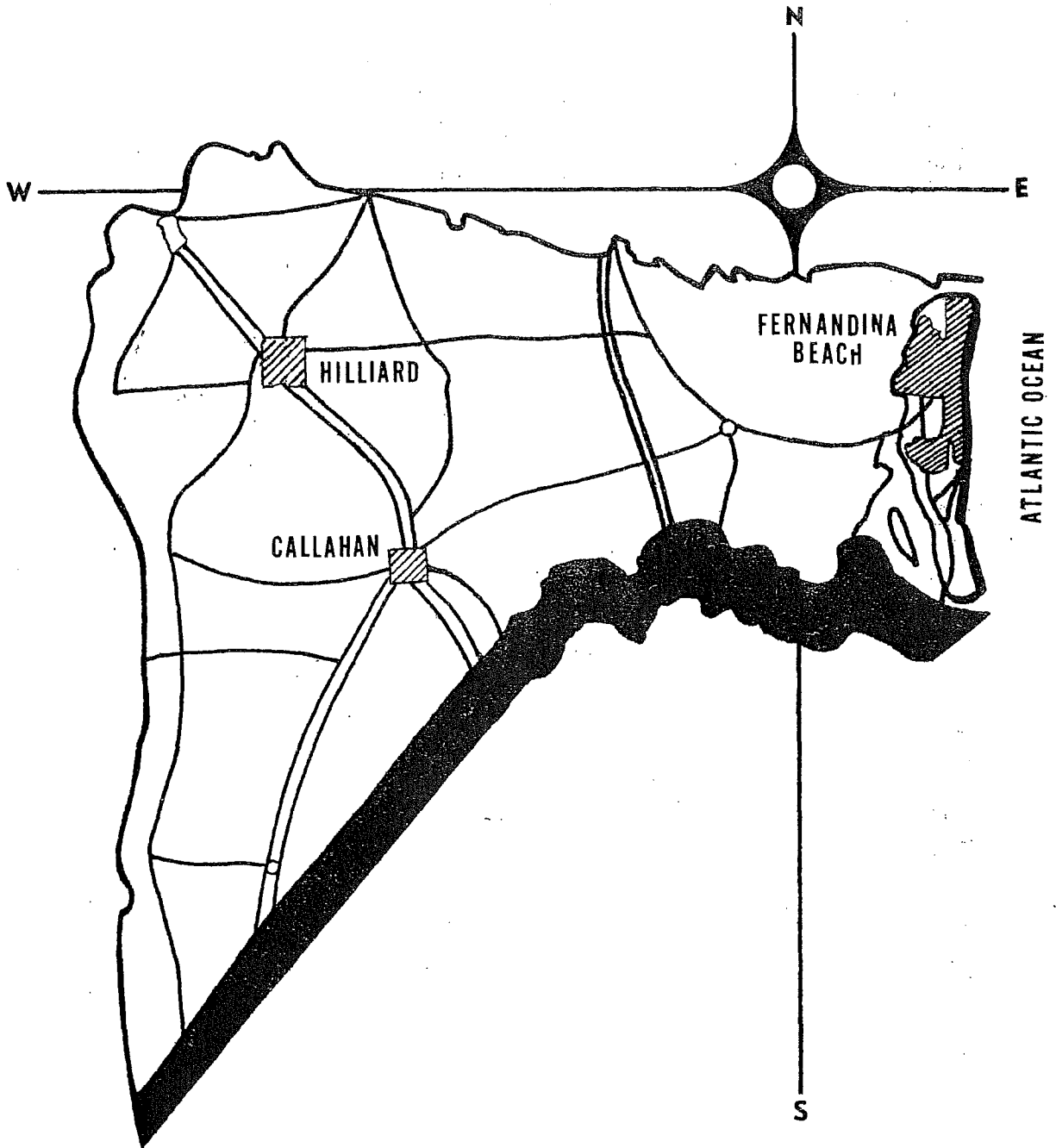


ZONING ORDINANCE



NASSAU COUNTY, FLORIDA

NASSAU COUNTY ORDINANCE NO. 74-33

SEE AMENDMENTS TO ORDINANCE 74-33 WHICH APPEAR AS:

ORDINANCE 75-47 (amendment to 74-33)

75-48 "

75-49 "

75-50 "

75-51 "

75-52 "

75-53 "

75-54 "

75-55 "

75-56 "

75-57 "

75-58 "

ZONING ORDINANCE
FOR THE UNINCORPORATED PORTION OF
NASSAU COUNTY, FLORIDA

NASSAU COUNTY, FLORIDA

ORDINANCE NO. 74-33

AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE ZONING CODE FOR THE UNINCORPORATED PORTION OF NASSAU COUNTY, FLORIDA; DIVIDING THE COUNTY INTO DISTRICTS AND ESTABLISHING THE BOUNDARIES THEREOF AND WITHIN SUCH DISTRICTS REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS, STRUCTURES, OR LAND OR WATER; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, REGULATING AND RESTRICTING THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED; REGULATING AND RESTRICTING THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACE; REGULATING AND RESTRICTING THE DENSITY OF POPULATION; REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND AND WATER FOR TRADE, INDUSTRY, RESIDENCE, AGRICULTURE, AND OTHER PURPOSES; PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT OF THIS CODE; ESTABLISHING AND SETTING OUT THE POWERS AND DUTIES OF THE ZONING BOARD; SETTING A SCHEDULE OF FEES, CHARGES, AND EXPENSES; DECLARING THAT THE PROVISIONS OF THIS ZONING CODE ARE MINIMUM OR MAXIMUM REQUIREMENTS AS THE CASE MAY BE; SETTING PENALTIES FOR VIOLATION OF THIS ZONING CODE AND AUTHORIZING RESORT TO OTHER REMEDIES TO PREVENT OR ABATE VIOLATION; DEFINING CERTAIN TERMS HEREIN USED; PROVIDING THAT THIS ZONING CODE SHALL SUPERSEDE ANY AND ALL PRIOR AND EXISTING ZONING ORDINANCES, DISTANCE RESTRICTIONS AND REQUIREMENTS TO CARRY ON ANY BUSINESS AND NONBUSINESS ACTIVITIES, LAWS OR RESOLUTIONS FOR THE UNINCORPORATED AREA OF NASSAU COUNTY, FLORIDA AND FOR OTHER PURPOSES.

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ARTICLE I. SHORT TITLE

This ordinance shall be known and cited as the Nassau County Zoning Ordinance. This zoning ordinance shall supercede any and all prior and existing zoning ordinances, distance restrictions and requirements to carry on any business and nonbusiness activities, laws or resolutions for the unincorporated area of Nassau County, Florida.

ARTICLE II. PURPOSE AND POLICY

The purpose of this ordinance is to encourage and promote, in accordance with present and future needs, the public health, safety, moral and general welfare of the citizens of the unincorporated area of Nassau County, Florida.

The districts and regulations contained herein are designed to lessen the traffic congestion on public streets and highways; to provide adequate provisions for light and air; to promote civic amenities of beauty and visual interest; and to regulate density of population and thus prevent the overcrowding of lands in order to facilitate the provisions for adequate community facilities such as water, sewer, schools and recreational areas.

ARTICLE III. ADMINISTRATION

Section 1. General; Grant of Power.

It shall be within the powers of the Nassau County Board of County Commissioners to adopt zoning regulations for all the unincorporated area of Nassau County, Florida, and to divide

said territory into zoning districts or classifications, and to regulate and restrict the uses of lands, water, buildings, and other structures for trade, industry, residence or other purposes within the districts or classifications, and to regulate and restrict the construction, reconstruction, erection, alteration, repair, height, number of stories, size and location and use of buildings and other structures within the districts or classifications, and to regulate and restrict the area, dimensions and size of lots or tracts of land or yards, and the percentage and portion of lots that may be occupied in connection with the construction and location of buildings or other structures within the districts or classifications.

Section 2. Zoning Appointed Officials and Employees.

It shall be within the powers of the Nassau County Board of County Commissioners to appoint a Zoning Administrator and such other county employees as the Board may deem necessary in order to enforce and administer the provisions of this ordinance and any order or resolution made under authority hereof.

Section 3. Schedule of Fees.

The following schedule of fees shall apply to action under this Zoning Code. A receipt showing payment of the applicable fee shall accompany an application prior to consideration thereof. Such fees shall not include the cost of required advertisement which shall be placed and paid for by the applicant.

- a. An Application for Rezoning of Land....\$25.00
- b. An Application for Zoning Exception....\$15.00

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- c. An Application for Rezoning to Planned Unit Development (PUD) \$3.00 per acre (or part thereof) with a minimum fee of \$60.00 and maximum fee of \$200.00
 - d. An Application for Zoning Variance.....\$15.00
 - e. An Application for an Appeal.....\$10.00

Section 4. Appropriation.

It shall be within the powers of the Nassau County Board of County Commissioners to appropriate and pay out of the general fund of the county, annually, such moneys as in the judgment of the Board may be necessary for the purpose of defraying the expense of operating and administering the provisions of this ordinance and all ordinances/resolutions adopted hereunder.

Section 5. Penalties.

Any person, firm, corporation, association or other group or body found guilty of violating any of the provisions, resolutions, regulations, restrictions, and limitations promulgated under the authority of this ordinance is guilty of a misdemeanor.

Section 6. Remedies.

The violation of any of the provisions, resolutions, regulations, restrictions, and limitations promulgated under the provisions of this ordinance may be restricted by injunction, including a mandatory injunction, and otherwise abated in any manner provided by law, and such suit or action may be instituted and maintained by the Nassau County Board of County Commissioners, or by any person, firm, corporation, association, or other group or body affected by the

violation of any such provision, resolution, regulation, restriction or limitation.

Section 7. Zoning Board-Establishment and Procedure.

7.1 It shall be within the powers of the Nassau County Board of County Commissioners to appoint a Zoning Board to be composed of seven (7) members, one (1) member to be appointed from each county commissioner's district, and two (2) members at large. Members of the Zoning Board shall serve three (3) year terms so staggered that the terms of three (3) members shall expire one (1) year, the terms of three (3) members shall expire the following year and the term of one (1) member shall expire the following year.

7.2 The Zoning Board shall adopt rules of procedure for the governing of its procedures and conduct of its business. Such rules shall include the following:

- a. The Board shall hold at least one (1) meeting every month, on a day to be determined by the Board.
- b. A majority of the Board shall constitute a quorum for the purpose of meetings

and transacting business. No recommendation of the Board for amendment of the Zoning Code or the rezoning of land and no final action of the Board on the granting of zoning exceptions or zoning variances shall be taken without the affirmative vote of four (4) members. Failure to receive four (4) affirmative votes shall act as a denial by the Board.

Section 8. Zoning Board Functions, Powers and Duties.

The functions, powers and duties of the Zoning Board shall be, in general:

- a. To serve in an advisory capacity to the Nassau County Board of County Commissioners on matters relating to the rezoning of land or amendment of this Zoning Ordinance.
- b. To serve as an appeals and adjustment Board on matters relating to zoning. In this capacity the Board shall be authorized to:
 - (1) Hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination by an administrative official in the enforcement of this Zoning Code.

- 11-4
- (2) Grant Zoning Exceptions as provided in this Zoning Code.
 - (3) Grant Zoning Variances as provided in this Zoning Code further provided that no such variance may be granted which allows a use of property contrary to this Zoning Code.

Section 9. Zoning Exceptions, Variances and Appeals.

9.1 Zoning Exceptions

- a. In General. In the granting of zoning exceptions, the Zoning Board may provide such conditions and safeguards as may be appropriate and in harmony with the purpose and intent of the Zoning Code.
- b. Written Application. All applications for an exception under the Zoning Code shall be in writing in such form as may be prescribed by the Zoning Board.
- c. Public Hearing. Unless a longer time shall be agreed upon by the applicant and the Zoning Board in the particular case, a public hearing shall be held by the Zoning Board to consider any application for a zoning exception within not more than thirty (30) days from the date of filing of the completed application. Notice of public hearing shall

be made as provided in Section 11, hereafter and any party shall be heard in person or by agent or attorney.

- d. Violations of Zoning Exceptions. The violation of the terms of a zoning exception, including any conditions and safeguards which may be made a part thereof shall be deemed a violation of this Zoning Code and punishable as provided in this Zoning Code.

9.2 Variances.

- a. In General. The Zoning Board may grant zoning variances which are found not to be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this Zoning Code will result in unnecessary and undue hardship on the land.
- b. Written Application. All applications for a variance to this Zoning Code shall be in writing and in such form as may be determined by the Zoning Board.
- c. Public Hearing. Unless a longer time shall be agreed upon by the applicant and the Zoning Board in the particular case, a public hearing shall be held by the Zoning Board to consider an application for a zoning variance within

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not more than thirty days (30) from the date of filing of the completed application. Notice of such public hearing shall be made as provided in Section 11, hereafter and any party shall be heard in person or by agent or attorney.

- d. Violations of Zoning Variances. The violations of the terms of a zoning variance, including any conditions and safeguards which may be made a part thereof shall be deemed a violation of the Zoning Code and punishable as provided in the Zoning Code.

9.3 Appeals

- a. In General. An appeal as provided in Section 8 (b) (1) hereof may be taken by a person aggrieved by any decision of an administrative official provided such appeal is filed with the Zoning Board within thirty (30) days of the date of the action which is the subject of such appeal.
- b. Notice. All applications for an appeal shall be filed on the forms established and provided by the Zoning Board and shall include all pertinent information required thereon.
- c. Hearing. The Zoning Board shall, within fifteen (15) days after receipt of such notice of appeal, set a reasonable time for hearing thereon and shall give notice of the time and place of the hearing

to the applicant and the affected administrative official.

- d. Stay of Proceedings. An appeal shall stay all administrative proceedings in furtherance of the action appealed until such time as a final determination has been made by the Zoning Board on such appeal, provided that no action shall be taken by the applicant or the administrative official during such time which would change the status of the matter being appealed.

9.4 Procedures for Hearing for Zoning Exceptions, Zoning Variances and Appeals.

- a. Scope. The Zoning Board shall make rules for the conduct of hearings related to the granting of zoning exceptions, zoning variances, and appeals which shall include at least the right of any party to:
- (1) Present his case or defense by oral and documentary evidence;
 - (2) Submit rebuttal evidence, and conduct such cross-examination as may be required for a full and true disclosure of the facts;
 - (3) Submit proposed findings and conclusions and supporting reasons therefor;

- (4) Make offers of compromise or proposals of adjustment;
 - (5) Be accompanied, represented and advised by counsel or represent himself;
 - (6) Be promptly notified of any action taken on any zoning exception, request for a zoning variance, or appeal of any action of the Zoning Board affecting substantive or procedural rights taken in connection with any proceedings.
- b. Evidence. The Zoning Board shall receive into evidence that which could be admissible in civil proceedings in the courts of this state, but in receiving evidence, due regard shall be given to the technical and highly complicated subject matter which must be handled and the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect. Otherwise, however, effect shall be given to rules of evidence recognized by the law of Florida.
- c. Record. The Zoning Board shall promulgate appropriate rules and regulations provided for the establishment and maintenance of a record of all requests for zoning exceptions, zoning variances, and appeals considered by it.

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A verbatim transcript of the record is not required, but the Zoning Board shall establish such record in a sufficient degree to disclose the factual basis for its final determination with respect to such requests and appeals.

d. Orders. A final order on each request for a zoning exception or zoning variance and each appeal shall be made within thirty (30) calendar days of the last hearing at which such request or appeal was considered. Each final order shall contain findings upon which the Board's order is based, and may include such conditions and safeguards as prescribed by the Zoning Board as are appropriate in the matter including reasonable time limits within which action pursuant to such order shall be begun or completed or both. The originals of the application and all orders of the Zoning Board and one (1) copy of the final order shall be furnished to the Zoning Administrator and to the applicant.

