ORDINANCE NO. ____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 10, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, TO CREATE A NEW ZONING DISTRICT NEIGHBORHOOD BOUNDARY OFFICE AND ADDING PROVISIONS RELATED TO IT; AMENDING TYPE B REVIEW PROCESS PROVISIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, THAT:

Section 1. That Section 10-892, List of Zoning Districts, of Division 4 of Article X of Chapter 10, Land Development Code, of the Code of Laws of Leon County, Florida, is amended as follows:

For the purpose of this article, the county is hereby divided into districts designated as follows:

R	Rural
UF	Urban fringe
AC	Activity center
RC	Rural community
LP	Lake protection
RP	Residential preservation
LT	Lake Talquin/Urban fringe
I	Industrial
RA	Residential Acre
R-1	Single-Family Detached Residential District
R-2	Single-Family Detached Residential District
R-3	Single- and Two-Family Residential District
R-4	Single-, Two-Family and Multi-Family Residential District
R-5	Manufactured Home and Single-Family Detached District
MH	Manufactured Home Park District
MR-1	Medium Density Residential District
OR-1	Office Residential District
OR-2	Office Residential District
OR-3	Office Residential District
OA-1	Airport Vicinity District
C-1	Neighborhood Commercial District

C-2	Neighborhood Commercial District
CM	Medical Arts Commercial District
CP	Commercial Parkway District
UP-1	Urban Pedestrian District
UP-2	Urban Pedestrian District
M-1	Light Industrial District
CPA	Critical Planning Area
TPA	Target Planning Area
PUD	Planned Unit Development
DRI	Development of Regional Impact
OS	Open Space District
IC	Interchange Commercial
BC-1	Bradfordville Commercial District
BC-2	Bradfordville Commercial District
BCS	Bradfordville Commercial Services District
BOR	Bradfordville Office-Residential District
WC	Woodville Commercial District
NBO	Neighborhood Boundary Office

Section 2. That Section 10-921.5 Neighborhood boundary office district, of Division 5 of Article X of Chapter 10, Land Development Code, of the Code of Laws of Leon County, Florida, is created as follows:

Section 10-921.5 Neighborhood boundary office.

(a) Purpose and Intent: The purpose and intent of this district is to provide minor office opportunities and higher intensity residential land uses up to a maximum of eight (8) dwelling units per acre. The district is intended to be located on the edges of existing or planned single-family neighborhoods fronting on arterial and collector roadways and provides a transition between the residential development and more intensive development. This zoning district is not intended to be applied to the interior of an existing neighborhood or in areas designated as Lake Protection on the Future Land Use Map of the Comprehensive Plan. The provisions of this district are intended to allow higher density residential development and non-residential development that is compatible in scale and design with adjoining residential

neighborhoods. The maximum amount of non-residential square footage allowed per acre is 10,000 square feet, but additional criteria may further limit that amount. Design guidelines applicable to this district include building orientation, lighting criteria for non-residential use, street vehicular access requirements, fencing, buffering, and screening requirements, signs, noise source restrictions, and solid waste container restrictions.

(b) Allowable uses: For the purpose of this article, the following land use types are allowable in this zoning district and are controlled by the land use development standards of this article, the comprehensive plan and schedules of permitted uses.

(1) Low Density Residential

(2) Minor office

(c) List of permitted uses: See Schedules of permitted uses, section 10-1241subsections 2 and 3. Proposed activities and uses are indicated in the schedules. The activity or use may be classified as principal, accessory, restricted, or not allowed.

(d) Development standards. All proposed development shall meet the buffer zone standards (section 10-923); the parking and loading requirements (division 7); and the land use development criteria as specified in section 10-1241.

(e) Specific restrictions. If uses are restricted according to the scheduled of permitted uses, they must follow the general development guidelines for restricted uses as provided in division 6.

