



A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-222 (2) ( c ) PURPOSE AND INTENT OF ZONING DISTRICTS; AMENDING SECTION 27-238 MAXIMUM LOT COVERAGE AND ADDING FOOTNOTE (6) TO TABLE 27-229-1 IN THE CODE OF ORDINANCES LIMITING FLOORSPACE IN C-1, C-2 AND C-3 ZONING DISTRICTS TO 60,000 SQUARE FEET AND PROVIDING AN EFFECTIVE DATE.

**Whereas**, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to insure that the purpose and intent of the zoning districts are preserved by limiting the size of buildings in the C-1, C-2 and C-3 Zoning Districts in order that such buildings do not present excess visual mass or bulk to the public view as specified in Section 27-222, paragraph 2(c).

**Now, Therefore**, be it ordained by the City Council of Neptune Beach, Florida:

**Section 1.** Section 27-222 (2) ( c ) Purpose and Intent of Zoning Districts of the Code of Ordinances of the City of Neptune Beach is hereby amended as follows:

**Section 27-222 (2)( c )**

c. Scale, mass and bulk. Buildings should not present excess visual mass or bulk to public view or to adjoining properties. Large box-like buildings and buildings with large, blank or continuous, unrelieved surfaces can appear massive. When viewed from the public right-of-way, excessive mass detracts from the character of Neptune Beach's individual neighborhoods. When viewed from adjoining properties, excess mass can effectively act as a wall that dominates neighboring structures, and interferes with the enjoyment of open space and the free passage of light and air. The use of natural materials, the breaking up of building planes and the creative use of landscaping can all be used to avoid excess mass as shown in Figure 27-222-1. Buildings with uninterrupted facades of more than 200 feet long are prohibited.

**Section 2.** Section 27-238 Maximum lot coverage of the Code of Ordinances of the City of Neptune Beach is hereby amended as follows:

**Sec. 27-238. Maximum lot coverage.**

(a) The impervious surface on any lot, or parcel of land, shall not exceed the maximum area as provided for below, and for purposes of calculation, shall include all impervious areas, such as pool areas, hot tubs, and driveways.

- (1) R-1 district: Fifty (50) percent of gross site area.
- (2) R-2 district: Fifty (50) percent of gross site area.
- (3) R-3 district: Fifty (50) percent of gross site area.
- (4) R-4 district: Fifty (50) percent of gross site area.
- (5) R-5 district: For apartment complexes, thirty-five (35) percent of gross site area. For single family dwellings, fifty (50) percent of gross site area.
- (6) C-1 district: Sixty (60) percent of gross site area unless otherwise specified in the table 27-229-1.
- (7) C-2 district: Seventy (70) percent of gross site area unless otherwise specified in the table 27-229-1.
- (8) C-3 district: Seventy-five (75) percent of gross site area unless otherwise specified in the table 27-229-1.
- (9) CBD district: Eighty-five (85) percent of gross site area.
- (10) Conservation district: Twenty-five (25) percent of gross site area.

**Section 3.** Table 27-229-1 of the Code of Ordinances of the City of Neptune Beach is hereby amended as follows:

<b>Table 27-229-1</b>								
Zoning District	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback (1)	Minimum Side Yard Setback	Minimum Corner Lot Side Yard Setback	Minimum Rear Yard Setback	Maximum Lot Coverage	Maximum Building Height
R-1	12,000 square feet	100 feet	25 feet	10% of lot width and minimum of 7 feet	15 feet	30 feet	50 percent	28 feet(5)
R-2	10,000 square feet	85 feet	20 feet	10% of lot width and minimum of 7 feet	10 Feet	25 feet	50 percent	28 feet(5)
R-3	5,000 square feet	50 feet	15 feet	10% of lot width and minimum of 7 feet	10 feet	25 feet	50 percent	28 feet
R-4	4,356 square feet(3)	40 feet	Flexible (4)	7 feet	8 feet	Flexible (4)	50 percent	28 feet
R-5	2,562 square feet/dwelling unit (2)	Apartment Complexes: 200 feet. For Single Family Dwellings see (2)	30 feet	For Apartment Complexes: 25 feet. For Single Family Dwellings see (2)	For Apartment Complexes: 25 feet. For Single Family Dwellings see (2)	For Apartment Complexes: 30 feet. For Single Family Dwellings see (2)	For Apartment Complexes: 35 percent. For Single Family Dwellings see (2)	28 feet
C-1	7,500 square feet	60 feet	25 feet	10 feet	15 feet	10 feet	60 percent (6)	35 feet
C-2	10,000 square feet	80 feet	25 feet	15 feet	20 feet	15 feet	70 percent (6)	35 feet
C-3	15,000 square feet	100 feet	25 feet minimum 50 feet maximum	20 feet	25 feet	20 feet	75 percent (6)	35 feet
CBD	None	None	None	5 feet	7 feet	5 feet	85 percent	35 feet

(1) More specific front yard setbacks shall apply in locating new structures around the following road segments:  
(See Sec. 27-231 b)

(2) For multi family dwellings that are permitted in the R-5 zoning district, this requirement is the minimum square foot area that can meet the high density residential category specified in the Comprehensive Plan. This requirement is primarily designed for multi-family development such as apartment complexes. For single-family dwellings, the zoning requirements of the R-4 zoning district for SFD will apply.

(3) For single-family dwelling, 4,356 sq feet are required, for a two-family dwelling, 8712 sq feet are required (per City Attorney's legal opinion). This requirement insures that the medium density residential category specified by the Comprehensive Plan can be met.

(4) The front and rear yard setbacks may be flexible in that both measurements must total 35 feet; however neither can measure less than the 15 ft.

(5) For lots in the R-1 zoning district that have a minimum lot size of 10,000 square feet and 100 feet lot width as measured at the front portion of the lot that fronts on the street that designates the address of the lot, 35 feet of maximum building height will be permitted, so long as the primary roof structure is built at a minimum 5/12 roof

pitch, and not to exceed two stories of living area.

(6) No retail store, wholesale warehouse, or other permitted use's building shall exceed 60000 square feet in total gross floor area, as defined in Section 27-15 of this Code, and further, any retail store, wholesale warehouse, or other permitted use's building located within 1000 feet of each other that ~~are engaged in the selling of similar goods, wares or merchandise and/or~~ operate under common business ownership or management, share a warehouse or distribution facility, or otherwise operate as an associated, integrated or cooperative business shall not combine to exceed 60000 square feet of total gross floor area in aggregate.

**Section 4.** The Ordinance shall become effective on after passage by the City Council.

**VOTE RESULTS OF FIRST READING:**

Mayor Richard A. Brown.	Yes
Vice Mayor Harriet Pruette	Yes
Councilor Eric Pardee	No
Councilor Fred Lee	Yes
Councilor John Weldon	Yes

Passed on First Reading this 1<sup>st</sup> day of May, 2006.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Richard A. Brown	Yes
Vice Mayor Harriet Pruette	Yes
Councilor Eric Pardee	No
Councilor Fred Lee	Yes
Councilor John Weldon	Yes

Passed on Second and Final Reading this 5<sup>th</sup> day of June, 2006.

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Richard A. Brown  
Mayor

ATTEST:

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Lisa Volpe, CMC  
City Clerk

Approved as to form and correctness:

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Christopher A. White  
City Attorney