9.5 Limitations on Zoning Exceptions and Zoning Variances.

Zoning exceptions and variances shall be non-transferable and granted to the applicant only and the zoning exception or variance shall be commenced within a period of one (1) year from the effective date of the final order granting same; provided, however, that the

Zoning Board may adopt the following conditions to any zoning exception or variance:

- a. That the zoning exception or variance will be transferable and run with the land when the facts involved warrant the same or where construction or land development is included as part of the zoning exception or variance.
- b. The time within which the zoning exception or variance shall be commenced may be extended for a period of time longer than one (1) year.

Failure to exercise the zoning exception or variance by commencement of the use or action approved thereby within one year, or such longer time as approved by the Board shall render the zoning exception or variance invalid and all rights granted thereunder shall terminate. Transfer of the property by the applicant, unless the zoning exception or variance runs with the land, shall terminate the zoning exception or variance.

- c. Whenever the Zoning Board has granted an zoning exception or variance to the Zoning Code, it shall not then consider any applications for a zoning exception or variance on any part or all of the same property for a period of one (1) year from the effective date of the order granting the zoning exception or variance.

- d. Whenever the Zoning Board has denied an application for a zoning exception or variance, no further application shall be filed for the same zoning exception or variance on any part or all of the same property for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same zoning exception or variance on any part or all of the same property has been denied, no further application shall be filed for the same zoning exception or variance on any part or all of the same property for a period of two (2) years from the date of such action denying the last application filed.
- e. The time limits of Section 9.5 (c) & (d) hereof may be waived by the affirmative votes of a majority of the Zoning Board when such action is deemed necessary to prevent injustice or to facilitate the proper development of the County.

9.6 Review of Decisions. Decisions of the Zoning Board in the granting of zoning exceptions, variances and appeals shall be subject to review by the Nassau County Board of County Commissioners on appeal in a manner and within such time limit as may be prescribed by the Board of County Commissioners. Appeals from

the Board of County Commissioners shall be
appealed to the Circuit Court.

Section 10. Amendment of the Zoning Code and Rezoning of Land.

10.1 General. The Zoning Code may from time to time be amended, supplemented, changed or appealed and the Zoning Atlas may from time to time be revised by the rezoning of land as provided in this section.

10.2 Initiation of Proposals. An ordinance for the rezoning of land may be introduced only by the Nassau County Board of County Commissioners or any member thereof or by the owner of the subject property, his attorney or duly authorized agent. An amendment to the Zoning Code may be introduced only by the Nassau County Board of County Commissioners or any member thereof.

10.3 Public Hearing. A public hearing shall be held by the Zoning Board to consider a proposal for an amendment of the Zoning Code or for rezoning of land. Notice of such public hearing shall be made as provided in Section 11, hereafter and any party shall be heard in person or by agent or attorney.

10.4 Nature and Requirements of Zoning Board Report. The report and recommendations to the Board of County Commissioners required by Section 10.5 hereof, shall show that the Zoning Board has studied and considered:

- 3
- a. The need and justification for the change; and,
 - b. The relationship of the proposed amendment or rezoning to the County's general planning program and such comprehensive plans as may from time to time be adopted by the Board of County Commissioners.

10.5 Zoning Board Report to Board of County Commissioners.

Unless a longer time be mutually agreed upon by the Board of County Commissioners and Zoning Board in the particular case, the Zoning Board shall submit its report and recommendation to the Board of County Commissioners no later than sixty (60) days from:

- a. The date the Zoning Board received a proposed amendment to the Zoning Code, or
- b. The date a completed application for the rezoning of land is filed.

Failure of the Zoning Board to submit a report within the prescribed time shall be deemed to be a recommendation of the amendment or application for rezoning. The report and recommendation of the Zoning Board shall be advisory only and shall not be construed to be binding upon the Board of County Commissioners.

10.6 Limitations on Rezoning of Land.

- a. No ordinance to rezone land shall contain conditions, limitations, or requirements not

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applicable to all other land in the zoning district to which the particular land is rezoned, except as provided for in Article 6, Section 15 (P.U.D.).

- b. Whenever the Board of County Commissioners has, by ordinance, changed the zoning classification of land, the Zoning Board shall not then consider any application for rezoning of any part or all of the same land for a period of one (1) year from the effective date of such ordinance.
- c. Whenever the Board of County Commissioners has denied an application for the rezoning of land, no further application shall be filed for the same rezoning of any part, or all of the same land for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same rezoning of any part or all of the same land have been denied, no further application shall be filed for a period of two (2) years from the date of such action denying the last application filed.

10.7 Waiver of Time Limits. The time limits of Section 10.6, hereof may be waived by the affirmative vote of a majority of the entire Board of County Commissioners when such action is deemed necessary to prevent injustice or to facilitate proper development of the County.

10.8 Board of County Commissioners Action. Upon receipt of the report of the Zoning Board required by Section 10.5, hereof the Board of County Commissioners shall set the matter for public hearing in the manner prescribed herein. At the conclusion of the public hearing, the Board of County Commissioners shall either deny the proposed amendment or rezoning or by Ordinance adopt such amendment or rezoning.

Section 11. Notice of Public Hearings.

11.1 Mailed Notice. Notice of a time and place of any required public hearing with respect to the rezoning of land, zoning exception, or zoning variance shall be posted at least fifteen (15) days in advance of the hearing by the United States mail to all owners of real property within three hundred (300) feet of the boundaries of the land upon which rezoning, zoning exception, or variance is requested, provided, however, that where the applicant is the owner of the land not included in such application and such land that is not included in the application is a part or adjoins the parcel upon which such request is made, the Zoning Board may in its discretion give mailed notice to such owners as the Zoning Board may determine. For the purpose of notice requirements to adjoining owners, the names and addresses of such owners shall be deemed to those on the current tax records in

the office of the Tax Assessor of Nassau County and shall be obtained from the aforementioned office by the petitioner and placed upon such forms as may be determined by the Zoning Board.

11.2 Published Notice. Notice of the public hearing shall be published once in a newspaper of general circulation not less than fifteen (15) days in advance of the date of such hearing. Such published notice shall be in a form prescribed by the Zoning Board and placed by the applicant at his expense. The applicant shall file proof of publication with the Zoning Board prior to the public hearing.

11.3 Signs Required.
a. The Zoning Board shall cause a sign or signs to be posted on any land upon which an application for rezoning is made not less than fifteen (15) days in advance of the date of the public hearings at which such application is to be considered. Such signs shall be in such form as required by the Zoning Board and shall be erected in full view of the public on each street side of such land. Where such land does not have frontage on a public street, such signs shall be erected on the nearest street

right-of-way with an attached notation indicating generally the direction and distance to the land for which rezoning is sought.

- b. The applicant for a zoning exception or variance shall post a sign on the property upon which such request is made in such form as required by the Zoning Board not less than fifteen (15) days prior to the date of the public hearing before the Zoning Board on such matters. Such sign shall be posted in full view of the public on a street side of the land involved and shall be maintained by the applicant until final determination has been made by the Zoning Board on the zoning exception or variance.

Section 12. Concurrent Applications.

An application for the rezoning of land and for an exception and/or variance on all or part of the same land may be made concurrently. In such cases, the application for a zoning exception and/or variance shall be held in abeyance by the Zoning Board until action has been taken by the Board of County Commissioners on the application for the rezoning of such land.

Section 13. Time Periods Procedural.

All time periods provided for in this article are procedural and not substantive and non-compliance with any time period shall neither confer nor deny an substantive right to any applicant for a zoning variance, zoning exception or a rezoning of property.

ARTICLE IV. GENERAL REGULATIONS

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Section 1. Compliance with this Ordinance.

All buildings or structures hereafter erected, reconstructed, altered, enlarged or moved in the unincorporated area of Nassau County, Florida shall be in conformity with the provisions of this ordinance.

Section 2. Encroachment and Reduction of Lot Area.

The minimum yards, off-street parking and loading spaces, open spaces, including lot area for each dwelling unit required by this ordinance for all buildings in existence at the time of passage of these regulations, or for all buildings hereafter erected, shall not be encroached upon or considered as required yard or open space for any other building, except as hereinafter provided, nor shall any lot area be reduced below the requirements of these regulations.

Section 3. Zoning Districts Exclusive.

The use provisions in the various Zoning Districts are exclusive and any use not included under the permitted or permissible uses shall be prohibited in such districts.

ARTICLE V. ZONING DISTRICTS AND ZONING ATLAS

In order to regulate and restrict the location of agriculture, trades, industries, public and semi-public uses, residences and the location of buildings erected or altered for specific uses, the unincorporated area of Nassau County, Florida is hereby

divided into districts or classifications as shown in the Zoning Atlas entitled Zoning Atlas for Nassau County, Florida and said atlas is hereby declared to be a part of this ordinance. Districts as delineated on the Zoning Atlas, are as follows with titles and abbreviations as indicated:

<u>District</u>	<u>Abbreviation</u>
Residential, Single Family Estate	RS-E
Residential, Single Family 1	RS-1
Residential, Single Family 2	RS-2
Residential, Mixed	RM
Residential, General 1	RG-1
Residential, General 2	RG-2
Residential, Mobile Homes	RMH
Commercial, Professional and Office	CPO
Commercial, Neighborhood	CN
Commercial, Intensive	CI
Commercial, Highway and Tourist	CHT
Industrial, Warehousing	IW
Industrial, Heavy	IH
Open Rural	OR
Government Use	GU
Planned Unit Development	PUD

Section 1. Reference to District Names.

Where the phrases "all residential districts", "residential districts," "zoned residentially" are used in this Zoning Ordinance, the phrases shall be construed to include RS-E, RS-1, RS-2, RM,

RG-1, RG-2 and RMH districts and no others.

Where the phrase "commercial districts" is used in this Zoning Ordinance, the phrase shall be construed to include the CPO, CN, CI, and CHT districts and no others.

Where the phrase, "open use district" appears in this Zoning Ordinance, the phrase shall be construed to include the OR (Open Rural) district and no others.

Section 2. Interpretation of District Boundaries.

2.1 Boundaries indicated as approximately following center lines of streets, highways or alleys shall be construed to follow such center lines.

2.2 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

2.3 Boundaries indicated as approximately following city limits shall be construed as following such city limits.

2.4 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

2.5 Boundaries indicated as following shore lines shall be construed to follow such shore lines. In the event of a change in shore lines, the boundaries shall be construed as moving with the change except where such moving would change the zoning status of a lot or parcel and in such case, the boundary

shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel.

2.6 Boundaries indicated as parallel to the extension of features indicated in subsection 2.1 through 2.5, hereof shall be so construed. Distances not specifically indicated on the Zoning Atlas shall be determined by the scale of the map.

2.7 Where a district boundary divides a lot of record at the time the boundary was established, and where the division makes impractical the reasonable use of a lot, the extension of the regulations for either portion of the lot may be permitted by the Zoning Administrator up to a distance of fifty (50) feet beyond the district line into the remaining portion of the lot.

ARTICLE VI. DISTRICT REGULATIONS

Section 1. Residential, Single Family Estate: RS-E

1.1 RS-E Permitted Uses and Structures
a. Single Family Dwellings

1.2 RS-E Permitted Accessory Uses and Structures
a. See Article 8, Section 17

1.3 RS-E Permissible Uses and Structures by Exception
a. See Article 8, Section 16

- 1.4 RS-E Minimum Lot Requirements (Width and Area)
 - a. Minimum Lot Width 100 feet
 - b. Minimum Lot Area 1 acre (43,560 sq. ft.)

- 1.5 RS-E Maximum Lot Coverage by all Buildings and Structures: 20%

- 1.6 RS-E Minimum Yard Requirements
 - a. Front: 30 feet minimum
 - b. Side: 20 feet minimum
 - c. Rear: 20 feet minimum

- 1.7 RS-E Maximum Height of Structures
 - a. 35 feet

Section 2. Residential, Single Family Districts: RS-1 & 2

- 2.1 RS Permitted Uses and Structures
 - a. Single Family Dwellings

- 2.2 RS Permitted Accessory Uses and Structure
 - a. See Article 8, Section 17

- 2.3 RS Permissible Uses by Exception
 - a. See Article 8, Section 16

- 2.4 RS Minimum Lot Requirements
 - a. RS-1: Minimum Lot Width 90 feet
Minimum Lot Area 10,800 sq. ft.
 - b. RS-2: Minimum Lot Width 75 feet
Minimum Lot Area 7,500 sq. ft.

2.5 RS Maximum Lot Coverage by all Buildings and Structures

- a. RS-1: 30%
- b. RS-2: 35%

2.6 RS Minimum Yard Requirements

All permitted or permissible uses and structures:

- a. Front: RS-1, 30 feet
RS-2, 25 feet
- b. Side: RS-1, 10 feet
RS-2, 10 feet
- c. Rear: RS-1, 15 feet
RS-2, 10 feet

2.7 RS Maximum Height of Structures

- a. RS-1: 35 feet
- b. RS-2: 35 feet

Section 3. Residential, Mixed: RM

Intent

Existing residential development in certain areas of the county has been extremely haphazard, resulting in frequent incompatibility of residential land uses. Such areas cannot be equitably classified under other residential categories of the Zoning Code, for to do so would create innumerable non-conformities, would work hardship on present occupants, and would make zoning enforcement difficult. Classification of lands into RM districts is applied only to the

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areas developed or almost developed at the date of passage of this Zoning Code. Once initial boundary lines for these districts are established at the date of passage of this Zoning Code, there shall be no additional RM districts established and no boundary of an RM district established at the date of passage of this Zoning Code shall be extended or enlarged.

- 3.1 RM Permitted Uses and Structures
 - a. Single Family Dwellings
 - b. Mobile Home on Individual Lot
- 3.2 RM Permitted Accessory Uses and Structures
 - a. See Article 8, Section 17
- 3.3 RM Permissible Uses and Structures by Exception
 - a. See Article 8, Section 16
- 3.4 RM Minimum Lot Requirements
 - a. Minimum Lot Width 75 feet
 - b. Minimum Lot Area 7,500 sq. ft.
- 3.5 RM Maximum Coverage by all Buildings and Structures: 35%
- 3.6 RM Minimum Yard Requirements
 - a. Front: 25 feet
 - b. Side: 10 feet
 - c. Rear: 10 feet

3.7 RM Maximum Height of Structures

- a. 35 feet

Section 4. Residential, General 1: RG-1

4.1 RG-1 Permitted Uses and Structures

- a. Single Family Dwellings
b. Multiple Family Dwellings

4.2 RG-1 Permitted Accessory Uses and Structures

- a. See Article 8, Section 17

4.3 RG-1 Permissible Uses by Exception

See Article 8, Section 16

4.4 RG-1 Minimum Lot Requirements

- a. Single Family Dwellings
1. Minimum Lot Width 75 feet
2. Minimum Lot Area 7,500 sq. ft.
b. Multiple Family Dwellings
1. Minimum Lot Width 75 feet
2. Minimum Lot Area 7,500 sq. ft. plus
4,325 sq. ft. for each dwelling unit
in excess of two (2).

