

ORDINANCE 2017-18

AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, AMENDING SECTION 62-289 OF THE TOWN CODE TO CLARIFY THE PRIVATE CLUB PERMITTED USE WITHIN THE GENERAL COMMERCIAL C-1 ZONING DISTRICT; AMENDING SECTION 62-290 OF THE TOWN CODE TO ADD PRIVATE CLUBS AS A PERMITTED PRINCIPAL USE WITHIN THE MANUFACTURING M-1 ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mr. Bobby Franklin desires to open an historic American Legion Post within the Town limits at a site that is within the Town's M-1 zoning district; and

WHEREAS, the existing zoning limitations do not permit Private Clubs to operate within the M-1 zoning district; and

WHEREAS, Private Clubs are a permitted principal use within the C-1 zoning district, but a punctuation revision is necessary for clarification; and

WHEREAS, the Town Council has the authority to exercise all powers of the Town of Hilliard, which powers include the authority to regulate the uses of property within the Town limits; and

WHEREAS, the Town Council desires to amend Section 62-289 of the Town Code to clarify the Private Club permitted principal use and Section 62-290 of the Town Code to add Private Clubs as a permitted principal use.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein.

Section 2. Sections 62-289 and 62-290 of Chapter 62 of the Town Code are hereby amended as follows (additions are denoted by underlining; deletions are denoted by striking through):

Sec. 62-289. - General commercial district C-1.

(a) Intent. This section applies to the C-1 district. This district is intended to apply to those areas where general commercial establishments are appropriate and are to be located so as to serve the entire community and its environs. It is not intended to provide for warehousing, production or similar facilities. It is designed to promote the orderly growth and development of the area and to permit adequate service by the street and highway system

and the available community services and facilities.

(b) Permitted principal uses and structures.

(1) Retail outlets for sale of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, automotive vehicle parts and accessories (but not junkyards or automobile wrecking yards), heavy machinery and equipment, dairy supplies, monuments. Retail outlets for sale of food and drugs, wearing apparel, toys, sundries and notions, books and stationery, leather goods and luggage, art supplies, cameras or photographic supplies (including camera repair), sporting goods, hobby shops, pet shops, veterinarian, musical instruments, television and radio (including repairs), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs, home furnishings and appliances (including repairs incidental to sales), office equipment, hardware, and similar uses.

(2) Service establishments such as automobile filling stations; truck stops; repair and service garages; motor vehicle body shops; rental of automotive vehicles, trailers, and trucks; auto laundries; drive-in restaurants; auction houses or pawnshops; laundries or dry cleaning establishments; veterinarian or animal boarding kennels in soundproof buildings; pest control; plant nurseries or landscape contractors; carpenter or cabinet shops; home equipment rental; ice delivery stations; job printing or newspaper establishments; blueprint; funeral home; upholstery shop; boat sales; dry storage of pleasure craft; private clubs; radio or television broadcasting transmitter and antenna facilities; barbershops or beauty shops; shoe repair shop; restaurant; interior decorator; photographic studio; dance or music studio; reducing salon or gymnasium; self-service laundry; or dry cleaner; tailor or dressmaker; dry cleaning and laundry package plants in completely enclosed buildings using nonflammable liquids such as perchlorethylene and with no odor, fumes, or steam detectable to normal senses from off the premises and similar activities.

(3) Medical and dental offices and clinics.

(4) Churches (except temporary revival establishments).

(5) Hotels and motels.

(6) Hospitals, sanitariums, rest homes, nursing homes, convalescent homes, and homes for orphans and the aged.

(7) Art gallery, museum, community center, little theatre, and libraries.

(8) Research laboratories not involving odors, noise, smoke, or other obnoxious effects detectable to normal senses from outside the building nor involving electrical interference to any television or radio receivers off the premises, nor involving any manufacturing activities.

(9) Professional and business office, union halls.

(10) Bank and financial institutions, travel agencies, employment offices, and similar establishments.

(11) Commercial recreation facilities such as carnivals or circuses, open air or indoor motion picture theatres, billiard parlor, swimming pool, bowling alley, golf driving or archery ranges, par three miniature golf courses, indoor shooting galleries housed in

