

ORDINANCE NO. O-36-2024

AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CHAPTER 117, TO ALLOW FOR AN ALTERNATIVE OF REQUIRING PARKING TO BE LOCATED BETWEEN THE STREET FRONT AND BUILDING LOCATION SUBJECT TO A SPECIAL EXCEPTION AND THE INSTALLATION OF A STREET WALL; AMENDING SECTION 117-3, PERMITTED USE TABLE FOOTNOTES; AMENDING SEC. 117-541, REQUIRING A SPECIAL EXCEPTION FOR A STREET WALL SUBJECT TO THE REQUIREMENTS OF SECTION 117-656(1); AMENDING SEC. 117-565, REQUIRING A SPECIAL EXCEPTION FOR A STREET WALL SUBJECT TO THE REQUIREMENTS OF SECTION 117-656(1); AMENDING SEC 117-656 GATEWAY CORRIDOR DESIGN GUIDELINES OF THE CITY CODE TO ALLOW FOR PARKING TO BE LOCATED BETWEEN THE STREET FRONT AND BUILDING LOCATION SUBJECT TO THE INSTALLATION OF A STREET WALL WITH CERTAIN REQUIREMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Code was adopted to promote the health, safety, morals and general welfare of the community; and

WHEREAS, the City Code should be evaluated on an ongoing basis to determine if the allowable uses are consistent with the Comprehensive Plan; and

WHEREAS, the City desires to promote development and redevelopment of the U.S. Highway 17 and S.R. 16 corridor; and

WHEREAS, due to the existing space limitations within the district and its close proximity to established residential neighborhoods, there needs to be flexibility in design to allow efficient use of the land.

WHEREAS, the Green Cove Springs City Council has determined that this amendment is consistent with the Comprehensive Plan, is in the best interest of the public, and will promote the public health, safety and welfare of the city.

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

Section 1. That Chapter 117, Sec. 117-3 shall be amended as follows:

(c) Permitted use table footnotes.

P Permitted. SE—Allowed by Special Exception.

1. Subject to the conditions set forth in section 117-789.
2. Single-family attached dwellings, up to four units.
3. Subject to the conditions in section 117-122(4)(a)—(j).
4. Multifamily dwelling units may omit garages through a special exception.
5. Subject to development criteria in section 117-148. Each RRF parcel requires a PUD rezoning in compliance with section 117-421 in order to be developed.
6. All permitted uses are subject to the conditions set forth in section 117-199.
7. Subject to the limitations in section 117-200(7).
8. Subject to the limitations in section 117-226.
9. No kennels. Subject to the limitations in section 117-200(7).
10. Musical instruments. Subject to the limitations in section 117-200(7).
11. Including repair incidental to sales. Subject to the limitations in section 117-200(7).
12. Not wholesale bakeries. Subject to the limitations in section 117-200(7).
13. Subject to the limitations of [section] 117-226.
14. Provided no manufacturing or storage for distribution is permitted on-premises.
15. Subject to the limitations outlined in section 117-228(10).
16. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
17. Bulk storage yards, not including bulk storage of flammable liquids.
18. Race tracks for animals or vehicles.
19. Plumbing, electrical, mechanical, and sheet metal.

20. All uses must be in a totally enclosed building and no more than 20 percent of floor space to be devoted to storage. The permitted uses per section 117-540 are subject to the limitations in section 117-541(5)(b).

21. Automobile rental not included as a use permitted by special exception.

22. Establishments or facilities for automobile parts, sales, and service without use of an outdoor intercom or public address system or speakers, and no vehicle display racks that tilt vehicles in any way to show underside, unless they are located inside a show room.

23. Through special exception, multifamily dwelling units can be built without garages.

24. Rentals, excluding heavy equipment.

25. Veterinarian clinics within enclosed buildings.

26. The following are permitted uses in the institutional land use category, institutional zoning category: Any lawful civic, governmental, religious, public utility, and other public necessity uses or activities.

27. Subject to the limitations of section 117-297(5).

28. Golf courses and pro shop allowed by special exception.

29. Pursuant to section 117-355: Allowable uses are public recreation uses that are compatible with the environmental characteristics of the property and, if purchased with grant funds, are consistent with grant conditions. No development potential is associated with these lands; however, recreation facilities may be constructed as a part of recreation uses that are consistent with the land use category.

30. Subject to the conditions in section 117-796.

31. Beer and wine sales only.

32. Multifamily dwellings greater than 35 feet in building height.

33. Street walls, in lieu of orienting the building to face the street with parking behind or to the sides of the buildings subject to the requirements of Sec 117-656(1) are a special exception in the Gateway Corridor Neighborhood and Commercial Zoning Districts as set forth in Sec. 117-541 and Sec. 117-565 respectively.

Section 2. That Chapter 117, Sec. 117-541 shall be amended as follows:

Sec. 117-541. - Special exceptions.