4.5 RG-1 Maximum Lot Coverage by All Buildings and
Structures: 35%

4.6 RG-1 Minimum Yard Requirements

- a. Single Family Dwellings

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1. Front: 25 feet
 2. Side: 10 feet
 3. Rear: 10 feet

b. Multiple Family Dwellings

1. Front: 25 feet
2. Side: 20 feet
3. Rear: 20 feet

4.7 RG-1 Maximum Height of Structures

- a. Single Family Dwellings 35 feet
- b. Multiple Family Dwellings 35 feet

Section 5. Residential, General 2: RG-2

5.1 RG-2 Permitted Uses and Structures

- a. Single Family Dwellings
- b. Multiple Family Dwellings
- c. Housing for the Elderly
- d. Rooming House, Boarding Houses
- e. Churches (except temporary revival establishments)

5.2 RG-2 Permitted Accessory Uses and Structures

- a. See Article 8, Section 17

5.3 RG-2 Permissible Uses by Exception

- a. See Article 8, Section 16
- b. Nursing Home, convalescent home, rest home, or home for the aged or orphans, provided

no such facility shall have a lot area of less than (1) one acre and all other State and County regulations in regard to such establishment are met.

c. Monasteries, convents and similar uses

5.4 RG-2 Minimum Lot Requirements

a. Single Family Dwellings

- 1. Minimum Lot Width 75 feet
- 2. Minimum Lot Area 7,500 square feet

b. Multiple Family Dwellings

- 1. Minimum Lot Width 75 feet
- 2. Minimum Lot Area 7,500 sq. ft. plus
2,850 sq. ft. for each dwelling unit
in excess of two (2).

5.5 RG-2 Minimum Yard Requirements

a. Single Family Dwellings

- 1. Front: 25 feet
- 2. Side: 10 feet
- 3. Rear: 10 feet

b. Multiple Family and other Permitted or Permissible Structures

- 1. Front: 25 feet
- 2. Side: 10 feet
- 3. Rear: 10 feet

c. Provided that for structures exceeding 35 feet in height, side and rear yards

should be increased by one (1) foot for each three (3) feet of building height exceeding 35 feet.

5.6 RG-2 Maximum Height of Structures

- a. Single Family Dwellings: 35 feet
- b. Multiple Family Dwellings and other permitted structures may exceed 35 feet subject to meeting all requirements specified herein.

5.7 RG-2 Maximum Lot Coverage

- a. Single Family Dwellings: 35%
- b. Multiple Family Dwellings not exceeding in height:
 - 35 feet - 26%
 - 45 feet - 25%
 - 55 feet - 23%
 - 65 feet - 21%
 - 75 feet - 19%
 - 85 feet - 17%
 - 95 feet - 15%
 - 105 feet - 13%

Section 6. Residential, Mobile Homes: RMH

6.1 RMH Permitted Uses and Structures

- a. Mobile Home on Individual Lot
- b. Mobile Home Parks

- 6.2 RMH Permitted Accessory Uses and Structures
 - a. See Article 8, Section 17
 - b. Each mobile home park shall be permitted to display on each street frontage one identifying sign not exceeding nine (9) square feet which may be lighted by indirect lighting only.

- 6.3 RMH Permissible Uses by Exception
 - a. See Article 8, Section 16
 - b. Single Family Dwellings

- 6.4 RMH Minimum Lot Requirements
 - a. Mobile Home Park
 - 1. Minimum Lot Width: 100 feet at entrances and exits and 200 feet at portion used for mobile home stands
 - 2. Minimum Lot Area: ten (10) acres for mobile home park and 2,500 square feet for each mobile home stand.
Maximum density not to exceed 8 mobile home units per gross acre of land area.
 - b. Mobile Home on Individual Lot
 - 1. Minimum Lot Width: 50 feet
 - 2. Minimum Lot Area: 5,000 sq. ft.

- 6.5 RMH Maximum Lot Coverage by all Buildings and Structures: 50%

6.6 RMH Minimum Yard Requirements

- a. Mobile Home Park:
 - 1. Front: 25 feet from boundary of park to any mobile home stand
 - 2. Side and Rear: 10 feet from boundary of park to any mobile home stand
- b. Mobile Home on individual lot
 - 1. Front and Rear yard: 15 feet
 - 2. Side yard: 10 feet

6.7 RMH Maximum Height of Structures: 35 feet

Section 7. Commercial, Professional and Office (CPO)

7.1 CPO Permitted Uses and Structures

- a. Medical and dental offices (but not clinic or hospital), chiropractor (but not masseur).
- b. Professional offices, such as accountant, architect, attorney, engineer, land surveyor, optometrist and similar uses.
- c. Business offices such as real estate broker, insurance agent, stock broker, manufacturer's agent and similar uses.

All of the permitted uses in the CPO District are limited by the following conditions:

- 1. No retail sales, display or storage of merchandise shall be permitted.

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2. No vehicles other than passenger automobiles or trucks of not more than three-quarter ton capacity shall be used.
 3. No manufacture, repair or work of a mechanical nature of any kind shall be permitted and no machinery shall be used other than normal office equipment such as typewriters, calculators, computers, bookkeeping machines, etc.

7.2 CPO Permitted Accessory Uses and Structures

- a. See Article 8, Section 17

7.3 CPO Permissible Uses by Exception

- a. Uses permitted in the CPO District which are excluded by limitations on such uses.
- b. Medical or dental clinic, hospital, sanitarium, child care center and church (except temporary revival establishments) provided that minimum parcel size shall not be less than two (2) acres
- c. Medical or dental laboratory; manufacture of prosthetic appliances, dentures, eye glasses, hearing aids and similar products.

7.4 CPO Minimum Lot Requirements (Width and Area)

- a. Minimum Lot Width: 60 feet
- b. Minimum Lot Area: 7,500 square feet

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7.5 CPO Maximum Lot Coverage by All Buildings and Structures:

a. .65 percent

7.6 CPO Minimum Yard Requirements

a. Front: 10 feet

b. Side: 10 feet

c. Rear: 10 feet

7.7 CPO Maximum Height Structures

a. All uses: 35 feet

Section 8. Commercial, Neighborhood: CN

Intent.

This district is intended to apply to areas where small groups of selected establishments may be appropriately located to serve within convenient traveling distance from one or several neighborhoods. The CN district is not intended for use by major commercial or service establishments. However, professional and business offices and similar uses are encouraged.

8.1 CN Permitted Uses and Structures.

a. Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry (including watch repair but not pawnshop), art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and

pet shops (but not animal kennel or veterinarian), musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs and similar products.

- b. Service establishments such as barber or beauty shop, shoe repair shop, restaurant (but not drive-in restaurant), interior decorator, photographic studio, dance or music studio, reducing salon or gymnasium, self-service laundry or dry cleaner, tailor or dressmaker, drycleaning and laundry package plants in completely enclosed buildings using nonflammable liquids such as perchloroethylene and with no odor, fumes, or steam detectable to normal senses from off the premises, and similar activities.
- c. Medical and dental offices and clinics.
- d. Churches (except temporary revival establishments), provided that minimum parcel size shall not be less than two (2) acres.
- e. Libraries.

The above are uses subject to the following limitations:

- a. Sale, display, preparation and storage to be conducted within a completely

enclosed building, and no more than 20 percent of floor space to be devoted to storage.

- b. Products to be sold only at retail.
- c. No sale, display or storage of second-hand merchandise except as incidental to sale of new merchandise.

8.2 CN

Permitted Accessory Uses and Structures.

- a. See Article 8, Section 17
- b. Parking lots complying with Article 8, Section 16.5.
- c. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

8.3 CN

Permissible Uses by Exception.

- a. Antique Shops
- b. Plant Nursery
- c. Sale of alcoholic beverages with alcoholic content not more than 14 percent for consumption, either on-premises or off-premises.

8.4 CN

Minimum Lot Requirements. (Area and Width)

None, except as needed to meet other requirements specified herein.

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8.5 CN Maximum Lot Coverage by all Buildings
None, except as needed to meet other requirements specified herein.

8.6 CN Minimum Yard Requirements

a. All uses.

1. Front: 20 feet except where lot width is less than 100 feet and buildings (if any) on adjacent lots have provided a lesser front yard, front yard shall be average of buildings on adjacent lots, or where lot is adjacent to residentially zoned property, front yard shall meet requirements for such adjacent property.

2. Side: 10 feet

3. Rear: 10 feet

8.7 CN Maximum Height of Structures: 35 feet

Section 9. Commercial, Intensive (CI)

9.1 CI Permitted Uses and Structures.

a. Retail outlets for the sale of general merchandise including new or used automobiles, trucks and tractors, motorcycles, mobile homes, boats, automotive vehicle

parts (but not automobile wrecking or storage yards, junk yards, or scrap processing yards), heavy machinery and equipment, dairy supplies, feed, fertilizer, plant nursery (including outside display) or landscape contractor, lumber and building supplies, food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, jewelry (including watch repair) art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops, musical instruments, florist or gift shop, delicatessen, bakery (but not wholesale bakery), home furnishings and appliances (including repair incidental to sales), office equipment or furniture, antiques, secondhand merchandise, hardware, and similar uses.

- b. Service establishments of all kinds including automobile service station or truck stop, repair and service garage, motor vehicle body shop, rental of automotive vehicles, trailers, and trucks, auto laundry, small engine repair, restaurant (including drive-in restaurant), veterinarian or animal boarding kennels in sound proof building, pest control, carpenter

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or cabinet shop, home equipment rental, ice delivery station, marina, radio or television broadcasting studios, offices, transmitter and antenna facilities, barber or beauty shop, shoe repair shop, interior decorator, reducing salon or gymnasium, tailor or dressmaker, laundry or dry cleaning establishment, pick up station or package plants in completely enclosed buildings using nonflammable liquids such as perchloroethylene and with no odor, fumes or steam detectable to normal senses from off the premises, funeral home (including crematory) blue-printing, job printing (including newspaper), radio and television repair shop, travel agencies and similar uses.

- c. Commercial, recreational and entertainment facilities such as carnival or circus, shooting gallery, skating rink, pony ride, go-kart track, athletic complexes, arena, auditorium convention center, dance hall and similar uses.
- d. Palmists, astrologist, psychics, clairvoyants, phrenologist and similar uses.
- e. Outdoor fruit, vegetable, poultry or fish market.

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- f. All types of professional and business offices.
 - g. Establishments or facilities for the retail sale and service of all alcoholic beverages, either for on-premises or off-premises consumption, or both.
 - h. Any type of wholesale, jobber or distributorship business where the total operation does not require more than four thousand (4,000) square feet of floor space; no vehicle is used in excess of one and one-half ton capacity; all merchandise is stored within an enclosed building, and no heavy machinery or manufacturing is located on the premises.
 - i. Hotels and motels (including convention facilities).
 - j. Building trades contractor not requiring outside storage; nor the use of any vehicle in excess of one and one-half ton capacity; nor any machinery, ditching machines, tractors, bulldozers, or other heavy construction equipment.
 - k. Theater including open-air theater.
 - l. Express or parcel delivery office, telephone exchange, commercial parking lots, motor bus or other transportation terminal (but not truck terminal) and similar uses.

CI Permitted Accessory Uses.

- a. See Article 8, Section 17.
- b. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

CI Permissible Uses by Exception.

- a. Child care center, church or private school, all as provided in Article 8, Section 16.
- b. Hospital, sanitarium, nursing home, home for the aged or orphans, and similar uses.
- c. Wholesale, warehouse, or storage use.
- d. Building trades contractor with outside storage yard and heavy construction equipment.
- e. Boat yard.
- f. Light manufacturing, processing (including food processing but not slaughter house), packaging or fabricating.
- g. Bulk storage yards including bulk storage of flammable liquids.
- h. Automobile wrecking or storage yard (but not scrap processing yard or junk yard).
- i. Race track for animals or vehicles.
- j. Travel trailer parks and campgrounds.

9.4 CI Minimum Lot Requirements (Width and Area).

None, except as specifically required for certain uses.

9.5 CI Maximum Lot Coverage of All Buildings.
None, except as specifically required for certain uses.

9.6 CI Minimum Yard Requirements.
Front: None
Side: None, if an existing building on adjacent lot is built on property line or if adjacent lot is vacant. Unless no space is left between building on adjacent lots, a space of not less than six feet shall be provided between buildings.
Rear: 10 feet

9.7 CI Maximum Height of Structures.
None.

Section 10. Commercial, Highway and Tourist. CHT.

Intent.

These districts are primarily intended to apply to areas where adequate lot depth is available to provide meaningful development for service oriented automotive uses, tourist accommodations, and supporting facilities. It is not intended that this district become or be used for strip commercial purposes.

10.1 CHT Permitted Uses and Structures.
a. Automobile service stations, truck stops.
b. Hotels and motels.

- c. Restaurants, including drive-in restaurants.
- d. Gift, novelty, and curio shops and similar uses catering to tourists.
- e. Travel trailer parks and camp grounds.

10.2 CHT Permitted Accessory Uses and Structures.

- a. See Article 8, Section 17.
- b. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

10.3 CHT Permissible Uses by Exception.

- a. Any retail or service use which can be shown to be primarily service-oriented automobile uses, tourist accommodations and supporting facilities.
- b. An establishment or facility for the retail sale and service of all alcoholic beverages for consumption either on-premises or off-premises or both.

10.4 CHT Minimum Lot Requirements.

- a. Lot width: 100 feet
- b. Lot area: 15,000 square feet

10.5 CHT Maximum Lot Coverage by All Structures.

None.

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10.6 CHT Minimum Yard Requirements.

Front, side and rear: 15 feet.

Off-street parking shall be permitted in any yard.

10.7 CHT Maximum Height of Structures.

None, except where buildings or structures exceed 35 feet in height, the portion of the building or structure above 35 feet shall be set back one foot in addition to the required yard for each 5 vertical feet on all sides adjacent to any residential district without an intervening street.

Section 11. Industrial, Warehousing - IW

11.1 IW Permitted Uses and Structures.

- a. Wholesaling, warehousing, storage, or distribution establishments and similar uses.
- b. Light manufacturing, processing (including food processing, but not slaughterhouse), packaging or fabricating.
- c. Printing, lithographing, publishing or similar establishments.
- d. Bulk storage yards, including bulk storage of flammable liquids and acids.

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- e. Building trades contractor with outside storage yard and heavy construction equipment.
 - f. Outdoor storage yards and lots including automobile wrecking or storage yards and junk yards (but not scrap processing yard).
 - g. Service establishments catering to commerce and industry including linen supply, laundry, dry cleaning plant, freight movers, communications services, business machine services, restaurant (including drive-in restaurant), hiring and union halls, employment agency, sign company, automobile service station and truck-stop and similar uses.
 - h. Vocational, technical, trade or industrial schools and similar uses.
 - i. Medical clinic in connection with industrial activity.
 - j. Bus, truck or other transportation terminal, commercial parking lots and garages, express office and terminal facility; telephone exchange, repair or installation facilities; and similar uses.
 - k. Radio or television broadcasting offices, studio, transmitters, or antennas.
 - l. Crematory

11.2 IW Permitted Accessory Uses - IW.

- a. See Article 8, Section 17.
- b. Residential facility (including not more than one mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

11.3 IW Permissible Uses by Exception.

- a. Any industrial or commercial use which is not otherwise permitted and is not listed under Section 12.3, as permissible by exception in IH District except listed hereafter.
 1. Establishments for the retail or wholesale sale of all types of merchandise including new or used vehicles of all kinds, mobile homes, automotive parts and accessories, heavy machinery and equipment, boats; farm equipment and machinery, and supplies; lumber and building supplies, and similar uses.
 2. An establishment or facility for the retail sale and service of beer or wine either for on-premises or off-premises consumption, or both.

3. Any use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.

b. Business and professional offices.

11.4 IW Minimum Lot Requirements (Width and Area):
None.

11.5 IW Maximum Lot Coverage by All Buildings.
None.

11.6 IW Minimum Yard Requirements:
None.

11.7 IW Maximum Height of Structures:
None.

Section 12. Industrial, Heavy - IH

12.1 IH Permitted Uses and Structures.

a. Any industrial, manufacturing, distribution or storage use which is otherwise lawful except those uses listed under Section 12.3, hereof as being permissible by exception in the IH district.

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- b. Railroad switching facilities, repair and storage areas for railway equipment.
 - c. Service establishments catering to commerce and industry including linen supply, laundry, dry cleaning plant, freight movers, communications services, business machine services, restaurant (including drive-in restaurant), hiring and union halls, employment agency, sign company, automobile service station and truck stop and similar uses.
 - d. Freight, trucking, shipping or other terminal.
 - e. Outdoor storage yards and lots including automobile wrecking or storage yards and junk yards (but not scrap processing yard).

