

ORDINANCE 2024-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, AMENDING ARTICLE III OF THE CLAY COUNTY LAND DEVELOPMENT CODE, BEING THE CODIFICATION OF ORDINANCE NO. 93-16, AS SUBSEQUENTLY AMENDED, AND COMPRISING THE ZONING AND LAND USE PROVISIONS, BY AMENDING SECTION 3-5 TO ADD A NEW CONDITIONAL USE AS SUBSECTION (p) FOR CARWASH IN CONJUNCTION WITH A CONVENIENCE STORE THAT INCLUDES GAS PUMPS IN THE BRANAN FIELD COMMUNITY CENTER (BF CC) ZONING DISTRICT AND TO RENUMBER ALL SUBSEQUENT CONDITIONAL USES ACCORDINGLY; AND BY AMENDING SEC. 3-33A.III.3.b. OF THE BRANAN FIELD LAND DEVELOPMENT REGULATIONS TO ADD A NEW CONDITIONAL USE AS SUBSECTION ix. FOR CARWASH IN CONJUNCTION WITH A CONVENIENCE STORE THAT INCLUDES GAS PUMPS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Board desires to amend certain provisions in Article III of the Clay County Land Development Code, as provided for below.

Be It Ordained by the Board of County Commissioners of Clay County:

**Section 1.** As used herein, the term “Article III” shall mean and refer to Article III of the Clay County Land Development Code (the Code), being the codification of Ordinance 93-16, as subsequently amended, and comprising the Zoning and Land Use provisions of the Code.

**Section 2.** Section 3-5 is hereby amended to add “Carwash in Conjunction with a Convenience Store that includes Gas Pumps” as a conditional use as Subsection (p) and to renumber all subsequent conditional uses from (q) to (bu) accordingly:

(p) Carwash in Conjunction with a Convenience Store that includes Gas Pumps. Allowed in the BF CC Zoning District subject to the following additional criteria:

- (1) Limitation on Use: The hours of operation for a carwash shall be no earlier than 7:30 am and no later than 9:00 pm.
- (2) Limitation on Location: Shall not be located directly adjacent to residential zoning or a residential use. “Directly adjacent” is defined as sharing a lot line.
- (3) Screening: Shall meet the landscape standards as specified in Section 3-33A.III.5.b.vi. Service areas that are not inside an enclosed building shall be screened through similar means.
  - (i) Right-of-way buffers for these uses shall be ten feet in width.

- (ii) Landscaping within the buffer shall conform to Article VI, Section 6.6.
- (4) Shall meet the following additional design requirements:
  - (i) The combined convenience store and carwash buildings shall not exceed 10,000 square feet.
  - (ii) There shall be no more than eight (8) gasoline pump islands, and each island shall have no more than two (2) gas pumps (paired).
  - (iii) The building shall orient to the primary street frontage.
- (5) Lighting levels on gas station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the business and shall meet Section 3-33A.I.8.k.
- (6) If canopies are over vehicle use areas (VUA) interior landscape island spacing may exceed 100 feet up to 125%.

**Section 3.** Section 3-33A.III.3.b. is hereby amended to add “Carwash in Conjunction with a Convenience Store that includes Gas Pumps” as a Conditional Use as Subsection ix. in the Branan Field Community Center Zoning District as follows:

b. Conditional Uses. The following uses are permitted in the BF Community Center District subject to conditions provided in Section 20.3.5 of the Zoning Code.

...

ix. Carwash in Conjunction with a Convenience Store that includes Gas Pumps.

**Section 4.** If any section, phrase, sentence or portion of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 5.** This Ordinance shall take effect as provided by Florida general law.

**DULY ADOPTED** by the Board of County Commissioners of Clay County, Florida, this \_\_\_\_\_ day of July, 2024.

BOARD OF COUNTY COMMISSIONERS  
OF CLAY COUNTY, FLORIDA

By: \_\_\_\_\_  
Jim Renninger, Its Chairman

ATTEST:

By: \_\_\_\_\_  
Tara S. Green,  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk to the Board