

ORDINANCE CODE
City of JACKSONVILLE, FLORIDA

All bills enacted through June 27, 2006.
(Supplement No. 19)

SUBPART L. MAYPORT VILLAGE WORKING WATERFRONT DISTRICT

Sec. 656.395. Legislative findings and intent.

The Council finds and determines as follows:

- (a) The Mayport Village has been negatively affected by current zoning districts which do not recognize the unique character of the community. For many years, zoning has allowed intensive and intrusive uses to locate in the Mayport Village and has not encouraged the kind of development that promotes and sustains a community which is stable and economically viable, and which consists primarily of a fishing village and a single-family/owner-occupied neighborhood. Standard zoning districts also do not recognize the small residential lots, waterfront land use, and other aspects of the unique development pattern of Mayport Village.
- (b) The fishing community of Mayport Village is a unique and invaluable resource to the City and its citizens and should be preserved for future generations.
- (c) The property disinvestment and blight caused by incompatible zoning and other factors associated with its geographic isolation from the City must be reversed through a comprehensive revitalization program that will include zoning districts tailored to the community.
- (d) Standards should allow appropriate and compatible development to proceed without the high costs associated with variances, waivers and administrative deviations required to depart from current lot and use standards.
- (e) The Mayport Village Working Waterfront zoning districts were developed with the participation and assistance of the Mayport Waterfront Partnership, neighborhood residents, business and property owners and City staff.
- (f) The Planning Commission and the Land Use and Zoning Committee considered these district regulations and made their recommendations to the Council.
- (g) These zoning districts will be implemented with the purpose of nurturing residential owner-occupants, allowing for mixed uses and home businesses, discouraging over-intensive uses, and providing performance standards and special regulations for uses allowed by zoning exception.
(Ord. 2001-910-E, § 1; Ord. 2006-452-E, § 1)

Sec. 656.396. Adoption of Mayport Village Working Waterfront Zoning Districts.

The Council hereby adopts the Mayport Village Working Waterfront Zoning Districts, as defined herein. The land included within Mayport Village shall be subject to this Subpart L, and is visually depicted on the Mayport Village Boundary Map on file in the Planning and Development Department, as may be amended from time to time. These regulations shall supersede the provisions of Chapter 656, Ordinance Code, as applied to all property within the boundaries of Mayport Village, except as otherwise specifically provided herein.

(Ord. 2001-910-E, § 1; Ord. 2006-452-E, §§ 1, 2)

Sec. 656.397. Mayport Village Working Waterfront Zoning Districts.

Mayport Village Working Waterfront Zoning Districts include the following:

I. *Mayport Village Commercial (CCG-2-M) District.*

(a) *Permitted uses and structures.*

- (1) All uses and structures that were legally conforming and/or legally nonconforming and lawfully permitted at the time of the adoption of these working waterfront regulations.
- (2) Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, musical instruments, florists or shops, delicatessens, bakeries (but not wholesale bakeries), antiques (including antique furniture), and bait and tackle shops.
- (3) Service establishments such as barber or beauty shops, shoe repair shops, restaurants with no drive-through, tailors or dressmakers and marinas.
- (4) Banks and similar financial institutions.
- (5) All types of professional and business offices that are conducted within an enclosed building.
- (6) Hotels and motels.
- (7) Bed and breakfast establishments.
- (8) Art galleries, music, photography, dance, art, gymnastics, karate and martial arts, studios, theaters for stage performances (but not motion pictures), museums and community centers.
- (9) Off-street public and commercial parking lots when they are associated with uses in this zone.
- (10) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption, or for on-premises consumption in conjunction with the service of food, which is ordered from a menu and prepared or served for pay and consumption on-premises.
- (11) Essential services, including water, sewer, gas telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- (12) Outside retail sales of holiday items and retail specials (sidewalk sales) that do not impede the flow of pedestrian and vehicular traffic and meet the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- (13) Storage, sale, service and repair of boats and marine engines and equipment.
- (14) Facilities related to the harvest, storage, processing and distribution of seafood.
- (15) Piers, docks, wharves, boat launches and pedestrian walkways for access to and along the waterfront.
- (16) Terminals or facilities for passengers arriving or departing by boat and freight associated with shipping.
- (17) Facilities for the construction of vessels not exceeding 120 feet.
- (18) Residential units provided, however, that they do not occupy greater than 80 percent of the gross square footage of the building(s) of which they are a part. Residential units shall not be located on the first floor.

