

**Attachment**  
**“A”**  
**LDC Revision**  
**Presentation**

# CLAY COUNTY LAND DEVELOPMENT CODE REVISION

BCC & PC Workshop |  
June 6<sup>th</sup> 2023  
Consultant Team: WGI



# INTRODUCTIONS | Meet the Team



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

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**SEC. 1-15. DEFINITIONS**

# GENERAL SUMMARY OF AMENDMENTS

Article III Zoning and Land Use renamed to **Article 3 Zoning Districts, Land Uses, and Development Standards**

Article 3 is divided into 6 “Parts” A through F.

General amendments:

- **Reduced redundancies** by consolidating “like” requirements;
- **Established templates** with tables to organize code standards and reduced long text;
- **Provided references** to a specific Section, Division, Part or Article;
- **Introduced graphics** for comprehension of code text;
- **Introduced Use Matrices** to identify the use type and affiliated approval process in a specific zoning district or FLU category.

# ARTICLE 3 UPDATE



First draft was submitted to the County April 6<sup>th</sup>



Stakeholders update presentation on May 1<sup>st</sup>



The first draft is available on the County website

County has reviewed the following Parts:

- Part A – General Provisions;
- Part B – Non-Conformities; and
- Part C – Future Land Use and Density Bonus Programs

WGI has updated these 3 Parts and incorporated in the second draft

# TABLE OF CONTENTS

**PART A - GENERAL PROVISIONS**

**PART B - NON-CONFORMITIES**

**PART C - FUTURE LAND USE CATEGORIES & DENSITY BONUS PROGRAMS**

**PART D - ZONING DISTRICTS & LAND DEVELOPMENT STANDARDS**

**PART E – TYPES OF USE AND STANDARDS**

**PART F – ADEQUATE PUBLIC FACILITIES AND TECHNICAL STANDARDS**

**SEC. 1-15. DEFINITIONS**

# PART A - GENERAL PROVISIONS

Introduction to the County's zoning districts and Official Zoning Map

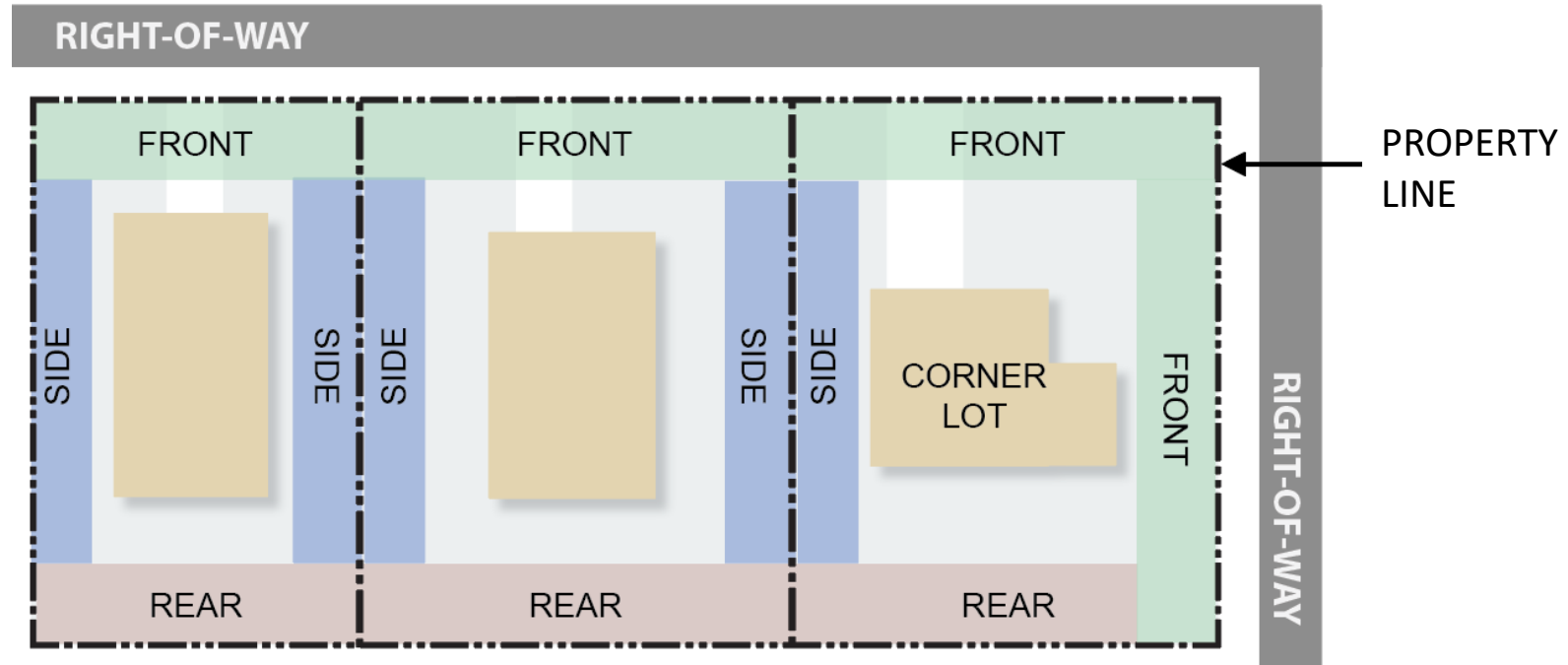
Clarified which Authority interprets the Zoning Code and Official Zoning Map boundaries

