maximum height of the fence
 16637 or wall.

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

Part F Technical Requirements

16638 3-F-H.2.e. Grade Changes

16639 When there is a change in grades under the existing contours of land or due to regrading of the lot to meet
16640 drainage requirements, then the difference in grade shall be determined by measuring the grade where the
16641 fence or wall is located, and the grade of the contiguous lot at the property line.

16642 (1) Height Increase. The height of the fence or wall per Sec. 3-F-H.2.d. above may be increased by
16643 the difference in grade, up to a maximum of 2 feet.

16644 (2) Guard Rail. When there is a height difference greater than 2 feet between the lot and the adjacent
16645 property, a guard rail with a maximum height of 3 feet may be installed and shall be in compliance
16646 with the Florida Building Code.

16647 WORKING GRAPHIC: Insert couple of cross-sections/graphics explaining Sec. 3-F-H.2.e.(1) and
16648 (2).

16649 3-F-H.2.f. Safe Sight Corner

16650 Fences and walls that are located along a street right-of-way shall meet the minimum safe sight distance
16651 and corner clips at street intersections as set forth in the [FDOT Manual of Uniform Minimum Standards for](#)
16652 [Design, Construction, and Maintenance for Streets and Highways.](#)

16653 3-F-H.2.g. Dangerous Materials

16654 Fences or walls shall not have any dangerous materials, including but are not limited to: barbed wires,
16655 broken glasses, spikes, or nails.

16656 (1) Barbed Wire. The Planning and Zoning Director or his/her designee may allow barbed wires to be
16657 located on top of a fence or a wall for Non-Residential uses for security purposes for the following
16658 uses:

16659 (a) Telecommunication Facility, refer to [Sec. 3-E-G.28.](#)

16660 (b) Institutional and Public and Private Facilities, refer to [Part E, Division G.](#)

16661 (c) Agriculture, Bona Fide, refer to [Sec. 3-E-B.2.](#)

16662 (d) Flea Market under Retail Sales, General, refer to [Sec. 3-E-D.17.](#)

16663 (2) Electrified Fence. The DRC may allow fences to be electrified for certain types of uses when the
16664 installation, operation, and maintenance of the electrified fence comply with Federal, State, or
16665 County rules and standards.

16666 (3) Removal Agreement. Application for the installation of barbed wires and electrified fence shall be
16667 subject to a removal agreement if there is a change in use on the property.

16668 Sec. 3-5.(y)

16669 ~~(y) Fences. Fences within residential districts shall adhere to the following standards:~~

16670 ~~(1) Fences along the rear and side property lines within a rear or side yard may not exceed~~
16671 ~~eight (8) feet in height.~~

16672 ~~(2) Fences along the side property lines within a front yard may not exceed six (6) feet in~~
16673 ~~height.~~

16674 ~~(3) Fences along the front property line may not exceed four (4) feet in height unless~~
16675 ~~constructed with pickets no wider than one inch and openings between pickets at least~~
16676 ~~three inches apart, in which case the fence may not exceed six (6) feet.~~

16677 ~~Additionally, no fence may be erected or maintained in any zoning district to the extent, in~~
16678 ~~the reasonable judgment of the Engineering Director or his or her designee, the same shall~~

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

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16679 ~~not present a hazard to motorists by obstructing their views of or along roadways proximate~~
16680 ~~thereto. This condition shall not apply to tennis court fencing. All fencing related to~~
16681 ~~stormwater management facilities shall be consistent with the requirements of the St.~~
16682 ~~Johns River Water Management District. (amended 12/08/09) [Deleted and replaced with~~
16683 ~~new text. Relocated to Sec. 3-F-H.2. Fence, Wall and Column]~~

Sec. 3-33A.1.12.

16685 ~~12. Fencing. Fences in front yards in the BF Master Planned Community are limited to three feet in height,~~
16686 ~~and shall be constructed of decorative wrought iron or wood pickets or other materials that specifically~~
16687 ~~resemble these types of fences. Fences or walls abutting alleys shall not exceed six feet in height.~~
16688 **[Deleted since there are new requirements such as location, construction materials and height**
16689 **for fences in this Section]**

Sec. 3-F-H.3. Waste Storage Area

16691 ~~All storage and disposal of refuse, vegetation, and recyclable materials shall be stored securely in a~~
16692 ~~dumpster, trash compactor, and/or recycling containers and shall comply with the following standards.~~

3-F-H.3.a. Location

16694 ~~All outdoor receptacles or containers shall be stored in an area that it is adequately sized to house all refuse~~
16695 ~~within the area between pickups, that it provides^(MK215), sufficient maneuvering area for garbage collecting~~
16696 ~~vehicles. Waste storage areas shall not encroach into easements or landscape buffers.~~

3-F-H.3.b. Setback

16698 ~~Dumpsters, compactors, or containers shall be setback a minimum of 25 feet from all property lines. If~~
16699 ~~adjacent to landscape buffers, then the buffer width shall be counted as the setback distance.~~

3-F-H.3.c. Screening

16701 ~~Any above ground, semi-in-ground or fully in-ground waste storage area shall be screened from the view~~
16702 ~~of adjacent street(s) or properties, as follows:~~

16703 ~~(1) Above Ground: A minimum of 6-foot high opaque and solid enclosure with a gate opening.~~

16704 ~~(2) Semi-in-Ground or Fully in-Ground: A minimum of 4-foot-high evergreen hedge.~~

16705 ~~WORKING: Insert a graphic plan view to show the waste storage area, dimensions, setbacks,~~
16706 ~~show property line, landscape buffer too.~~

Sec. 3-F-H.4. Screen Enclosure

3-F-H.4.a. Setback

16709 ~~Screen enclosures shall be allowed for buildings or structures with or without a solid roof, and subject to~~
16710 ~~the following setbacks and in compliance with the Florida Building Code.~~

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ARTICLE III 3 ZONING DISTRICTS AND LAND USES, AND
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Part F Technical Requirements

<u>Setback</u>	<u>Front</u>	<u>Side</u>	<u>Side Street</u>	<u>Rear</u>
<u>Single-Family Detached</u>	<u>25 feet</u>	<u>7.5 feet</u>	<u>15 feet</u>	<u>10 feet</u>
<u>Single-Family Attached and Multi-Family</u>	<u>25 feet</u>	<u>15 feet</u>	<u>25 feet</u>	<u>10 feet</u>
<u>Non-Residential structures</u>	<u>25 feet</u>	<u>20 feet</u>	<u>20 feet</u>	<u>20 feet</u>

16711 (1) The Planning and Zoning Director or his/her designee may waive the above dimensional standards to comply with the applicable setback of a zoning district.

16712 (2) When a perimeter buffer is commonly owned by a Homeowners' or Property Owners' Association (HOA or POA), the setback shall be measured from the inner edge of the buffer. This standard shall not apply to those properties where the ownership is under an HOA or POA.

16716 WORKING: Insert a graphic for (c), plan view showing how to measure setback from the inner edge of the buffer, show the buffer width as 30 feet, and setback the pool enclosure 20 feet from the inner edge of the buffer, i.e. total of 50 feet from property line to the edge of the enclosure.

16719 Sec. 3-F-H.5. Swimming Pool and Spa

16720 **3-F-H.5.a. Setback**

16721 All of the provisions of this Section shall apply to pool related structures which include swimming pools and spas. The following setbacks shall apply to these facilities:

<u>Setback</u>	<u>Front</u>	<u>Side</u>	<u>Side Street</u>	<u>Rear</u>
<u>Single-Family Detached</u>	<u>28 feet</u>	<u>10.5 feet</u>	<u>18 feet</u>	<u>13 feet</u>
<u>Single-Family Attached and Multi-Family</u>	<u>28 feet</u>	<u>18 feet</u>	<u>28 feet</u>	<u>13 feet</u>
<u>Non-Residential Structures in lots <= 1 acre</u>		<u>25 feet</u>		
<u>Non-Residential Structures in lots > 1 acre</u>		<u>50 feet</u>		

16723 (2) Additional Use Standards

16724 (a) Survey and Plans before Permit. No permit for the construction of a swimming pool shall be issued unless the applicant shall have furnished:

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

Part F Technical Requirements

- 16727 i. *Satisfactory proof by a survey by registered surveyors or other proof accepted as*
16728 *equivalent and sufficient by the Building Department Official or his or her designee*
16729 *to show that the proposed swimming pool will not encroach upon any public*
16730 *property, right-of-way, or easement.*
16731 ii. *A receipt signed by the owner or agent, acknowledging the fence requirements of*
16732 *this Section.*
16733 iii. Refer to Article 2, Procedures for Development Review for applicable standards.
16734 (b) *Fence. No swimming pool or spa shall be constructed unless enclosed by a fence of at*
16735 *least 4 feet in height and with no opening of wider than 4 square inches, or as specified*
16736 *under F.S. ch. 515, Residential Swimming Pool Safety Act. The fence shall be designed*
16737 *and constructed so as to completely and fully screen the pool from view from the adjacent*
16738 *property and the road right-of-way upon which the property abuts.*
16739 (c) Screen Enclosure. Refer to Sec. 3-F-H.4.

Sec. 3-5.(bp) Swimming Pools.

(bp) Swimming Pools:

- 16740 (+) ~~Survey and Plans before Permit. No permit for the construction of a swimming pool shall~~
16741 ~~be issued unless the applicant shall have furnished:~~
16742 (i) ~~Satisfactory proof by a survey by registered surveyors or other proof accepted as~~
16743 ~~equivalent and sufficient by the Building Department Official or his or her designee~~
16744 ~~to show that the proposed swimming pool will not encroach upon any public~~
16745 ~~property, right of way, or easement. (amended 5/05—Ord. 05-18)~~
16746 (ii) ~~A receipt signed by the owner or agent, acknowledging the fence requirements of~~
16747 ~~this section. (amended 5/05—Ord. 05-18) [Relocated to Sec. 3-F-H.5.b.(2)(a)]~~
16748 (iii) **Plans for the Pool:**
16749 a. ~~Fence Required. No swimming pool may be constructed unless enclosed~~
16750 ~~by a fence of at least four feet in height and with no opening of wider than~~
16751 ~~four square inches, or unless the entire backyard, or other area or site for~~
16752 ~~the swimming pool is itself enclosed by a fence or screened enclosure at~~
16753 ~~least four feet in height. No fence is required, however, across a natural~~
16754 ~~water barrier such as a lake or creek or stream which is at least three feet~~
16755 ~~in depth and 20 feet in width. It is unlawful and punishable as a~~
16756 ~~misdemeanor for any person to own or maintain a swimming pool without~~
16757 ~~a surrounding fence. This subsection shall not apply to any new pool for~~
16758 ~~an initial period of construction of the pool, to permit completion of the~~
16759 ~~fence. [Relocated to Sec. 3-F-H.5.b.(2)(b) Fence]~~
16760 b. ~~Setback, Generally. A swimming pool may not be constructed closer than~~
16761 ~~five (5) feet from any property line. If the pool is less than five (5) foot~~
16762 ~~deep, the pool must not be located closer than five (5) feet from the~~
16763 ~~property line. For each additional foot of distance the pool is set back from~~
16764 ~~the property line, it may be constructed at an additional foot deeper, up to~~
16765 ~~a distance of eight feet. At distances greater than eight feet from a~~
16766 ~~property line, a pool may be constructed to any depth otherwise permitted~~
16767 ~~by law. Setbacks for the pool shall be measured beginning one (1) foot~~
16768 ~~from the property line.~~
16769