(b) Permitted accessory uses or structures are as stated in Section 656.403 of the Zoning Code.

(c) *Permissible uses by exception.*

- (1) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption and meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- (2) Service stations and service garages for minor repairs.
- (3) Drive-through facilities in conjunction with a permitted or permissible use or structure.

(d) *Minimum lot requirements (width and area)* : None, except impervious service may not exceed 80 percent, and as otherwise required for certain uses.

(e) *Minimum yard requirements:*

- (1) Front or street side of property: ten feet.
 - (2) Side: seven and one-half feet.
 - (3) Rear: None.
 - (4) Waterfront side: ten feet.
- (f) *Maximum height of structures:* 50 feet.

II. *Mayport Village Light Commercial (CCG-1-M) District.*

(a) *Permitted use and structures.*

- (1) All uses and structures that were legally conforming and/or legally nonconforming and lawfully permitted at the time of the adoption of these working waterfront regulations.
- (2) Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry (including watch repair), art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, musical instruments, florists or shops, delicatessens, bakeries (but not wholesale bakeries) and antiques (including antique furniture).
- (3) Service establishments such as barber or beauty shops, shoe repair shops, restaurants with no drive-through, tailors or dressmakers and marinas.
- (4) Banks and similar financial institutions.
- (5) All types of professional and business offices that are conducted within an enclosed building.
- (6) Bed and breakfasts establishments.
- (7) Art galleries, music, photography, dance, art, gymnastics, karate and martial arts, studios, theaters for stage performances (but not motion pictures), museums and community centers.
- (8) Off street public and commercial parking lots subject to the requirements of Part 4 and Part 6 of the Zoning Code.
- (9) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption, or for on-premises consumption in conjunction with the service of food, which is ordered from a menu and prepared or served for pay and consumption on-premises.
- (10) Essential services, including water, sewer, gas telephone, radio, television and electric meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- (11) Outside retail sales of holiday items and retail specials (sidewalk sales) that do not impede the flow of pedestrian and vehicular traffic and meet the performance standards and development criteria set forth in Part 4 of the Zoning Code.
- (12) Bus and other transportation terminals and facilities.

(13) Storage of boats meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

(14) Residential units provided, however, that they do not occupy greater than 65 percent of the gross square footage of the building(s) of which they are a part. Residential units shall not be located on the first floor.

(b) Permitted accessory uses or structure are as stated in Section 656.403 of the Zoning Code.

(c) *Permissible uses by exception* :

(1) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption and meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

(2) Service stations and service garages for minor repairs.

(d) *Minimum lot requirements (width and area)*: None, except as otherwise required for certain uses.

(e) *Maximum lot coverage*: Maximum 70 percent impervious; minimum 30 percent pervious.

(f) *Minimum yard requirements*:

(1) Front or street side of property (including corner lots): ten feet minimum, ten feet maximum.

(2) Side: seven and one-half feet.

(3) Rear: None.

(g) *Maximum height of structures* : 42 feet.

III. *Mayport Public Buildings and Facilities (PBF-M) District.*

(a) *Permitted uses and structures.*

(1) All uses and structures that were legally conforming and/or legally nonconforming and lawfully permitted at the time of the adoption of these working waterfront regulations.

(2) All lawful government uses.

IV. *Mayport Public Parks and Open Space (ROS-M) District.*

(a) *Permitted uses and structures:*

(1) Playgrounds, play fields, or other outdoor recreational and accessory facilities.

(2) Temporary uses such as carnivals, festivals, concerts, arts and craft shows and associated parking.

(b) *Minimum yard requirements:*

(1) Front or street side of property: ten feet.

(2) Side: ten feet.

(3) Rear or waterfront side: ten feet.