Consolidated general standards and added code graphics on how to measure setbacks and separation between two incompatible uses



# PART A - GENERAL PROVISIONS

## Example Code Graphics:

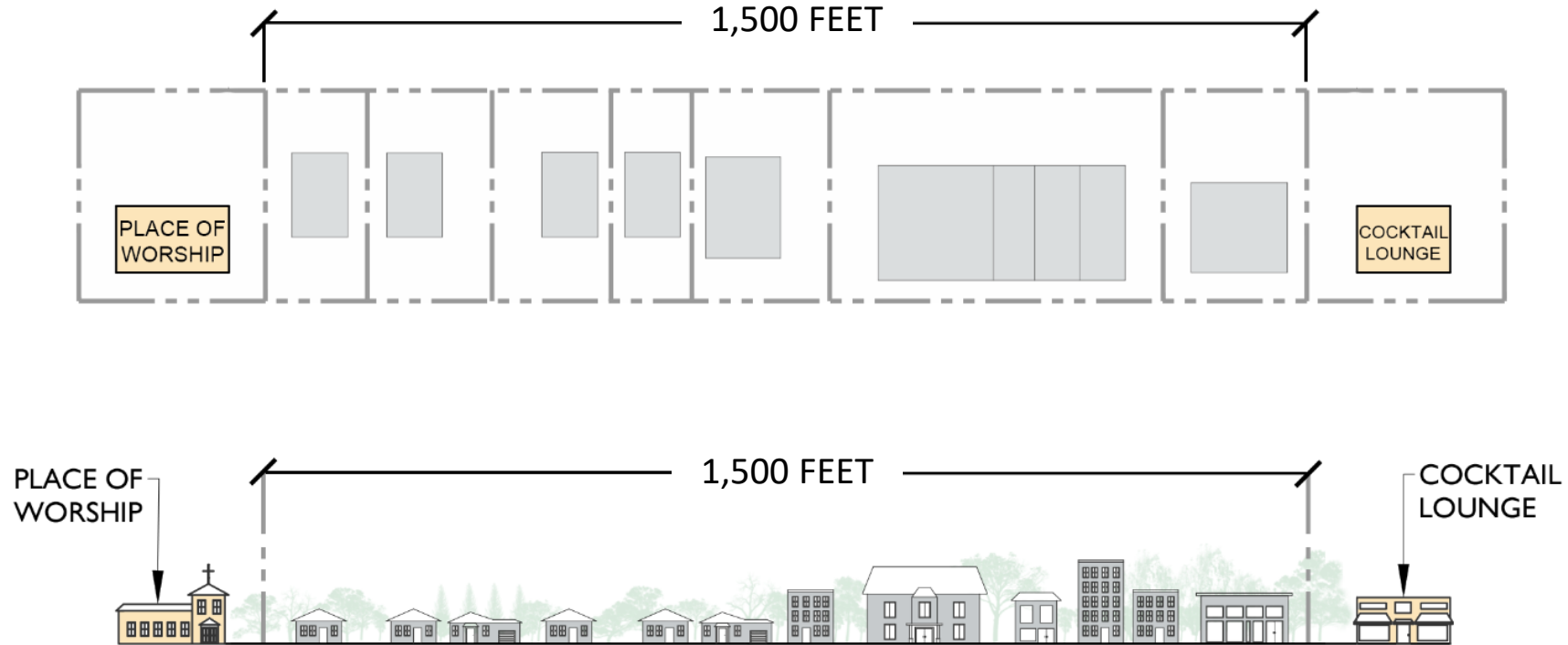


### *Measurement of Setback*

A setback as defined in *Sec. 1-15.S.(6)* shall be measured from the property line to the proposed or existing building or structure.