- completely enclosed buildings, skating rinks, pony rides, and similar uses.
- (12) Miscellaneous uses such as outdoor fruit, vegetable, poultry, or fish markets.
 - (13) Athletic complex, arena, auditorium, convention center.
 - (14) Wholesaling from sample stock only, providing no manufacturing or storage for distribution is permitted on the premises.
 - (15) Manufacturing as involved in production of eyeglasses, hearing aids, prosthetic appliances, and similar products.
 - (16) Vocational, trade, and business schools.
 - (17) Indoor and outdoor skating rink.
 - (18) Miscellaneous uses such as express or parcel delivery office, telephone exchange, commercial parking lots and parking garages, motorbus or other transportation terminals.
 - (19) Sale of secondhand merchandise in a completely enclosed building.
- (c) Permissible uses by exception. The following uses may be permitted by exception after site plan review:
- (1) Wholesale, warehouse, or storage use, but not bulk storage of flammable liquids.
 - (2) Building trades contractor with storage yard for materials and equipment on premises.
 - (3) Boat building and repairs.
 - (4) Air conditioning and heating contractor or sheet metal fabrication.
 - (5) Recreational vehicle parks.
 - (6) One dwelling unit located in the same building as the main business for occupancy by the business owner and family.
- (d) Minimum lot requirements. Seventy-five feet of accepted town street or roadway frontage and minimum 7,500 square feet of lot area.
- (e) Maximum lot coverage. Maximum lot coverage for building and accessory structures shall not exceed 35 percent of lot area.
- (f) Minimum yard requirements.
- (1) Front: Ten feet, except where the lot width is less than 100 feet and buildings on adjacent lots have provided a lesser front yard, the front yard shall be the average of buildings on adjacent lots, or where the lot is adjacent to residentially zoned property, the front yard shall meet requirements for such adjacent property.
 - (2) Side: None, if an existing building on an adjacent lot is built on the property line, or if the adjacent lot is vacant. Except where no space is left between buildings on adjacent lots, a space of at least six feet shall be left between such buildings.
 - (3) Rear: Ten feet.
- (g) Maximum height of structures. Thirty-five feet in height above established grade or as permitted by exception.
- (h) Site plan required. A site plan shall be submitted by the applicant according to section 62-40

Sec. 62-290. – Manufacturing & Industrial Warehousing district M-1.

(a) Intent. This section applies to the M-1 district. This district is intended to apply to those areas where manufacturing, warehousing and other industrial uses are appropriate and are to be located where they can be best served by the street and highway system, water, sewer and other community services. Development shall be limited by the adequacy of services and resources available and shall be permitted as necessary to maintain the character, value and stability of the district and the town.

(b) Permitted principal uses and structures. Any use permitted in the C-1 commercial district.

(1)Wholesaling, warehousing, storage, or distribution establishments and similar uses.

(2)Light manufacturing, processing including food processing, packaging, or fabricating.

(3)Printing, lithographing, publishing or similar establishments.

(4)Bulk storage yards, not including bulk storage of flammable liquids and acids.

(5)Outdoor storage yards and lots, provided such outdoor storage yard shall not be located closer than 25 feet to any public street and that such yard shall be completely enclosed by a solid fence or wall or equivalent visual barrier not less than eight feet high, except for the entrance and exit, and such openings shall be equipped with eight-foot-high visual barrier gates; and provided further that this provision shall not permit wrecking yards (including automobile wrecking yards), junkyards used in whole or in part for scrap or salvage operations or for processing storage, display or sales of any scrap, junk automotive vehicles, or secondhand automotive parts.

(6)Vocational, technical, trade or industrial schools or similar uses.

(7)Radio or television broadcasting offices, studios, transmitters, or antennas.

(8)Railroad sidings and spur tracks.

(9)Railroad rights-of-way, tracks, sidings, yards, etc.

(10)All essential public services including water, sewer, gas or electrical systems such as substations, lift stations, treatment plants and similar installations.

(11) Private Clubs as defined in Section 6-1 of this Code.

(c)Permissible use by exception. The following use may be permitted by exception after site plan review: Restaurants, including those licensed to sell alcoholic beverages, or one dwelling unit for occupancy by security guards or caretakers.

(d)Minimum lot requirements. Fifty feet of accepted town street or roadway frontage and minimum 10,000 square feet of lot area.

(e)Minimum yard requirements.

(1)Front: 25 feet.

(2)Side: None; however, where buildings are not built with party or touching walls, the minimum distance between buildings shall be ten feet.

(3)Rear: Ten feet.

(4)Wherever property zoned M-1 shall abut or adjoin property zoned primarily for single-family or multifamily residential use, the property zoned M-1, for a depth of 15

feet adjoining such residential property, shall be reserved for and planted with trees and bushes to create a visual buffer between such uses.

(f) Maximum height of structures. Thirty feet in height; or as permitted by exception.

(g) Site plan required. A site plan shall be submitted by the applicant according to section 62-40.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

Section 4. Any and all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 5. This Ordinance shall become effective upon the passage of this Ordinance.

ADOPTED this 18th day of January, 2018, by the Hilliard Town Council, Hilliard, Florida.

John P. Beasley
Council President

ATTEST:

Lisa Purvis
Town Clerk

APPROVED:

Cris W. McConnell
Mayor

Date of Town Council First Reading:	October 19, 2017
Date of Planning & Zoning Board Discussion:	December 5, 2017
Date of Planning & Zoning Board Publication:	December 14, 2017
Date of Planning & Zoning Board Public Hearing:	January 9, 2018
Dates of Town Council Publications:	December 7, 2017
Dates of Town Council Public Hearings:	January 18, 2018
Date of Town Council Second/Final Reading:	January 18, 2018