

ORDINANCE 2018-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING SECTION 3-33A OF ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS AMENDED, AND COMPRISING THE BRANAN FIELD LAND DEVELOPMENT REGULATIONS, IN ORDER TO ADD COMMERCIAL KENNELS AS A USE BY RIGHT IN ACTIVITY CENTER; TO SET FORTH RESIDENTIAL DESIGN STANDARDS FOR USE IN ACTIVITY CENTER; AND TO PROVIDE THAT ACTIVITY CENTER RESIDENTIAL DESIGN REQUIREMENTS SHALL APPLY IN COMMUNITY CENTER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (the Board) adopted Ordinance 93-16, as amended, which created Article VIII of the Clay County Land Development Code being the Clay County Zoning and Land Use Land Development Regulations; and

WHEREAS, on March 23, 2004, the Board adopted Ordinance 2004-19, which created Section 3-33A of said Article III, comprising the Branran Field Land Development Regulations; and

WHEREAS, the Board desires to amend Section 3-33A of Article III in order to add a use by right and to revise certain residential design standards.

Be it ordained by the Board of County Commissioners of Clay County:

Section 1. Subparagraph a.x. of Paragraph 4, Activity Center, of Subsection III of Section 3-33A of Article III, is amended as follows:

x. Plant nurseries; Commercial Kennels. Commercial Kennels are allowed subject to the following:

A. An open space for free running of pets may be in a courtyard surrounded by a building on all sides. Such open space may be open air or may also be located outside of the building footprint requiring fencing and landscape buffering subject to County approval. When a property is not enclosed or bordered by natural wetlands, road or other commercial uses, an 8 foot wall should also be provided between the runs and the property boundary.

B. Pet runs of any other nature may not exceed 50 square feet per pet and be attached to the main structure with a minimum 15' set back from the property line.

C. Domestic pets only are allowed.

D. No breeding shall be allowed.

E. All animals shall be inside enclosed structures between the hours 10 PM and 6 AM.

Section 2. Subparagraph c. of Paragraph 4, Activity Center, of Subsection III of Section 3-33A of Article III, is amended as follows:

- c. Density and Residential Design Standards. ~~The maximum floor area ratio (FAR) for each nonresidential development within the Activity Center classification shall not exceed 80%, with an average not to exceed 60 percent.~~
- i. Minimum Density: 8 units per gross acre
 - ii. Maximum Density: 20 units per gross acre in BF Activity Center; 16 units per gross acre in BF Community Center
 - iii. Minimum Lot Size: 2,700 square feet for single-family detached units; 1,350 square feet for single-family attached units
 - iv. Minimum Lot Width: 15 feet for single-family attached units; 32 feet for single-family detached homes, 80 feet for multi-family structures. Single-family attached structures shall not exceed 8 attached dwelling units. Structures shall not exceed 200 feet in width.
 - v. Minimum Front Setback from Right of Way: 15 feet front facade, 10 feet for front porches and stoops; 20 feet for front facing garages
 - vi. Maximum Front Setback: 25 feet
 - vii. Minimum Side Setback: 5 feet; 10 feet for corner lots
 - viii. Minimum Rear Setback: 8 feet
 - ix. Maximum Percent of Lot Coverage: 80 percent (total for all primary and accessory buildings)
 - x. Lot Size Standards. To ensure walkability and affordability, at least 75% of single-family lot sizes within a development must be less than 6,000 square feet.
 - xi. Design Standards

- A. Rooflines must be pitched or gabled at a minimum 4:12 slope or, if flat, must include parapet walls or partial roofs.
- B. Exterior walls shall be constructed of finished materials such as stucco, natural brick or stone, finished concrete, wood or other similar materials 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.
- C. Front porches are required on all single-family detached, single-family attached and townhome development. Porches must have a minimum width of four feet.
- D. Each residence or building, in the case of multi-family developments, must have an entrance facing the street. Single-Family attached units, when constructed as 4 or more attached units, may have 2 units with side entries per building.
- E. Development and neighborhood signs are limited to monument signs that are less than six feet in height and thirty feet in size.
- F. Alleys are encouraged, but not required. Interior courtyards are required for all multifamily developments. Alleys and interior courtyards must meet the standards set forth in Subsection I, General Standards, paragraph 7.g. herein.
- G. A minimum of 80% of all off-street parking places in a multi-family development shall be to the rear of buildings and accessible by alleys. Alleys are encouraged, however front facing garages for single-family detached and single family attached lots will be allowed. These lots may be served by curb cuts with maximum 12 foot wide driveways. Parallel on-street parking is allowed, but no driveways or curb cuts are allowed along streets, except as provided above. For multi-family development, parking between buildings may not exceed two parking rows as arranged perpendicular to the street. Single-family attached residential development must provide a minimum of 5 spaces and a maximum of .5 spaces per residential unit in a parking courtyard in addition to the driveway and garage spaces per unit. These parking spaces may also be attributable to amenity parking within the development, but shall be available for residential and guest parking.
- H. To promote walkability, block lengths may not exceed 600 feet, unless a pedestrian path or neighborhood park is divides the length of the block, not to exceed 1,000 feet.
- I. Developments with more than 200 units shall be required to have a central civic space within a neighborhood park including a clubhouse or open air pavilion. This structure shall be constructed prior to the issuance of a building permit for more than 50% of the lots and/or unit of the development. The developer and

later the homeowners association shall be responsible for the construction and upkeep of the civic space. The pavilion size shall be set at five square feet per unit for an enclosed building and ten square feet per unit for an open air pavilion. Enclosed buildings and pavilions shall have a minimum size of 750 square feet. Enclosed buildings shall not be required to exceed 2,000 square feet and pavilions shall not be required to exceed 1,500 square feet.

J. To promote housing diversity and affordable housing, no more than one accessory structure and one garage apartment shall be allowed in conjunction with a single-family detached home. For the purposes of calculating density only, accessory units will not be recognized as a separate unit, and for concurrency purposes, shall be counted as one-half of a unit. Accessory apartments shall conform to the following standards:

1. Ownership. The primary unit and the accessory unit must remain under single ownership.

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).

3. Size. Accessory apartments may not exceed six hundred (600) square feet.

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.

K. To promote a diversity of housing types and to encourage affordable housing in subdivisions, there shall be at least two different lot widths. The two lot widths shall vary by at least 15%. At least 30% of the lots must have a different lot width as described above.

L. Open Space. A minimum of five percent upland open space is required for each development. Open Space may include parks, buffers, and other common areas.

M. Recreation. See Subsection I. General Standards, paragraph 4. herein.

Section 3. Paragraph 4, Activity Center, of Subsection III of Section 3-33A of Article III, is amended to add new subparagraph d. as follows:

d. Intensity Requirements. The maximum floor area ratio (FAR) for each nonresidential development within the Activity Center classification shall not exceed 80%, with an average not to exceed 60 percent.

Section 4. Clause v. of Subparagraph a. of Paragraph 3, Community Center, of Subsection III of Section 3-33A of Article III, is amended as follows:

v. Multi-family residential uses at eight to sixteen units per acre. Residential development within Community Center must conform to the ~~TND Village standards~~ Activity Center Residential Design Requirements.

Section 5. If any portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 6. This ordinance shall take effect as provided by Florida general law.

DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 24th day of July 2018.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: _____
Gavin Rollins, Its Chairman

ATTEST:

S.C. Kopelousos, County Manager and
Clerk to the Board of County Commissioners