12.2 IH

Permitted Accessory Uses.

- a. See Article 8, Section 17.
- b. Residential facility (including not more than one mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

12.3 IH

Permissible Uses by Exception.

- a. Scrap processing yard.
- b. Chemical and fertilizer manufacture.
- c. Explosives manufacturing or storage.

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- d. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
 - e. Paper and pulp manufacture.
 - f. Petroleum refining.
 - g. Stockyards or feeding pens, livestock auction.
 - h. Establishments for the retail or wholesale sale of all types of merchandise including new or used vehicles of all kinds, mobile homes, automotive parts and accessories, heavy machinery and equipment, boats; farm equipment, machinery, and supplies; lumber and building supplies, and similar uses.
 - i. Any use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, glare, fumes, gas vibration, threat of fire or explosion, emission of particulate matter or radiation.
 - j. An establishment or facility for the retail sale and service of beer or wine either for on-premises or off-premises consumption, or both.

12.4 IH

Minimum Lot Requirements (Width and Area.)

None.

12.5 IH Maximum Lot Coverage by All Buildings.

None.

12.6 IH Minimum Yard Requirements.

None.

Section 13. Open Rural District: OR.

Intent.

This district is intended to apply to areas which are sparsely developed and including uses as normally found in rural areas away from urban activity. It is intended that substantial residential, commercial, or industrial development shall not be permitted in the OR district, but lands in such district may be rezoned to the proper district to accommodate such uses when conditions warrant rezoning.

13.1 OR Permitted Uses and Structures.

- a. Agricultural, horticultural and forestry uses, including the keeping and raising of farm animals and poultry, provided structures for same shall not be located within 100 feet of any property line; and, further, provided that goats, sheep or swine shall not be kept or permitted within 200 feet of any residence under different ownership.
- b. Permanent or temporary housing of farm labor. All housing for such use shall be in compliance with the county's building

and housing codes and in the case of mobile homes as per state requirements.

- c. Roadside stands where the major portion of products offered for sale are grown on the premises.
- d. Dude ranch, riding academy, or boarding stable, provided structures for the housing of animals shall not be located within 100 feet of any property line; private camps (including day camps), country clubs, private clubs, golf course, parks, camping grounds and recreational areas, playgrounds, playfields and government structures.
- e. Game preserves, wildlife management areas, fish hatcheries and refuges, watershed, water reservoirs, control structures and wells.
- f. Churches, monasteries, convents, temporary revival establishments, cemeteries, columbariums, and mausoleums.
- g. Schools, colleges and universities with conventional academic curriculums.
- h. Sawmills, borrow pits, railroad yards.
- i. Single family dwellings and mobile homes on individual lots.

- j. Airport
- k. Day nurseries and kindergartens
- l. Governmental uses.

13.2 OR Permitted Accessory Uses and Structures.

- a. See Article 8, Section 17.

13.3 OR Permissible Uses by Exception.

- a. See Article 8, Section 16.
- b. Radio or television broadcasting office, studio, transmitter, antenna, and line of sight relay device.
- c. Garbage dump and sanitary landfill, provided state and county health requirements are met.
- d. Race track for vehicles or animals.
- e. Animal hospital, veterinary clinic, animal boarding place, fur farm, dog kennel, provided no structure for the housing of animals shall be located within 200 feet of any residence of different ownership.
- f. Rifle, shotgun or pistol shooting range, field archery range, golf driving range, and par three golf course.

- g. Poultry slaughtering and dressing facility,
livestock auction facility.
- h. Marina, bait and tackle shop, commercial
hunting or fishing camp.
- i. Sanitariums, rest homes, nursing homes,
convalescent homes, and homes for orphans
and aged.
- j. General store or convenience store
- k. Crematory

13.4 OR

Minimum Lot Requirements.

- a. Single family dwelling or mobile home on
individual lot:
 - 1. Minimum lot width: 100 feet
 - 2. Minimum lot area: 1 acre
- b. Churches including temporary revival
establishments:
 - 1. Minimum lot width: 100 feet
 - 2. Minimum lot area: 2 acres
- c. Golf course (other than par 3):
 - 1. Minimum lot area: 100 acres
- d. Other permitted or permissible uses or
structures: None.

13.5 OR

Maximum Lot Coverage by All Buildings.

- a. Single family dwelling and mobile homes
on individual lot and accessory building
thereto: 10 percent.

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- b. Other permitted or permissible uses and accessory buildings thereto: 20 percent.

13.6 OR Minimum Yard Requirements.

- a. All uses and structures:
 1. Front: 25 feet
 2. Side: 10 feet minimum, but in no case less than 25 feet combined side yard.
 3. Rear: 10 feet

13.7 OR Maximum Height of Structures.

None.

Section 14. Government Use - GU.

It is the intent of this Zoning Code that certain lands, which are owned by federal, state or local government and are used for a purpose which is particularly and peculiarly related to governmental functions, should be placed in a Government Use - GU District. Any lawful governmental activity is permitted upon such lands without restriction so long as the title to the land is vested in the government. Any lands in a GU District which are converted to private ownership shall be rezoned to a district other than GU as lands in the GU District are restricted exclusively to governmental functions. This provision shall not, however, be deemed to prevent the use by any government of lands located in districts other than GU, provided such use is in compliance with all provisions of this code applicable to such other districts.

Section 15. Planned Unit Development - PUD.

Intent.

The application of flexible land use controls to the development of land is often difficult or impossible within traditional zoning district regulations. In order to permit the use of more flexible land use regulations and to facilitate use of the most advantageous techniques of land development, it is often necessary to establish Planned Unit Developments (PUD) in which development is in harmony with the general purpose and intent of this code and with the County's general planning program and such comprehensive plans as may from time to time be adopted by the Board of County Commissioners, but in which such development differs in one or more respects from the usual application of provisions of this Zoning Code. The objective of a PUD is to encourage ingenuity, imagination and design efforts on the part of builders, architects, site planners and developers, to produce developments which are in keeping with overall land use intensity and open space objectives of the Zoning Code, while departing from the strict application of use, setback, height, and minimum lot size requirements of the several zoning districts. The intent of this part is to permit such flexibility and provide performance criteria for planned unit development which:

- a. Permit a creative approach to the development of land; and
- b. Accomplish a more desirable environment than would be possible through the strict

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- application of minimum requirements of the Zoning Code; and
- c. Provides for an efficient use of land, resulting in small networks of utilities and streets and thereby lower development costs; and
 - d. Enhances the appearance of the area through preservation of natural features, the provision of underground utilities and the provision of recreation areas and open space in excess of existing zoning and subdivision requirements; and
 - e. Provides an opportunity for new approaches to ownership; and
 - f. Provides an environment of stable character compatible with surrounding areas; and
 - g. Retains property values over the years.

15.1 PUD

Defined.

For the purpose of this Zoning Code, a Planned Unit Development (PUD) shall mean the development of land under unified control which is planned and developed as a whole in a single or programmed series of operations with uses and structures substantially related to the character of the entire development. A PUD must also include a program for the provision, maintenance, and operation of all areas,

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improvements, facilities, and necessary services for the common use of all occupants thereof.

15.2 PUD Permissible Uses.

Any use which is permitted or permissible by exception in any district may be included and approved by a PUD.

15.3 PUD Procedures.

a. Application for Rezoning to PUD.

An application for rezoning to PUD shall proceed in general as for other applications for rezoning; and, in addition to the information usually required for such applications, the following shall be required:

1. Plats and/or metes and bounds description of the area within the PUD.
2. The name and address of the owner and, if applicable, evidence of the assignment of an agent who represents the owner.
3. Evidence of unified control of the entire area within the PUD with all owners within the area of same identified.
4. An agreement by all owners within the PUD which includes their commitment to:

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- i. proceed with the proposed development in accordance with the PUD ordinance and such conditions and safeguards as may be set by the Board of County Commissioners in such ordinance; and,
 - ii. provide a written statement of a proposal for completion of such development according to plans approved by such ordinance, and for continuing operating and maintenance to such areas, functions, and facilities as are not to be provided, operated or maintained by Nassau County pursuant to written agreement; and,
 - iii. to bind their successors in title to any commitments made in their application.
- b. Materials to Accompany Applications.

An application for rezoning to PUD shall be accompanied by the following, in sufficient copies as deemed necessary by the Zoning Board for referrals and recommendations:

1. Plans, maps, studies, and reports, as may reasonably be required by the Zoning Board and Board of County Commissioners in order to make the findings and determinations called for in the particular case; and,

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2. A written description of the intended plan of development, clearly indicating where approval of the PUD will benefit the future occupants of the proposed development and the County in general. Such justification shall be based on the intent of the Planned Unit Development.
 3. A sketch plan at an appropriate scale supporting the above statement illustrating:
 - i. The preliminary location, grouping, and height of all uses and facilities.
 - ii. In the case of residential PUD, the number of residential units proposed, their general location, number of stories, indicating these areas to be owner occupied and those to be renter occupied.
 - iii. A preliminary vehicular and pedestrian circulation system including driveways, walkways, bicycle paths, parking areas, and streets to be dedicated.
 - iv. A system of open space and recreational uses, with estimates of acreage to be dedicated and that to be retained in common ownership.
 - v. A topographic map at an appropriate scale showing contour lines, including all existing

buildings and wooded areas.

4. Preliminary statements indicating how the problems of maintenance and ownership of common facilities will be resolved.

5. Preliminary Schedules of Development, including the staging and phasing of:

- i. Residential areas to be developed, in order of priority and by type; and,
- ii. The construction of streets, utilities, and other improvements necessary to serve the project area; and,
- iii. The dedication of land to public use.

6. Each of the above elements shall be listed as to their relative order of improvement with an estimated time schedule for their accomplishment. It is, among other things, the intent of this requirement that the Schedule of Development be such that a staged implementation of the Planned Unit Development would not result in land use conditions which would establish a precedent for the use of adjoining undeveloped property for purposes other than that shown on the approved Planned Unit Development.

c. Action by the Zoning Board and the Board of County Commissioners.

Following the Public Hearing as required for all applications for rezoning, the Zoning Board may recommend and the Board of County Commissioners may enact an ordinance establishing a PUD, including any special conditions related thereto, based upon findings that:

- 1. The proposed PUD does not affect adversely the orderly development of the County, as embodied in this Zoning Code and in any comprehensive plan or portion thereof that may be adopted by the Board of County Commissioners.
- 2. The proposed PUD will not affect adversely the health and safety of residents in the area and will not be detrimental to the natural environment or to the use of development of adjacent properties or the general neighborhood.
- 3. The proposed PUD will accomplish the objectives and will meet the Standards and Performance Criteria of Section 15.5.

d. Deviations From Ordinance Creating PUD.

In order to facilitate minor adjustments to the plans approved as part of the ordinance creating a PUD, the Zoning Board may approve

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changes in such plans which comply with the following criteria:

1. There are the same or fewer number of dwelling units and/or floor area; or,
2. The open space is in the same general location and in the same general amount, or a greater amount; or,
3. The buildings have the same or less number of stories and/or floor area; or,
4. The roads and drives follow approximately the same course; and have the same public or private rights herein.

e. Expiration of Time Limits Provided in Ordinance Creating a PUD.

If development actions required by the ordinance creating a PUD are not taken within any time limits set by Board of County Commissioners in such ordinance, the approval of a PUD as provided in such ordinance shall become invalid and no further action shall be permitted under same.

15.4 PUD

Implementation of a PUD.

a. Development Plan.

Following the enactment of an ordinance creating a PUD, a detailed development plan of all or part of the PUD shall be submitted

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to the Zoning Board for review in accordance with the schedule of development, as contained in the ordinance, which shall include:

1. All materials, drawings, information, and other documentation, as required by the Zoning Board in accordance with Section 15.5, hereof to rectify substantial compliance with the PUD ordinance.
2. Agreements, contracts, deed restrictions and sureties acceptable to Nassau County for completion of such development according to plans approved in the ordinance, and for continuing operation and maintenance to such areas, functions, and facilities as are not to be provided, operated, or maintained by Nassau County pursuant to written agreement.

b. Record Plats.

If the PUD ordinance requires the recording of record plats, such plats shall accompany the submission of the development plan to the Zoning Board and shall be included in its approval of such plan, and plats so approved shall be recorded, as provided by law.

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c. Approval of Development Plan.

The Zoning Board shall review the final development plan; and, if found in compliance with this Code, the PUD ordinance and standards established pursuant to Section 15.5, shall approve same and forward an approved copy thereof to the Building Official's office.

d. Permits Required.

All construction in the development of a PUD shall proceed only under applicable permits, issued by the Building Official; and no building permit, certificate, or other document authorizing construction or occupancy within a PUD shall be issued, except in accordance with the approved development plan.

15.5 PUD Standards and Criteria.

a. Density of Development.

The total ground occupied by buildings and structures for residential use shall not exceed 35 percent of the total ground area of that portion of the PUD devoted to residential use.

b. Open Space.

The PUD may include residential lots of smaller size than would be permitted by

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the zoning regulations otherwise applicable to the site, provided the overall density is not increased. The excess land shall be utilized as open space.

The open space area shall be recorded upon the final development plan of the PUD. The open space shall be utilized as a park, for either passive or active recreation or as a conservation area. The open space shall either be dedicated to Nassau County or be maintained by a community association composed of residents of the PUD. Land recorded as open shall not be encroached upon by any residential, commercial or industrial primary or accessory use.

c. Waiver of Yard, Dwelling Unit, Frontage Criteria, and Use Restriction.

Minimum yard, lot size, type of dwelling unit, height and frontage requirements and use restrictions are waived for the PUD, provided the spirit and intent of the Zoning Ordinance is complied within the total development of the PUD. However, the Nassau Board of County Commissioners may, at its discretion, require adherence to minimum zone requirement within certain portions of the site if deemed necessary

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in order to maintain the spirit and intent of the Zoning Ordinance.

d. Project Size.

A PUD shall normally consist of a minimum of twenty (20) acres.

e. Support Legal Instruments For Open Space.

Legal instruments which assure adequate management and maintenance of the open space area must be provided by the developer for all areas proposed for common ownership by the residents of the PUD. Legal instruments provided for dedications, covenants, community associations, and subdivision controls shall:

1. Place title of common property in a form of common ownership by the residents of the PUD; e.g., a duly constituted and legally responsible community association, cooperative, etc.
2. Appropriately limit the use of common property.
3. Place responsibility for management and maintenance of common property. The Nassau County Board of County Commissioners, at its discretion, may require the applicant to enter into a contract with Nassau County for maintenance of commonly

held properties.

4. Place responsibility for enforcement of covenants.
5. Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.

g. Access.

Access to each single-family dwelling unit shall be provided via either a public right-of-way or a private vehicular or pedestrian way owned by the individual lot owner in fee or in common ownership with the residents of the PUD.

h. Privacy.

Each dwelling unit within the PUD, shall be provided visual and acoustical privacy. Fences, walks and landscaping which screen objectionable views and reduce noise shall be provided for the protection and aesthetic enhancement of property and the privacy of its occupants.

j. Community Facilities.

1. All utility facilities proposed for dedication to Nassau County must be acceptable by the county as to the size, shape, construction, location, and shown by the applicant to be of benefit to the general public.

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2. All off-street parking and loading requirements of Article 9 shall apply to the PUD, unless otherwise specified in the ordinance creating a PUD.
 3. Access and circulation shall adequately provide for service vehicles including but not limited to fire fighting equipment and refuse collection vehicles.
 4. All utilities shall be underground unless otherwise specified in the ordinance creating a PUD and shall be provided in accordance with the rules, resolutions and/or regulations of the appropriate governmental agency regulating said utilities.
 5. Street design and specifications for dedicated public streets or approved private streets shall conform to county standards, whereby the Zoning Board shall adopt standards for means of access other than the above mentioned.