V. *Mayport Village Residential (RLD-M) District.*

(a) *Permitted uses and structures.*

- (1) All uses and structures that were legally conforming and/or legally nonconforming and lawfully permitted at the time of the adoption of these working waterfront regulations.
- (2) Single-family dwellings.
- (3) Essential services, including water, sewer, gas, telephone, radio, television and electric.
- (4) Churches, including a rectory or similar use.
- (5) Neighborhood parks, pocket parks, playgrounds or recreational facilities.
- (6) Home occupations meeting the performance standards and development criteria set forth in the Zoning Code.
- (7) Fishing occupations where the resident holds a valid commercial fishing license issued by the State of Florida. Fishing occupation use entitles the resident to park commercial fishing vessels anywhere on the residing property and any adjacent vacant lot owned by the resident. Fishing occupation use also entitles the resident to store commercial fishing equipment, such as crab traps, rollers, nets, coolers, or similar equipment usually associated with commercial fishing, in yards.

(b) Permitted accessory uses and structures are as stated in Section 656.403 of the Zoning Code.

(c) Permissible uses by exception.

- (1) Bed and breakfast establishments.
- (2) Schools meeting the performance standards and development criteria set forth in Part 4 of the Zoning Code.

(d) *Minimum lot requirements (width and area):*

- (1) Width: 50 feet.
- (2) Area: 5,000 feet.

(e) *Maximum lot coverage* : Maximum 45 percent impervious.

(f) *Minimum yard requirements:*

- (1) Front: 15 feet.
- (2) Side: five feet, providing that the combined side yards shall not be less than 15 feet.
- (3) Rear: ten feet.

(g) *Maximum height of structures* : 35 feet.

VI. *Zoning limitations on signs* . Signs shall comply with the requirements of Chapters 320 and 326 of the Ordinance Code, and with the applicable provisions of Chapter 479, Florida Statutes. All signs that are legally conforming and/or legally nonconforming and lawfully permitted at the time of the adoption of these sign regulations are permitted, and may be replaced at their current location providing that there is no increase in sign area or height. In addition, the following restrictions shall apply:

(a) *Mayport Village Residential (RLD-M) District.*

(1) One nonilluminated or externally illuminated sign not exceeding a maximum of one square foot in area and mounted flat against the wall of the building or structure is permitted, unless otherwise specifically prohibited in the Zoning Code; and

(2) One nonilluminated sign not exceeding a maximum of 24 square feet in area may be permitted if specifically authorized by a zoning exception.

(b) *Mayport Village Commercial (CCG-2-M), Mayport Village Light Commercial (CCG-1-M), and Mayport Public Buildings and Facilities (PBF-M) Districts.*

(1) One nonilluminated or externally illuminated monument style sign, not exceeding 36 square feet in area; and

(2) One nonilluminated, externally illuminated or internally illuminated wall sign, per tenant, not exceeding ten percent of the occupancy frontage, or eight square feet in area, whichever is less; or

(3) In lieu of (2), one nonilluminated, externally illuminated or internally illuminated wall sign not exceeding five percent, or 36 square feet in area, per side of a building that fronts a collector or arterial roadway; or

(4) In lieu of (2) and (3), one nonilluminated or externally illuminated awning or under canopy sign, per tenant, not exceeding ten percent of the occupancy frontage, or eight square feet in area, whichever is less; or

(5) In lieu of (2), (3) and (4), one nonilluminated or externally illuminated awning or under canopy sign, per street frontage, per side of a building that fronts a collector or arterial roadway, not exceeding five percent of the occupancy frontage, or 36 square feet in area, whichever is less.

(c) *Mayport Public Parks and Open Space (ROS-M) District.*

(1) One nonilluminated or externally illuminated monument style sign, not exceeding 24 square feet in area.

(d) *Height.*

(1) Other than wall signs, under canopy signs, and awning signs, all signs in all districts shall be limited to a maximum of ten feet in height above the level of the adjacent ground.

(Ord. 2001-910-E, § 1; Ord. 2006-452-E, § 1)

Sec. 656.398 Compliance with Architectural Design Guides for Mayport Village required; architectural review and approval process; appeals; Mayport Village Working Waterfront Zoning District acknowledgement.

(a) *Adoption of Architectural Design Guides for Mayport Village.* All new development and redevelopment, including rehabilitation of existing buildings constructed prior to 1950, located within the Mayport Village Commercial (CCG-2-M), Mayport Village Light Commercial (CCG-1-M), and Mayport Public Buildings and Facilities (PBF-M) Districts shall be designed to reflect the vernacular of the era of the buildings constructed in Mayport Village during the 1920's, 1930's and 1940's and shall comply with the Architectural Design Guides for Mayport Village contained in the Historic Site Survey of Mayport Village, dated June 30, 2001, prepared by Godard Design Associates, Inc., based on the Secretary of the Interior's standards for rehabilitation, and on file with the Planning and Development Department.

