

ORDINANCE O-21-2022

AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ESTABLISHING THE RESIDENTIAL LOW DENSITY, R-1A ZONING DISTRICT AND CREATING DIVISION 3, ARTICLE II OF CHAPTER 117 OF THE CITY CODE THEREBY RENUMBERING THE CURRENT DIVISION 3-5 ACCORDINGLY; PROVIDING FOR AN INTENT, PERMITTED USES, SPECIAL EXCEPTIONS AND DENSITY CONTROLS; AMENDING THE SPECIFIC ALLOWED USE TABLE IN SEC. 117-3 TO INCLUDE THE R-1A ZONING DISTRICT, AMENDING THE LOT REQUIREMENTS TABLE IN SEC. 117-6 TO INCLUDE THE R-1A ZONING DISTRICT, PROVIDING FOR REPEALER AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City acknowledges that the boundaries of certain residential lots in the City were platted with a 50' lot width and 5,000 square foot lot area; and

WHEREAS, after the creation of said lots, the City enacted a Zoning Ordinance (R-1) that only allowed development of lots with a minimum of 70' lot width and 7,000 lot area; and

WHEREAS, as a result of this action, certain lots in the City are undevelopable despite being the same or similar size as surrounding properties.

WHEREAS, the City has determined that creating a new Zoning Ordinance to allow for the development of lots that are consistent with the size of surrounding properties is beneficial; and

WHEREAS, the City Council has determined and found said application for the amendment, to be consistent with the City of Green Cove Springs Comprehensive Plan and Land Development Regulations; and,

WHEREAS, for reasons set forth in this Ordinance that is hereby adopted and incorporated as findings of fact, that the Green Cove Springs City Council finds and declares that the enactment of this amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF GREEN COVE SPRINGS AS FOLLOWS:

Section 1. There is hereby created a new Article II, Division 3 -Residential Low Density Land Use, R-1A Zoning (Renumbering the current Division 3-5 Accordingly) of Chapter 117 of the City Code to read as follows:

DIVISION 3. RESIDENTIAL LOW DENSITY LAND USE, R-1A ZONING CATEGORY

Sec. 117-64. Intent.

The residential low density land use, R-1A zoning category district is intended to provide for development of low density single-family detached housing areas.

Sec. 117-65. Permitted uses.

The following are permitted uses in the residential low density land use, R-1A zoning category:

- (1) Single-family detached dwellings;
- (2) Golf courses and country clubs, with customary accessory uses;
- (3) Temporary buildings used for construction purposes, for a period not exceeding the duration of the building permit;
- (4) Customary accessory buildings and structures, including portable or temporary buildings, private garages and noncommercial greenhouses and workshops, provided they are located in the rear yard and are not closer than three feet to the rear property line, and meet the side yard requirements of the district;
- (5) Portable storage units for onsite storage meeting the requirements and conditions referenced in section 117-794.

Sec. 117-66. Special exceptions.

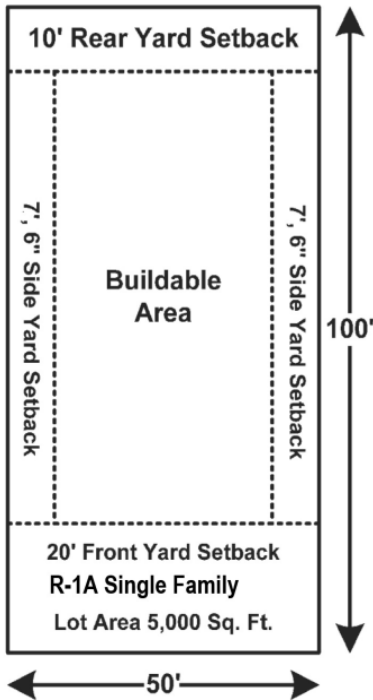
The following are special exceptions in the residential low density land use, R-1A zoning category:

- (1) Home occupations.
- (2) Adult day care in compliance with requirements of the state, as per F.S. ch. 400, part V, as amended, and child care, in compliance with the requirements of the state, as per F.S. § 402.302, as amended.
- (3) Churches with their attendant education and recreational buildings and off-street parking areas.
- (4) Accessory buildings with heights in excess of 12 feet. The height of the accessory structure shall not exceed the height of the principal structure and must have architectural finishes compatible with the principal structure.
- (5) Single-family residential development on a flag lot as defined in section 101-5 and subject to the conditions set forth in section 101-60.

Sec. 117-67. Density controls.

