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 DELETE AMUSEMENT PARKS AS A PERMITTED USE FROM THE URBAN FRINGE ZONING DISTRICT; 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 10-1203 Urban fringe district of Division 9 of Article X of Chapter 10, Land Development Code of the Code of Laws of Leon County, Florida, is amended as follows:

Sec. 10-913. Urban fringe zoning district.

(a) *Purpose and intent.* The urban fringe zoning district is intended to provide for low intensity development that can be accommodated without a full complement of urban services and infrastructure. The district is primarily intended to allow low-density residential development of no greater than one unit on three acres of land, agricultural, and silvicultural activities. Residential development will also be allowed a net density of one unit per acre if clustered on 25 percent or less of the site (allowing a gross density of up to four units per acre on the developable portion of the site). The remaining undeveloped portion of cluster sites shall be preserved as undisturbed open (green) space until such time as these sites are included in the urban service area. Subsequent to these sites inclusion in the urban service area, review by the Board of County Commissioners may be requested to authorize development of these undisturbed open (green) spaces. To conveniently serve area residents, smaller scale, low intensity commercial development is permitted in the urban fringe zoning district. To maximize efficiency in the development of agricultural and silvicultural resources located within the urban fringe zoning district and surrounding areas, agriculturally and silviculturally related industrial activities such as milling, are permitted. Community facilities are also permitted in this district to serve the existing population as well as to accommodate anticipated population growth in areas designated for immediate inclusion (within a period of five years) in the urban service area.

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

(1) Low density residential.

(2) Agricultural.

(3) Silvicultural.

(4) Light industry--Agriculturally and silviculturally related only.

(5) Passive recreation.

(6) Active recreation.

(7) Minor commercial.

(8) Neighborhood commercial.

(9) Community services.

(10) Light infrastructure.

(11) Heavy infrastructure.

(c) *List of permitted uses.* See schedules of permitted uses, section 10-1203(a). Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Proposed activities and uses are indicated in the schedules. The activity or use may be classified as permitted, restricted or permitted through special exception, or not allowed.

(d) *Development standards.* All proposed development shall meet the commercial site location standards (section 10-922) ; buffer zone standards (section 10-923); the parking and loading requirements (division 7) and the land use development criteria as specified in section 10-1203.

(e) *Restricted uses.* If uses are restricted according to the schedule of permitted uses, they must follow the general development guidelines for restricted uses as provided in division 5. Specific restricted uses are addressed below in division 8.

(1) Eating and drinking establishments (SIC 581): No drive-in or drive-thru facilities are permitted within this district.

(2) Laundry, cleaning and garment services (SIC 721): Does not include dry cleaning plant operations. Pick-up stations only.

(3) Funeral services and crematoriums (SIC 726): This use requires 100 percent opacity surrounding perimeter with exception of access point.

Sec. 10-1203. Urban Fringe district

(a) Allowable uses, appropriate permit level and applicable development and locational standards in the urban fringe district are as follows:

P= Permitted use R = Restricted use S = Special exception

Legend

Ag = Agricultural
MC = Minor commercial
NC = Neighborhood Commercial
LR = Low-density residential
PR = Passive recreation
AR = Active recreation
CS = Community services

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
	RESIDENTIAL								
	Dwelling, one-family	P			P				
	Dwelling, two-family	P			P				
	Dwelling, mobile home	P			P				
	Mobile home park				R				
	AGRICULTURE, FORESTRY, AND FISHING								
01	Agricultural production--Crops	P							
0181	Ornamental nursery products	P							
02	Agricultural production--Livestock	P							
074	Veterinary services	P	P	P					
0781	Landscape counseling and planning	R							
092	Fish hatcheries and preserves	P							
	MINING								
144	Sand and gravel	S							
145	Clay, ceramic, and refractory minerals	S							
	MANUFACTURING								
201	Meat products	R							
202	Dairy products	R							
204	Grain mill products	R							
21	Tobacco products	R							
24	Lumber and wood products	R							

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
	TRANSPORTATION AND PUBLIC UTILITIES								
401	Railroads		P	P				S	
43	Postal service		P	P					
483	Radio and television broadcasting							R	
	RETAIL TRADE								
521	Lumber and other building materials		P	P					
523	Paint, glass, and wallpaper stores		P	P					
525	Hardware stores		P	P					
526	Retail nurseries and garden stores		P	P					
533	Variety stores		P	P					
539	Misc. general merchandise stores		P	P					
541	Grocery stores		P	P					
542	Meat and fish markets		P	P					
543	Fruit and vegetable markets		P	P					
544	Candy, nut and confectionery stores		P	P					
545	Dairy products stores		P	P					
546	Retail bakeries		P	P					
553	Auto and home supply stores		P	P					
554	Gasoline service stations		P	P					
	Convenience store		P	P					
581	Eating and drinking places		R	P					
591	Drugstores and proprietary stores		P	P					
592	Liquor stores		P	P					
593	Used merchandise stores		P	P					
5941	Sporting goods and bicycle shops		P	P					
5943	Stationery stores		P	P					
5961	Catalog and mail-order houses		P	P					
5983	Fuel oil dealers		S						
5984	Liquefied petroleum gas dealers		S						