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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16770 outside edge of water. ~~(amended 5/05 — Ord. 05-18)~~ **[Deleted, replaced**
16771 **with new setback requirement as set forth in Sec. 3-F-H.5.a. Setback]**
16772 (e) ~~Screen enclosures with a screened roof constructed to enclose a pool,~~
16773 ~~whether attached or detached from the home, must be located no less~~
16774 ~~than five feet from any property line. [Relocated to Sec. 3-F-H.5.b.(2)(b)~~
16775 ~~Fence and refer to Sec. 3-F-H.4. Screen Enclosures]~~
16776
16777 d. ~~Setback, Water abutting property — The applicable front yard setback,~~
16778 ~~measured from the mean high water line or ordinary high water line as~~
16779 ~~applicable, for a swimming pool located on the waterfront side of a~~
16780 ~~waterfront lot wherein the waterfront side has been defined as the front~~
16781 ~~yard by virtue of the location of other accessory buildings or structures on~~
16782 ~~the lot shall be a minimum of 50 feet. (amended 5/05 — Ord. 05-18)~~
16783 **[Deleted, consolidated under Part D, Division A, Sec. 3-D-A.3.]**
16784

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ARTICLE ~~III~~ 3 ZONING DISTRICTS AND LAND USES, AND
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Part F Technical Requirements

DIVISION I LANDSCAPING

16785

Sec. 3-F-I.1. Purpose and Intent

16787
16788

The purpose and intent of this Division is to supplement Article 6 Tree Ordinance of the Land Development Code (LDC), as amended.

16789

Sec. 3-F-I.2. Vested Development

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16791
16792
16793

For all development commenced on or after January 28, 2003, the provisions of this Division shall not apply. For developments that commence after this date, the provisions of this Division and applicable Sections of Article 6 Tree Ordinance of the Land Development Code shall apply. **[Relocated from Sec. 3-23.(f)(8) Visual Barrier]**

16794

Sec. 3-F-I.3. Perimeter Buffer

16795
16796
16797

Where a Single-Family Detached or an Attached use is located adjacent to a Non-Residential or Multi-Family use, the following type of Buffer shall be installed at the property line. For Excavation, refer to Sec. 3-F-I.4.

16798

3-F-I.3.a. Buffer Components

(1)	<u>Multi-Family Residential:</u>	
(a)	<u>Buffer width:</u>	<u>10[MK216] feet</u>
(b)	<u>Fence, wall or hedge:</u>	<u>6-foot-high</u>
(c)	<u>Tree spacing:</u>	<u>30 feet on center [Relocated from Sec. 3-19.(f)(4) Visual Barrier]</u>
(2)	<u>Non-Residential Standard Districts and RMHP:</u>	
(a)	<u>Buffer width:</u>	<u>Comply with Sec. 6-8 and Table 5 Perimeter Buffer Screening</u>
(3)	<u>Non-Residential Planned Developments and Shopping Center (BSC):</u>	
(b)	<u>Buffer width:</u>	<u>30 feet</u>
(c)	<u>Berm:</u>	<u>3 feet</u>
(d)	<u>Opaque fence or wall:</u>	<u>6-foot-high to be located at the top of the berm</u>
(e)	<u>Tree spacing:</u>	<u>50 feet on center and to be planted on both sides of the fence or wall</u>

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

Part F Technical Requirements

(f) Shrub height and spacing: 24-inch-high shrubs to be planted at 3 feet on center, and on both sides of the fence or wall.

16799 Sec. 3-F-I.4. Excavation

16800

16801 **3-F-I.4.a. Width of Buffer**

16802 *The following Perimeter Buffers shall be required where active mining operations, excavation activities such*
 16803 *as borrow pits are less than 2,000 feet from adjacent properties:*

	<u>Required Buffer</u>	<u>Alternate Buffer 1</u>	<u>Alternate Buffer 2</u>
<u>Residential uses:</u>	200 feet	100 feet	125 feet
<u>Commercial and Agricultural (excluding silviculture) FLU</u>	100 feet	75 feet	125 feet
<u>Any jurisdictional wetland</u>	200 feet	50 feet	125 feet
<u>Public road right-of-way</u>	100 feet	50 feet	125 feet

16804 **[Relocated from Sec. 3-42.(f)(4)(i)(ii)(iii)]**

16805 **3-F-I.4.b. Buffer Standards**

16806 *The Buffer shall include at a minimum:*

<u>Landscape Components</u>	<u>Minimum Size or Height</u>	<u>Maximum Spacing</u>
<u>Evergreen Canopy Trees</u>	10 feet high; 2 inch caliper	30 feet on center
<u>Opaque fence¹ or wall² (wall is required to be architecturally finished or painted on all sides)</u>	6 feet high	Not Applicable
<u>Turf grass, low growing evergreen plants or evergreen ground cover planted over the balance of the <u>Buffer</u></u>	18 inches ³	All shrubs and ground cover shall be planted 18 inches on center to reach full cover at maturity.

Footnotes:

- 1 For public roads or jurisdictional wetlands^[MK217], if chain link fence is used, opacity of chain link fence may be achieved with slats.
- 2 A wall is required for Commercial and Agricultural (excluding silviculture).
- 3 Height and planting distance shall not apply to turf grass.

16807 **[Relocated from Sec. 3-42.(f)(4) Excavation]**

16808 **3-F-I.4.c. Alternate Buffer 1**

16809 When an Excavation use is adjacent to a Residential, Commercial, or Agricultural use, and if the Excavation
 16810 site has an existing naturally vegetative undisturbed wooded area, then the applicant may request the

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- 16811 Planning and Zoning Director or his/her designee to allow a substitution of the standards per Subsection
16812 (a) above. The existing wooded area shall include the following:
- 16813 i. Width. A minimum width of 100 feet;
 - 16814 ii. Opacity and Screening. This wooded Buffer shall maintain an 85 percent opacity level during all
16815 seasons. Sections lacking opacity shall be planted to achieve a continuous visual screen or
16816 installed a landscaped berm of at least 6 feet in height [MK218] that obscures the view from adjacent
16817 property at the time of planting or installation. [Relocated from Sec. 3-42.(f)(4)(d) Excavation]
- 16818 (c) Alternate Buffer 2. If Buffer 1 above is not feasible due to the lack of wooded areas along the
16819 excavation site's property lines, then a 125-foot Buffer of the following type may be allowed:
- 16820 i. Width. A minimum width of 50 feet foot Buffer along the property line;
 - 16821 ii. Additional Zone. An additional zone that is at least 75 feet in width shall be provided
16822 contiguous to the Buffer, and subject to the following:
 - 16823 a. Drainage. This additional zone shall include a topsoil pile. Drainage of this pile
16824 shall be self-contained and shall be directed away from wetlands.
 - 16825 b. Vegetated Berm. The topsoil pile shall be naturally revegetated within 30 days of
16826 its construction or it will be seeded and mulched.
 - 16827 c. Erosion Control. An erosion preventive vegetative cover shall be established within
16828 3 months of seeding, be adequately vegetated with grass or some other form of
16829 ground cover, and the topsoil pile zone shall include a silt screen placed where the
16830 zone and 50-foot Buffer meet. [Relocated from Sec. 3-42.(f)(4)(e)]

16831 Sec. 3-F-I.5. Land Clearing Debris Disposal Facility

16832 3-F-I.5.a. Landscaping Requirements

16833 Disposal Facilities which are adjacent to Residential FLU categories and over 1 acre in size shall be
16834 landscaped with the following components:

<u>(1)</u>	<u>Width:</u>	<u>50 feet</u>
<u>(2)</u>	<u>Berm:</u>	<u>6 feet in height</u> <u>Minimum gradient of 3:1 slope and a 1-foot-wide swale</u> <u>to be located at both toes of the berm to contain</u> <u>drainage of the berm</u> <u>Where there is a grade change of more than a foot</u> <u>between the site and adjacent property, the berm and</u> <u>fence height shall be adjusted in accordance with Sec.</u> <u>3-F-H. Accessory Structures</u>
<u>(3)</u>	<u>Fence:</u>	<u>Wood, PVC, or chain link fence with slats</u> <u>6 feet in height to be installed at the top of the berm on</u> <u>the entire length of the buffer, and may allow openings</u> <u>for maintenance access</u>

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

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		<u>Gates with controlled devices are allowed</u>
(4)	<u>Tree:</u>	<u>50 feet on center to be planted staggered on both sides of the fence</u>
(5)	<u>Shrubs:</u>	<u>3 feet on center to be planted on both sides of the fence. Shrub at a minimum height of 24 inches at installation</u>
(6)	<u>Turf grass or Groundcover:</u>	<u>Remainder of the berm shall be covered with turf grass or groundcover</u>
(7)	<u>Mulch</u>	<u>All planting beds shall be mulched</u>

16835 **Sec. 3-5.(1)(4)**

16836 ~~(4) Borrow Pits. Any portion of a Borrow Pit visible from the public right-of-way or nearest Residential~~
 16837 ~~use shall be screened with dense landscaping to achieve at least 75 percent opacity. The~~
 16838 ~~landscape buffer shall be no less than 10 feet in width at any given point and shall be placed outside~~
 16839 ~~the required fence perimeter to achieve maximum dust and noise reduction and visible shielding.~~
 16840 ~~Earthen berms with a minimum height of 3 feet can be placed within this buffer area. [Deleted,~~
 16841 ~~replaced with new requirements]~~

16842 **Sec. 3-5.(a) Land Clearing Debris Disposal Facility.**

16843 ~~(9) Disposal Facilities which are adjacent to residential land use categories and over one acre in size~~
 16844 ~~shall be buffered as follows:~~

- 16845 ~~(i) If the toe of the slope or the top of the bank is within 50 feet of the property line the buffer~~
 16846 ~~shall be a 6 foot opaque fence and 50 feet of existing vegetation or landscaping.~~
 16847 ~~(ii) If the toe of the slope or the top of the bank is more than 50 feet from the property line, 50~~
 16848 ~~feet of existing vegetation shall be maintained. (Amended 6/98 — Ord. 98-27) [Relocated~~
 16849 ~~to Sec. 3-F-1.5.]~~

16850 **Sec. 3-19. (f)(4)**

16851 ~~(4) Visual Barrier: Proposed multi-family development shall be buffered from adjacent land within the~~
 16852 ~~residential land use categories identified in Section 20.3-8, unless said adjacent land zoned for~~
 16853 ~~multi-family development at the time of proposed development, with a twenty-five (25) foot building~~
 16854 ~~setback, ten (10) foot landscaped area, minimum six (6) foot high opaque barrier (fence or~~
 16855 ~~vegetation) and tree planting thirty (30) feet on center. (Ord 94 ___ 4/26/94) [Relocated~~
 16856 ~~to/tabularized under 3-F-1.3.a]~~

16857 **Sec. 3-22.(f).(11)(BA-2)**

16858 ~~(11) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
 16859 ~~the residential land use categories identified in Section 20.3-8 with a twenty-five (25) foot building~~
 16860 ~~setback, ten (10) foot landscaped area, minimum six (6) foot high opaque barrier (fence or~~
 16861 ~~vegetation) and tree planting thirty (30) feet on center. (Ord. 94 26 — 4/26/94) [Relocated~~
 16862 ~~to/tabularized under 3-F-1.3.a]~~