# PART A - GENERAL PROVISIONS

## Example Code Graphics:



### *Measurement of Separation Distance*

An establishment that sells alcohol shall be separated from a Place of Worship at minimum of 1,500 linear feet.

# PART B - NON-CONFORMITIES

The term Non-Conformities includes; lot, structure, use and site improvements (which are parking areas, landscaping or any exterior type of site elements)

Carried forward current code requirements on Vested Rights, Eminent Domains, limitations in improvements for any Non-Conformities

Introduced methodology in the determination of improvement value

# PART C - FUTURE LAND USE & DENSITY BONUS PROGRAMS

Replaced existing Sec. 3-9 (Zoning District and Land Use Category Consistency) in a tabular format

Consolidated old Sec. 3-10 (Densities and Intensities of Use) in a table format with footnotes identifying specific standards of each zoning district

Included Heir's Exemption

# PART C - FUTURE LAND USE & DENSITY BONUS PROGRAMS

Clarified all Density Bonus Programs:

## *Density Bonus Program Table:*

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

# PART D - ZONING DISTRICTS & LAND DEVELOPMENT REGULATIONS

Part D includes:

- Standard Zoning Districts (Residential and Non-Residential);
- Planned Development Districts, Master Planned Communities (Branan Field and Lake Asbury); and
- Overlay Special Standards (Independent Community Overlay, Conservation Overlay, Wells Road and Clay Hill Overlay Design Guidelines)

All Zoning Districts apply the following template in this order:



## **ARTICLE 3 Zoning Districts and Land Uses**

Part D Zoning Districts & Land Development Standards

### **Intent of the District**

### **Density or Intensity**

### **Development Standards:**

- Lot size, width, depth, setbacks, etc.

### **Additional Standards (where applicable)**

### **Types of uses (specific to a district):**

- Referenced the Use Matrix which indicates the Zoning district and affiliated application process

# PART D - ZONING DISTRICTS & LAND DEVELOPMENT REGULATIONS

## Master Planned Communities (Branan Field and Lake Asbury)

*Division 11* includes all similar requirements that can be applied to both Branan Field (BF) and Lake Asbury (LAMPAs). These requirements pertain to:

- Application Requirements, also defer to Article II, Procedures for Development Review;
- Homeowners' Association and Property Owner's Association;
- Interpretation Flexibility – Established criteria for the Planning and Zoning Director when making decision on flexing of certain regulations;
- Adequate Public Facilities (APF) referenced in Part F APF and Technical Standards; and
- Design Standards for Non-Residential or Mixed Use of the MPC such as street layout, building orientation, block lengths, pedestrian connectivity and parking location.

# PART E – TYPES OF USE AND STANDARDS

All Use Types apply the following template in this order:



## **ARTICLE 3 Zoning Districts and Land Uses** Part E Use Types and Standards

### **Description and Typical Uses**

### **Dimensional Standards**

- Min. lot size, setback, use separation, etc.

### **Permitted and Conditional Use Standards**

- Access, storage, buffering, hours of operation, etc.

### **Accessory or Collocated Uses**

- Reference to the Accessory Use Division



# PART E – TYPES OF USE AND STANDARDS

Created Use Matrices to include zoning districts or FLU categories where those uses are allowed subject to a Permitted use or Conditional use. See Example on next slide.

<i>Agricultural Use Matrix</i>	AG	AR	AR-1	AR-2	RA	RB	RC	RE	IA	IB	PO-3	BB	BB-3	BB-4
<b>Agricultural, Bona Fide</b>	P	P												
<b>Agricultural Sales and Services</b>									P	P		P	P	P
<b>Agricultural Storage</b>	P	P									P			
<b>Agritourism</b>	C	C												
<b>Apiculture</b>	P	C	C	C	C	C	C	C						
<b>Aviculture</b>	C	C	C	C	C	C	C	C						
<b>Broiler House</b>	C													
<b>Commercial Feed Lot</b>	C											P		P
<b>Plant Nursery, Retail Garden Center</b>	P	P										P	P	
<b>Plant Nursery, Wholesale</b>	P	P							P			P		P
<b>Equestrian Facilities</b>	C	C	C											
<b>Legend:</b>														
P – Permitted Use														
C – Conditional Use														