Special exceptions are as follows:

(1) Convenience retail stores with gas pumps;

(2) Establishment of facilities for the retail sale of beer and wine off-premises;

(3) Hospitals;

(4) Restaurants with drive-through facilities;

(5) Automotive service establishments:

a. Retail and service establishments for automotive service and repair and automobile parts store.

b. The permitted uses in section 117-540 (excluding automobile sales) are subject to the following limitations:

1. Sale, repair (excluding automobile sales), service, and storage shall be conducted within a completely enclosed building.

2. The building footprint used for the uses in this section shall not be larger than 2,500 square feet.

3. Lot size of no more than 21,000 square feet shall be used for the uses in this section.

4. Outdoor storage area is limited to 20 percent of the lot size, but no more than 40 percent of the building footprint of the principal structure.

5. Outdoor storage area must be located in a fenced area with a visual barrier of not less than 85 percent opacity.

(6) 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.

(7) Street walls, in lieu of orienting the building to face the street with parking behind or to the sides of the buildings subject to the requirements of Sec 117-656(1)

Section 3. That Chapter 117, Sec. 117-565 shall be amended as follows:

Sec. 117-565. - Special exceptions.

The following uses are special exceptions in the gateway corridor commercial zoning category:

(1) Establishments or facilities for automobile parts, sales and services without use of an outdoor intercom or public address system or speakers, and no vehicle display racks that tilt vehicles in any way to show underside, unless they are located inside a show room.

(2) Establishments or facilities for the retail sale and service of all alcoholic beverages for on-premises consumption.

(3) Single-family detached dwelling units meeting the density requirements of the gateway corridor neighborhood zoning category.

(4) Multifamily dwelling units without garages. (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.

(6) Outdoor sales of swimming pools, spas and hot tubs shall be a permitted use subject to the requirements of section 117-797.

(7) Street walls, in lieu of orienting the building to face the street with parking behind or to the sides of the buildings subject to the requirements of Sec 117-656(1)

Section 4. That Chapter 117, Sec. 117-656 shall be amended as follows:

Sec. 117-656. Design guidelines.

Compliance with all land development regulations as adopted is required for all properties located within the corridor. In addition to the requirements of this Code, development in the gateway corridor zoning categories shall meet the following design guidelines:

- (1) Orient nonresidential uses to face the street with parking behind or to the sides of buildings or provide a street wall subject to the requirements set forth below:
 - a. Street walls are freestanding walls that are intended to mask parking areas from the street and shall have a minimum height of 3 feet and a maximum height of six feet (measured from the elevation of the public sidewalk). The portion of the street wall 3 feet and below shall be solid (e.g. brick and masonry or similar material). The portion of the street wall above 4 feet shall be transparent (e.g., wrought iron or similar material). Street walls shall have columns/posts (one foot by one foot minimum) spaced every 24 feet.
 - b. Street walls shall have openings no larger than necessary to allow automobile and/or pedestrian access.
 - c. Street walls shall not be permitted within the right-of-way.
 - d. Street walls shall be constructed of wrought iron, brick, masonry, stone, powder-coated aluminum, or other decorative materials that complement the finish on the primary building. Chain link, wood and PVC street walls/fences shall be prohibited.

- e. The area in front and behind the street wall/fences shall include a landscaped strip pursuant to the requirements forth in Sec. 117-626 and Sec. 113-244(d)(3).
 - f. Street walls shall be with clear site line requirements set forth in Sec. 113-76.
 - g. **Secure a special exception as set forth in Sec. 117-541(7) and Sec. 117-565(7)**
- (2) In lieu of meeting onsite parking requirements, the developer may enter into an agreement with the city to reduce the required on-street parking. The reduction of on-street parking shall be approved if the developer agrees to improve the adjoining right-of-ways with landscaping and on-street parking or provides the city with funds to provide additional public parking.
 - (3) No commercial access, except for ingress and egress for office uses, shall be allowed on residential streets or streets where residential future land use categories exist. This includes access for service vehicles.
 - (4) Commercial land uses facing residential land uses or future land use categories must be residential in character, with residential elevations or facades.
 - (5) Density controls for buildings with both residential and commercial permitted uses and/or permissible by special exception shall be based on the density controls for the building use on the first story of the structure.
 - (6) Improvements to offsite parking spaces to develop on-street parking shall be counted to meet the minimum parking requirements and to meet the minimum landscape area and pervious surface requirements.

Section 5. Conflicts. If any portion of this Ordinance is in conflict with any other ordinance, then the provisions of this Ordinance shall govern.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date. Upon its adoption by the City Council, this ordinance shall become effective.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY
THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS
5th DAY OF DECEMBER 2023.**

CITY OF GREEN COVE SPRINGS, FLORIDA

Constance Butler, Mayor

ATTEST:

Erin West, City Clerk

PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 19th DAY OF DECEMBER 2023.

CITY OF GREEN COVE SPRINGS, FLORIDA

Constance Butler, Mayor

ATTEST:

Erin West, City Clerk

APPROVED AS TO FORM:

L. J. Arnold, III, City Attorney