ARTICLE VII. NONCONFORMING LOTS, USES AND STRUCTURES

Section 1. Intent.

Within the districts established by this Zoning Ordinance, there exists lots, structures, uses of land or water and characteristics of use which were lawful before the adoption of the Zoning Ordinance, but which would be prohibited, regulated, or restricted under the terms of the Zoning Ordinance or its future amendments.

It is the intent of this Zoning Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further, the intent of this Zoning Ordinance that nonconformities shall not be enlarged upon, expanded, intensified, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district. It is further, the intent of this Zoning Ordinance that changes in nonconforming uses shall be discouraged.

Section 2. Enlargement and Incompatibility.

Nonconforming uses are declared by this Zoning Ordinance to be incompatible with permitted uses in the districts involved. A nonconforming use of a structure, a nonconforming use of structure and land or water in combination shall not be extended or enlarged after the adoption of this Zoning Ordinance.

Section 3. Work in Process.

To avoid undue hardship, nothing in this Zoning Ordinance shall be deemed to require a change in the plans, construction

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or designated use of any building on which a building permit has been issued prior to the adoption of this Zoning Ordinance. If actual construction has not begun under a permit issued prior to the adoption of the Zoning Ordinance within six (6) months of the date of issuance of the permit, such permit shall become invalid and shall not be renewed except in conformity with this Zoning Ordinance.

Section 4. Nonconforming Use of Open Land.

Where open land, i.e., land not enclosed by buildings, is being used for nonconforming use, such use shall not be extended or enlarged either on the same or adjoining property.

Section 5. Nonconforming Use of Buildings.

Except as otherwise provided herein, the lawful use of a building existing at the effective date of this Zoning Ordinance may be continued although such use does not conform to the provisions hereof.

Section 6. Discontinuance of Nonconforming Uses.

No building or portion thereof used in whole or part for a nonconforming use, which remains idle or unused for a continuous period of one (1) full calendar year, whether or not the equipment or fixtures are removed, shall be used again except in conformity with the regulations of the zoning district in which it is located.

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Section 7. Destruction of a Nonconforming Use.

No building which has been damaged by any means to an extent of more than sixty percent (60%) of the fair market value of the building immediately prior to damage, shall be restored except in conformity with the regulations of this Zoning Ordinance, and all rights as a nonconforming use are terminated. If a building is damaged by less than sixty percent (60%) of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repair or reconstruction be substantially completed within twelve (12) months of the date of such damage.

Section 8. Nonconforming Lots of Record.

In any zoning district in which single family dwellings or mobile homes are permitted, such a use and customary accessory uses may be erected, expanded, or altered on any single lot of record, which was so recorded on or before the effective date of adoption of this ordinance even though such lot failed to meet the requirements for area or width, or both that are generally applicable in the zoning district, provided that yard dimensions and requirements other than those applying to area or width, or both of the lot shall conform to the regulations for the zoning district in which such lot is located. It is further provided that this provision shall apply even though such lot does not abut upon a dedicated public street or a private street, which has been approved by the County Engineer provided however, that such lot abuts a 30' continuous access easement of record for a distance of not less than thirty-five (35) feet.

8.2 In any zoning district, a conforming use or structure on a nonconforming lot of record which was so recorded on or before the effective date of adoption of the ordinance may be expanded or altered provided other requirements of the ordinance are met. After the effective date of adoption of the ordinance, no lot or parcel in any district shall be so divided as to create a lot with area or width below the requirements of the ordinance; and no lot or parcel or portion of a lot or parcel shall be used or sold in a manner which diminishes compliance with lot area and width requirements established by the ordinance.

Section 9. Nonconforming Characteristics of Use.

If characteristics of use such as off-street loading, or other matters pertaining to the use of land, structures, or premises are made nonconforming by this Zoning Ordinance as adopted or amended, no change shall thereafter be made in such characteristics of use which increases nonconformity with the regulations set out in this Zoning Ordinance; provided however, that changes may be made which do not increase, or which decrease, such nonconformities.

Section 10. Repairs and Maintenance.

On any nonconforming structure or portion of a structure and on any structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary

repairs, or on repair or replacement of fifteen (15%) percent of the current just value of the structure, (or of the nonconforming portion of the structure if a nonconforming portion of the structure is involved), provided that the cubic content of the structure existing after the date it became nonconforming shall not be increased.

Section 11. Nonconforming Structures Unsafe Because of Maintenance.

If a nonconforming structure or portion of a structure or any structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs or maintenance and is declared by any duly authorized official of Nassau County, to be an unsafe building or structure, it shall not thereafter be resolved, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

ARTICLE VIII. SUPPLEMENTARY REGULATIONS

Section 1. Fences, Walls, and Hedges.

Notwithstanding other provisions of this Zoning Ordinance, fences, walls and hedges may be permitted in any required yard or along the edge of any yard; provided that no solid fence or wall in excess of six (6) feet shall be permitted within fifty (50) feet of the front property line of any lot in residential use; and further provided that no fence, wall, hedge, or other visual barrier exceeding four (4) feet in height shall be permitted in any required front yard.

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Section 2. Modification of Height Regulations and Regulations
Related to Airports and Airspaces.

2.1 The height limitations contained in Article VI, District Regulations, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy; provided however, that notwithstanding the height limitations allowed in the various zoning districts, nothing in this section shall be construed to restrict height limitations below thirty-five (35) feet (including appurtenances and structures normally erected above roof level) and further provided no structure (including appurtenances and structures normally erected above roof level) shall be erected to a height above mean sea level exceeding the most restrictive of the following:

- A. Five hundred (500) feet; or
- B. The height zones shown on the Airport and Airspace Hazard Control Chart as provided in Section 2.2 hereafter.

2.2 Attached hereto and declared to be part of this ordinance is an Airport and Airspace Hazard Control Chart creating airport zones and air-space height limitations as follows:

2.21 Height Limitations

A. Public Airports with only Visual Approaches and no Planned Instrument Approaches.

1. Approach Zone

The area described as an approach zone for a public airport with only visual approaches is a trapezoidal area increasing gradually in width from 1,000 feet at the primary surface to a width of 5,000 feet at a horizontal distance of 15,000 feet from the primary surface. Its centerline being the continuation of the centerline of the runway. This area shall be clear of obstructions above a glide path of 50:1 from the primary surface of each usable runway. When the approach zone to any runway crosses a road or railroad, the glide path must pass at least 15 feet above the edge of the nearest traffic lane, 17 feet above interstate highways and at least 25 feet above the nearest rail of the railroad.

2. Primary Transitional Zone

The area adjacent to each usable runway, at a perpendicular distance of 2,500 feet

from the runway centerline and running parallel to either side of each runway until intersecting the approach zone of each usable runway, is the primary transitional zone. The primary transitional zone shall be clear of obstacles above a glide path of 5:1 above the primary surface of each usable runway.

3. Secondary Transitional Zone.

The area extending from the primary transitional zone to three (3) statute miles perpendicular distance from the runway centerline and running parallel to the runway from the farthest edge of the approach zone of each runway to the farthest edge of the reciprocal runway approach zone is the secondary transitional zone. This area shall be free of all obstructions above 500 feet mean sea level.

B. Public Airports with Instrument Approaches or Planned Instrument Approaches.

1. Approach Zone

The area described as an approach zone for a public airport with an instrument approach is a trapezoidal area beginning

at the edge of the runway primary surface with width of 11,000 feet and increasing gradually to a width of 26,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline being the centerline of the most precise instrument approach path to that runway.

This area shall be clear of all obstructions above a glide path of 100:1 from the primary surface of each instrument runway for the first 10,000 feet and above a glide path of 40:1 for the remaining 40,000 feet. When the approach zone to any runway crosses a road or railroad, the glide path must pass at least 15 feet above the edge of the nearest traffic lane, 17 feet above the interstate highways and at least 25 feet above the nearest rail of the railroad.

2. Maneuvering Zone

The area about each usable runway described by a circle of radius 26,000 feet drawn from the geographic center of each runway shall be clear of obstructions above a glide path of 50:1 for the first 10,000 feet and 40:1 for the remaining 16,000

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from the primary surface of the instrument runway.

C. Heliports and Helistops

1. Heliports and Helistops with Visual Approaches only.

The area described as an approach zone for a heliport with visual approaches is a trapezoidal area increasing in width from the coincident width of the primary surface to a width of 500 feet at a horizontal distance of 4,000 feet from the primary surface. Its centerline being the continuation of the centerline of the primary surface. This area shall be clear of all obstructions above a glide path of 8:1 from the primary surface of each designated landing and takeoff area. The side slope in all other directions shall be clear of all obstructions above a glide path of 5:1 for a horizontal distance of 500 feet.

2. Heliports with Instrument Approaches.

The area described as an approach zone for a heliport with instrument approaches is a trapezoidal area increasing in width from

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the coincident width of the primary surface to a width of 3,400 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline being the continuation of the centerline of the primary surface. This area shall be clear of all obstructions above a glide path of 15:1 from the primary surface of each designated instrument takeoff and landing area. The side slope in all other directions shall be clear of all obstructions above a glide path of 5:1 for a horizontal distance of 500 feet.

D. Stol Ports

The area described as an approach zone for a Stolport is a trapezoidal area increasing gradually in width from the coincident width of the runway primary surface to a width of 3,400 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline being the continuation of the centerline of the primary surface. This area shall be clear of obstructions above a glide path of 15:1 from the primary surface of each runway. When the approach

zone to any runway crosses a road or railroad, the glide path must pass at least 15 feet above the edge of the nearest traffic lane, 17 feet above interstate highways and at least 25 feet above the nearest rail of the railroad. The side slope in all other directions shall be clear of all obstructions above a glide path of 5:1 for a horizontal distance of 500 feet.

E. Control Zones

Any proposed obstruction to be located within a designated control zone, which would cause an existing published minimum descent altitude, decision height, or minimum safe altitude to be changed will not be permitted.

F. Off-Airway Route Corridor

The centerline of each off-airway route corridor is the centerline of the landmark. Obstacles not exceeding 300 feet above ground level will be permitted within 1,500 feet either side of the corridor centerline. Beyond 1,500 feet perpendicular

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distance from the corridor centerline, obstacles not exceeding a 2 to 1 ratio slope will be permitted, provided all other height limitations mentioned herein are not exceeded.

2.22 Lighting

Notwithstanding the preceding provision of this section, the owner of any structure over 200 feet above ground level must install on that structure lighting in accordance with Federal Aviation Administration Advisory Circular 70/7460-1B and Amendments. Additionally, any structure exceeding 700 feet mean sea level and at least 495 feet above ground level must install on that structure high intensity white obstruction lights between 450 feet and 550 feet above ground level and between 800 feet and 1200 feet above ground level, provided the structure exceeds 800 feet above ground level. The high intensity white obstruction lights shall be in accordance with Federal Aviation Administration Advisory Circular 150/5345-43B and Amendments, FAA/DOD specification L-856.

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Variance Procedures

No application for a variance to the requirements of this section may be considered by the Zoning Board unless it affirmatively appears that a copy of the application has been furnished to the State of Florida, Department of Transportation, Division of Mass Transit Operations, Aviation Bureau.

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Use Restrictions

Notwithstanding any other provision of this ordinance, no use may be made of land or water within any zone established by this ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft.

Section 3. Erection of More than One Main Use Structure

On a Lot.

More than one main use structure for a permitted or principal use shall not be erected on a single lot except as follows:

- a. More than one structure may be erected on a single lot provided yard, area and other requirements of the Zoning Ordinance are met for each structure and though it were on an individual and separate lot, or;

- b. More than one structure used for multiple-family residential purposes may be erected on a single lot provided that an open space of not less than ten (10) feet is provided between each structure, required yards are provided between any structures and all lot lines, minimum and maximum lot coverage for all of such buildings taken together complies with district regulations.

Section 4. Lot to Have Access.

No lot or parcel of land shall be used for the construction, location or erection of any building or structure (including a mobile home) where such lot does not abut, for a distance of not less than thirty-five (35) feet, upon a public right-of-way or upon a private street which has been approved by the County Engineer, provided; however, that no more than three (3) single family dwellings (including mobile homes) may be erected or moved on lots or portion of lots, which abut upon an continuous access easement of record for a distance of not less than thirty-five (35) feet, unless a zoning exception has been granted for such use in accordance with the provisions of Article III, Section 9 and all other requirements of the Zoning Code are met and further provided, that such zoning exceptions shall not be granted on an access easement of record less than thirty (30) feet in width unless such easement was recorded, prior to the effective date of the ordinance.

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Section 5. Use of Residentially Zoned Property for Access.

No land which is residentially zoned shall be used for driveway, walkway or access purposes to any land which is nonresidentially zoned, or used for any purpose not permitted in a residential district except for ingress and egress to an existing use which does not abut on a street.

Section 6. Parking of Heavy Vehicles in Residential Districts.

Heavy vehicles such as tractors, trucks and school buses (including CV, GW, K.S, and P Florida license classifications) shall not be parked in any residential district except as may be required for normal loading or unloading of such vehicles and during the time normally required for service at dwellings, or at structures or activities permitted or permissible in such residential districts by the terms of the Zoning Ordinance.

Section 7. Parking, Storage, or Use of Major Recreational Equipment.

No major recreational equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in a residentially zoned lot or in any other location not approved for such use. Major recreational equipment may be parked or stored in a required rear or side yard, but not in required front yards; provided, however, that such equipment may be parked anywhere on residential premises for not to exceed twenty-four (24) hours during loading and unloading.

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Section 8. Service Stations.

The following regulations shall apply to the location, design, construction and operation, and maintenance of service stations:

- a. Lot Dimensions. A service station lot shall be of adequate width and depth to meet all setback requirements; but in no case shall a corner lot have less than two (2) street frontages of at least one hundred (100) feet each and an interior lot shall have a street frontage of at least one hundred (100) feet.
- b. Lighting: All lights and lighting located on a service station shall be so designed and arranged so that no source of light shall be directly visible from any residential district; this provision shall not be construed to prohibit interior-lighted signs.
- c. Location of Pumps and Structures: No main or accessory buildings, no sign of any type, and no gasoline pump shall be located within twenty (20) feet of the lot line of any property that is residentially zoned. No gasoline pump shall be located within twenty (20) feet of any street right-of-way.

Section 9. Buffer Between Districts.

Where a RG-1, RG-2, RMH, Commercial or Industrial District adjoins a RS-E, RS-1, RS-2 or RM District without an intervening street or alley, an opaque buffer; i.e., solid wall, fence or compact permanent shrubbery, at least six (6) feet in height which creates a visual barrier shall be erected by the owner prior to the exercise of any use permitted in RG-1, RG-2, RMH, Commercial or Industrial District along all sides and rear property lines so adjoining (unless released in writing by abutting residential property owner), except that the buffer should not project into any adjacent residential property.

Section 10. Travel Trailer Parks and Camp Grounds.

- a. Location and Access: A travel trailer park or camp ground shall be so located that no entrance nor exit from a park shall discharge traffic into any residential district. A travel trailer park or camp ground fronting on a public street shall have a minimum of one hundred-fifty (150) feet of frontage.
- b. Uses Permitted and Length of Stay: Spaces in the travel trailer parks and camp ground shall be used exclusively for temporary portable housing. Permanent occupancy for dwelling purposes is prohibited. Spaces shall be rented by the day or week only.