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16863 **Sec. 3-23.(f)(8)(BA-1)**
16864 (8) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16865 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16866 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16867 ~~center. [Relocated to/tabularized under 3-F-I.3.a] For all development commenced on or after~~
16868 ~~January 28, 2003, the provisions of this subsection shall not apply. For developments that~~
16869 ~~commence after this date, the provisions of Article VI of the Clay County Land Development Code~~
16870 ~~(the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11) [Relocated to Sec.~~
16871 ~~3-F-I.2.a. Vested Development]~~

16872 **Sec. 3-24.(g)(10)(BA)**
16873 (10) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16874 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16875 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16876 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16877 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16878 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
16879 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16880 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16881 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~

16882 **Sec. 3-25.(e)(9)(BB)**
16883 (9) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16884 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16885 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16886 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16887 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16888 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
16889 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16890 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16891 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~

16892 **Sec. 3-26.(f)(7)(BB-1)**
16893 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16894 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16895 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16896 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16897 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16898 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
16899 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16900 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16901 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~

16902 **Sec. 3-26.1(e)(9)(BB-2)**

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

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16903 ~~(9) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16904 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16905 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16906 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16907 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16908 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16909 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16910 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16911 **[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]**

Sec. 3-26.2(e)(9)(BB-3)

16912 ~~(9) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16913 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16914 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16915 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16916 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16917 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16918 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16919 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16920 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~
16921 **[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]**

Sec. 3-26.3(e)(9) (BB-4)

16922 ~~(9) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16923 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16924 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16925 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16926 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16927 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16928 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16929 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16930 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~
16931 **[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]**

Sec. 3-26.4(e)(9) (Zone BB-5)

16932 ~~(9) — Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16933 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16934 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16935 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16936 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16937 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16938 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16939 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16940 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~
16941 **[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]**

Sec. 3-27(f)(9) (BSC)

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

Part F Technical Requirements

16943 (9) ~~Barriers. Where the rear of a BSC District abuts or adjoins residentially zoned property, or alleys~~
16944 ~~adjacent to residentially zoned property, a six (6) foot high solid masonry wall, or a six (6) foot high~~
16945 ~~opaque permanent privacy fence constructed of steel and wood~~^[MK219] ~~(not less than 5/8 inch~~
16946 ~~thickness), or such other materials as in the judgment of the Planning and Zoning Administrator~~
16947 ~~provide similar appearance and durability, or a six (6) foot high sodded berm, shall be constructed~~
16948 ~~and adequately maintained along such lot lines. There shall be no access or opening through the~~
16949 ~~wall, fence or berm. Where a side or sides of the BSC District abuts or adjoins residentially zoned~~
16950 ~~property, a six (6) foot high solid masonry wall or wood fence or six (6)~~^[MK220] ~~foot high berm shall~~
16951 ~~be set in a twenty (20) foot landscaped area. If after the effective date of these zoning regulations~~
16952 ~~any existing shopping center is classified BSC, the provisions of this paragraph may be relaxed by~~
16953 ~~the Planning Commission where a showing is made that said provision unduly restricts a previously~~
16954 ~~planned expansion. Said relaxation may be granted to allow new structures to be located as close~~
16955 ~~as, but no closer than existing structures to any property line and to waive or modify the~~
16956 ~~requirements for the six (6) foot high opaque masonry wall. [Replaced with new requirements~~
16957 ~~under Sec. 3-F-I.3.a. Table 6 Perimeter Buffer Screening requires a 30-foot wide Type B~~
16958 ~~Buffer]~~
16959 ~~For all development commenced on or after January 28, 2003, the provisions of this subsection~~
16960 ~~shall not apply. For developments that commence after this date, the provisions of Article VI of the~~
16961 ~~Clay County Land Development Code (the Tree Protection and Landscaping Standards) will apply.~~
16962 ~~(Rev. 02/08/11) [Deleted as it is consolidated under Sec. 3-F-I.2. Vested Development]~~

Sec. 3-28.(f)(7)(IS)

16963 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16964 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16965 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16966 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16967 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16968 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
16969 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16970 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16971 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~
16972

Sec. 3-28.(g)(2)(IS)

16973 (2) ~~Landscaping. Except as otherwise provided, all portions of any lot not otherwise covered with~~
16974 ~~natural cover, buildings, or parking lots shall be graded, drained, and landscaped with trees,~~
16975 ~~shrubs, and planted ground cover. Side and rear yard: 20 foot buffer areas shall be planted with~~
16976 ~~trees or hedges as a screen and maintained by the property owner. Such screen shall not be less~~
16977 ~~than three feet at the time of planting and reach a height of six feet within three years. [Relocated~~
16978 ~~to Sec. 3-F-I.3. Perimeter Buffer]~~
16979

Sec. 3-29.(g)(6)(IA)

16980 (6) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16981 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16982 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16983

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

Part F Technical Requirements

16984 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16985 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16986 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16987 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16988 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16989 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~

Sec. 3-30.(g)(6) (IB)

16991 (6) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
16992 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
16993 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
16994 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
16995 ~~subsubsection shall not apply. [Relocated to/tabularized under 3-F-I.3.a] For all development~~
16996 ~~commenced on or after January 28, 2003, the provisions of this subsubsection shall not apply. For~~
16997 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
16998 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
16999 ~~[Relocated and consolidated under Sec. 3-F-I.2. Vested Development]~~

Sec. 3-30.1.(k)(BP)

17001 (k) ~~Landscaping, Screening and Lighting. All developments within lands zoned BP shall be required~~
17002 ~~to adhere to the requirements in Article 6 concerning landscaping, screening and lighting and the~~
17003 ~~following provisions:~~
17004 (1) ~~Landscaping and visual barrier. Notwithstanding the provisions of Article 6, all portions of~~
17005 ~~any lot not otherwise covered with natural cover, buildings, or parking lots shall be graded,~~
17006 ~~drained and landscaped with trees, shrubs and planted ground cover. A visual barrier~~
17007 ~~consisting of a thirty foot landscaped area shall be required to buffer the development from~~
17008 ~~an adjacent zoning or residential land use designation. Such landscaped area shall~~
17009 ~~contain, at a minimum, a row of evergreen canopy trees which are not less than ten feet~~
17010 ~~high at the time of planting, two inch caliper, and are spaced not more than thirty feet apart~~
17011 ~~on center. The trees are to be planted within ten feet of the property line. A masonry wall,~~
17012 ~~architecturally finished on all sides, must also be constructed within the buffer area. Such~~
17013 ~~wall shall be a minimum height of six feet and, if a block wall, shall be painted on all sides.~~
17014 ~~Turf grass, low-growing evergreen plants, or evergreen ground cover must be planted and~~
17015 ~~maintained over the balance of the buffer area. If the right of way may not be utilized for~~
17016 ~~trees due to utility location, then such trees may be planted as close to the front property~~
17017 ~~line as possible. [Deleted, as this repeats Table 5 Perimeter Buffer Screening, 30-foot-~~
17018 ~~wide Type C Buffer]~~

Sec. 3-31.(k) (PCD)

17020 (k) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17021 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17022 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17023 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17024 ~~subsubsection shall not apply. For all development commenced on or after January 28, 2003, the~~

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

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17025 *provisions of this subsection shall not apply. For developments that commence after this date,*
17026 *the provisions of Article VI of the Clay County Land Development Code (the Tree Protection and*
17027 *Landscaping Standards) will apply. (Rev. 02/08/11) [Relocated and consolidated under Sec. 3-*
17028 **F-1.2. Vested Development]**

Sec. 3-32.(k)(PID)

17030 ~~(k) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17031 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17032 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17033 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17034 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17035 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17036 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17037 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17038 **[Relocated and consolidated under Sec. 3-F-1.2. Vested Development]**

Sec. 3-33.(j)(PUD)

17040 ~~(j) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17041 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17042 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17043 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17044 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17045 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17046 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17047 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17048 **[Relocated and consolidated under Sec. 3-F-1.2. Vested Development]**

Sec. 3-34.(g)(8)(PO-1)

17050 ~~(8) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17051 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17052 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17053 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17054 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17055 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17056 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17057 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17058 **[Relocated and consolidated under Sec. 3-F-1.2. Vested Development]**

Sec. 3-35.(g)(11)(PO-2)

17060 ~~(11) Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17061 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17062 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17063 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17064 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~

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

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17065 *commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For*
17066 *developments that commence after this date, the provisions of Article VI of the Clay County Land*
17067 *Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)*
17068 [Relocated and consolidated under Sec. 3-F-1.2. Vested Development]

Sec. 3-36.(e)(7)(PO-3)

17069 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17070 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17071 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17072 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17073 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17074 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17075 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17076 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17077 [Relocated and consolidated under Sec. 3-F-1.2. Vested Development]

Sec. 3-38.(f)(8)(PS-1)

17079 (8) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17080 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17081 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17082 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17083 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17084 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17085 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17086 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17087 [Deleted as it is consolidated under Sec. 3-F-1.2. Vested Development]

Sec. 3-39.(g)(8)(PS-2)

17089 (8) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17090 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17091 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17092 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17093 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17094 ~~commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For~~
17095 ~~developments that commence after this date, the provisions of Article VI of the Clay County Land~~
17096 ~~Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)~~
17097 [Deleted as it is consolidated under Sec. 3-F-1.2. Vested Development]

Sec. 3-40.(g)(7)(PS-3)

17099 (7) ~~Visual Barrier: Proposed non-residential development shall be buffered from adjacent land within~~
17100 ~~the residential land use categories identified in Section 20.3-8 with a ten (10) foot landscaped area,~~
17101 ~~minimum six (6) foot high opaque barrier (fence or vegetation) and tree planting thirty (30) feet on~~
17102 ~~center. For all development commenced on or after January 28, 2003, the provisions of this~~
17103 ~~subsection shall not apply. [Relocated to/tabularized under 3-F-1.3.a] For all development~~
17104

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

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17105 *commenced on or after January 28, 2003, the provisions of this subsection shall not apply. For*
17106 *developments that commence after this date, the provisions of Article VI of the Clay County Land*
17107 *Development Code (the Tree Protection and Landscaping Standards) will apply. (Rev. 02/08/11)*
17108 **[Relocated and consolidated under Sec. 3-F-1.2. Vested Development]**

17109 **Sec. 3-41.1(i)(7)(PS-5)**

17110 ~~(7) Visual Barrier: Proposed development shall be buffered from adjacent land within the residential~~
17111 ~~land use categories identified in Section 20.3-8 with a fifty (50) foot building setback. There shall~~
17112 ~~be a minimum six (6) foot fence adjacent to residential land use categories. Within the fifty (50)~~
17113 ~~foot setback there shall be a minimum of:~~
17114 ~~(i) Natural buffer, provided there are sufficient trees to create a visual barrier from the adjacent~~
17115 ~~residential lands; or~~
17116 ~~(ii) A combination natural buffer as described above, with landscaping that would serve as a~~
17117 ~~visual barrier from adjacent residential land uses. [Consolidated under Sec. 3-F-1.3.a.]~~