Section 3. That Division 9 of Article X of Chapter 10, Land Development Code of the Code of Laws of Leon County, Florida, is amended by enacting a new

1 Section 10-1241 as follows:
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Section 10-1241. NBO neighborhood boundary office district

1. District Intent	PERMITTED USES		
	2. Principal Uses		3. Accessory Uses
The Neighborhood Boundary Office (NBO) district is intended to be located in areas designated as Neighborhood Boundary on the Future Land Use Map of the Comprehensive Plan and shall apply to areas located on the edges of existing or planned single-family attached and detached residential neighborhoods fronting arterial and collector roadways. The NBO district is intended to provide minor office opportunities serving the immediate area and higher intensity residential land uses while providing a transition between the residential development and more intensive development and preserving roadway capacity through appropriate access management. The intent of the access management requirements associated with this district is to reduce access points along the roadway system, to provide for interconnectivity between non-residential developments within this land use category, and to encourage convenient walk-to work opportunities in close proximity to the residential areas it will serve. This zoning district shall not be applied to the interior of an existing neighborhood nor in areas designated as Lake Protection on the Future Land Use Map of the Comprehensive Plan. In addition, the NBO district shall not exceed 350 feet in depth parallel to the arterial or collector roadway in which it fronts or one (originally) platted lot whichever is less. The provisions of this district are intended to allow higher density residential development and non-residential development that is compatible in scale and design with adjoining residential neighborhoods. The NBO district is not intended to accommodate large scale office development. The maximum gross density allowed for new residential development in the NBO district is eight (8) dwelling units per acre.	1. Offices (all types) 2. Multi-family Residential (any type except dormitories, fraternities and sororities) located on the second floor of a building containing the permitted office uses on the first floor. 3. Residential: Single family-attached dwellings; Single family – detached dwellings; and Two-family dwellings.	4. Other uses, which in the opinion of the County Administrator or designee, are of a similar and compatible nature to those uses described in this district. Noise and lighting impacts shall be considered when determining the eligibility of additional land uses.	(1) A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more that 33 percent of the floor area or cubic volume of the principle use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.

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General Notes:

1. If central sanitary sewer is not available, residential development is limited to a minimum of 0.50 acre lots and inside the Urban Service Area, non-residential development is limited to a maximum of 2,500 square feet of building area. Also, refer to Sanitary Sewer Policies 3.1.6 and 3.1.7 of the Comprehensive Plan for additional requirements.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.)
4. If setbacks have been previously established by a preliminary plat or recorded plat, then setbacks that have been established shall apply except where approved by the Development Review Committee.

Section 10-1241. NBO neighborhood boundary office district

DEVELOPMENT STANDARDS									
	4. Minimum Lot or Site Size			5. Minimum Building Setbacks (Note 4)				6. Maximum Building Restrictions	
Use Category	**a. Lot or Site Area**	**b. Lot Width**	**C. Lot Depth**	**a. Front**	**b. Side – Interior Lot**	**c. Side – Corner Lot**	**d. Rear**	**a. Building Size (excluding gross building floor area used for parking)**	**b. Building Height (Including stories used for parking)**
Single-Family Detached Dwellings	5,000 square feet	50 feet	100 feet	20 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet.	15 feet	25 feet	not applicable	2 Stories including floors devoted to parking.
Single Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	20 feet	Not applicable	15 feet	25 feet	maximum length: 4 residential units	2 Stories including floors devoted to parking.
Two-Family Dwellings	8,000 square feet	60 feet	100 feet	20 feet	Same as for single-family detached dwellings	15 feet	25 feet	A) Residential structures adjacent to existing single-family detached dwellings structures may not be less than 50% smaller than the smallest adjacent principal single-family detached dwelling structure: and B) All other two-family residential has no size limitations.	2 Stories including floors devoted to parking.
Any Permitted Non-residential Principal Use	None	80 feet	None	25 feet	15 feet on each side	25 feet	25 feet	A) Non-residential structures adjacent to existing residential single-family detached structures may not exceed 2 times that of the largest adjacent principal residential structure: and B) All other no-residential structures shall not exceed 5,000 square feet of non-residential gross building floor area per parcel and 10,000 square feet per acre.	2 Stories including floors devoted to parking.