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
5992	Florists		P	P					
5993	Tobacco stores and stands		P	P					
5994	News dealers and newsstands		P	P					
5995	Optical goods stores		P	P					
5999	Miscellaneous retail stores, nec		R	R					
	SERVICES								
702	Rooming- and boardinghouses; dorms				R				
703	Camps and recreational vehicle parks						R		
721	Laundry, cleaning, and garment services		R	R					
7215	Coin-operated laundries and cleaning		P	P					
723	Beauty shops		P	P					
724	Barber shops		P	P					
725	Shoe repair and shoeshine parlors		P	P					
7334	Photocopying and duplicating services		P	P					
7335	Commercial photography		P	P					
7336	Commercial art and graphic design		P	P					
7353	Heavy construction equipment rental	R							
7359	Equipment rental and leasing, nec	R							
753	Automotive repair shops		R	R					
754	Automotive services, except repair		P	P					
762	Electrical repair shops		P	P					
764	Reupholstery and furniture repair		P	P					
784	Video tape rental		P	P					
791	Dance studios, schools, and halls		P	P					
7991	Physical fitness facilities		P	P					
7992	Public golf courses						S		

SIC Code	Name of Use	Development and Locational Standards							
		Ag	MC	NC	LR	PR	AR	CS	PS
~~7996~~	~~Amusement parks~~						~~S~~		
	Elementary and secondary schools							S	
822	Colleges and universities								S
823	Libraries--Less than 7500 sq. ft.		P	P					
823	Libraries--7500 sq. ft. or more							R	
824	Vocational schools								S
835	Day care services		R	P					
836	Residential care		R	P					
841	Museums and art galleries						S		
842	Botanical and zoological gardens						S		
864	Civic and social associations							P	
866	Religious organizations							P	
	PUBLIC ADMINISTRATION								
922	Public order and safety							P	
9221	Police protection							P	
9223	Correctional institutions							S	
9224	Fire protection							P	
	RECREATION								
	Hiking and nature trails					P			
	Picnicking					P			
	Canoe trails					P			
	Bicycle trails					P			
	Horseback riding trails					P			
	Tot lots						P		
	Court sports						P		
	Field sports						P		
	Boat landings						P		
	Archaeological historical sites					S			

(b) The maximum allowable gross square footage in the urban fringe district is as follows:

COMMERCIAL LAND USE TYPE	URBAN FRINGE
MINOR*	
Total location Single site or quadrant Single structure	20,000 10,000 5,000
NEIGHBORHOOD**	
Total location Single site or quadrant Single structure	100,000 100,000 50,000

* Maximum 10,000 gross square feet, if located on a local street.

** Only one neighborhood commercial site (quadrant) will be permitted at the intersection of a major collector and arterial road. The maximum allowable commercial development permitted at the neighborhood commercial area located at the intersection of two major collectors is 50,000 sq. ft. g.s.l.a.

(c) The minimum development standards in the urban fringe district are as follows:

	Low Density Residential		Commercial				
	Noncluster	Cluster	Noncluster	Cluster	Agricultural-Related Industrial	Community Services; Active Recreation; Public, Primary and Secondary Schools	Comp. Plan Policy 2.1.9. Subdivision
MINIMUM SETBACKS (FEET)							
Front yard							
Building	30	30*	30	25*	50	30	25
Parking	--	--	40	40*	50	40	--
Corner yard							
Building	30	30*	30	25*	50	30	25
Parking	--	--	40	40*	50	40	--
Side yard							
Building	20	20*	40	20*	50	40	15
Parking	--	--	40	20*	50	40	--
Rear yard							
Building	50	50*	50	30*	50	50	50
Parking	--	--	40	10*	50	50	50
Adjoining lower intensity zoning district							
Building	--	--	--	--	100	--	--
Parking	--	--	--	--	100	--	--
Maximum percent impervious surface area	30	25**	30	25**	30	--	30
Heights (feet)							
Maximum at building envelope perimeter	35	35	35	35	35	35	35
Maximum additional height/additional zoning setback	1'/1'	1'/1'	1'/1'	1'/1'	1'/1'	1'/1'	1'/1'
Total maximum height	--	35	45	45	45***	45	--
Minimum lot frontage	15	15	40	40	100	--	15
Minimum lot area	3.0	0.5	3.0	0.5	10.0	--	0.5

* This number applies to the perimeter setback only.

**Maximum percent impervious area of developable portion of site.

*** This height applies to habitable portion of an industrial structure

Section 2. 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.

Section 3. 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 4. 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 22nd day of February, 2005.

LEON COUNTY, FLORIDA

_____
Cliff Thaell, 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