17118 *For all development commenced on or after January 28, 2003, the provisions of this subsection*
17119 *shall not apply. For developments that commence after this date, the provisions of Article VI of the*
17120 *Clay County Land Development Code (the Tree Protection and Landscaping Standards) will apply.*
17121 *(Rev. 02/08/11) [Relocated and consolidated under Sec. 3-F-1.2.]*

17122 **Sec. 3-42.(f)(4) Excavation**

17123 ~~(4) The following buffers shall be required where active mining operations are less than 2,000 feet~~
17124 ~~from affected properties:~~
17125 ~~(i) A 200 foot perimeter buffer shall be required where any active mining location is adjacent~~
17126 ~~to residential land uses. The buffer shall include at a minimum:~~

17127 ~~a. A row of evergreen canopy trees which are not less than ten feet high at the time~~
17128 ~~of planting, a minimum of two inch caliper, spaced not more than thirty feet apart,~~
17129 ~~and planted within ten feet of the property line; and,~~
17130 ~~b. A privacy fence or masonry wall, architecturally finished on all sides, a minimum~~
17131 ~~height of six feet, and if a block wall, painted on all sides; and,~~
17132 ~~c. Turf grass, low growing evergreen plants or evergreen ground cover planted over~~
17133 ~~the balance of the buffer. [Relocated to Sec. 3-F-1.3.b. Excavation]~~
17134 ~~d. In lieu of the requirements of A, B, and C above, a naturally vegetative undisturbed~~
17135 ~~wooded area shall be preserved. This wooded buffer shall maintain an 85%~~
17136 ~~opacity during all seasons and a minimum width of one hundred feet, and may be~~
17137 ~~permitted with the Zoning Director's approval. Sections lacking opacity can be~~
17138 ~~planted to achieve a continuous visual screen, or a landscaped berm of at least~~
17139 ~~six feet in height that obscures the view from adjacent property at the time of~~
17140 ~~planting. [Relocated to Sec. 3-F-1.3.b.(1) Alternate Buffer 1]~~
17141 ~~e. If D, above is not a feasible option due to the lack of wooded areas along property~~
17142 ~~lines, a 125 foot buffer of the following type may be allowed, also in lieu of the~~
17143 ~~requirements of A, B, and C above. This buffer includes a 50 foot buffer along the~~
17144 ~~property line with an additional zone that is at least 75 feet in width provided~~

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

Part F Technical Requirements

- 17145 ~~landward of the buffer area. This additional zone shall include a topsoil pile that~~
17146 ~~will direct drainage away from wetlands. The topsoil pile shall be naturally~~
17147 ~~revegetated within 30 days of their construction or they will be seeded and~~
17148 ~~mulched. An erosion preventive vegetative cover must be established within 3~~
17149 ~~months of seeding, be adequately vegetated with grass or some other form of~~
17150 ~~ground cover and the topsoil pile zone shall include a silt screen placed where the~~
17151 ~~zone and fifty foot buffer meet. [Relocated to Sec. 3-F.I.4.b.(3) Alternate Buffer~~
17152 ~~2]~~
- (ii) ~~A one hundred foot perimeter buffer shall be required where any active mining location is~~
17153 ~~adjacent to commercial and agricultural (excluding silviculture) land uses. The buffer shall~~
17154 ~~include at a minimum: [Relocated to Sec. 3-F-I.4.a. Width of Buffer, Excavation]~~
17155
- 17156 a. ~~A row of evergreen canopy trees which are not less than ten feet high at the time~~
17157 ~~of planting, a minimum of two inch caliper, spaced not more than thirty feet apart,~~
17158 ~~and planted within ten feet of the property line; and,~~
- 17159 b. ~~A privacy fence or masonry wall, architecturally finished on all sides, a minimum~~
17160 ~~height of six feet, and if a block wall, painted on all sides; and,~~
- 17161 c. ~~Turf grass, low growing evergreen plants or evergreen ground cover planted over~~
17162 ~~the balance of the buffer. [Relocated to Sec. 3-F-I.3.b. Excavation]~~
- 17163 d. ~~In lieu of the requirements of A, B, and C above, a naturally vegetative undisturbed~~
17164 ~~wooded area shall be preserved. This wooded buffer shall maintain an 85%~~
17165 ~~opacity during all seasons and a minimum width of seventy five feet, and may be~~
17166 ~~permitted with the Zoning Director's approval. Sections lacking opacity can be~~
17167 ~~planted to achieve a continuous visual screen. [Relocated to Sec. 3-F-I.3.b.(1)~~
17168 ~~Alternate Buffer 1]~~
- 17169 d. ~~If D, above is not a feasible option due to the lack of wooded areas along property~~
17170 ~~lines, a 125 foot buffer of the following type may be allowed, also in lieu of the~~
17171 ~~requirements of A, B, and C above. This buffer includes a 50 foot buffer along the~~
17172 ~~property line with an additional zone that is at least 75 feet in width provided~~
17173 ~~landward of the buffer area. This additional zone shall include a topsoil pile that~~
17174 ~~will direct drainage away from wetlands. The topsoil pile shall be naturally~~
17175 ~~revegetated within 30 days of their construction or they will be seeded and~~
17176 ~~mulched. An erosion preventive vegetative cover must be established within 3~~
17177 ~~months of seeding, be adequately vegetated with grass or some other form of~~
17178 ~~ground cover and the topsoil pile zone shall include a silt screen placed where the~~
17179 ~~zone and fifty foot buffer meet. [Relocated to Sec. 3-F.I.4.b.(3) Alternate Buffer~~
17180 ~~2]~~
- (iii) ~~A 200 foot buffer shall be required between any active mining location and any~~
17181 ~~jurisdictional wetland. A 50 foot buffer may be permitted if an additional zone that~~
17182 ~~is at least 75 feet in width is provided landward of the buffer area. This additional~~
17183 ~~zone shall include a topsoil pile that will direct drainage away from wetlands. The~~
17184 ~~topsoil pile shall be naturally revegetated within 30 days of their construction or~~
17185 ~~they will be seeded and mulched. An erosion preventive vegetative cover must be~~
17186 ~~established within 3 months of seeding, be adequately vegetated with grass or~~
17187

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17188 *some other form of ground cover and the topsoil pile zone shall include a silt screen*
17189 *placed where the zone and fifty foot buffer meet.* [Relocated to Sec. 3-F.I.4.b.(3)
17190 **Alternate Buffer 2]**

17191 (iv) ~~A 100 foot buffer shall be required where any active mining location is adjacent to a public~~
17192 ~~road. The buffer shall include at a minimum:~~

17193 **A.** ~~A row of evergreen canopy trees which are not less than ten feet high at the time~~
17194 ~~of planting, a minimum of two inch caliper, spaced not more than thirty feet apart,~~
17195 ~~and planted within ten feet of the property line; and,~~

17196 **B.** ~~A wood privacy fence, chain link fence with slats and/or screen cloth, or masonry~~
17197 ~~wall, architecturally finished to the outside, a minimum height of six feet.~~

17198 **[Relocated to Sec. 3-F-I.3.b. Excavation]**

17199 **C.** ~~In lieu of the requirements of A, B, and C above, a naturally vegetative undisturbed~~
17200 ~~wooded area shall be preserved. This wooded buffer shall maintain an 85%~~
17201 ~~opacity during all seasons and a minimum width of fifty feet, and may be permitted~~
17202 ~~with the Zoning Director's approval. Sections lacking opacity can be planted to~~
17203 ~~achieve a continuous visual screen.~~ [Relocated to Sec. 3-F-I.3.b.(1) **Alternate**
17204 **Buffer 1]**

17205 **D.** ~~If D, above is not a feasible option due to the lack of wooded areas along property~~
17206 ~~lines, a 125 foot buffer of the following type may be allowed, also in lieu of the~~
17207 ~~requirements of A, B, and C above. This buffer includes a 50 foot buffer along the~~
17208 ~~property line with an additional zone that is at least 75 feet in width provided~~
17209 ~~landward of the buffer area. This additional zone shall include a topsoil pile that~~
17210 ~~will direct drainage away from wetlands. The topsoil pile shall be naturally~~
17211 ~~revegetated within 30 days of their construction or they will be seeded and~~
17212 ~~mulched. An erosion preventive vegetative cover must be established within 3~~
17213 ~~months of seeding, be adequately vegetated with grass or some other form of~~
17214 ~~ground cover and the topsoil pile zone shall include a silt screen placed where the~~
17215 ~~zone and fifty foot buffer meet. (Amended 2/03 — Ord. 03-20).~~ [Relocated to Sec.
17216 **3-F.I.4.b.(3) Alternate Buffer 2]**

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DIVISION J PARKING

17217

17218 Sec. 3-F-J.1. Purpose and Intent

17219 The purpose and intent of this Division is to supplement Sec. 8-12 Parking Requirements and Appendix A
 17220 Parking Space standards of the Land Development Code (LDC), as it is being amended.

17221 Sec. 3-F-J.2. Parking Standards

17222 The following parking standards for a specific type of use that cannot be found in Appendix A shall comply
 17223 with the following minimum parking standards:

<u>a. Minimum Parking Standards:</u>		
<u>(1)</u>	<i>Accessory Dwelling Unit (ADU)</i> [Relocated from 3-5.(c)(8)]	<u>1 space for each unit in addition to the required space(s) for the primary dwelling unit.</u>
<u>(2)</u>	<i>Auction</i> [Relocated from 3-5.(f)]	<u>1 space per 300 square feet of Gross Floor Area (GFA).</u> <u>May allow shared parking</u>
<u>(3)</u>	<i>Bed and Breakfast Inn</i> [Relocated from 3-5.(i)(2)]	<u>2 spaces for the owner or operator, and</u> <u>1 space for each rental unit.</u>
<u>(4)</u>	<i>Marina Facility</i> [Relocated from 3-5.(aj)]	<u>1 space per 4 boats.</u>
<u>(5)</u>	<i>Yacht Club</i> [Relocated from Sec. 3-5.(ak)(3)(i)]	<u>5 spaces per 1,000 square feet.</u>
<u>(6)</u>	<i>Boatel</i> [Relocated from Sec. 3-5.(ak)(3)(i)]	<u>1.5 space per unit.</u>
<u>(7)</u>	<i>Self-Service Storage Facility</i> <i>Interior storage units</i> [Relocated from Sec. 3-5.(am Mini Warehouses)]	<u>1 space for each 75 storage units or cubicles, equally distributed throughout the storage area.</u> <u>2 additional spaces for a caretaker's quarter.</u>
<u>(8)</u>	<i>Skating Rink</i> [Relocated from Sec. 3-5.(bn) Skating Rinks and Skate Parks]	<u>1 space per 300 square feet.</u> <u>[MK221]</u>

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17224 Sec. 3-F-J.3. Commercial Vehicle Parking in AG and AR Zoning Districts

17225 *The parking of Commercial vehicles by the owner of the primary residence with a limit of 1 per acre and a*
17226 *maximum of 2 vehicles^[MK222], may be parked in the rear or side yard, except refrigerated vehicles and*
17227 *vehicles carrying hazardous materials. **[Relocated from Sec. 3-13. Agricultural/Residential District***
17228 ***(Zone AR)]***