Density controls in the residential low density land use, R-1A zoning category shall be as follows:

- (1) Minimum required lot area: 5,000 square feet;



- (2) Minimum required lot width: 50 feet;
- (3) Minimum required front yard: 20 feet;
- (4) Minimum required rear yard: Ten feet;
- (5) Minimum required side yard: Seven feet, six inches;
- (6) Minimum living area: 1,250 square feet, together with an attached or detached enclosed garage of at least ten feet by 20 feet. Attached garages shall be architecturally integrated into the design of the dwelling and structurally connected;
- (7) Maximum lot coverage: 35 percent;
- (8) Maximum structure heights: 35 feet.

Section 2. That Chapter 117 Article I Section 117-3 of the City Code is hereby amended to read as follows:

Sec. 117-3. - Specific allowed uses, generally.

This chapter defines and prescribes the specific uses allowed within each land use district described in the comprehensive plan and this subpart.

(a) *Permitted use table.*

a) Permitted use table.

Use	Use Type	R-1	R-1A	R-2	R-3	RRF ⁵	RPO ⁶	C-1 ⁸	C-2	REC ²⁹	CBD	GCR (RLD)	GCR (RMD)	GCN ²⁰	GCC	INS ²⁶	M-1	M-2	
Category																			
RESIDENTIAL USES																			
Residential Operation	Home Occupation ¹	SE	SE	SE	SE		P	P	P			SE	SE	P	P				
Residential Type	Mobile Home Park				SE ³														
	Multifamily Dwelling			SE ²	P ⁴ /SE ³²	P					P		SE ²	P ²	P ²³				
	Single-family Dwelling, Detached	P	P	P	P	P	P	P	P		P	P	P	P	P				
	Single-family Dwelling, Attached			SE ²	SE ²	P	P	P	P		P		SE ²	P ²	P ²				
	Two-family dwelling			SE ²	P	P													
RETAIL USES																			
General Retail	Antiques							P ¹³	P		P			P	P				
	Appliance Sales and Rentals								P		P				P				
	Art Supplies						SE ⁷	P ¹³	P		P			P	P				
	Automobile Parts								P					SE	SE				
	Bait and Tackle								P										
	Bakery						SE ¹²		P		P				P				
	Bicycle Sales and Service								P		P				P				
	Billiards								P		P				P				
	Book/Stationery Store							P ¹³	P		P			P	P				
	Brewpub										P								
	Bowling Alley								P										
	Building Supplies and Materials								P										
	Cabinet Shops								P										
	Cameras and Photographic Supplies						SE ⁷	P ¹³	P		P			P	P				
Carpet Outlets								P											
Ceramic Sales and Studios								P		P				P					

Use	Use Type	R-1	R-1A	R-2	R-3	RRF ⁵	RPO ⁶	C-1 ⁸	C-2	REC ²⁹	CBD	GCR (RLD)	GCR (RMD)	GCN ²⁰	GCC	INS ²⁶	M-1	M-2
	Cigar and Smoke Shops							P ¹³	P		P			P	P			
	Clock Shops							P ¹³	P		P			P	P			
	Clothing Shops								P		P				P			
	Commercial Retail Packaging and Mail										P				P			
	Convenience Stores (no gas pumps)							P ¹³	P		P			P	P			
	Convenience Stores (with gas pumps)							SE						SE	SE			
	Curio Shops								P		P				P			
	Decorating Studio/Shop								P		P				P			
	Delicatessen						SE ⁷											
	Department Store								P		P				P			
	Drapery Shops							P ¹³	P		P			P	P			
	Drug Sales (including medical marijuana treatment center dispensing facilities)						SE ⁷	SE	P		P			P	P			
	Electrical Shops								P									
	Florist						SE ⁷	P ¹³	P		P			P	P			
	Food Outlet Store						SE ⁷	SE						P	P			
	Fruit and Vegetables Sales (retail, no packing)								P		P							
	Furniture Store								P		P				P			
	Game Room								P		P				P			
	Gift Shop						SE ⁷	P ¹³	P		P			P	P			
	Grocery Store								P		P				P			
	Gun Sales and Repair							P ¹³	P		P			P	P			
	Hardware Store								P		P				P			
	Heating and Air Conditioning Sales and Service								P									
	Hobby and Craft						SE ⁷	P ¹³	P		P			P	P			
	Interior Decorating							P ¹³	P		P			P	P			
	Janitorial Supplies								P									
	Jewelry Store						SE ⁷	P ¹³	P		P			P	P			