General Notes:

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2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.)
4. If setbacks have been previously established by a preliminary plat or recorded plat, then setbacks that have been established shall apply except where approved by the Development Review Committee.

7. Building Orientation:

a. Non-residential development and/or redevelopment of properties located at the intersection of arterial or collector roadways shall have a primary building entrance oriented toward the arterial or collector roadway.

8. Lighting Criteria for Non-Residential Uses: All nighttime lighting including wall mounted security lightning, shall not exceed 0.5 vertical surface foot-candle measured at the property line 6 feet above grade. Lighting shall not exceed 10 feet in height and shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spotlights used as general grounds lighting are permitted. Wall mounted security lighting is permitted

9. Street Vehicular Access Requirements:

a. Properties in the NBO zoning district may have vehicular access to any type of street except where specifically prohibited by this section.
b. Residential developments shall have access to the street serving the adjoining residential neighborhood where possible.
c. Non-residential development is not permitted access onto the street serving the residential neighborhood, or local street, and must have access onto the collector or arterial roadway.
d. All new non-residential development shall construct a vehicular and pedestrian interconnection to adjoining properties that have an existing commercial use. Interconnections shall be required to adjoining vacant properties, which are zoned for commercial and/or office use. The vehicular interconnection shall be constructed with material consistent with constructed or proposed vehicular use areas. Location of such interconnections shall be approved by the Traffic Engineer or designee and constructed prior to issuance of a Certificate of Occupancy. Required interconnections between properties and/or to a private or public roadway shall be placed in a cross access easement acceptable by the City Attorney. The Parking Standards Committee shall approve exemptions to and deviations from the interconnection requirements of this section.

10. Fencing, Buffering and Screening Requirements:

a. Chain link fencing is prohibited.
b. Buffering shall be in accordance with the provisions of section 10-923. Not withstanding that any existing trees and vegetation are required to remain in place and must be used to either fully or partially satisfy the buffering requirements of Section 10-923. In instances where existing trees and vegetation are not present or are not sufficient to satisfy the buffering requirements of Section 10-923, then new plantings shall be required.
c. The off-site visual impacts associated with outdoor service functions or areas such as loading areas, trash collections, outdoor storage, or mechanical equipment shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary façade of the primary building and/or evergreen landscape plant material.
d. On site parking adjoining roadways shall be screened from view from public roadways by landscape buffers with a minimum height of three feet. Approved height of screening shall take into consideration the elevation of the site in relation to the public roadway.
e. Landscaping should be used to define onsite pedestrian corridors, building design elements, public areas, and viewscapes.

General Notes:

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2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.)
4. If setbacks have been previously established by a preliminary plat or recorded plat, then setbacks that have been established shall apply except where approved by the Development Review Committee.

11. Signs:
All signs within the NBO district shall be designed in accordance with the current locally adopted sign code. Where conflict between standards of this district and other rules or regulations occur, the stricter of the two shall apply. A uniform sign design for the parcels included within the NBO district shall conform to the following minimum guidelines:

a. One wall-mounted sign per building per collector or arterial street frontage is permitted. A wall-mounted sign shall not exceed 10 % of the area of the building wall area on which it is mounted. Wall signs for multiple tenant commercial buildings shall be uniformly designed and placed. Only one wall sign for multiple tenant office land uses shall be allowed.
b. No roof signs, billboard signs, pole signs, flashing signs or signs in motion are permitted.
c. Freestanding signs shall be setback a minimum of 10 feet from the right-of-way line.
e. Free-standing signs shall be constructed with a base full width to the sign face that is constructed with materials that are consistent with the principle building.
f. One free standing sign per driveway access along the collector or arterial street frontage is permitted and shall be internally illuminated with an opaque field to control glare. The Maximum sign area permitted is 36 square feet with a maximum height of 10 feet.