17229 Sec. 3-F-J.4. Prohibited Parking

17230 *The parking of Commercial vehicles of 1 ton or more rated capacity in any part of the front, rear, side yards,*
17231 *residential areas, roads, or rights-of-way shall not be permitted in AR-1, AR-2, RA, RB, RE, RMHP, RC,*
17232 *RD, and PUD zoning districts. **[Relocated from Sec. 3-6.(a) Prohibited Uses]***

17233 Sec. 3-F-J.5. Master Planned Communities Parking

17234 3-F-J.5.a. Minimum Spaces

17235 *Uses shall meet the minimum parking standards of Appendix A Parking Space Requirements except for*
17236 *the following.*

a. Minimum Parking Standards:

<u>(1)</u>	<i>Restaurants, nightclubs, bars, or taverns:[Different from Appendix A]</i>	<i><u>1</u> space for every 100 square feet</i>
<u>(2)</u>	<i>Theater:</i>	<i>15 spaces for the first 100 seats, plus <u>1</u> space for each additional <u>4</u> seats</i>
<u>(3)</u>	<i><u>M</u>edical and <u>D</u>ental <u>O</u>ffice or <u>C</u>linic:</i>	<i><u>1</u> space for every 250 square feet</i>
<u>(4)</u>	<i>Research <u>L</u>aboratory:</i>	<i><u>1</u> space for every 300 square feet</i>
<u>(5)</u>	<i>Professional <u>B</u>usiness <u>O</u>ffice (other than <u>M</u>edical or <u>D</u>ental <u>O</u>ffice):</i>	<i><u>1</u> space for every 300 square feet</i>
<u>(6)</u>	<i>Business, <u>C</u>ommercial, or <u>P</u>ersonal <u>S</u>ervice <u>E</u>stablishment</i>	<i><u>1</u> space for every 300 square feet</i>
<u>(7)</u>	<i>Commercial <u>S</u>hopping <u>C</u>enter:</i>	<i><u>1</u> space for every 250 square feet</i>
<u>(8)</u>	<i>Convenience <u>S</u>ore:</i>	<i><u>1</u> space for every 250 square feet</i>

17237 **[Relocated from Sec. 3-33A.I.15.a. Minimum Spaces, Parking Branan Field]**

17238 3-F-J.5.b. Maximum Spaces

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17239 Uses shall not exceed 125 percent of required minimum parking, unless such parking is provided in the
17240 form of stabilized grass parking. [Relocated from Sec. 3-33A.I.15.b. Maximum Spaces, Parking Branan
17241 Field]

17242 **3-F-J.5.c. Shared Parking**

- 17243 (1) For Shared Parking for group or Mixed Uses, refer to Sec. 8-12.(3)(c) General Provisions, except
17244 where is stated below:
- 17245 (2) Exception.
- 17246 i. Parking reduction may not exceed half of the maximum allowable reduction. [Relocated
17247 from Sec. 3-33A.I.15.c. Shared Parking]
- 17248 ii. Restaurants within shopping centers where parking is calculated using shopping center
17249 minimum parking standards may not exceed 35 percent of the shopping center space,
17250 unless additional parking is required to meet parking needs as calculated for individual
17251 uses within such shopping centers. Individual use calculation may utilize shared parking
17252 assumptions. [Relocated from Sec. 3-33A.I.15.f. Restaurant Parking]
- 17253 iii. Up to 35 percent of required minimum parking for Places of Worship may be in the form of
17254 stabilized grass parking. [Relocated from Sec. 3-33A.I.15.g. Parking for place of
17255 worship]

17256 **Sec. 3-5.(c)**

17257 ~~3-5.(c) Accessory Dwelling Unit (ADU).~~

- 17258 ~~(8) One off-street parking space is required for each ADU, in addition to the parking~~
17259 ~~required for the primary residence.~~ [Relocated to Sec. 3-F-J.2.]

17260 ~~3-5.(f) Auctions.~~

- 17261 ~~(1) A parking ratio of one space per 300 square feet of floor area ratio is required.~~
- 17262 ~~(2) Shared parking of adjacent off-peak uses may be utilized to meet minimum parking~~
17263 ~~requirements.~~
- 17264 ~~(3) Agreements from adjacent owners allowing the use of shared parking must be~~
17265 ~~obtained and submitted prior to approval.~~ Rev. 04/22/08 [Relocated to Sec. 3-F-
17266 ~~J.(2)]~~

17267 ~~(i) Bed and Breakfast Inns.~~

- 17268 ~~(2) Off-street parking shall be provided at the rate of two (2) spaces for the resident owner or~~
17269 ~~operator and one (1) space for each occupancy or rental unit.~~ [Relocated to Sec. 3-F-
17270 ~~J.2.c.]~~

17271 ~~(x) Fairground Association Administrative Office and Accessory Uses.~~

- 17272 ~~(5) Required "paved" parking shall be based on Administrative office square footage only, and~~
17273 ~~require one space per 250 square feet of area dedicated to office area.~~ [Deleted, as this
17274 ~~requirement is under Appendix A Parking Space Requirements, General Services]~~

17275 ~~(ak) Marina Facilities~~

17276 ~~(3) Additional Special Regulations.~~

- 17277 ~~(i) Parking. For each four (4) boats accommodated at the facility, there shall be provided on~~
17278 ~~(1) parking space. In addition, for such accessory facilities as yacht clubs and the like,~~
17279 ~~five (5) spaces per one thousand (1,000) square feet of total area shall be provided.~~
17280 ~~Motels shall provide parking pursuant to the off-street parking and loading regulations of~~

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17281 ~~Section 6, Ordinance 82-45, as amended. Boatels shall provide one and one-half (1-1/2)~~
17282 ~~spaces per dwelling unit if operated as a condominium. [Relocated to Sec. 3-F-J.2.e. and~~
17283 ~~f.]~~
17284 (am) ~~Mini-Warehouses~~^[MK223]
17285 (vii) ~~Off-Street Parking.~~
17286 a. ~~For interior facing warehouses, one (1) space for each seventy-five (75) storage~~
17287 ~~units or cubicles, equally distributed throughout the storage area.~~
17288 b. ~~If manager's quarters are provided, then two (2) additional spaces shall be~~
17289 ~~provided. [Relocated to Sec. 3-F-J.2.g. Self-Service Storage Facility]~~
17290 (bn) ~~Skating Rinks and Skate Parks (Indoor)~~
17291 (4) ~~One parking space shall be provided for every 300 square feet of gross floor area.~~
17292 ~~(amended 07/06, ord. 2006-38) [Relocated to Sec. 3-F-J.2.h.]~~

17293 ~~Sec. 3-12. AGRICULTURAL DISTRICT (ZONE AG)~~

17294 (b)(8) ~~The parking of commercial vehicles with a limit of one (1) per acre. [Deleted, consolidated Sec.~~
17295 ~~3-F-J.3. Commercial Vehicle Parking]~~

17296 ~~Sec. 3-13. AGRICULTURAL/RESIDENTIAL DISTRICT (ZONE AR)~~

17297 (b)(10) ~~The parking of commercial vehicles by the owner of the primary residence with a limit of one (1) per~~
17298 ~~acre and a maximum of two (2) vehicles, may be parked in the rear or side yard, except refrigerated~~
17299 ~~vehicles and vehicles carrying hazardous materials. [Relocated to Sec. 3-F-J.3. Commercial~~
17300 ~~Vehicle Parking]~~

17301 ~~Sec. 3-19. MULTIFAMILY RESIDENTIAL DISTRICT (ZONE RD)~~

17302 (j) ~~Parking and Road Requirements. Off-street parking shall be provided at the rate of one (1) space~~
17303 ~~per studio unit, one and one-half (1-1/2) spaces per one (1) bedroom units, two (2) spaces per two~~
17304 ~~(2), three (3) or more bedroom units. Parking lots, driveways, and streets within the project shall~~
17305 ~~be designed to discourage through traffic. Through driveways shall be located at least twenty five~~
17306 ~~(25) feet from buildings. (amended 7/94 - Ord. 94-30) [Deleted as parking requirements are in~~
17307 ~~Appendix A Parking Space Requirements]~~

17308 ~~Sec. 3-28. INDUSTRIAL SELECT (ZONE IS)~~

17309 (f)(6) ~~Off-Street Parking. Visitors and customers may be placed in the front. Parking shall be at the side~~
17310 ~~or rear for employees. All parking lots shall be paved. The off-street parking area shall be a~~
17311 ~~minimum of 1.1 spaces per employee at the largest shift. This determination would include, but~~
17312 ~~not be limited to, plans for expansion and type of use in terms of intensity of employment. Each~~
17313 ~~space shall be at least 10 feet by 20 feet. The adequacy of parking provisions will be determined~~
17314 ~~when the site plan is submitted for a building permit. [Deleted as parking requirements should~~
17315 ~~be based on use, and not zoning districts, parking requirements are in Appendix A Parking~~
17316 ~~Space Requirements]~~

17317 ~~Sec. 3-6. PROHIBITED USES~~

17318 (a) ~~Parking of Commercial Vehicles. The parking of commercial vehicles of one ton or more rated~~
17319 ~~capacity in any part of the front, rear, side yards, residential areas, roads, or rights-of way is not~~

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17320 ~~permitted in Zones AR-1, AR-2, RA, RB, RE, RMHP, RC, RD, and PUD.~~ [Relocated to Sec. 3-F-
17321 ~~J.4 Prohibited Parking]~~

17322 **Sec. 3-33A.I.15. Branan Field Current Code**

17323 ~~15. Parking. The following standards shall apply.~~

17324 ~~a. Minimum Spaces. Uses must meet minimum parking requirements of the Zoning Code, except for~~
17325 ~~the following.~~

17326 ~~i. Restaurants, nightclubs, bars, or taverns: one space for every 100 square feet~~

17327 ~~ii. Theaters: 15 spaces for the first 100 seats, plus one space for each additional four seats~~
17328 ~~[Different from Appendix A]~~

17329 ~~iii. Medical and dental offices or clinics: one space for every 250 square feet [Same as Appendix~~
17330 ~~A]~~

17331 ~~iv. Research laboratories: one space for every 300 square feet [Different from Appendix A]~~

17332 ~~v. Professional business offices (other than medical or dental offices): one space for every 300~~
17333 ~~square feet [Different from Appendix A]~~

17334 ~~vi. Business, commercial, or personal service establishments: one space for every 300 square~~
17335 ~~feet [Different from Appendix A]~~

17336 ~~vii. Commercial shopping centers: one space for every 250 square feet [Different from Appendix~~
17337 ~~A]~~

17338 ~~viii. Convenience stores: one space for every 250 square feet. [Same as Appendix A but missing~~
17339 ~~employee parking] [Relocated to/tabularized in Sec. 3-F-J.5.a. Minimum Spaces]~~

17340 ~~b. Maximum Spaces. Uses must not exceed more than 125 percent of required minimum parking,~~
17341 ~~unless such parking is provided in the form of stabilized grass parking. [Relocated~~
17342 ~~to/tabularized in Sec. 3-F-J.5.b. Maximum Spaces]~~