Use	Use Type	R-1	R-1A	R-2	R-3	RRF ⁵	RPO ⁶	C-1 ⁸	C-2	REC ²⁹	CBD	GCR (RLD)	GCR (RMD)	GCN ²⁰	GCC	INS ²⁶	M-1	M-2
	Leather Goods and Luggage						SE ⁷	P ¹³	P		P			P	P			
	Locksmiths							P ¹³	P		P			P	P			
	Meat Markets								P		P							
	Medical Supplies								P		P				P			
	Mobile Home Sales and Service								P									
	Motorcycle Sales and Service								P									
	Music Store						SE ¹⁰											
	Newsstands							P ¹³	P		P			P	P			
	Nurseries								P									
	Office and/or Business Machines							P ¹³	P		P			P	P			
	Office and/or Business Supplies							P ¹³	P		P			P	P			
	Optical Shops								P		P				P			
	Opticians							P ¹³	P		P			P	P			
	Outdoor Sales										SE							
	Outdoor Pool Sales							P						SE				
	Paint/Wallpaper							P ¹³	P		P			P	P			
	Pawn Shops								P		P			P	P			
	Pet Grooming								P		P				P			
	Pet Shops						SE ⁹		P						P			
	Pool Supplies								P									
	Printing Shops								P		P				P			
	Professional Offices						P	P ¹³	P		P			P	P			
	Rentals								P		P ²⁴							
	Second Hand Retail														P			
	Shoe Repair							P ¹³	P		P			P	P			
	Shoe Store								P		P				P			
	Shopping Center								P									
	Skating Rink								P						P			
	Sporting Goods Store						SE ⁷		P		P				P			
	Sundries and Notions Shops							SE	P		P				P			
	Tailor/Dressmaker							P ¹³	P		P			P	P			

Use	Use Type	R-1	R-1A	R-2	R-3	RRF ⁵	RPO ⁶	C-1 ⁸	C-2	REC ²⁹	CBD	GCR (RLD)	GCR (RMD)	GCN ²⁰	GCC	INS ²⁶	M-1	M-2	
	Mini-Warehouse								SE								P	P	
	Palmist/Psychic								SE										
	Well Drilling and Pump Services								P										
EDUCATION/RECREATION/SOCIAL USES																			
Community Service	Adult Day Care	SE	SE	SE	SE		SE	SE	SE			SE	SE				P		
	Child Care	SE	SE	SE	SE		SE	SE	SE		SE	SE	SE	P	P		P		
	Church	SE	SE	SE	SE	P	SE	SE	SE		SE	SE	SE	P	P		P		
	Group Care Home				SE														
	Nursing Home				SE				SE		SE								
Educational Use	Pre-school			SE	SE		SE						SE	P	P		P		
	Private School										SE							P	
	School, elementary & secondary						SE											P	
	School, post-secondary						SE											P	
	Vocational, Technical, Trade, or Industrial School																P	P	P
Recreational Use	Adult Arcade/Electronic Game Center								SE										
	Athletic Complex								SE										
	Clubs/Lodges/Fraternal Organizations						SE												
	Country club	P	P	P	P							P	P						
	Dance/Music/Gymnastics Studio								P		P					P			
	Go-Cart Track								SE										
	Golf Course	P	P	P	P							P	P						SE ²⁸
	Public Recreational Uses									P									
	Race Tracks								SE ¹⁸										
	Recreational Facility																P		
PUBLIC USES																			
Public Use	Bus Passages, Parcel Pick-ups and terminals								SE										
	Governmental Uses														P	P			
	Public Utilities														P	P			
	Ancillary Public Facilities														P	P			

Section 3. That Chapter 117 Article I Section 117-6 of the City Code is hereby amended to read as follows:

Sec. 117-6. - Lot requirements table.