(b) *Architectural review and approval process for commercial development and redevelopment.* Architectural review and approval by the Planning and Development Department is required for all new commercial development and redevelopment in the Mayport Village Commercial (CCG-2-M), Mayport Village Light Commercial (CCG-1-M), and Mayport Public Buildings and Facilities (PBF-M) Districts to ensure compliance. Prior to the issuance of a building permit, applicants shall submit plans to the Mayport Waterfront Partnership, or its designated Architectural Review Committee, for review and a recommendation as to compliance with the Architectural Design Guides for Mayport Village. The plans and recommendation shall be transmitted by the Mayport Waterfront Partnership to the appropriate Chief in the Planning and Development Department within 30 days of submittal. The Chief shall review the plans and recommendation and issue a final determination of compliance within 14 days from the date of transmittal by the Mayport Waterfront Partnership. The determination by the Chief shall be deemed a Written Interpretation of the Director and may be appealed to the Planning Commission pursuant to Section 656.135 of the Zoning Code.

(c) *Mayport Village Working Waterfront Zoning District Acknowledgement.*

(1) No person shall sell, or otherwise transfer, lease or offer to lease or offer to sell, or otherwise transfer a structure or land within the Mayport Village Working Waterfront Zoning Districts (Zoning Districts), unless the prospective transferee or lessee has been given a Mayport Village Working Waterfront Zoning District Acknowledgement in writing, at the time of contract of sale, transfer, or lease, which Acknowledgement shall be included in the contract of sale, transfer, or lease agreement for leases greater than three months, as a part of the legal instrument that conveys the real property interest in the lands lying within the Zoning Districts. Whenever a owner or a lessor has entered into a contract with an agent for the purpose of selling or leasing a structure or land within the Zoning Districts, the regulations promulgated under this section shall require the agent, on behalf of the owner or lessor, to ensure compliance with the requirements of this section. Any person, who knowingly violates the provisions of this section, including the agent of such person, shall be subject to enforcement by the City and shall be jointly and severally liable to the purchaser or lessee in an amount to be determined by a court of competent jurisdiction. Nothing in this section shall affect the validity or enforceability of any sale, transfer, or lease or contract for the sale, transfer, or lease of any interest in real property, nor shall anything in this section create a defect in the sale, transfer, or lease agreement.

(2) No building permit shall be issued within the Mayport Village Working Waterfront Zoning Districts, unless the applicant provides a copy of a Mayport Village Working Waterfront Zoning District Acknowledgement signed by the owner and two witnesses, to the Planning and Development Department.

(3) The Mayport Village Working Waterfront Zoning District Acknowledgement shall be in a form acceptable to the Office of General Counsel and the Planning and Development Department and may be amended from time to time. At a minimum, the Acknowledgment shall contain:

(i) A statement that the property is within the Mayport Village Working Waterfront Zoning Districts and that the premises may be exposed to proximity to storage associated with the fishing occupation and its associated noises and odors.

(ii) A certification by the owner of the property that the owner is aware that the property is located in a Mayport Village Working Waterfront Zoning District and has been advised to

consult the City of Jacksonville Zoning Code provisions regulating the Mayport Village Working Waterfront Zoning Districts.

(iii) A date, printed name and signature of owner, and printed names and signatures of two witnesses.

(Ord. 2001-910-E, § 1; Ord. 2006-452-E, § 1)

Sec. 656.399. Lighting, utility lines.

All new development and redevelopment of commercial properties in the Mayport Village Commercial (CCG-2-M) and Mayport Village Light Commercial (CCG-1-M) Zoning Districts shall comply with the Lighting Standards for Mayport Village contained in the Mayport Design Guides dated June 30, 1999 and prepared by Godard Design Associates, Inc. The Lighting Standards for Mayport Village are on file with the Planning and Development Department. All electrical, telephone and TV cable lines shall be placed underground through conduits. All overhead utility lines are prohibited.

(Ord. 2001-910-E, § 1; Ord. 2006-452-E, § 1)