17343 ~~c. Shared Parking. Minimum parking requirements will be reduced to a percentage that is~~
17344 ~~equivalent to the percentage reduction in single group use. For example, when calculating~~
17345 ~~required parking for a development that is 75% weekday peak uses and 25% evening peak~~
17346 ~~uses, minimum parking requirements for the weekday peak uses would be 75% of the normal~~
17347 ~~required minimum, and minimum parking for the evening peak uses would be 25% of the~~
17348 ~~normal required minimum. Parking areas may not be separated from uses by roads with a~~
17349 ~~higher classification than minor collector, and a clear system of pedestrian corridors and~~
17350 ~~directional signage shall connect parking areas with uses. [Deleted as this is redundant to~~
17351 ~~Sec. 8-12.(3)(c)]~~

17352 ~~Eligible uses are described in the following table.~~

17353 **Shared Parking Groups**

Weekday Peak Uses	Evening Peak Uses	Weekend Uses
Banks	Restaurants *	Places of worship
Schools	Theaters	Retail and service uses *
Distribution facilities	Bars and nightclubs	
Industrial uses	Lodges and clubs	

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Medical clinics and offices		
Professional offices		
Professional services		

17354 ~~[Deleted as this is redundant to Sec. 8-12.(3)(c)]~~
 17355 ~~* parking reduction may not exceed half of the maximum allowable reduction~~
 17356 ~~[Relocated to Sec. 3-F-J.5.c.2. Exception]~~
 17357 ~~f. **Restaurant Parking.** Restaurants within shopping centers where parking is calculated using~~
 17358 ~~shopping center minimum parking requirements may not exceed 35% of the shopping center~~
 17359 ~~space, unless additional parking is required to meet parking needs as calculated for individual uses~~
 17360 ~~within such shopping centers. Individual use calculation may utilize shared parking assumptions.~~
 17361 ~~g. **Parking for places of worship.** Up to 35% of required minimum parking for places of worship may~~
 17362 ~~be in the form of stabilized grass parking. **[Relocated to Sec. 3-F-J.5.c.2. Exception]**~~
 17363 ~~h. **Grass parking standards.** Where stabilized grass parking is required, an interlocking plastic grid~~
 17364 ~~shall be covered with topsoil and grass. Providing that the appearance is that of a grassy area,~~
 17365 ~~grass pavers may also be used in the form of concrete interlocking blocks or synthetic fibrous grid~~
 17366 ~~systems with open areas designed to allow grass to grow within the void areas. Topsoil shall be a~~
 17367 ~~mixture of aggregate, which provides structural stability, and a sand/soil mixture that allows for~~
 17368 ~~drainage and provides the soil components required for grass growth. **[Deleted as this is**~~
 17369 ~~redundant to Sec. 8-12.(6)(b) Grassed Overflow Parking, Alternative Parking Standards]~~

17370 **Sec. 3-33B.C.I.12. LAMPA Current Code**
 17371 ~~12. **Parking.** Parking spaces are allowed either in garages, driveways, or carports on single lots, or in~~
 17372 ~~commonly owned courtyards for multi-family, townhome, and commercial development. Parking~~
 17373 ~~must be located to the rear or side of buildings, except for on-street parking, and as specifically~~
 17374 ~~allowed for in the commercial standards of this design criteria section. On-street parking shall be~~
 17375 ~~in the form of parallel or diagonal parking. If located on the side of the structure the parking must~~
 17376 ~~be screened using solid streetwalls not exceeding four feet in height or landscaping. Frontage~~
 17377 ~~along the street shall be limited to 100 feet. The following standards shall apply. **[Deleted as this**~~
 17378 ~~is redundant information, and should follow parking code of Sec. 8-12, and Appendix A]~~
 17379 ~~a. **Minimum Spaces.** Uses must meet minimum parking requirements of the Zoning Code, except for~~
 17380 ~~the following.~~
 17381 ~~i. **Restaurants, nightclubs, bars, or taverns:** one space for every 100 square feet~~
 17382 ~~ii. **Theaters:** 15 spaces for the first 100 seats, plus one space for each additional four seats~~
 17383 ~~**[Different from Appendix A]**~~
 17384 ~~iii. **Medical and dental offices or clinics:** one space for every 250 square feet **[Same as Appendix**~~
 17385 ~~**A]**~~
 17386 ~~iv. **Research laboratories:** one space for every 300 square feet **[Different from Appendix A]**~~
 17387 ~~v. **Professional business offices (other than medical or dental offices):** one space for every 300~~
 17388 ~~square feet **[Different from Appendix A]**~~
 17389 ~~vi. **Business, commercial, or personal service establishments:** one space for every 300 square~~
 17390 ~~feet **[Different from Appendix A]**~~

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- 17391 ~~vii. Commercial shopping centers: one space for every 250 square feet~~ [Different from Appendix
17392 A]
17393 ~~viii. Convenience stores: one space for every 250 square feet~~ [Same as Appendix A but missing
17394 employee parking] [Relocated to/tabularized in Sec. 3-F-J.5.a. Minimum Spaces]
17395 ~~b. Maximum Spaces. Uses must not exceed more than 125 percent of required minimum parking,~~
17396 ~~unless such parking is provided in the form of stabilized grass parking.~~ [Relocated
17397 to/tabularized in Sec. 3-F-J.5.b. Maximum Spaces]
17398 ~~c. Shared Parking. Minimum parking requirements will be reduced to a percentage that is~~
17399 ~~equivalent to the percentage reduction in single group use. For example, when calculating~~
17400 ~~required parking for a development that is 75% weekday peak uses and 25% evening peak~~
17401 ~~uses, minimum parking requirements for the weekday peak uses would be 75% of the normal~~
17402 ~~required minimum, and minimum parking for the evening peak uses would be 25% of the~~
17403 ~~normal required minimum. Parking areas may not be separated from uses by roads with a~~
17404 ~~higher classification than minor collector, and a clear system of pedestrian corridors and~~
17405 ~~directional signage shall connect parking areas with uses.~~ [Deleted as this is redundant to
17406 Sec. 8-12.(3)(c)]

~~Eligible uses are described in the following table.~~

~~Shared Parking Groups~~

Weekday Peak Uses	Evening Peak Uses	Weekend Uses
Banks	Restaurants *	Places of worship
Schools	Theaters	Retail and service uses *
Distribution facilities	Bars and nightclubs	
Industrial uses	Lodges and clubs	
Medical clinics and offices		
Professional offices		
Professional services		

- 17409 [Deleted as this is redundant to Sec. 8-12.(3)(c)]
17410 * parking reduction may not exceed half of the maximum allowable reduction
17411 [Relocated to Sec. 3-F-J.5.c.2. Exception]
17412 ~~f. Restaurant Parking. Restaurants within shopping centers where parking is calculated using~~
17413 ~~shopping center minimum parking requirements may not exceed 35% of the shopping center~~
17414 ~~space, unless additional parking is required to meet parking needs as calculated for individual uses~~
17415 ~~within such shopping centers. Individual use calculation may utilize shared parking assumptions.~~
17416 ~~g. Parking for places of worship. Up to 35% of required minimum parking for places of worship may~~
17417 ~~be in the form of stabilized grass parking.~~ [Relocated to Sec. 3-F-J.5.c.2. Exception]
17418 ~~h. Grass parking standards. Where stabilized grass parking is required, an interlocking plastic grid~~
17419 ~~shall be covered with topsoil and grass. Providing that the appearance is that of a grassy area,~~

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17420 ~~grass pavers may also be used in the form of concrete interlocking blocks or synthetic fibrous grid~~
17421 ~~systems with open areas designed to allow grass to grow within the void areas. Topsoil shall be a~~
17422 ~~mixture of aggregate, which provides structural stability, and a sand/soil mixture that allows for~~
17423 ~~drainage and provides the soil components required for grass growth. [Deleted as this is~~
17424 ~~redundant to Sec. 8-12.(6)(b) Grassed Overflow Parking, Alternative Parking Standards]~~

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17425 DIVISION K APPLICATION SUBMISSION STANDARDS

17426 Sec. 3-F-K.1. Purpose and Intent

17427 The purpose and intent of this Division is to establish standards for Planning and Zoning applications, and
17428 to provide a guideline for applicants to prepare documents in a manner consistent with the standard formats
17429 as prescribed herein.

17430 Sec. 3-F-K.2. Application Submission Requirements

17431 3-F-K.2.a. Submission Requirements

17432 Pursuant to the Use Matrices in Part E, the submission requirements for each type of application process
17433 may vary based on the applicant's request(s) (Permitted, Conditional, and Special Exception). The following
17434 is a list of submission requirements; however, the Planning and Zoning Director or his/her designee may
17435 waive some of these requirements or may ask for additional information to be submitted as part of the
17436 application review.

- 17437 (1) Application Forms. Refer to [County forms \(website\)](#)^[CP224]
17438 (2) Proof of Ownership. Refer to [County forms \(website\)](#)^[CP225]
17439 (3) Legal Description. Title and land records of the subject property. *Lots and Blocks or Metes and*
17440 *bounds*
17441 (4) Executed Affidavit. Signed by the applicant or his or her authorized agent. Refer to [County forms](#)
17442 [\(website\)](#)
17443 (5) Project Narrative. A written summary of the request(s) and justification. Refer to [Sec. 3-F-K.\(4\)](#).
17444 (6) Survey.
17445 (a) *Independent Community Overlay (ICO). A survey of existing building conditions showing*
17446 *the number and locations, addresses and ownership of substandard dwelling units, and*
17447 *their potential for rehabilitation according to the definitions in Housing Policy 1.2.2 of the*
17448 *Clay County Comprehensive Plan.*
17449 *i. A location map showing parcel boundaries and location of substandard units shall*
17450 *be included.*
17451 *ii. The criteria for determining whether a dwelling unit is substandard based on*
17452 *external structural conditions are found in Table 14 of the Housing Element of the*
17453 *Clay County Comprehensive Plan.*
17454 *iii. The survey results may be verified by Clay County staff using the criteria in the*
17455 *Standard Existing Buildings Code (SBCCT) after the application for ICO status is*
17456 *received and/or approved. **[Relocated from Sec. 3-43.(c)(1)(iv) and (v)]***
17457 (7) Plans (Concept, Preliminary, Site, Subdivision, Master, Architectural, Landscape, Irrigation,
17458 Photometric, Life Safety). Refer^[CP226] [Need County to provide information.](#)
17459 (8) Environmental Assessment. An environmental assessment for lands proposed for development,
17460 prepared, and certified by a qualified environmental professional.
17461 (9) Paving, Grading and Drainage Plan. Refer to [Sec. 2-8.4](#).
17462 (10) Erosion Control Plan. Refer to [Sec. 2-8.6](#).