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c. Accessory Uses: Management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities, and other uses and structures customarily incidental to the operation of a travel trailer park or camp ground are permitted as accessory uses.

d. Site Planning and Required Improvements,
General Objectives: Site planning and improvements shall provide for:

1. Facilities and amenities appropriate to the needs of the occupants.
2. Safe, comfortable, convenient, and sanitary use by occupants under all weather conditions to be expected during periods of occupancy.
3. Protection of occupants from adverse environmental influences, and, where appropriate protection of the neighborhood from potential adverse influences within the park.

e. Relation of Spaces to Exterior Streets:

No space intended for occupancy shall be so located that any part intended for occupancy for sleeping purposes shall be within fifty (50) feet of the right-of-way line of any arterial street or within

twenty-five (25) feet of the right-of-way line of any other street.

- f. Yard Requirements: Twenty-five (25) feet front, rear and side yards shall be provided for travel trailer parks or camp grounds.
- g. Design of Access to Park: All traffic into or out of the park shall be through entrances and exits designed for the safe and convenient movement of traffic.
- h. Off-Street Parking, Loading and Maneuvering Space: Each travel trailer park or camp ground shall provide adequate off-street parking, loading and maneuvering space. In connection with the use of any travel trailer park or camp ground, no parking, loading, or maneuvering incidental to parking, or loading shall be permitted on any public street, sidewalk or public right-of-way.

Section 11. Mobile Homes and Mobile Home Parks.

11.1 Temporary Office.

A mobile home or trailer may be used in any zoning district as a temporary office or shelter for materials or tools incidental to construction or development of the premises upon which the

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mobile home or trailer is located, provided a permit for such construction or development has been issued. Such use of a mobile home or trailer shall not be permitted for more than one (1) month after the completion of such construction or development.

11.2 Temporary Public Use.

Any agency of local, municipal, state or federal government may utilize a mobile home or trailer for temporary public purposes in any zoning district, provided such use shall not include a residential use.

11.3 Sales Office.

A mobile home may be used as a sales office on a mobile home sales lot in any zoning district permitting such use.

11.4 Mobile Home Parks.

- a. Each mobile home park shall be located on a well-drained site and facilities shall be provided for the disposal of sanitary waste.
- b. Each mobile home space shall be provided with a paved patio with a minimum of 120 square feet and one (1) off-street parking space.

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- c. Each mobile home park shall be provided with a park and recreational area having a minimum area of one hundred fifty (150) square feet per mobile home space. Such areas shall be consolidated into usable areas with a minimum of five hundred (500) square feet.
 - d. Each mobile home shall be so situated on it's lot that no portion of the same is within 7.5 feet of any lot line.
 - e. Each mobile home park shall be provided with a management office and such service buildings as are necessary to provide facilities for mail distribution, storage space for supplies, maintenance materials and equipment.

11.5 Mobile Home on Individual Lot in Certain Districts.

Mobile Homes shall not be located in any district which does not specifically allow mobile homes as a permitted or permissible use.

Section 12. Townhouses and Condominiums

Each structure containing townhouses or condominiums or each development of contiguous townhouse or condominium units shall comply with all regulations for multiple-family dwellings of the districts where permitted (RG-1 and RG-2).

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Section 13. Agricultural Zoning.

All lands which become classified as "agricultural" for ad valorem tax purposes by the Nassau County Tax Assessor, shall be considered to be in an OR district during the time such classification is maintained regardless of the Zoning District shown on the Zoning Atlas for such lands. All uses, restrictions and regulations provided in an OR district shall apply to such lands during the time such classification is maintained.

Section 14. Essential Public Services.

Essential public services may be permitted in any zoning district. Essential public services are hereby defined as, and are limited to certain installations of water, sewer, gas, telephone or electrical systems, and similar installations; provided however, (1) that this section shall not be deemed to permit the location in a district of such major installations as electrical or gas generating plants, sewage treatment plants, water pumping or aeration facilities and other similar major installation, unless such facilities were constructed or construction was started prior to the adoption of the Zoning Ordinance; (2) that this section shall not be deemed to permit the erection of structures for commercial activities such as sales of related merchandise or collection of bills in districts from which such activities would otherwise be prohibited.

Section 15. Zoning Limitations on Signs.

The following limitations on signs shall apply in the indicated Zoning Districts:

a. Residential Districts.

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1. No off-site sign shall be permitted in any residential district.
2. No sign in any residential district shall be animated or flashing and roof signs, neon signs and strip lighting are prohibited.
3. In single-family residential districts, on-site signs shall be limited to one (1) sign not exceeding nine (9) square feet.
4. On-site signs in connection with a permitted or permissible use in any residential district shall be limited to those specifically approved in the grant of zoning exception.

b. Commercial Districts.

On-site signs are permitted in all commercial districts except CN and CPO. No sign erected after the adoption of the Zoning Ordinance in any commercial district shall project beyond the property line over by public street, right-of-way, walk or alley.

c. Industrial Districts.

On-site and off-site signs are permitted in all industrial districts, provided no

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such sign erected after the adoption of the Zoning Ordinance shall project beyond the property line over any public street, right-of-way, walk or alley.

d. Open Rural District.

One (1) on-site sign not exceeding thirty-two (32) square feet in area shall be permitted for any permitted or permissible use in OR districts. Off-site signs shall be permitted provided such signs shall:

1. Not be so located as to encroach in any manner on, over or across any public right-of-way, street or sidewalk or be located closer than thirty (30) feet to the intersection of any two street right-of-way lines.
2. Meet all federal and state regulations concerning the set-back requirements of signs from public rights-of-way.
3. Not be located nearer than five hundred (500) feet to any other off-site sign previously erected.

e. Excluded Signs Permitted.

All signs, flags, posters, insignia, and other items excluded from the definition of the word "sign" in Article 10, shall be permitted in all zoning districts.

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Section 16. Supplementary Regulations for Certain Uses.

In addition to the permissible uses by zoning exception listed in the schedule of district regulations (Article 6), the following uses shall be permissible by exception in the districts indicated; and, unless specific provision is made otherwise in the grant of exception, such uses, whether permitted or permissible by exception, shall conform to all supplementary regulations listed under such use:

16.1 Horses and Ponies

Horses and ponies may be kept in residential districts only for private riding use and only if a place of shelter, therefor shall be provided which is not closer than hundred (100) feet to any residence of different ownership. Such horses and ponies shall be kept in a fenced enclosure not closer than twenty-five (25) feet to any private property line.

16.2 Animals other than Household Pets.

Animals other than household pets and household pets in excess of four (4) over ten (10) weeks of age may be kept in residential districts subject to conditions as may be provided by the Zoning Board in a grant of zoning exception to protect the public health, safety, or general welfare.

16.3

Home Occupations.

Home occupations are a permissible use by zoning exception in any district which does not include such occupation as a permitted use, subject to all the following conditions:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation.
- b. The use of the premises shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character thereof.
- c. There shall be no change in outside appearance of building or premises, or other visible evidence of the conduct of such home occupation, except that one sign may be permitted, not exceeding one square foot in area, non-illuminated, mounted flat against the wall of the principal building at a position not more than two (2) feet from the main entrance to the residence.
- d. No traffic shall be generated by such home occupation in greater volumes that would normally be expected in a residential neighborhood.

- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
- f. The giving of art, music or other instructions or lessons shall be limited to not more than four (4) persons at any one time.
- g. Fabrication of articles such as are commonly classified under the terms of arts and handicraft may be deemed a home occupation, subject to other terms and conditions of this definition, and providing no retail sales are made at the dwelling unit.

16.4

Day Nurseries.

Day nurseries, including kindergartens and child care centers, shall be permissible use by zoning exception in all residential districts subject to all the following conditions:

- a. Minimum lot area shall be not less than seven thousand five hundred (7,500) square feet and lot width in portion used for fenced play area shall be not less than seventy-five (75) feet.

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- b. A fenced outdoor play area of not less than 600 square feet shall be provided in the rear yard.
 - c. All facilities, operation and maintenance shall meet all applicable County or State regulations for such use.
 - d. An Application for Zoning Exception, where required, shall state the maximum number of children to be accommodated and in no case shall the number of children approved in the grant of zoning exception be exceeded.
 - e. Off-street parking, loading and unloading areas shall be maintained as provided in the site plan approved with the zoning exception or permit for such use.

16.5

Parking Lots.

Off-street parking lots shall be a permissible use by zoning exception in all residential districts when such lot adjoins a premise requiring off-street parking, provided there is no intervening street or alley and further provided:

- a. A six (6) foot solid masonry wall or fence shall be erected along property lines adjunct to residentially zoned property.

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- b. No source of illumination for such lots shall be directly visible from any window in any residence in the residential district.
 - c. There shall be no movement of any vehicles on such lots between the hours of 11 p.m. and 7 a.m.
 - d. There shall be no sales or service activity of any kind on such lots.
 - e. Vehicles prohibited from being parked in residential districts by Section 6 shall not be permitted to be parked on such lot.

16.6

Mobile Homes.

A mobile home on an individual lot shall be a permissible use by zoning exception in any residential district in which such use is not otherwise permitted, subject to the following limitations:

- a. The lot or parcel of land upon which the mobile home is to be located shall not be less than seventy five (75) feet in width and five thousand (5,000) square feet in area; nor less than the single-family dwelling lot requirements in such district, whichever is greater, and;
- b. Such zoning exception shall be granted to the applicant only, shall not be transferable

and shall not run with the title to the property unless otherwise specified in the grant of zoning exception.

16.7 Cemeteries.

Cemeteries and mausoleums (but not funeral homes or mortuaries) are permissible uses by zoning exception in all residential districts.

16.8 Railroads

Railroad right-of-way and trackage (but not switching, loading, freight, or storage yards, building and maintenance structures) are permissible uses by zoning exception in all residential districts.

16.9 Schools.

Private elementary and high schools with academic curriculum similar to those of public elementary and high schools are permissible uses by zoning exception in all residential districts.

16.10 Churches

Churches (but not temporary revival establishments) are permissible uses by zoning exception in all residential districts and, whether permitted or permissible by zoning exception, provided;

however, that the minimum lot size shall not be less than two (2) acres.

Section 17. Accessory Uses and Structures.

17.1 Accessory uses and structures are permitted in all districts provided such uses and structures are of a nature customarily incidental and clearly subordinate to a permitted or permissible principle use of structure and; unless otherwise provided, are located on the same lot (or contiguous lot in the same ownership) as such principle use. Where a building or portion thereof is attached to a building or structure containing such principle use, such building or portion shall be considered as a part of a principle building and not an accessory building. Accessory uses shall not involve operations or structures not in keeping with the character of the district where located and shall be subject to the following:

- a. Accessory uses and structures shall not be located in required front or side yards in any residential district except as follows:
 1. Accessory structures for the housing of persons such as guest houses or servant quarters, shall not be located in any required yard.

2. Detached accessory structures, (other than as in 1 above), which are separated from the main structure by not less than ten (10) feet, may be located in a required side or rear yard, but not less than three feet from any lot line.
 3. Air conditioning compressors or other equipment designed to serve the main structure may be located in any required side or rear yard, but not less than five (5) feet from any lot line.
- b. Household pets are a permitted accessory use in all residential districts provided the number of such pets over ten (10) weeks in age shall not exceed four (4) unless a zoning exception has been granted allowing a greater number.
 - c. Accessory uses and structures in any residential district shall include noncommercial greenhouses and plant nurseries, servant's quarters and guest houses, private garages and private boat houses or shelters (provided boat houses or shelters shall not exceed one thousand (1,000) square feet in area) tool and garden sheds, swimming pools, barbeque pits, facilities for security guards and caretakers, and similar uses or structures which:

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1. Do not involve the conduct of business of any kind.
 2. Are of a nature not likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
 3. Do not involve operations or structures not in keeping with the character of a residential neighborhood.
- d. Private swimming pools, as regulated herein, shall be any pool, pond, lake or open tank located either above or below the existing finished grade of the site, not located within a completely enclosed building, and exceeding one hundred fifty (150) square feet in surface area and two (2) feet in depth, designed, used or intended to be used for swimming or bathing purposes. A private swimming pool shall be allowed in any residential district as an accessory use only if it fully complies with the following conditions:
1. That the pool is intended and is to be used solely for the enjoyment of the occupants or bona fide guests;
 2. That the pool may be located no nearer than five (5) feet from any property

line, provided, however that it may not be located in any required front yard.

3. That the pool shall be enclosed by a retaining wall, fence or other structure having a minimum height of four (4) feet and so constructed or installed as to obstruct access thereto by persons other than the owners or occupants of the premises on which such swimming pool is located. All gates installed in such fences shall be self-latching with latches placed at least four (4) feet above the underlying ground. Gates shall be kept securely closed and latched at all times. If the property upon which the pool is located is otherwise adequately fenced, the requirement of this subsection may be waived by the Zoning Administrator.

ARTICLE IX REQUIRED OFF-STREET PARKING AND OFF-STREET LOADING

Section 1. Continuation Required.

- a. Off-street parking or off-street loading facilities shall be maintained and continued, so long as the main use continues.

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- b. Parking spaces on lots of more than four (4) spaces, shall be marked by painted lines or curbs or other means to indicate individual spaces and shall be maintained, so long as the main use continues.

Section 2. Existing Uses.

- a. Repair. Conforming buildings and uses existing as of the effective date of this ordinance may be modernized, altered, or repaired without providing additional off-street parking or off-street loading facilities, providing there is no increase in area or capacity.
- b. Enlargement. Where a conforming building or use existed as of the effective date of this ordinance and such building or use is enlarged in floor area, volume, capacity, or space occupied, off-street parking or off-street loading as specified in the Zoning Code shall be provided for the additional floor area, volume, capacity, or space so created or used; provided, all off-street loading or parking spaces actually existing on the effective date of this ordinance shall be maintained and additional required spaces shall be provided for such enlargement, except where

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the total of such existing spaces and new spaces exceed the number which are required under the Zoning Code for such existing building or use and such enlargement combined.

- c. Change in Use. Change in use of a conforming or non-conforming building or use existing as of the effective date of this ordinance, shall require the off-street parking and/or off-street loading spaces which would have been required for the new use had the regulations of the Zoning Code been applicable thereto.

Section 3. Required Off-Street Parking and Loading Facilities.

- a. Generally. The required off-street parking or loading facilities shall be:
1. Identified as to purpose and location when not clearly evidenced;
 2. Maintained in a smooth and well graded or paved or hard surfaced condition;
 3. Drained so as not to cause any nuisance on adjacent property;
 4. If lighted, lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property;
- and,

5. Arranged for convenient access and safety of pedestrians and vehicles.

- b. Barriers. Where off-street parking or loading areas for four (4) or more vehicles are located on the perimeter of a lot, barriers shall be provided to insure that all or no portion of a parked vehicle shall encroach over and onto any adjacent private property and separate ownership or over and onto any public street or sidewalks; and, further, barriers shall be provided so that no parked motor vehicle door, when open, can make such encroachment. Barriers may consist of fences, walls, hedges, chains, wheel stops, shrubs, ditches (when necessary to the drainage plan of a lot only) or other method of barrier satisfactory to the Zoning Administrator.

Section 4. Off-Street Parking and Loading: Location.

The required off-street parking or loading spaces shall be located on the same lot or parcel of land they are intended to serve; provided, however, that the Zoning Board may allow the establishment of off-street parking spaces within four hundred (400) feet of the premises they are intended to serve when practical difficulties prevent the placing of the facilities on the same lot as the premises they are designed to serve.

Section 5. Off-Street Parking and Loading: Access.

Each off-street parking or loading space shall be directly accessible from a street or alley without crossing or entering any other required off-street parking or loading space. Each loading space shall be accessible from the interior of the building it serves and shall be arranged for convenient and safe egress and ingress by motor truck and/or trailer combination.