12. Noise Source Restrictions: In the event that a property zoned NBO abuts a residential property, the noise source of the NBO zoned property shall not exceed an L10 noise level of 60 dBA in the daytime (7:00 A.M. to 7:00 P.M.) and an L10 noise level of 50 dBA in the night time (7:00 P.M. to 7:00 A.M.) as measured on the property line abutting the source.

13. Solid Waste Restrictions: New development and redevelopment may not place solid waste facilities within 30 feet of an adjoining residential property. However, such facilities shall be screened with a material consistent with the principle structure. The use of solid waste facilities greater than 90 gallons is prohibited within in the NBO district.

14. Additional Criteria for the Construction of New Non-Residential Buildings and Additions: The overall goals of this district is to provide a unified sense of place, a pedestrian scale, and design that reflects the general character and scale of typical residential structures in adjacent neighborhoods. No particular architectural style or materials are mandated. Variety within these design criteria is encouraged. However, buildings shall be designed to reduce the mass, scale, and monolithic appearance of large structures. Flat roofs are prohibited. Roofs shall be designed with a minimum pitch of 4 in 12 (four feet of rise per twelve feet of run). The horizontal footprint of a single roof plane may not exceed one thousand (1,000) square feet. Doors and windows shall be placed to reflect the predominant character and scale of adjacent residential structures, and to provide natural surveillance opportunities to discourage criminal activities. Exterior walls shall be designed with doors or windows spaced horizontally no more than fourteen (14) feet from each other. For purposes of this requirement, doors and windows shall be defined as having a horizontal dimension of no less than three (3) feet and no more than ten (10) feet. Development and redevelopment applications shall provide sufficient documentation including but not limited to architectural elevations (at time of site plan submittal) demonstrating that the proposed development is consistent with the following features of the adjoining neighborhood:

a. Building facades including building material, architectural style, and colors.
b. Roof forms

These criteria shall only apply to new construction and when building additions are being proposed.

General Notes:

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2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, parks, etc.)
4. If setbacks have been previously established by a preliminary plat or recorded plat, then setbacks that have been established shall apply except where approved by the Development Review Committee.

Section 4. That Section 10-1479, Type B review, of Division 4 of Article X1 of Chapter 10, "Land Development Code," of the Code of Laws of Leon County, Florida, is amended as follows:

Type B review shall be applied to the types of site and development plans listed in Subsection 1 through ~~7~~ 9, below. For the purpose of this section, non-residential site and development plans include, but are not limited to, commercial, office, institutional and industrial development.

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9. ~~*Review requirements.*~~ *Properties in Neighborhood boundary office district:*

(a) *Residential site and development plans:* Proposed residential site and development plans containing five (5) or more residential dwelling units.

(b) *Non-residential site and development plans:* Any proposed non-residential site plan.

10. *Review requirements.*

. . .

Section 5. Conflicts.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, as of the effective date of this ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, wither in whole or in part, with the said Comprehensive Plan. Any provisions that are otherwise repealed by this ordinance shall nonetheless

continue to apply to those applications on file and being reviewed by the county as of the effective date of this ordinance, pursuant to Section 3.

Section 6. Severability.

If any portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provisions and such hold shall not effect the validity of the remaining portion of the ordinance.

Section 7. Effective Date.

This ordinance shall become effective as provided by law.

Duly passed and adopted by the Board of County Commissioners of Leon County, Florida, this day of December, 2003.

LEON COUNTY, FLORIDA

_____
Tony Grippa, Chairman

ATTEST:
Bob Inzer, Clerk of the Court

By: _____

APPROVED AS TO FORM:
County Attorney's Office
Leon County, Florida

By: _____
Herbert W. A. Thiele, Esq.
County Attorney