Lot Requirements

	<u>R-1</u>	<u>R-1A</u>	<u>R-2</u>	<u>R-3</u>	<u>RPO</u>	<u>C-1</u>	<u>C-2</u>	<u>REC</u>	<u>CBD</u> ¹	<u>GCR</u> ² <u>RLD</u>	<u>GCR</u> ² <u>RMD</u>	<u>GCN</u>	<u>GCC</u>	<u>INS</u>	<u>M-1</u>	<u>M-2</u>
<u>FRONT YARD</u> (Minimum feet):																
<u>Single-family dwelling unit, detached</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>			<u>20</u>	<u>20</u>	<u>10</u>	<u>10</u>			
<u>Single-family dwelling unit, attached</u>			<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>				<u>20</u>	<u>10</u>	<u>10</u>			
<u>Multi-family dwelling unit</u>				<u>30</u> ²⁵									<u>10</u> ²⁵			
<u>Mobile Home Park / Subdivision</u>				<u>15</u>												
<u>Nonresidential uses</u>					<u>20</u>	<u>25</u>	<u>25</u>		<u>NMR</u>			<u>10</u>	<u>10</u>	<u>20</u>	<u>25</u>	<u>25</u>
<u>INTERIOR SIDE YARD:</u>																
<u>Single-family dwelling unit, detached</u>	<u>10</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>	<u>7.5</u>			<u>10</u>	<u>7.5</u>	<u>5</u>	<u>5</u>			
<u>Single-family dwelling unit, attached</u>			<u>10 or 10%³</u>	<u>7.5 or 10%³</u>	<u>10 or 10%³</u>	<u>10 or 10%³</u>	<u>10 or 10%³</u>				<u>10 or 10%³</u>	<u>10</u>	<u>5</u>			
<u>Multi-family dwelling unit</u>				<u>10</u> ^{4 & 25}									<u>5</u> ^{9 & 25}			
<u>Mobile Home Park / Subdivision</u>				<u>7.5</u>												
<u>Nonresidential uses</u>					<u>7.5 or 10%³</u>	<u>NMR</u> ⁸	<u>NMR</u> ⁸		<u>NMR</u>			<u>10</u>	<u>10</u>	<u>NMR</u> ⁸	<u>15</u>	<u>15</u>
<u>STREET SIDE YARD:</u>																

Lot Requirements

	<u>R-1</u>	<u>R-1A</u>	<u>R-2</u>	<u>R-3</u>	<u>RPO</u>	<u>C-1</u>	<u>C-2</u>	<u>REC</u>	<u>CBD</u> ¹	<u>GCR</u> ² <u>RLD</u>	<u>GCR</u> ² <u>RMD</u>	<u>GCN</u>	<u>GCC</u>	<u>INS</u>	<u>M-1</u>	<u>M-2</u>
<u>Single-family dwelling unit, detached</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>			<u>15</u>	<u>15</u>	<u>10</u>	<u>10</u>			
<u>Single-family dwelling unit, attached</u>			<u>15 or 10%</u> ³	<u>15 or 10%</u> ³	<u>15 or 10%</u> ³	<u>15 or 10%</u> ³	<u>15 or 10%</u> ³				<u>15 or 10%</u> ³	<u>10</u>	<u>10</u>			
<u>Multi-family dwelling unit</u>				<u>15</u> ²⁵									<u>10</u> ²⁵			
<u>Mobile Home Park / Subdivision</u>				<u>15</u>												
<u>Nonresidential uses</u>					<u>15 or 10%</u> ³	<u>NMR</u> ⁸	<u>NMR</u> ⁸		<u>NMR</u>			<u>10</u>	<u>10</u>	<u>NMR</u> ⁸	<u>15</u>	<u>15</u>
<u>REAR YARD:</u>																
<u>Single-family dwelling unit, detached</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>			<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>			
<u>Single-family dwelling unit, attached</u>			<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>				<u>10</u>	<u>10</u>	<u>10</u>			
<u>Multi-family dwelling unit</u>				<u>20</u> ^{5 & 25}									<u>10</u> ^{5 & 25}			
<u>Mobile Home Park / Subdivision</u>				<u>10</u>												
<u>Nonresidential uses</u>					<u>10</u>	<u>10</u> ⁷	<u>10</u> ⁷		<u>NMR</u>			<u>10</u>	<u>10</u>	<u>10</u> ⁷	<u>20</u>	<u>20</u>
<u>LOT WIDTH</u> (Minimum feet):																
<u>Single-family dwelling unit, detached</u>	<u>70</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>			<u>70</u>	<u>50</u>	<u>50</u>	<u>50</u>			