# PART E – TYPES OF USE AND STANDARDS

**Sec. 3-E-1.3.a. Specific Prohibited Use or Activity**  
 Prohibited uses or activities shall not be permitted, as follows:

*Prohibited Use or Activity Table*

Zoning District	Uses, Activities or Structures
<b>All districts:</b>	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 welfare and health of the citizens in the area.
<b>AR-1, AR-2, BF RS:</b>	Any Agricultural pursuit as a Commercial venture or enterprise or the keeping or maintaining of any animal, reptile or rodent, as a Commercial venture or enterprise. Any Commercial Agricultural pursuit or the breeding, raising, grazing, or keeping of animals, fowl, and insects. Boat piers and slips for Commercial docking of watercraft. Mobile Homes.
<b>PS-2:</b>	With respect to Assembly, Non-Profit or Membership, 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.
<b>Wells Road:</b>	Large lounges are prohibited on any parcel of land as set forth in <i>Sec. 3-D-10.4. Wells Road Special Regulations.</i>

# PART E – TYPES OF USE AND STANDARDS

Clarified that an Accessory use is customarily affiliated with a Principal use and is subordinate in area or extent of the Principal use.

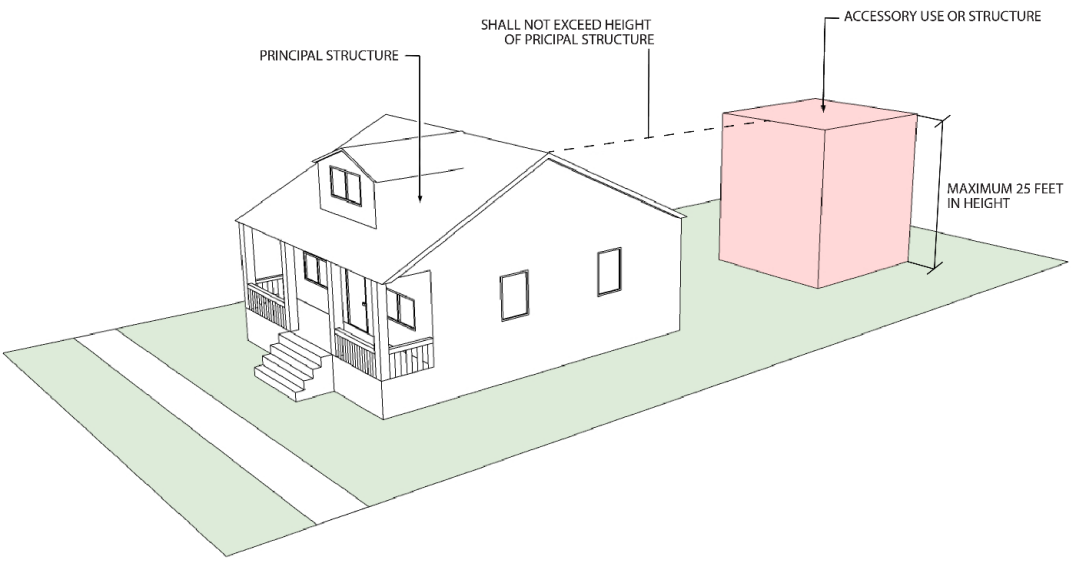
**Example:**            **A daycare is allowed as either an accessory or collocated use with a Place of Worship**

Accessory use/floor area is limited to a maximum of 30%

No Use Matrix proposed for Temporary uses because such use may occur in many different districts for a limited time. Regulations should be identified in the Special Permit forms