Section 6. Off-Street Parking and Loading: Design Standards.

a. Space Dimensions. Minimum dimensions of off-street parking and loading spaces shall be as follows:

1. Off-street Parking: 9' x 20'
2. Off-street Loading: 12' x 25'

b. Interior Drives. Minimum width of interior drives shall be related to the angle of parking stalls and use of one-way or two-way traffic as follows:

<u>Parking Angle</u>	<u>Width of Aisle</u>	<u>Traffic Direction</u>
30°	12 feet	One-way
45°	13 feet	One-way
60°	16 feet	One-way
90°	24 feet	Two-way

Note: 24' minimum for two-way circulation

Section 7. Off-Street Parking and Loading: Non-conforming Use.

Where enlargement of facilities or extensions of use are to be made in a building occupied by non-conforming use, no

such enlargement of facilities or extensions shall be permitted unless and until existing off-street parking or loading is retained and additional off-street parking or loading is provided. The additional off-street parking or loading required shall be in such amount as is required for said enlargement or extension.

Section 8. Off-Street Parking and Loading: Uses Not Specifically Mentioned.

Requirements for off-street parking and loading for uses not specifically mentioned in this article, shall be the same as provided for the use most similar to the one sought, it being the intent of the Zoning Code to require all uses to provide off-street parking and loading.

Section 9. Off-Street Parking and Loading: Fractional Measurements.

When units or measurements determining number of required off-street parking or loading spaces result in requirement of a fractional space, such fraction equal to or greater than one-half shall require a full off-street parking or loading space.

Section 10. Off-Street Parking: Measurement.

Floor area shall mean the gross floor area inside the exterior walls, where floor area is indicated as a basis for determining the amount of off-street parking or loading required. In hospitals, bassinets shall not count as beds. In stadiums, sport arenas, churches, and other place of public assembly in which occupants utilize benches, pews, or other

similar seating arrangements, each twenty-four lineal inches of such seating facilities shall be counted as one seat for the purpose of computing off-street parking requirements. 207

Section 11. Off-Street Parking: Minimum Requirements.

Irrespective of any other requirement of this Zoning Code, each and every separate individual store, office, or other business shall be provided with at least two (2) off-street parking spaces.

Section 12. Off-Street Parking Spaces: Number Required.

Off-street parking spaces shall be provided and maintained in all districts as follows:

a. Residential Uses:

1. Dwellings up to four (4) units located on an individual lot: One (1) space for each dwelling unit.
2. Multi-family dwellings in excess of four (4) units: Two (2) spaces for each dwelling unit, plus one (1) space for owner or operator and one (1) space for each two (2) employees.
3. Condominiums which are owner/occupied for periods not to exceed 31 continuous days: 2/3 space per bedroom.
4. Mobile home park: One and one-half spaces for each mobile home lot.

6. Mobile home subdivision or mobile home on individual lot: One space per mobile home.
7. Housing for elderly: One (1) space for each two (2) dwelling units.
8. Nurses home, convent, monasteries: One (1) space for each four (4) lodging units.
9. Fraternity and sorority houses: One (1) space for each two (2) residents.
10. Hotels and Motels: One (1) space for each sleeping room plus spaces required for accessory uses such as restaurant, etc.

b. Institutional Uses:

1. Sanitariums, rest homes, nursing home, convalescent homes, homes for the aged: One (1) space for each four (4) beds plus one (1) space for each employee.
2. Hospitals: One and one-half spaces for each bed.
3. Churches and funeral homes: One (1) space for each four (4) seats in sanctuary or chapel area.
4. Art gallery, library, museum: One (1) space for each six hundred (600) square feet of gross floor area.

5. Orphan's home: One (1) space for each employee, plus one (1) space for each six (6) beds.

c. Schools and Educational Uses:

1. Elementary and junior high schools:
Two (2) spaces for each classroom, office room and kitchen.
2. Senior high schools: Five (5) spaces for each classroom, office room, kitchen, gymnasium and auditorium.
3. Day nursery and kindergarten: Two (2) spaces for each employee plus adequate provision for the loading and unloading of children.
4. Dance, art and music studios: One (1) space for each three hundred (300) square feet of gross floor area.
5. Vocational, trade and business school:
One (1) space for each three hundred (300) square feet of gross floor area.

d. Assembly: Recreational and Similar Uses.

1. Private clubs: One (1) space for each four (4) seats, or one (1) space for each two hundred (200) square feet of gross floor area, whichever is greater.

2. Restaurant, night club, bar or tavern: 10
One (1) space for each four (4) seats in public rooms plus one (1) space for each two (2) employees.
 3. Theaters: Ten (10) spaces for first one hundred (100) seats, plus one (1) space for each additional five (5) seats.
 4. Bowling alleys: Two (2) spaces per alley.
 5. Stadiums and Arenas: One (1) space for each five (5) seats.
 6. Community center, recreational facility: One (1) space for each two hundred (200) square feet of gross floor area or one (1) space for each three (3) seats, whichever is greater.
 7. Billiard parlor: Two (2) spaces for each three (3) tables.
 8. Public, private and commercial parks, camp grounds and recreational areas: One (1) space for each campsite or picnic area.
- e. Business and Professional Uses:
1. Medical and dental office or clinic: One (1) space for each doctor; plus one (1) space for each two (2) employees, plus one and one-half spaces for each

consultation room or examining room,
provided the maximum number of required
spaces for each doctor shall not exceed
seven (7).

2. Research laboratory: One (1) space for each two (2) employees plus one (1) space for each company vehicle plus two (2) spaces for patron parking.
3. Professional and business offices (other than medical or dental): One (1) space for each five hundred (500) square feet of gross floor space, plus one (1) space for each two (2) occupants or employees.
4. Radio or television broadcasting office or studio: One (1) space for each five hundred (500) square feet of gross floor area.

f. Commercial Uses:

1. Business, commercial, or personal service establishment (not otherwise listed): One (1) space for each five hundred (500) square feet of gross floor area, plus, where applicable, one (1) space for each one thousand (1,000) square feet of lot or ground area outside buildings used for any type of sales or display.

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2. Marinas: One (1) space for each boat berth plus one (1) space for each two (2) employees.
 3. Bus, railroad or other transportation terminals: One (1) space for each five hundred (500) square feet of gross floor area plus one (1) space for each two (2) employees.
 4. Wholesale, warehouse or storage use: One (1) space for each vehicle, based at the facility.
 5. Commercial shopping centers: One (1) space for each one hundred fifty (150) square feet of non-storage floor area.
- g. Industrial and Similar Uses:
1. All uses in industrial districts not otherwise listed: One (1) space for each employee on peak shifts, plus one (1) space for each company vehicle operating from the premises, plus one (1) space for each five thousand (5,000) square feet of gross floor area.

Section 13. Off-Street Loading: Requirements.

Off-street loading spaces shall be provided and maintained as follows:

a. Businesses. Each retail store, storage warehouse, wholesale establishment, industrial plant, factory, freight terminal, merchant, restaurant, mortuary, laundry, dry cleaning establishment, or similar use which has an aggregate floor area of:

	<u>Square Feet</u>	<u>Square Feet</u>	<u>No. of Spaces</u>
Over	5,000 but not over	25,000	1
	25,000 but not over	60,000	2
	60,000 but not over	120,000	3
	120,000 but not over	200,000	4
	200,000 but not over	290,000	5

Plus one (1) additional off-street loading space for each additional ninety thousand (90,000) square feet over 290,000 feet or major fraction thereof.

b. Public Buildings. For each auditorium, convention hall, exhibition hall, museum, motel, hotel, or office building, sports arena, stadium, hospital, sanitarium, welfare institution, or similar use which has an aggregate floor area of: Over ten thousand (10,000) square feet, but not over forty thousand (40,000) square feet: One (1) space, plus one (1) space for each additional sixty thousand (60,000) square feet or major fraction thereof.

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- c. Others. For any use not specifically mentioned, the requirements for off-street loading facilities for a use which is so mentioned and to which the unmentioned use is similar shall apply.

ARTICLE X. DEFINITIONS

For the purpose of this Zoning Ordinance, certain words and terms used herein shall be interpreted to have meanings as defined below. Where words or terms are not defined, they shall have their ordinarily accepted meaning or such as the context may imply. Words used in the present tense include the future tense; the singular number includes the plural and the plural includes the singular. The word shall is mandatory; the word may is permissive. The words used or occupied include the words intended, designed or arranged to be used or occupied. The word lot includes the words plot or parcel. The word structure includes the word building as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. The word land includes the words marsh, water or swamp.

1. Accessory Use or Structure. A use or structure of a nature customarily incidental and subordinate to a permitted use or structure and, unless otherwise provided, on the same premises.

2. Airport and Airspace Hazard Control Chart.

Refers to a chart or map of the area affected by the airport and airspace zoning, which shows the layout of the runways, the airport reference point, the airport boundaries, the airport elevation and the topography of the area. The chart also set forth the various zones with the applicable height limitations for each; the chart identifying topographic features such as major streams, rivers, railroads, roads, streets, visual Flight Rule Corridors, Federal Airways and Antenna Farms and their respective associated height limitation zones.

3. Airport Elevation. The highest point of an airport's usable landing area measured in feet from mean sea level.

4. Airport Hazard. Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

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5. Airspace Hazard. Any structure or object of natural growth or use of land which protrudes above or into the navigable airspace.
 6. Airport Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
 7. Airport Reference Point (ARP). Signifies the point having equal relationship to all existing and proposed landing and takeoff areas; it is the approximate geographic center of the airport landing area.
 8. Airport Terminal Control Area. Those areas defined by Federal Aviation Regulation.
 9. Alley. A public or private way which affords only a secondary means of access to property abutting thereon.

10. Alteration. Alter or alteration shall mean any change in size, shape, occupancy, character, or use of a building or structure.
11. Auditorium. The room, hall, building, or part of a building used for public gatherings.
12. Automobile Service or Filling Station. See Service Station.
13. Automobile-Wrecking or Storage Yard. The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked motor vehicles, trailers, or their parts.
14. Bar, Cocktail Lounge, Saloon, or Tavern. Any establishment devoted primarily to the retailing and on-premises drinking of malt, vinous, or other alcoholic beverages, or any place where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable for consumption on the premises.
15. Boarding House. An establishment with lodging for four or more persons, where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu.

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16. Buildable Area. The portion of a lot remaining after required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on percent of the lot which may be covered by buildings may require open space within the buildable area.
 17. Building. Any structure, either temporary or permanent, having a roof impervious to weather and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind. This definition shall include tents, awnings, cabanas, or vehicles situated on private property and serving in any way the function of a building, but does not include screened enclosures not having a roof impervious to weather.
 18. Carpport. An accessory structure or portion of a principal structure, consisting of a roof and supporting members such as columns or beams, unenclosed from the ground to the roof on at least two sides, and designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is accessory.

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19. Clinic, Medical or Dental. An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, or any such profession, the practice of which is regulated by the State of Florida.
 20. Club, Private. An association or organization of a fraternal or social character, not operated or maintained for profit. The term private club shall not include casinos, nightclubs, bottle clubs, or other establishments operated or maintained for profit.
 21. Club, Night. A restaurant or dining room serving alcoholic beverages wherein paid floor shows or other forms of paid entertainment are provided for customers as a part of the commercial enterprise.
 22. Completely Enclosed Building. A building separated on all sides from adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls which are pierced only by windows and normal entrance or exist doors.

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23. Control Zone. Airspace extending upward from the surface of the earth which may include one or more airports and is normally a circular area of five (5) statute miles in radius, which extensions where necessary to include instrument approach and departure paths.
 24. Coverage of a Lot by Buildings. That percentage of lot area that is or may be covered or occupied by buildings.
 25. Day Nurseries and Kindergartens. Any service which during all or part of the day regularly gives care to six or more children, not of common parentage, who are under six years of age, whether or not it has a stated educational purpose, and whether the service is known as a day care service, day nursery, day care agency, nursery school, kindergarten, play school, progressive school, or by any other name. The total number of children receiving care shall be counted including children or foster children of the owner or person in charge, in determining the applicability of this definition.
 26. Drive-In Restaurant or Refreshment Stand. Any place or premises where provision is made on the premises for the selling, dispensing,

or serving of food, refreshments, or beverages in automobiles on the premises, or in other than a completely enclosed building on the premises. A restaurant which provides drive-in facilities of any kind in connection with regular restaurant activities shall be deemed a drive-in restaurant. A barbecue stand or pit having the characteristics noted in this definition shall be deemed a drive-in restaurant.

27. Dwelling. Any building or part thereof, occupied in whole or in part, as the residence or living quarters of one or more persons, permanently or temporarily, continuously or transiently with cooking facilities.
28. Dwelling, One Family or Single Family. A building containing only one dwelling unit. The term is not to be construed as including mobile homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, houseboats, or other forms of temporary or portable housing. For the purposes of this Zoning Code, rowhouses, townhouses, condominiums, cooperative apartments or any other form of dwelling units which are not in

individual detached buildings meeting all the requirements of a single dwelling shall not be construed to be single family dwellings.

29. Dwelling, Multiple Family. A building containing more than one dwelling unit.
30. Dwelling, Multiple Dwelling Use. For purposes of determining whether a lot is in multiple dwelling use, the following considerations shall apply:
 - a. Multiple dwelling uses shall include those in which individual dwelling units are intended to be rented and maintained under central ownership and managements; those which are under collective ownership and management including cooperative apartments, condominiums, and the like; rowhouses or townhouses in individual ownership; and all other forms of multiple dwellings, regardless of ownership, management, taxation, or other considerations, where such form does not meet the requirements of this code for a single family dwellings.
 - b. Where an undivided lot contains more than one building and the buildings are not so located that lots and yards conforming to requirements for single family dwellings in the district could be

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provided, the lot shall be considered to be in multiple dwelling use if there is more than one dwelling unit on the lot, even though the individual buildings may each contain only one dwelling unit.

- c. Guest houses and servant's quarters shall not be considered as dwelling units in the computation of (b) above.
- d. Any multiple dwelling in which dwelling units are available for periods of less than one week shall be considered a tourist home, a motel, or hotel as the case may be provided; however, that nothing in this section shall prevent individually owned dwelling units within cooperative apartments, condominiums and the like from being rented for periods of less than one week provided the rental of same is performed by the owner or his duly authorized agent and the only services performed is normal maintenance.

31. Dwelling Unit. A room or rooms connected together, constituting a separate independent housekeeping establishment for a family, for owner occupancy or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing sleeping facilities and one kitchen.

32. Dry Storage of Pleasure Watercraft. A commercial facility for removing from water, watercraft used for recreation and pleasure purposes and storing such craft on land or water on boat lifts.

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33. Erected. The word erected includes built, constructed, reconstructed, moved, or any physical operation on the premises required for building. Excavations, fill, drainage, demolition of an existing structure, and the like shall be considered part of erection.
34. Exception. An exception is a use that would not be appropriate generally or without restriction throughout the zoning classification or district, but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such zoning classification or district as exceptions, if specific provision for such exception is made in the Zoning Ordinance.
35. Family. One or more persons occupying a single dwelling unit, provided that unless all members are related by law, blood, adoption, or marriage, no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families. The term family

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shall not be construed to mean a fraternity, sorority, club, monastery, or convent, or institutional group.

36. Filling Station. See Service Station.
37. Floor Area. Except as may be otherwise specifically indicated in relation to particular districts and uses, floor area shall be construed as the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings, excluding attic areas with a headroom of less than seven feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating or heating or other building machinery and equipment, parking structures, and basement space where the ceiling is not more than an average of forty eight inches above the general finished and graded level of the adjacent portion of the lot.
38. Frontage of a Lot. See Lot Frontage.
39. Garage, Parking. A building or portion thereof designed or used for temporary parking of motor vehicles, and within which

gasoline and oils may be sold only to parking patrons of the garage.

