

ORDINANCE NO. 2018-03

AN ORDINANCE OF BRADFORD COUNTY, FLORIDA, AMENDING THE BRADFORD COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION, LDR 17-03, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AMENDING ARTICLE 4 ENTITLED ZONING REGULATIONS TO ADD SECTION 4.21 ENTITLED "CHI" COMMERCIAL, HIGHWAY INTERCHANGE ZONING DISTRICT; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, as amended, empowers the Board of County Commissioners of Bradford County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare and adopt land development regulations;

WHEREAS, Sections 163.3161 to 163.3248, Florida Statutes, as amended, the Community Planning Act, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water;

WHEREAS, an application for an amendment, as described below, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Bradford County, Florida, hereinafter referred to as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Bradford County, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, as amended, and the Land Development Regulations, the Board of County Commissioners serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Board of County Commissioners serving as Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, and recommended to the Board of County Commissioners approval of said application for an amendment, as described below;

WHEREAS, pursuant to Section 125.66, Florida Statutes, as amended, the Board of County Commissioners held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners serving as Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, is consistent with the purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, will further the purposes of the Land Development Regulations and other ordinances, regulations and actions designed to implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.



NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BRADFORD COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 17-03, by the Board of County Commissioners, to amend the text of the Land Development Regulations, Section 4.21 entitled "CHI" Commercial, Highway Interchange is hereby added to read, as follows:

#### SECTION 4.21 "CHI" COMMERCIAL, HIGHWAY INTERCHANGE

##### 4.21.1 DISTRICTS AND INTENT.

The "CHI" Commercial, Highway Interchange category includes one zone district: CHI. This specialized district is intended for areas where adequate lot depth is available to provide development for vehicular-related uses primarily serving the traveling public. Uses in such district are subject to criteria and standards intended to preserve the character of the district and to minimize adverse impacts with abutting and nearby uses. This district shall only be applied to the interchange areas of the State Road 223 (Alternate U.S. Highway 301) truck route.

##### 4.21.2 PERMITTED PRINCIPAL USES AND STRUCTURES.

1. Automotive service and self-service stations. (See section 4.2 for special design standards for automotive self-service stations.)
2. Restaurants.
3. Hotels and motels.
4. Retail commercial outlets for sale of fruit, gifts, novelties, and similar uses catering to tourists.
5. Retail for sale of farm equipment, farm and home supplies.
6. Light, manufacturing, assembling, processing, packing or fabricating in completely closed building.
7. Facilities for storage and distribution of products, including wholesale activity.

Unless otherwise specified, the above uses are subject to the following limitations: for all developments, site and development plan approval is required (see Article 14).

##### 4.21.3 PERMITTED ACCESSORY USES AND STRUCTURES.

1. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.
2. Uses and structures which:
  - a. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
  - b. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
  - c. Do not involve operations or structures not in keeping with the character of the district.
3. On-site signs (see Section 4.2.22).

##### 4.21.4 PROHIBITED USES AND STRUCTURES

1. Dwelling units, except as provided under accessory uses.
2. Medical marijuana dispensing facilities and any other uses or structures not specifically, provisionally, or by reasonable implication permitted herein. Any use which is potentially dangerous, noxious, or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation, or likely for other reasons to be incompatible with the character of the district.

4.21.5 SPECIAL EXCEPTIONS AND SPECIAL PERMITS  
Special Exceptions (see Sections Articles 12 and 13)

1. Truck stops.
2. Travel trailer parks or campgrounds (see Section 20.24).
3. Off-site signs

4.21.6 MINIMUM LOT REQUIREMENTS (area, width)

1. All permitted or permissible uses (unless otherwise specified):  
Minimum site area      20,000 sq. ft.  
Minimum lot width      100 ft.

4.21.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards)

1. All permitted or permissible uses (unless otherwise specified):  
Front    30 ft.  
Side    5 ft.  
Rear    30 ft.

Special provisions; No less than 15 ft. of the depth of the required front yard shall be maintained as a landscaped area. The depth of this landscaped area shall be measured at right angles to property lines and shall be established along the entire length and contiguous to the designated property line or lines. This landscaped area may be penetrated at right angles by driveways. The remainder of the required yard may be used for offstreet parking, but not for buildings.

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of thirty-five (35) feet from wetlands.

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of fifty (50) feet from all perennial rivers, streams and creeks.

4.21.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED  
(See Section 4.2 for exceptions)

50 ft., except the height of signs which advertise commercial establishments located within the same CHI district shall be unrestricted, provided that such sign shall not exceed height limitations prescribed by the Federal Aviation Administration or airport zoning regulations within the flight-approach zone of airports.

4.21.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS  
35%

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, structures shall be limited to a .25 floor area ratio if not served by a centralized sanitary sewer service, and structures shall be limited to an intensity of .50 floor area ratio if served by a centralized sanitary sewer service.

4.21.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS  
(See also Section 4.19)



1. All permitted or permissible uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting either (a) agricultural district (b) residential district or (c) property used for residential purposes in a residential/office district, then the proposed use shall provide a landscaped buffer which shall be not less than twenty (20) feet in width along the affected rear and/or side yards as the case may be. In addition, such land uses shall provide within this buffer landscaping which shall be designed, planted and maintained as to be eighty (80) percent or more opaque between two (2) and six (6) feet above average ground level when viewed horizontally. A masonry or wood opaque structure may be substituted for the landscaped buffer.

#### 4.21.11 MINIMUM OFFSTREET PARKING REQUIREMENTS

(See also Section 4.19)

1. Commercial and service establishments (unless otherwise specified): One (1) space for each one-hundred fifty (150) sq. ft. of non-storage floor area, plus, where applicable, One (1) space for each one-thousand (1,000) sq. ft. of lot or ground area outside buildings used for any type of sales, display, or activity.
2. Restaurants, cocktail lounges, bars, and taverns: One (1) space for each three (3) seats in public rooms.
3. Hotels and motels: One (1) space for each sleeping room, plus two (2) spaces for the owner or manager, plus required number of spaces for each accessory use such as restaurant or bar, as specified.
4. Warehousing and storage only: One (1) space for each one thousand five hundred (1,500) sq. ft. of floor area.
5. Public buildings and facilities (unless otherwise specified): One (1) space for each two hundred (200) sq. ft. of floor area.
6. For other special exceptions as specified herein: To be determined by findings in the particular case.

Note: Offstreet loading required (see Section 4.2)

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, as amended, a certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This ordinance shall become effective upon filing with the Florida Department of State.

The effective date of this amendment, LDR 17-03, amending the text of the Land Development Regulations shall be the same date as the effective date of amendment CPA 17-01 amending the text of the Comprehensive Plan. If Amendment, CPA 17-01, does not become effective, this amendment, LDR 17-03 shall not become effective.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on the 18th day of January 2018.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners this 19th day of April 2018.

Attest:

BOARD OF COUNTY COMMISSIONERS OF  
BRADFORD COUNTY, FLORIDA

 Ms. Malene Stafford, Deputy Clerk  
Ray Norman, County Clerk

Ross Chandler  
Ross Chandler, Chair