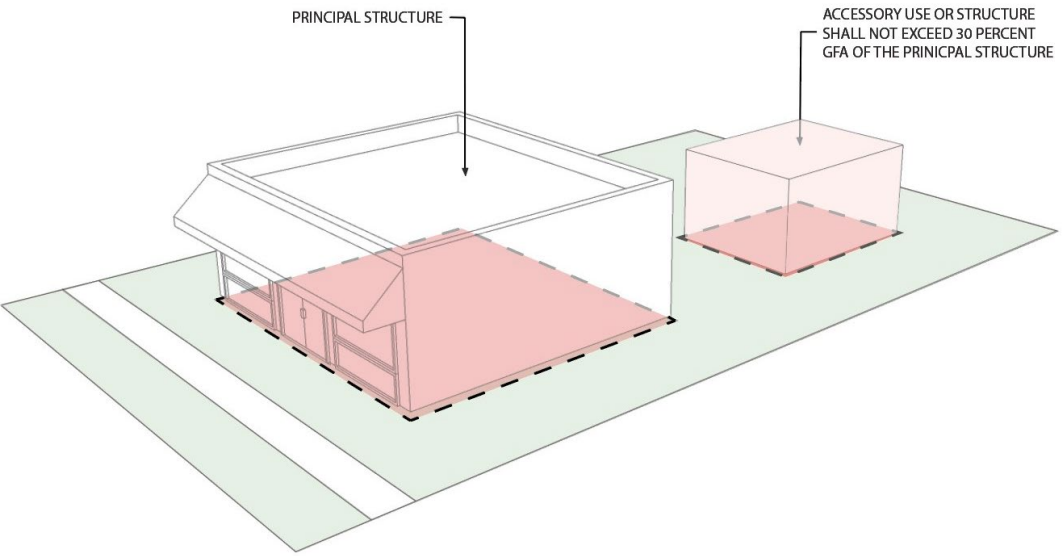
# PART E – TYPES OF USE AND STANDARDS

## Example Code Graphics:



**Maximum Height for Accessory Use or Structures**

All Accessory structures shall be less than or at the same height as the Principal structure, not exceeding an overall height of 25 feet measuring from the finished grade to the highest point of the Accessory structure.



**Maximum GFA for Accessory Use or Structures**

For a Non-Residential use, the Accessory use or structure shall not exceed 30 percent of the GFA of the Principal structure.

# PART F – ADEQUATE PUBLIC FACILITIES AND TECHNICAL STANDARDS

## *Division 2*

Consolidate Adequate Public Facilities (APF) of the two Master Planned Communities

## *Division 9*

Intended to serve as a temporary placeholder for landscape requirements not found in Article 6 Tree Ordinance.

## *Division 10*

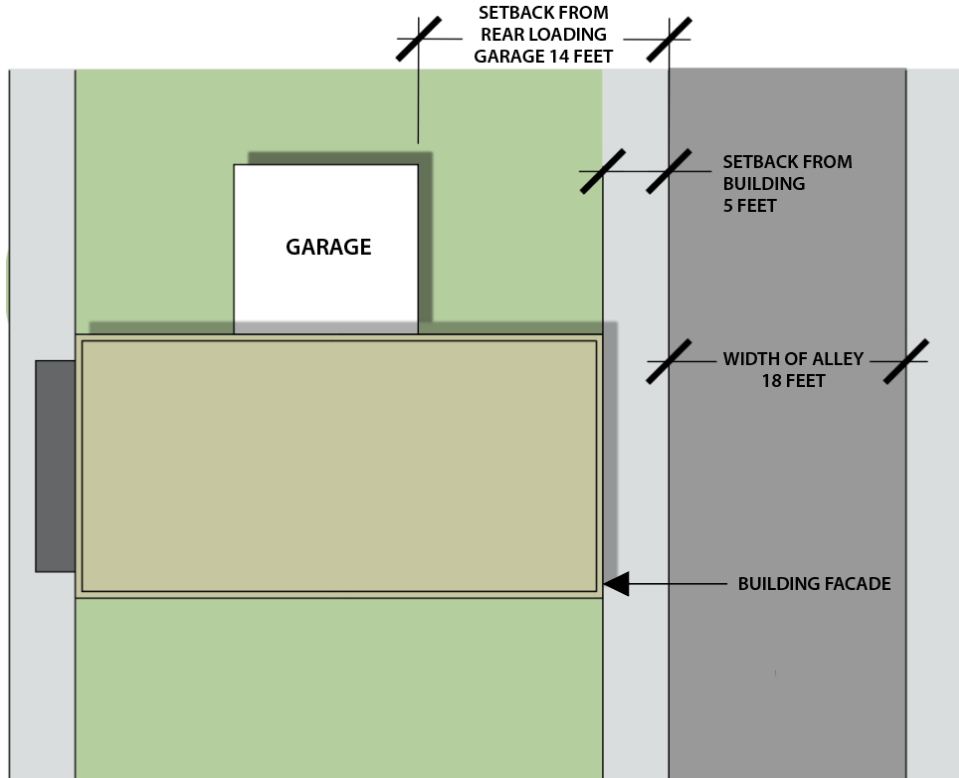
Intended to supplement Sec. 8-12 Parking Requirements and Appendix A Parking Space standards of the Land Development Code (LDC), as it is being amended.