40. Garage, Private. An accessory structure designed or used for inside parking of private passenger vehicles by the occupants of the main building. A private garage attached to or a part of the main structure is to be considered part of the main building. An unattached private garage is to be considered as an accessory building.
41. Garage, Repair. A building or portion thereof, other than private storage, or parking garage or service station, designed or used for repairing, equipping or servicing of motor vehicles. Such garages may also be used for hiring, renting, storing, or selling of motor vehicles.
42. Garage, Storage. A building or portion thereof designed and used exclusively for the storage of motor vehicles, and within which temporary parking may also be permitted.
43. General Store. A retail establishment engaged in the selling of groceries and convenience goods to the residents of a predominately rural or agricultural area.

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44. Guest House or Cottage. A dwelling unit in a building separate from and in addition to the main residential building on a lot, intended for intermittent or temporary occupancy by a non-paying guest, provided, however, that such quarters shall have no cooking facilities and shall not be rented.
 45. Height of a Building. The vertical distance from the established grade at the center of the front of a building to the highest point of the roof or parapet.
 46. Heliport. Is a designated landing area, other than an airport used primarily for the operation and basing of rotorcraft.
 47. Heliport Primary Surface. The area of the primary surface which coincides in size and shape with the designated landing and takeoff area of a heliport (runway). This surface is a horizontal plane at the elevation of the established heliport elevation.
 48. Helistop. A designated landing area, other than an airport, used for the operation of rotorcraft where no basing facilities are provided.

- 49. Home for the Aged. A facility for the care of the aged with routine nursing or medical care provided.
- 50. Home Occupation. A vocation that is conducted on the same premises that is utilized for residential purposes by persons engaged in such vocation.
- 51. Hospital. A building or group of buildings having facilities for overnight care of one or more human patients, providing services to in-patients and medical care to the sick and injured, and which may include as related facilities such as laboratories, out-patient services, training facilities, central service facilities, central service facilities, and staff facilities; provided, however, that any related facility shall be incidental and subordinate to principal hospital use and operation. Only those buildings licensed as a hospital under the laws of the State of Florida shall be included with this definition. A hospital is an institutional use under the Zoning Ordinance.
- 52. Hotel, Motel, Motor Hotel, Motor Lodge or Tourist Court. A building or a group of buildings in which sleeping accommodations

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are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple family dwellings and rooming or boarding houses, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients.

53. Housing for the Elderly. A facility in the nature of multiple family housing, with no provision for routine nursing or medical care. Where this Zoning Ordinance permits housing for the elderly, such housing shall be used only for this purpose; if housing for the elderly is changed to multiple family use, then the provisions of this ordinance shall be met before such multiple family use is permitted.
54. Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities or area type navigation equipment, for which an instrument approach procedure has been approved or planned.
55. Junk Yard. Place, structure, or lot where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush,

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lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are brought, bought, sold exchanged, leased, packed, disassembled, stored or handled, including used lumber and building material yards, house-wrecking yards, heavy equipment wrecking yard, and yards or places for the storage, sale, or handling of salvaged house wrecking or structural steel materials. This definition shall not include automobile wrecking and automobile wrecking or storage yards, or pawnshops, and establishments for the sale, purchase, or storage of second hand cars, clothing, salvaged machinery, furniture, radios, stoves, refrigerators, or similar household goods and appliances, all of which shall be usable, nor shall it apply to the processing of used, discarded or salvaged materials incident to manufacturing activity. However, establishments for the sale, purchase or storage of second hand refrigerators, stoves, plumbing fixtures, and similar merchandise shall be considered a junk yard for the sole purpose of requiring that such establishments display their merchandise behind a visual barrier as

required for junk yards by this Zoning Ordinance. 21

56. Kenel. Any place or premises where four or more dogs over four month of age are kept for pay or for sale. This definition shall not apply to veterinarians operating under license from the State of Florida who board dogs.
57. Kindergarten. See Day Nurseries.
58. Loading Space, Off-Street. Space logically and conveniently located for pickups or deliveries or for loading or unloading, scaled to deliver vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled, such space shall measure not less than twelve (12) by twenty-five (25) feet excluding paved area necessary for access and maneuvering.
59. Lot. A parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required (provided that certain nonconforming lots of record at the effective date of this Zoning Ordinance or its amendment are exempted from certain of its provisions under the terms

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of this Zoning Ordinance). Such lot shall have frontage on a public or private street and may consist of:

- a. A single lot of record;
- b. A portion of a lot of record;
- c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record;
- d. A parcel of land described by metes and bounds; provided, that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of this Zoning Ordinance.

60. Lot Frontage. The front of an interior lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as set out in this Zoning Ordinance.

61. Lot Measurement, Depth. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

62. Lot Measurements, Width. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard or at the building restriction line, whichever is located the greater distance from the street, provided, however, that width between lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty percent of the required lot width except in the case of lots on the turning circle of a cul-de-sac, where the eighty percent requirements shall not apply.
63. Lot of Record. A lot of record is (1) a lot which is part of a subdivision recorded in the office of the Clerk of the Circuit Court of Nassau County, or (2) a lot or parcel described by metes and bounds, the description of which has been so recorded on or before the adoption of this Ordinance.
64. Marina. An establishment with a waterfront location for the refueling of watercraft used for pleasure purposes providing minor repair services for such craft, and providing storage

of watercraft. A marina may include, as accessory uses, a restaurant, a snack bar, motel, boat launching facilities and other customary accessory facilities.

65. Modular Home. A modular home is a detached single family dwelling unit that cannot be moved as a single unit and must be transported in sections on flatbed trailers. It has the appearance of a conventional home when erected. A modular home contains all the facilities usually associated with a conventional home including but not limited to plumbing, electrical connections, flush toilets, tub or shower bath, and kitchen facilities.

66. Mobile Home. A detached single family dwelling unit with all the following characteristics:

- a. Designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;
- b. Designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers; and,

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c. Arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like. A travel trailer is not to be considered as a mobile home.

67. Mobile Home Park. A mobile home park is a parcel of land set aside and rented by any person for the parking and accommodation of mobile homes which are to be occupied for sleeping or eating in exchange for a consideration or benefit to the owner of the mobile home park. This includes all land, buildings, structures, or facilities used by occupants of mobile homes on such premises.

68. Mobile Home Subdivision. A mobile home subdivision is a parcel of land set aside where lots are sold to mobile home owners for the purpose of placing mobile homes thereon for living and sleeping purposes, including any land, building, structure, or facilities used by occupants of mobile homes on such premises.

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69. Motel. See Hotel, etc.
70. Motor Hotel or Motor Lodge. See Hotel, etc.
71. Nursery School. See Day Nurseries and Kindergartens.
72. Nursing Home. A public or private home, institution, building, residence, or other place, profit or non-profit, which undertakes through its ownership or management to provide for a period exceeding twenty-four hours, maintenance, personal care, or nursing for three or more persons not related by blood or marriage to the operator, who by reason of illness or physical infirmity or advanced age are unable to care for themselves; provided that this definition shall include homes offering services for less than three persons when the homes are held out to the public to be establishments which regularly provide nursing and custodial services. Only those homes, buildings or places licensed under the laws of the State of Florida as nursing homes shall be included within this definition.
73. Occupied. The word occupied includes arranged, designed, built, altered, converted to, or intended to be used or occupied.

74. Off-Airway Route Corridor. A flight path whereby a highly identifiable prominent landmark, such as a major highway, railroad, river, coastline, power transmission line or segment of a prominent landmark, because of its conspicuity and location is used as a navigational aid by pilots. In Nassau County, Florida, the following are designated Off-Airway route corridors: that section of Interstate 95, U.S. 301, U.S. 1 and the Atlantic Ocean coastline located in Nassau County.
75. Office, Business or Professional. An office for such operations as real estate agencies, advertising agencies (but not sign shop), insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureau (but not finance company), abstract and title insurance companies, management consultants, stockbroker, and the like; or an office for the use of a person or persons generally classified as professionals such as architects, engineers, attorneys, accountants, doctors, lawyers, dentists, veterinarians (but not including treatment or boarding of animals on the premises), psychiatrists, psychologists,

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and the like. For the purpose of this Zoning Ordinance, a barber or beauty shop or bail bond agency shall not be deemed a business or professional office.

76. Package Store. A place where alcoholic beverages with an alcoholic content in excess of fourteen percent are dispensed or sold in containers for consumption off the premises.
77. Parking Space, Off-Street. A surfaced area for the parking of a motor vehicle. Such space shall measure not less than nine (9) feet by twenty (20) feet excluding paved area necessary for access and maneuvering.
78. Patio. An open courtyard used for either passive recreation or relaxation located within the house or immediately adjoining the house.
79. Pet, Household. Any domestic animal normally owned or kept as a pet including cats, dogs, rabbits, raccoons, parrots, pigeons, and other animals deemed by the Zoning Administrator to be appropriate as domestic pets; provided such animals are confined to the limits of the residential property occupied by the owner of such pets. Household pets shall not include any animals

- or birds maintained for commercial purposes, whether or not such animals or bird may be appropriate as a domestic pet.
80. Plot. See Lot.
81. Porch. A roofed-over space, with the roof impervious to weather, attached to the outside of an exterior wall of a building, which has no enclosure other than the exterior walls of such buildings. Open mesh screening shall not be considered an enclosure.
82. Poultry. Any chickens, turkeys, ducks, geese, guineas, or other fowl.
83. Public Airport. Means an airport, publicly or privately owned, which meets minimum physical and service standards of the State of Florida and is open for use to the general flying public.
84. Recreational Vehicle. A vehicular portable structure built on a chassis with its own wheels, either self-propelled or towed by another vehicle, designed to be used as a temporary dwelling for travel, vacation, camping or recreational purposes and including travel trailers, camping trailers, pick-up campers, converted buses, motor homes, tent trailers, pop-up trailers, boats and boat trailers and similar devices.

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85. Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.
86. Restaurant. An establishment where food is ordered from a menu, prepared, and served for pay primarily for consumption on the premises in a completely enclosed room, under the roof of the main structure, or in an anterior or exterior court. A drive-in restaurant as defined here is not a restaurant. A cafeteria shall be deemed a restaurant as defined herein.
87. Sanitarium. A facility for the recuperation and treatment of physical or mental disorders, without provision for major surgery.
88. Servants' Quarters. Dwelling units for domestic servants employed on the premises. Such units may be either a principal or an accessory building, and if in an accessory building may be used alternatively as a guest house, but no such living quarters shall be rented, leased, or otherwise be made available for compensation of any kind except in the form of housing for servants.
89. Service Station. An establishment whose principal business is the dispensing at retail of gasoline and oil and where grease, batteries,

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tires, and automobile accessories may be supplied and dispensed at retail, principally for automobiles and not for trucks (or in connection with a private operation where the general public is excluded from the use of the facilities), and where in addition the following services may be rendered and sales made, and no other:

- a. Sales and servicing of spark plugs, batteries, and distributors and distributor parts;
- b. Tire servicing and repair, but not recapping or regrooving;
- c. Replacement of water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors, and the like;
- d. Radiator cleaning and flushing; provision of water, anti-freeze, and the like;
- e. Washing and polishing and sale of automotive washing and polishing materials, but this provision does not permit car laundries;
- f. Providing and repairing fuel pumps and lines;
- g. Minor servicing and repair of carburetors;
- h. Emergency wiring repairs;
- i. Adjusting and emergency repair of brakes;
- j. Minor motor adjustments not involving removal of the head or crankcase;

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- k. Greasing and lubrication;
 - l. Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for service station customers, but only as accessory and incidental to the principal business operation;
 - m. Provision of road maps and other informational material to customers; provision of restroom facilities;
 - n. Rental of luggage or utility trailers, but not rental of trucks or automobiles.

Uses permissible at a service station do not include major mechanical and body work, straightening of frames or body parts, steam cleaning, painting, welding, storage of automobiles not in operating condition, operation of a commercial parking lot or commercial garage as an accessory use, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. A service station is not a repair garage, a body shop, or a truck stop.

90. Shopping Center. A group of retail stores or service establishments planned and developed as a unit by one operator, owner, organization, or corporation for sale or for lease for the site upon which they are built.

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91. Sign. Sign means any structure or device which is erected, constructed or maintained outside of enclosed buildings, or structures for the purpose of display, information, advertisement, or attraction of the attention of persons, and includes among others, posters, pictures, pictorial or reading matter, and any letter, word, model, device or representation used in the nature of any advertisement, announcement, attraction or direction.
92. Stol Primary Surface. An imaginary plane, 300 feet wide, centered on the runway. Its length extends 100 feet beyond each runway end. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
93. Stolport. A landing area designated exclusively for the use of STOL aircraft (short takeoff and landing) with landing area and approach zone dimensions compatible with aircraft performance characteristics.
94. Tourist Home. A building, or part thereof, other than a motel or hotel, where sleeping accommodations only are provided for transient guests with daily charge, without service of meals, and which also serves as the residence of the operator or owner.

95. Townhouses. Two or more single family structures separated by party walls or separated by not more than one inch.
96. Trailer, Boat. A conveyance drawn by other motive power and used for transporting a boat.
97. Trailer, Horse. A conveyance drawn by other motive power and used for transporting horses or other animals.
98. Trailer, Luggage or Utility. A conveyance drawn by other motive power and used for the primary purpose of transporting general goods or luggage or household furnishings.
99. Trailer, Travel or Camping. See Recreational Vehicle.
100. Truck Stop. An establishment where the principal use is primarily the refueling and servicing of trucks and tractor-trailer rigs. Each establishments may have restaurants or snack bars and sleeping accommodations for the drivers of such over-the-road equipment and may provide facilities for the repair and maintenance of such equipment.
- 101 Use. The purpose for which land or water or a structure thereon is designated, arranged, or intended to be occupied or utilized or for which it is occupied or maintained.

- 102. Use of Land. Includes use of land, water surface, and land under water to the extent covered by zoning districts, and over which the County has jurisdiction.
- 103. Variance. A variance is a relaxation of the terms of this Zoning Ordinance where such variance will not be contrary to the public interest, and where owing to conditions peculiar to the property and not the result of actions by the applicant, a literal enforcement of the requirements of this Zoning Ordinance would cause undue hardship on the land. In this context personal, family or financial difficulties, loss of prospective profits and neighboring violations or hardship created by any act of the owner are not considered hardships justifying a variance.
- 104. Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

105. Yard. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from thirty inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

106. Yard, Front. A yard extending between side lot lines across the front of a lot adjoining a public or private street.

In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Zoning Administrator may waive the requirement for the normal front yard and substitute, therefore, a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots, a front yard of the required depth shall be provided on one

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frontage. The required front yard of the other frontage may be reduced by 20 percent.

Depth of a required front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear yard lines shall be parallel.

Where lots in residential districts comprising forty percent or more of the frontage on one side of a street between intersecting streets are developed with structures having an average front yard with a variation of not more than six feet, no building, thereafter, erected shall project beyond the average line so established. This provision applies in all residential districts.

107. Yard, Side. A yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the farthest from the intersection of the lot

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line involved in the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after front yards have been established on both frontages shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

108. Yard, Rear. A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

109. Yard, Special. A yard behind any required yard adjacent to a public or private street required to perform the same functions as a side or rear yard, but adjacent to a lot

line and so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the administrative official shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

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ORDINANCE 74-33

C E R T I F I C A T E O F A U T H E N T I F I C A T I O N

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS,
NASSAU COUNTY, FLORIDA, THIS 8th DAY OF
OCTOBER, 1974. THIS ORDINANCE SHALL TAKE
EFFECT THE 8th DAY OF OCTOBER UPON RECEIPT
OF OFFICIAL ACKNOWLEDGEMENT BY THE OFFICE OF
THE SECRETARY OF STATE TO THE CLERK OF THE
BOARD OF COUNTY COMMISSIONERS, NASSAU COUNTY,
FLORIDA THAT SAME HAS BEEN FILED.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

BY A. Ray Beville
A. RAY BEVILLE
ITS CHAIRMAN

ATTEST:

D. O. Oxley By Gloria Hunt
D.O. OXLEY
ITS CLERK

