

ORDINANCE NO. 09- 02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING SUBDIVISION 2., TRADITIONAL ZONING DISTRICTS, OF DIVISION 6., ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE VI, ZONING, CHAPTER 10, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, LAND DEVELOPMENT CODE, TO AMEND SECTION 10-6.612.2 ALLOWABLE USES, RURAL ZONING DISTRICT, FOR THE PURPOSE OF ESTABLISHING CEMETERIES AS AN ALLOWABLE USE; TO AMEND SECTION 10-6.613.2 ALLOWABLE USES, URBAN FRINGE ZONING DISTRICT, FOR THE PURPOSE OF ESTABLISHING CEMETERIES AS AN ALLOWABLE USE; TO AMEND SECTION 10-6.618.2 ALLOWABLE USES, LAKE TALQUIN RECREATIONAL/URBAN FRINGE ZONING DISTRICT, FOR THE PURPOSE OF ESTABLISHING CEMETERIES AS AN ALLOWABLE USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Section 10-6.612.2 allowable uses, Rural zoning district, is hereby amended as follows:

(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 chart of permitted uses.

- (1) Agricultural.
- (2) Minor commercial.
- (3) Low-density residential.
- (4) Passive recreation.
- (5) Active recreation.
- (6) Community services.
- (7) Light infrastructure.

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(8) Heavy infrastructure.

(9) Post-secondary.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable development and locational standards in the Rural zoning district are as follows:

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

Legend					
Ag	=	Agricultural	CS	=	Community services
MC	=	Minor commercial	LI	=	Light industrial
LR	=	Low-density residen	LF	=	Light infrastructure
PR	=	Passive recreation	HLF	=	Heavy infrastructure
AR	=	Active recreation			

		Development and Locational Standards							
SIC Cod	Name of Use	Ag	MC	LR	PR	AR	CS	LI	HLF
	RESIDENTIAL								
	Dwelling, one-family	P		P					
	Dwelling, two-family	P		P					
	Dwelling, mobile ho	P		P					
	AGRICULTURE, FORESTRY, AND F								
01	Agricultural producti Crops	P							
0181	Ornamental nursery	P							
02	Agricultural producti Livestock	P							
074	Veterinary services	P	P						
0781	Landscape counselin planning	R							
092	Fish hatcheries and p	P							
	MINING								
144	Sand and gravel	S							
145	Clay, ceramic, & refi minerals	S							
	MANUFACTURING								
201	Meat products	R							
202	Dairy products	R							
203	Preserved fruits and vegetables	R							
204	Grain mill products	R							

205	Bakery products	R							
206	Sugar and confection products	R							
21	Tobacco products	R							
24	Lumber and wood products	R							
	TRANSPORTATION								
	PUBLIC UTILITIES								
401	Railroads					S			S
43	Postal service		P						
4513	Air courier services								S
458	Airports, flying field services								S
483	Radio and television broadcasting					R			
	WHOLESALE TRADE								
503	Lumber and construction materials	S							
515	Farm-product raw materials	P							
	RETAIL TRADE								
525	Hardware stores		P						
526	Retail nurseries and garden stores		P						
533	Variety stores		P						
539	Misc. general merchandise stores		P						
541	Grocery stores		P						
542	Meat and fish markets		P						
543	Fruit and vegetable markets		P						
544	Candy, nut and confection stores		P						
545	Dairy products stores		P						
546	Retail bakeries		P						
553	Auto and home supply stores		P						
554	Gasoline service stations		P						
	Convenience stores		P						
581	Eating and drinking places		P						
591	Drugstores and proprietary stores		P						
592	Liquor stores		P						
593	Used merchandise stores		P						
5961	Catalog and mail-order houses		P						
5983	Fuel oil dealers		S						
5984	Liquefied petroleum gas dealers		S						
5992	Florists		P						
5994	News dealers and newsstands		P						

	FINANCE, INSURANCE AND REAL ESTATE								
602	Commercial banks		S						
603	Savings institutions		S						
606	Credit unions		S						
6553	Cemeteries		P					P	
	SERVICES								
703	Camps and recreation vehicle parks					R			
7353	Heavy construction equipment rental	R							
7359	Equipment rental and nec	R							
7992	Public golf courses		P			S			
7997	Membership sports and recreation clubs					S			
821	Elementary and secondary schools						S		
822	Colleges and universities						S		
823	Libraries--Less than 10,000 sq. ft.		P						
823	Libraries--7500 sq. ft. or more						S		
824	Vocational schools						S		
841	Museums and art galleries					S			
842	Botanical and zoological gardens					S			
866	Religious organizations						R		
	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			

SECTION 2. Section 10-6.613.2 allowable uses, Urban Fringe zoning district, is hereby amended as follows:

(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) 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.

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

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

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	P			P				
	Mobile home park				R				
	AGRICULTURE, FORESTRY, AND FISHING								
01	Agricultural products Crops	P							
0181	Ornamental nursery products	P							
02	Agricultural products Livestock	P							
074	Veterinary services	P	P	P					
0781	Landscape counseling 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							
	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 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 stores		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 dealers		S						
5992	Florists		P	P					
5993	Tobacco stores and newsstands		P	P					
5994	News dealers and newsstands		P	P					
5995	Optical goods stores		P	P					
5999	Miscellaneous retail stores, nec		R	R					
	FINANCE, INSURANCE, AND REAL ESTATE								
6553	Cemeteries		P					P	
	SERVICES								
702	Rooming- and boardinghouses; c					R			
703	Camps and recreational vehicle parks						R		
721	Laundry, cleaning 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 shoe parlors		P	P					
7334	Photocopying and duplicating service		P	P					
7335	Commercial photography		P	P					
7336	Commercial art and graphic design		P	P					
7353	Heavy construction equipment rental	R							
7359	Equipment rental, leasing, nec	R							
753	Automotive repair		R	R					
754	Automotive service except repair		P	P					
762	Electrical repair service		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		
	Elementary and secondary schools							S	
822	Colleges and universities								S
823	Libraries--Less than 50,000 sq. ft.		P	P					
823	Libraries--75,000 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	
6553	Cemeteries		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						P		