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- 17463 (11) Utility Plan. Refer to [Sec. 2-8.8](#).
17464 (12) Resolution of Prior Development Orders. If the subject property has a previously approved development order.
17465
17466 (13) Traffic Study. A traffic study of links and intersections^[MK227]
17467 (14) Water and Wastewater Capacity and Demand Analysis. [Need County to provide information.](#)
17468 (15) Adequate Public Facilities. Refer to [Sec. 3-F.B.](#)
17469 (16) Property Owners List and Map. Showing all properties with a 350-foot or less radius, depending on the type of application. The list shall be obtained from the most recent tax roll information as provided by the County Property Appraiser's Office. **[350 feet is from Art.12.] Sec. 12-9(6)1.(iii)**
17470
17471
17472 (17) Postage. [Two](#)^[CP228] sets of postage paid envelopes with the typed names of the owners within the radius as indicated in Subsection a.(15) above. County's return address and completed certified mail cards.
17473
17474

3-F-K.2.b. Fees

- 17475
17476 Payment shall be submitted along with the application. Refer to [Fee Schedule](#).^[CP229]

Sec. 3-F-K.3. Plan and Document Format Standards

- 17478 Applications to the Planning and Zoning Department shall be prepared in accordance with the following technical, graphic, and format drafting standards.
17479

3-F-K.3.a. Exemption

- 17481 (1) The Planning and Zoning Director or his/her designee may consider whether a previously approved plan was prepared in a manner that is not consistent with the prescribed format. Based on the applicant's current request, and the legibility of the plan, the Planning and Zoning Director or his/her designee shall determine to what extent of the plan would need to be updated for the review.
17482
17483
17484
17485 (2) The Planning and Zoning Director or his/her designee may also allow deviation of the scale of the plan based on the size and/or configuration of the subject property.
17486

3-F-K.3.b. Plan Size and Scale

- 17488 (1) Plan. All plans and building elevations shall be displayed on a sheet size of 24 inches x 36 inches (landscape orientation). Digital copy shall be in a .PDF format.^[CP230]
17489
17490 (2) Building Elevation. A color copy of the elevations shall be required to demonstrate the proposed color palette of the building or structure.
17491
17492 (3) Scale. All plans shall be drawn at an engineering scale depending on the size of the subject property. Scale may range from 1 inch = 20 feet to 1 inch = 60 feet.
17493
17494 (4) Line Weight. Shall comply with the American National Standards Institute (ANSI) drafting standards.
17495
17496 (5) Match Lines. If multiple sheets are used, match lines on each sheet shall be clearly labeled to reference each segment of the subject property.
17497

3-F-K.3.c. Signature and Seal (All electronic signatures/seals shall verifiable)^[CP231]

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- 17499 (1) Signature and Seal. All professional signature and seals shall be required for: Architectural,
17500 Landscape, Photometric plans. These professionals shall be either a Florida licensed Architect,
17501 Landscape Architect, or an Engineer.
- 17502 (2) Engineer's Signature and Seal. All Engineering Plans/Study: Paving, Grading and Drainage, Traffic
17503 Study, Erosion Control, Survey and Plat shall be prepared pursuant to Ch. 61G15-23 Seals, Florida
17504 Administrative Code and Florida Administrative Register.
- 17505 (3) Surveyor's Signature and Seal. Survey shall be signed and sealed by a Florida Licensed
17506 Professional Surveyor or Mapper.

3-F-K.3.d. Plan General Information (shown in an individual box)

- 17508 (1) Consultant. List consultant information such as name, address, phone, and email address.
17509 (2) Type of Plan. List the name of the type of Plan (e.g., Preliminary Site Plan).
17510 (3) Name of Application. List the name of application.
17511 (4) North Arrow. Provide a north arrow pointing upwards on the plan. The arrow shall not be applied to
17512 Building Elevations.
- 17513 (5) Subdivision and Revision Dates. List the initial submission date and each revision date under
17514 subsequent re-submission.
- 17515 (6) Vicinity Map. Provide a location map to show the subject property, identify the location, and the
17516 nearest north-south and east-west streets (collector, arterial, or waterways). Map shall not be drawn
17517 to scale.
- 17518 (7) Plan Page Number. List the page number for each plan or elevation sheet.
17519 (8) Approval Block. Provide a 4-inch by 4-inch box located at the bottom right side of the sheet for the
17520 Department's approval stamp.

3-F-K.3.e. Geometry Information

- 17522 (1) Site Data. Refer to Sec. 2-6.3. Geometry Plan Requirements[CP232]. *Jurisdictional*
17523 *wetland/Greenway delineation.* **[Relocated from Sec. 3-33B.A.2. Plan Administration, LAMPA]**
17524 (2) Legend. Provide a legend if symbols and acronyms are utilized for labeling on the plan. A table
17525 shall be prepared to identify what these symbols and acronyms represent.

Sec. 3-F-K.4. Project Narrative

- 17527 The applicant shall provide a project narrative, which shall include but is not limited to:
- 17528 (a) A summary of the request(s) indicating which type of use and process the applicant seeks;
17529 (b) Location of the subject property and all pertinent information relating to the property;
17530 (c) Previous approvals of the subject property and to what extent the current request modifies the prior
17531 approval;
- 17532 (d) Analyses of how the request(s) will meet the requirements of this Code and provide a response to
17533 each of the Criteria or Standards. Example A rezoning request of a property shall comply with Sec.
17534 12-9.(3) General Criteria for Rezoning Application for Rezoning[MK233]; and
17535 (e) A summary justifies how the request(s) should be approved by the decision-making body or person.

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

Part F Technical Requirements

17536 (f) Independent Community Overlay (ICO). A documentation which indicates the number and percent
 17537 of households within the proposed overlay boundaries with incomes under 50 percent of the median
 17538 income of Clay County, and the number and percent of households with incomes under 80 percent
 17539 of the median income of Clay County. [Relocated from Sec. 3-43.(c)(1)(v)]

17540 Sec. 3-F-K.5. Adequate Public Facilities

17541 The applicant shall prepare a table on the Site Plan indicating the provided adequate public facilities (APF)
 17542 for the proposed use(s). All the APF information shall be consistent with the graphic plan(s) and the
 17543 narrative of the request(s).

17544 **3-F-K.5.a. Examples**

<u>Proposed Use(s):</u>	<u>Proposed Intensity:</u>
<u>Gas and Fuel Sales with Retail Sales, Retail, Sales General</u>	<u>Number of pumps;</u> <u>Square footage of the Retail Sales</u>
<u>Private or Public School</u>	<u>Number of students</u>
<u>Place of Worship</u>	<u>Number of seats; square footage of each facility</u>

17545 Sec. 3-F-K.6. Landscape Plan

17546 A Landscape Plan shall be prepared in accordance with [Sec. 6-9. Landscape Plan Required.](#)

17547 **3-F-K.6.a. Plant List and Legend**

17548 The Plant List or Legend shall be shown in a Table format, as shown below on a Landscape Plan, and shall
 17549 identify all the proposed trees, palms, shrubs, hedge, groundcover, and/or ground treatment, where
 17550 applicable. The Plant List shall be consistent with Sec. 6-3. Landscape Design, [Table 2. Approved Plant](#)
 17551 List.

17552 (1) Example Plant List:

<u>Acronym or Symbol</u>	<u>Quantity</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size</u>

17553 **3-F-K.6.b. Notes and Specifications**

17554 Notes and specifications for the proposed planting shall be in compliance with the Florida Grades and
 17555 Standards for Nursery Plants, as amended. Planting notes shall include, but are not limited to the following:

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

Part F Technical Requirements

- 17556 (1) Easement. Indicate that it is the responsibility of a contractor to locate all existing utility holder or
17557 company or any other types of obstruction that may impact the installation of the proposed plants,
17558 preservation or relocation of existing vegetation;
17559 (2) Final Gradient of Planting Area. Indicate that the proposed final grade of the planting areas shall
17560 be below the adjacent paved areas, and indicate that all drainage within a planting area shall be
17561 self-contained with a swale so that the run-off will not be spilled over into the adjacent paved areas.
17562 (3) Ground Cover or Treatment. Indicate elements such as mulch, decorative stones, or low
17563 groundcover type of planting(s);
17564 (4) Root Barriers. Indicate only if required to be installed in planting pits; and
17565 (5) Maintenance. Indicate how the proposed planting plan is to be maintained over time.

17566 Sec. 3-F-K.7. Survey

17567 3-F-K.7.a. Topographic Survey.

- 17568 A survey which may be drawn to scale of 100 feet to 1 inch prepared by a registered surveyor showing:
17569 (1) The location of existing property lines, public or private right-of-way, buildings, water courses,
17570 transmission lines, sewers, bridges, culverts and drain pipes, water mains, and any public utility
17571 easements.
17572 (2) Wooded areas, streams, lakes, marshes, and other physical conditions affecting the site.
17573 (3) Existing contours shown at a contour interval of 1 foot. [Relocated from Sec. 3-19.(h) Final
17574 Development Plan, topographical survey]

17575 Sec. 3-19.(g) Zone RD

- 17576 (g) Required Plan Submittal. Preliminary plans shall accompany all applications for multi-family
17577 zoning. The preliminary shall include the following information: (amended 3/94 Ord. 9419)
17578 (1) Property line survey and legal description. [Relocated to 3-F-K.2.a. Submission
17579 Requirements]
17580 (2) A topographic survey. The most recent USGS topographic survey may be utilized if no
17581 better topographic information is available. [Relocated to 3-F-K.7.a. Survey]
17582 (3) An approximate location of buildings, streets, parking facilities, screening, number of units,
17583 floor area of units, number of living units in plan, land use calculations, common ownership areas,
17584 proposed buffers between dissimilar land uses.
17585 (4) Vicinity map.
17586 (h) Final Development Plan. If rezoning approval is granted, a building permit will not be issued until
17587 the applicant has submitted to the Development Review Committee for their approval a final
17588 development plan which shall include the following: (Amended 3/94 Ord. 94-19)
17589 (1) A topographic survey which may be drawn to scale of one hundred (100) feet to one (1)
17590 inch by a registered surveyor and/or engineer showing:
17591 (i) The location of existing property or right of way lines for both private property and
17592 public property, streets, buildings, water courses, transmission lines, sewers,
17593 bridges, culverts and drain pipes, water mains, and any public utility easements.
17594 (ii) Wooded areas, streams, lakes, marshes, and other physical conditions affecting
17595 the site.