Lot Requirements

	<u>R-1</u>	<u>R-1A</u>	<u>R-2</u>	<u>R-3</u>	<u>RPO</u>	<u>C-1</u>	<u>C-2</u>	<u>REC</u>	<u>CBD</u> ¹	<u>GCR</u> ² <u>RLD</u>	<u>GCR</u> ² <u>RMD</u>	<u>GCN</u>	<u>GCC</u>	<u>INS</u>	<u>M-1</u>	<u>M-2</u>
<u>Single-family dwelling unit, attached</u>			<u>75</u> ¹¹	<u>75</u>	<u>75</u> ¹¹	<u>75</u> ¹¹	<u>75</u> ¹¹				<u>75</u> ¹¹	<u>75</u> ¹¹	<u>100</u>			
<u>Multi-family dwelling unit</u>				<u>100</u> ²⁵									<u>100</u> ²⁵			
<u>Mobile Home Park / Subdivision</u>				<u>100</u> ¹⁰												
<u>Nonresidential uses</u>					<u>50</u>	<u>NMR</u>	<u>NMR</u>		<u>NMR</u>			<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>100</u>	<u>100</u>
<u>LIVING AREA</u> (Minimum square feet):																
<u>Single-family dwelling unit, detached</u>	<u>1,250</u>	<u>1,250</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>			<u>1,250</u>	<u>1,000</u>	<u>1000</u>	<u>1000</u>			
<u>Single-family dwelling unit, attached</u>			<u>1,000</u>	<u>700</u> ¹⁴	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>				<u>1,000</u>	<u>1,000</u>	<u>750</u>			
<u>Multi-family dwelling unit</u>				<u>800</u> ¹²									<u>750</u> ¹³			
<u>Mobile Home Park / Subdivision</u>				<u>NMR</u>												
<u>Nonresidential uses</u>					<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>			<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>
<u>LOT AREA</u> (Minimum-1,000's square feet):																
<u>Single-family dwelling unit, detached</u>	<u>7</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>			<u>7</u>	<u>5</u>	<u>5</u>	<u>5</u>		

Lot Requirements

	<u>R-1</u>	<u>R-1A</u>	<u>R-2</u>	<u>R-3</u>	<u>RPO</u>	<u>C-1</u>	<u>C-2</u>	<u>REC</u>	<u>CBD</u> ¹	<u>GCR</u> ² <u>RLD</u>	<u>GCR</u> ² <u>RMD</u>	<u>GCN</u>	<u>GCC</u>	<u>INS</u>	<u>M-1</u>	<u>M-2</u>
<u>Single-family dwelling unit, attached</u>			<u>8.5</u> ¹⁷	<u>7.5</u>	<u>8.5</u> ¹⁷	<u>8.5</u> ¹⁷	<u>8.5</u> ¹⁷				<u>8.5</u> ¹⁷	<u>8.5</u> ¹⁷	<u>7.5</u>			
<u>Multi-family dwelling unit</u>				<u>7.5</u> ^{15 & 25}									<u>7.5</u> ^{15 & 25}			
<u>Mobile Home Park / Subdivision</u>				<u>435.6</u>												
<u>Nonresidential uses</u>					<u>6</u>	<u>NMR</u>	<u>NMR</u>		<u>NMR</u>			<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>	<u>NMR</u>
<u>BUILDING COVERAGE (%) or Floor Area Ratio (FAR):</u>																
<u>Single-family dwelling unit, detached</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>			<u>35%</u>	<u>35%</u>	<u>MP</u> ¹⁹	<u>MP</u> ¹⁹			
<u>Single-family dwelling unit, attached</u>			<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>	<u>35%</u>				<u>35%</u>	<u>MP</u> ¹⁸	<u>MP</u> ²⁰			
<u>Multi-family dwelling unit</u>				<u>40%</u> ²⁵									<u>MP</u> ^{20 25}			
<u>Mobile Home Park / Subdivision</u>				<u>40%</u>												
<u>Nonresidential uses</u>					<u>0.2</u>	<u>0.25</u>	<u>0.35</u>	<u>0.2</u>				<u>MP</u> ¹⁸	<u>MP</u> ²⁰	<u>0.3</u>	<u>0.6</u>	<u>0.6</u>
<u>BUILDING HEIGHT (Maximum feet):</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>35</u> ²⁵	<u>35</u>	<u>35</u>	<u>35</u>			<u>35</u>	<u>35</u>	<u>35</u> ²²	<u>54</u> ²³	<u>85</u> ²¹	<u>55</u> ²⁴	<u>55</u> ²⁴

Section 4. Repealer. Any ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date. This Ordinance shall take effect immediately upon passage.

**INTRODUCED AND PASSED AS TO FORM ONLY ON THE FIRST READING
BY THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA, THIS 7th DAY OF
MARCH, 2023.**

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Daniel M Johnson, Mayor

ATTEST: _____
Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF
GREEN COVE SPRINGS, FLORIDA, THIS 21st DAY OF MARCH, 2023.**

CITY OF GREEN COVE SPRINGS, FLORIDA

By: _____
Daniel M Johnson, Mayor

ATTEST: _____
Erin West, City Clerk

APPROVED AS TO FORM ONLY:

L.J. Arnold, III, City Attorney