

INTRODUCED BY:
MAYOR BROWN



ORDINANCE NO. 2018-04

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS; ARTICLE IV, LAND USE; SECTION 27-226, ALLOWABLE USES WITHIN ZONING DISTRICTS (ADD DAY CARE FACILITIES BY SPECIAL EXCEPTION IN C-2 AND C-3 ZONING DISTRICTS); AND PROVIDING AN EFFECTIVE DATE.

Whereas, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to amend the following:

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

Section 1. Chapter 27, Unified Land Development Regulation, Section 27-226. Allowable uses within zoning districts is hereby amended as follows:

Section 27-226. Allowable uses within zoning districts.

- (a) All uses shall conform to the standards for each zoning district as provided below. However, because the list of permissible uses is not exclusive, those uses not listed, and which may not be interpreted by the city manager or designee to be similar to any other listed use, shall be prohibited.

...

(i) Commercial-2 (C-2):

- (1) *Intent.* The C-2 zoning districts are intended to provide for retail sales and service for one (1) or more neighborhoods. This district corresponds to the commercial medium designation on the adopted future land use map.

...

- (3) *Uses by special exception.* The uses permitted by special exception within the C-2 zoning district shall be:

- a. Planned unit development (PUD);
- b. Outdoor seating/dining for restaurant, fast-food restaurant, drive-thru service window for a restaurant;
- c. Retail sales with drive-thru service window;
- d. Motor-vehicle service;

- e. Parking lot (not associated with any business);
 - f. Moving business (no mini-warehouses);
 - g. Government uses, buildings and utilities;
 - h. Recycling collection center;
 - i. Elementary, junior and high school, trade business or vocational school, college, community college or university;
 - j. Worship facility and child care associated with facility;
 - k. Social, fraternal club, lodge and union hall;
 - l. Recreation, amusement and entertainment (including, theater, night club, private club and bar/tavern);
 - m. Light manufacturing.
 - n. Day care facilities.
- (j) Commercial-3 (C-3):
- (1) *Intent.* The C-3 zoning districts are intended to provide for retail sales and service that serve the overall community. This district corresponds to the commercial high designation on the adopted future land use map.
- ...
- (3) *Uses by special exception.* The uses permitted by special exception within the C-3 zoning district shall be:
- a. Planned unit development (PUD);
 - b. Outdoor seating/dining for restaurant, fast-food restaurant, drive-thru service window for a restaurant;
 - c. Wholesale sales (on-site storage of stock);
 - d. Adult entertainment and service;
 - e. Retail sales with drive-thru service window;
 - f. Bus or other transportation terminal;
 - g. Motor vehicle services
 - h. Moving business (no mini-warehouses);
 - i. Government uses, buildings and utilities;
 - j. Recycling collection center;
 - k. Worship facility and child care associated with facility;
 - l. Social, fraternal club, lodge and union hall;
 - m. Light manufacturing.
 - n. Day care facilities.

Section 2. This ordinance shall take effect upon its adoption.

VOTE RESULTS OF FIRST READING:

Mayor Elaine Brown	YES
Vice Mayor Scott Wiley	YES
Councilor Richard Arthur	YES
Councilor Rory Diamond	YES
Councilor Fred Jones	YES

Passed on First Reading this 7th day of May, 2018.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Elaine Brown	YES
Vice Mayor Scott Wiley	YES
Councilor Richard Arthur	YES
Councilor Rory Diamond	YES
Councilor Fred Jones	YES

Passed on Second and Final Reading this 4th day of June, 2018.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, City Clerk

Approved as to form and content:


Patrick Krechowski, City Attorney