## *Division 11*

Established standards for Planning and Zoning applications, provide a guideline for applicants to prepare documents. A temporary placeholder until Articles II and XII are amended.

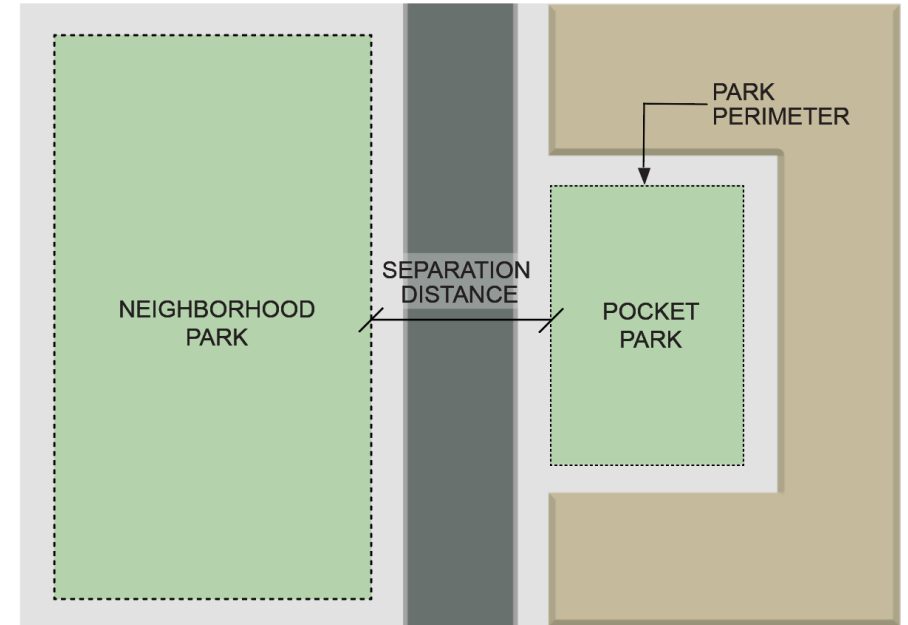
# PART F – ADEQUATE PUBLIC FACILITIES AND TECHNICAL STANDARDS

## Example Code Graphics:



**Alley Measurements**

<b>Width of alley:</b>	<b>18 feet measuring from edge of pavement</b>
Setback from building:	5 feet measuring from edge of pavement to building facade
Setback from rear loaded garage:	14 feet measuring from edge of alley pavement to garage door



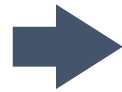
**Park Separation**

If more than 1 plaza or green is required, the separation distance shall be measured from the perimeter of the Park or green to the closest perimeter line of the other.

# SECOND DRAFT REVISIONS

Revised numbering system to have all Divisions represented by a number

Article = Number  
Part = Alpha  
Division = Numeral  
Section = Numeral  
Subsection = Alpha



**PROPOSED CODE**  
**3-C-4.7.a.**

Removing the tier system which was used to categorize zoning districts by level of density/intensity

Separated the term Density from Intensity

Relocating Density and Intensity requirements from Part C to Part D

Revising Part E use type standards to say permitted or conditional based on the approval process

# SEC. 1-15. DEFINITIONS

Terms and definitions referenced in Article 3 have been relocated to Sec. 1-15. Definitions.

Updated Section reference numbers for both Article 3 and Article 7 (Sign code) in Sec. 1-15. Definitions.



# WHAT ARE THE NEXT STEPS?

## June – July

- Developing the 3<sup>rd</sup> draft updates for Article 3

## August

- Distribute Article 7 for final review

## September

- Adopt Article 7

## August – November

- Review Draft 3 of Article 3

## January

- Transmit Comprehensive Plan Amendments

## January – March

- Review Final Draft of Article 3

## April

- Adopt CPAs and new Article 3 of Land



# WHERE CAN I GET A COPY OF THE DRAFT CODE?

<https://www.claycountygov.com>

Government

Planning and Zoning

Land Development Code Update

# WHERE CAN I GET A COPY OF THE DRAFT CODE?

## Announcement

### A draft version of Article III is now available

An initial DRAFT copy of the proposed changes to Article III is here! Our consultants have provided two versions of the document. One is a "clean" copy of the draft document (without any formatting markups), and the other is a "strike-thru/underline" draft copy (with the formatting markups).

[Article III Draft Version- clean](#)

[Article III Draft Version- strike-thru/underline](#)

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# QUESTIONS

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**Public Comments**

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