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

Part F Technical Requirements

- 17596 (iii) ~~Existing contours shown at a contour interval of one (1) foot.~~
- 17597 **[Relocated to 3-F-K.7.a. Survey]**
- 17598 (2) ~~A development plan drawn at a scale of one hundred (100) feet to one (1) inch and~~
17599 ~~showing:~~
- 17600 (i) ~~The boundaries of the site, topography, and proposed grading plan.~~
- 17601 (ii) ~~Proposed streets and street names, and other vehicular and pedestrian circulation~~
17602 ~~systems including off-street parking.~~
- 17603 (iii) ~~The use, size, and location of all proposed building sites.~~
- 17604 (iv) ~~Location and size of open space recreation areas and facilities.~~
- 17605 (v) ~~Location and width of buffer zones.~~
- 17606 (3) ~~A utility service plan showing:~~
- 17607 (i) ~~Existing drainage and sewer lines.~~
- 17608 (ii) ~~The disposition of sanitary waste and storm water.~~
- 17609 (iii) ~~The source of potable water.~~
- 17610 (iv) ~~Location and width of all utility easements or rights-of-way.~~
- 17611 (v) ~~Plans for the special disposition of storm water drainage when it appears that said~~
17612 ~~drainage could substantially harm a body of surface water.~~
- 17613 (4) ~~A landscaping plan showing:~~
- 17614 (i) ~~Landscaped areas.~~
- 17615 (ii) ~~Locations, height, and material for walks, fences, walkways, and other manmade~~
17616 ~~landscape features.~~
- 17617 (iii) ~~Any special landscape features such as, but not limited to man-made lakes, land~~
17618 ~~sculpture, and waterfalls. **[Deleted, referred to Sec. 6-9. Landscape Plan**~~
17619 ~~**Required]**~~
- 17620 (5) ~~Statistical information:~~
- 17621 (i) ~~Total acreage of the site.~~
- 17622 (ii) ~~Maximum building coverage expressed as a percent of the area.~~
- 17623 (iii) ~~Required Recreation. Recreation space equal to or greater than ten (10) percent~~
17624 ~~of the net acreage for the development shall be provided. (Ord. 94-26 4/26/94)~~
- 17625 (iv) ~~Calculated density for the proposed section. **[Deleted, replaced by next text]**~~
- 17626 **Sec. 3-21.(f) and (g) Zone RMHP**
- 17627 (f) ~~Criteria for Site Plan Approval. The site plan submitted for such development as defined in~~
17628 ~~this ^[MK234] chapter shall provide that the proposed lot sizes, density, setback provisions, and other~~
17629 ~~factors are in conformity with the requirements of the Clay County Land Development Code and~~
17630 ~~other applicable ordinances and laws, and that such plan and use is in harmony with adjacent and~~
17631 ~~surrounding land use and with the land use character in the proposed area. In addition to such~~
17632 ~~general considerations, said plan shall be approved only after a consideration of the following~~
17633 ~~factors which are deemed to be additional conditions upon the use of land for purposes for which~~
17634 ~~a site plan is required as provided in this chapter under this article:~~
- 17635 (1) ~~The ingress and egress to the property and proposed structures, both pedestrian and~~
17636 ~~vehicular, shall be so controlled to provide safe traffic control and flow within the property~~
17637 ~~and between adjoining property and existing public roads and rights-of-way.~~

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

Part F Technical Requirements

- 17638 (2) ~~The drainage of the property shall be in conformity with the established plan of drainage~~
17639 ~~within the surrounding area and must not alter said established drainage so as to adversely~~
17640 ~~affect the public land or adjoining property.~~
17641 (3) ~~All methods of utility connection shall be indicated and shall be in conformity with the~~
17642 ~~standards and requirements for connection to utility companies proposed to serve the~~
17643 ~~property, whether said utility companies are public or private.~~
17644 (4) ~~All off-street parking shall be indicated and shall provide safe traffic control and flow to the~~
17645 ~~property and between the property, adjoining property, and existing public roads and rights-~~
17646 ~~of-way.~~
17647 (5) ~~The proposed use of the property shall be in conformity with, and compatible to, the~~
17648 ~~character of the surrounding property and shall not substantially interfere with the safety,~~
17649 ~~light, air and convenience of the surrounding private and public property.~~
17650 (6) ~~All recreational areas, open space, setbacks, parking areas, and accessory structures shall~~
17651 ~~be so landscaped, located and constructed so as not to interfere with the use or potential~~
17652 ~~use of surrounding property both public and private. [Deleted. Deferred the criteria to~~
17653 ~~Article 2 of this Code]~~

Sec. 3-33.(c) Zone PUD

- 17654 (c) ~~Procedure for Approval of a Planned Unit Development. The procedure for obtaining a change~~
17655 ~~in [MK235] a zoning district for the purpose of undertaking a Planned Unit Development shall be as~~
17656 ~~follows:~~
17657 (1) ~~Planned Unit Development Zoning and Master Plan. The applicant shall submit to the~~
17658 ~~Board of County Commissioners a request for change to a Planned Unit Development~~
17659 ~~zoning classification and a proposed Master Land Use Plan containing the following~~
17660 ~~exhibits:~~
17661 (i) ~~A vicinity map showing the location of the proposed Planned Unit Development,~~
17662 ~~relationship to surrounding streets and thoroughfares, existing zoning on the site~~
17663 ~~and surrounding areas, and existing land use on the site and surrounding areas.~~
17664 (ii) ~~A boundary survey map indicating with reasonable certainty the location of each~~
17665 ~~zoning classification.~~
17666 (iii) ~~A topographic survey. The most recent U.S.G.S. topographic survey may be~~
17667 ~~utilized if no better topographic information is available.~~
17668 (iv) ~~A Master Plan showing or describing the proposed land uses, lot sizes (for~~
17669 ~~residential uses), building setbacks, open spaces, and streets and thoroughfares.~~
17670 (v) ~~A table showing acreage for each category of land use and total acreage; a table~~
17671 ~~of proposed maximum and average densities and setbacks for residential land uses.~~
17672 (2) ~~Thereafter, the application shall be processed as any other zoning application in~~
17673 ~~accordance with the provisions of these Regulations. The Board of County Commissioners~~
17674 ~~may approve, disapprove, or modify and approve the proposed Master Plan.~~
17675 (d) ~~Final Development Plan. If rezoning approval for the Planned Unit Development is granted, within~~
17676 ~~thirty (30) months the applicant shall submit to the Planning and Zoning Department for approval a~~
17677 ~~Final Development Plan covering all of the approved Master Plan. The thirty month time period for~~
17678 ~~submittal does not apply to development approved pursuant to a Development of Regional Impact~~
17679 ~~(DRI) adopted under Section 380.06, Florida Statutes. The Final Development Plan shall include~~
17680 ~~the following exhibits:~~
17681

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

Part F Technical Requirements

- 17682 (1) ~~A map drawn to scale of 100 feet to one inch by a registered surveyor and/or engineer~~
17683 ~~showing:~~
17684 (i) ~~The location of existing property or right-of-way lines, both for private property and~~
17685 ~~public property, streets, buildings, water courses, transmission lines, sewers,~~
17686 ~~bridges, culverts and drain pipes, water mains, and any public utility easements.~~
17687 (ii) ~~Wooden areas, streams, lakes, marshes, and any other physical conditions~~
17688 ~~affecting the site.~~
17689 (iii) ~~Width, location, and names of surrounding streets.~~
17690 (iv) ~~Proposed streets and street names and other vehicular and pedestrian circulation~~
17691 ~~systems, including off-street parking.~~
17692 (v) ~~The use, size, and location of all proposed building sites. [Deleted. Deferred to~~
17693 ~~Article 2]~~
17694 (2) ~~Statistical Information:~~
17695 (i) ~~Total acreage of the site.~~
17696 (ii) ~~Maximum building coverage expressed as a percent of the area.~~
17697 (iii) ~~Area of land devoted to recreation purposes expressed as a percent of the total~~
17698 ~~site area. Recreation space must be equal to or greater than 10 percent of the~~
17699 ~~gross acreage. Of this 10 percent, 4 percent must be for usable recreation~~
17700 ~~purposes as defined by the growth management plan.~~
17701 (iv) ~~Calculated density for the proposed section. [Deleted, consolidated in Sec. 3-F-~~
17702 ~~K.2.]~~

~~Sec. 3-33 B. LAKE ASBURY MASTER PLAN AREA~~

~~A. PLAN ADMINISTRATION.~~

- 17703 1. ~~Rezoning. The County shall rezone undeveloped properties to the base zoning district for each land~~
17704 ~~use.~~
17705 2. ~~Application Requirements. Applications for development review shall include, at a minimum, a~~
17706 ~~narrative, site plan, jurisdictional wetland/Greenway delineation, survey, and building elevations when~~
17707 ~~applicable that specifically demonstrate how the project meets the LDRs.~~
17708 ~~All developments shall be required to provide an environmental assessment for lands proposed for~~
17709 ~~development, prepared and certified by a qualified environmental professional, at the time of~~
17710 ~~development review and prior to any land clearing or disturbance of the site. [Relocated to Sec. 3-F-~~
17711 ~~K.2.a.(8) Submission Requirements]~~
17712 3. ~~Project Review. All projects will undergo separate conceptual and final reviews by the County's staff~~
17713 ~~Development Review Committee, with representatives of specific County departments reviewing items~~
17714 ~~pertinent to their responsibilities. Applications shall be considered by the DRC no later than 22 days~~
17715 ~~from the date of submittal.~~
17716 4. ~~Project Approval. Project approval shall be given by the Director of Planning and Zoning, with written~~
17717 ~~confirmation of compliance from other County department heads as required in these regulations.~~
17718 ~~Conceptual approval is granted for a period of three years. Conceptual plans will be guided by the~~
17719 ~~LDRs in effect at the time of approval. Final applications shall be reviewed by the DRC consistent with~~
17720 ~~the DRC submittal schedule. Approval of specific plats, construction drawings, and other detailed~~
17721 ~~submittals shall continue to be the responsibility of the relevant department head. [Deleted and~~
17722 ~~deferred to Articles 2 and 12, as amended]~~
17723
17724

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

Part F Technical Requirements

- 17725 **Sec. 3-43.(c)**
17726 (c) ~~Procedure for Approval of Independent Community Overlay. The procedure for obtaining approval~~
17727 ~~of an Independent Community Overlay shall be as follows:~~
17728 (1) ~~The applicant shall submit the request for approval of an Independent Community Overlay~~
17729 ~~with the following exhibits:~~
17730 (i) ~~A vicinity map(s) showing the Independent Community Overlay, relationship to~~
17731 ~~surrounding streets and thoroughfares, existing zoning on the site and surrounding~~
17732 ~~areas, and existing land uses on the site and surrounding areas.~~
17733 (ii) ~~A boundary survey map indicating with reasonable certainty the location of the~~
17734 ~~proposed overlay.~~
17735 (iii) ~~A list showing the parcel identification numbers of all parcels which would be~~
17736 ~~included in the overlay zone. [Deleted as these application requirements are~~
17737 ~~redundant to new Sec. 3-F-K.2.a.]~~
17738 (iv) ~~A survey of existing building conditions showing the number and locations,~~
17739 ~~addresses and ownership of substandard dwelling units, and their potential for~~
17740 ~~rehabilitation according to the definitions in Housing Policy 1.2.2 of the Clay County~~
17741 ~~Comprehensive Plan. A location map showing parcel boundaries and location of~~
17742 ~~substandard units shall be included. The criteria for determining whether a dwelling~~
17743 ~~unit is substandard based on external structural conditions are found in Table 14~~
17744 ~~of the Housing Element of the Clay County Comprehensive Plan. The survey~~
17745 ~~results may be verified by Clay County staff using the criteria in the Standard~~
17746 ~~Existing Buildings Code (SBCCT) after the application for ICO status is received~~
17747 ~~and/or approved. [Relocated to Sec. 3-F-K.2.a. Application Submission~~
17748 ~~Standards]~~
17749 (v) ~~A survey or other documentation which indicates the number and percent of~~
17750 ~~households within the proposed overlay boundaries with incomes under fifty (50)~~
17751 ~~percent of the median income of Clay County, and the number and percent of~~
17752 ~~households with incomes under eighty (80) percent of the median income of Clay~~
17753 ~~County. [Relocated to Sec. 3-F-K.4. Project Narrative]~~
17754 (vi) ~~Such other documents or statistical information deemed necessary or pertinent to~~
17755 ~~the application by the applicant or County officials.~~
17756 (2) ~~Thereafter, the application shall be processed as any other zoning application in~~
17757 ~~accordance with the provisions of these Regulations. The County may request further~~
17758 ~~information as necessary to enable informed consideration of the request, and may~~
17759 ~~approve, disapprove, or modify and approve the proposed Independent Community~~
17760 ~~Overlay. [Deleted as this repeats Article 2 Procedures for Development Review]~~

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