	Tot lots						P		
	Court sports						P		
	Field sports						P		
	Boat landings						P		
	Archaeological hi sites					S			

SECTION 3. Section 10-6.618.2 allowable uses, Lake Talquin recreational/urban fringe zoning district, is hereby amended as follows:

(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) Minor commercial.
- (2) Neighborhood commercial.
- (3) Highway commercial.
- (4) Minor office.
- (5) Low-density residential.
- (6) Passive recreation.
- (7) Active recreation.
- (8) Community services.
- (9) Light infrastructure.
- (10) Heavy infrastructure.
- (11) Postsecondary.

(c) *List of permitted uses.* Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable development and locational standards in the Lake Talquin recreation urban fringe district are as

follows:

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

Legend					
Ag	=	Agricultural	PR	=	Passive recreation
MC	=	Minor commercial	AR	=	Active recreation
NC	=	Neighborhood commercial	CS	=	Community services
HC	=	Highway commercial	PS	=	Postsecondary
LR	=	Low-density residential			

		Development and Locational Standards								
SIC Co	Name of Use	Ag	MC	NC	HC	LR	PR	AR	CS	PS
	RESIDENTIAL									
	Dwelling, one-family					P				
	Dwelling, two-family					P				
	Dwelling, mobile home					P				
	AGRICULTURE, FORESTRY, AND FISHING									
02	Agricultural production - Livestock	P								
074	Veterinary services		R	S						
	TRANSPORTATION AND PUBLIC UTILITIES									
43	Postal service		P	S					S	
	RETAIL TRADE									
521	Lumber and other building materials		P	P						
523	Paint, glass, and wallpaper stores		P	P	S					
525	Hardware stores		P	P	S					
526	Retail nurseries and garden stores		R	R						
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	R	S					
	Convenience store		P	S	S					
56	Apparel and accessory stores		P	P						

571	Furniture and homefurn stores		P	P						
572	Household appliance stores		P	P						
573	Radio, television, and computer stores		P	P						
5736	Musical instrument stores		P	P						
581	Eating and drinking places		P	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						
5942	Bookstores		P	P						
5943	Stationery stores		P	P						
5944	Jewelry stores		P	P						
5945	Hobby, toy, and game stores		P	P						
5946	Camera and photographic supply stores		P	P						
5947	Gift, novelty, and souvenir shops		P	P						
5948	Luggage and leather goods stores		P	P						
5949	Sewing, needlework, and goods		P	P						
5961	Catalog and mail-order stores		P	P						
5983	Fuel oil dealers						S			
5984	Liquefied petroleum gas stations						S			
5992	Florists		P	P						
5993	Tobacco stores and stands		P	P						
5994	News dealers and newsstands		P	P						
5995	Optical goods stores		P	P						
	FINANCE, INSURANCE AND REAL ESTATE									
6553	Cemeteries		P						P	
	FINANCE, INSURANCE AND REAL ESTATE SERVICES									
703	Camps and recreational parks							R		
722	Photographic studios, portrait		P	P						
723	Beauty shops		P	P						
724	Barber shops		P	P						
725	Shoe repair and shoeshine parlors		P	P						
7334	Photocopying and duplication services		P	P						
7335	Commercial photography		P	P						

7336	Commercial art and graphic design		P	P					
753	Automotive repair shops		R	R					
754	Automotive services, except repair		R	R					
762	Electrical repair shops		P	P					
763	Watch, clock, and jewelry repair		P	P					
764	Reupholstery and furniture repair		P	P					
784	Video tape rental		P	P	P				
791	Dance studios, schools, halls		P	P					
793	Bowling centers		P	P					
7997	Membership sports and recreation clubs		P	P					
821	Elementary and secondary schools							S	
822	Colleges and universities								S
823	Libraries--Less than 7500 sq. ft. of floor area		P	P					
823	Libraries--7500 sq. ft. or more							S	
824	Vocational schools							S	
841	Museums and art galleries							S	
842	Botanical and zoological gardens							S	
864	Civic and social associations		P	P				S	
6553	Cemeteries		P						
	PUBLIC ADMINISTRATION								
922	Public order and safety							S	
9221	Police protection							S	
9223	Correctional institutions							S	
9224	Fire protection							S	
	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	

SECTION 4. 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, either in whole or in part, with the Comprehensive Plan.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this article 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 portions of this Ordinance.

SECTION 6. Effective date. This ordinance shall be effective according to law.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this 15th day of January, 2009.



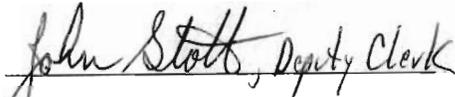
LEON COUNTY, FLORIDA

BY: _____


BRYAN DESLOGE, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

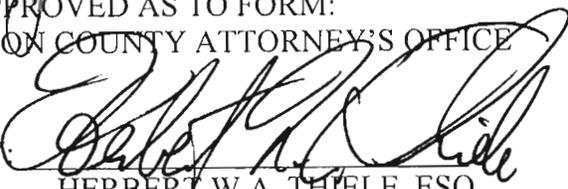
ATTEST:
BOB INZER, CLERK OF THE COURT
LEON COUNTY, FLORIDA

BY: _____


John Stott, Deputy Clerk

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____


HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY