

1 **Section 3:** Section 10-7.202 of the Code of Laws of Leon County, Florida, is hereby amended as
2 follows:

3 **Sec. 10-7.202. Residential development pursuant to Comprehensive Plan Land Use Element**
4 **Policy 2.1.9.**

- 5 1. *Eligibility to subdivide land to create parcels of transferable property.* [Same]
6 2. *Eligibility to subdivide land to create parcels for use as a homestead by a family member.*

7 To qualify for subdivision of land pursuant to Comprehensive Plan Land Use Element Policy 2.1.9.,
8 for purposes of creating parcels of property for use solely as a homestead by an individual who is the
9 grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild
10 of the person who conveys the parcel, notwithstanding the density or intensity of limits established
11 for this land by the Future Land Use Map of the Comprehensive Plan or the Official Zoning Map,
12 the following conditions must be met:

13 (a) The land to be subdivided must be located ~~in one or more of the following zoning~~
14 ~~districts: the Rural; the Urban Fringe; the Lake Talquin Recreation/Urban Fringe; or the~~
15 ~~Residential preservation overlay of one of the three districts listed above, and only if outside~~
16 ~~of the urban services area.~~

17 (b) The parcel to be subdivided ~~has existed in its present~~ is in the same configuration as it
18 was on ~~since~~ February 1, 1990; or, the parcel was created, subsequent to February 1, 1990,
19 through subdivision pursuant to the family heir provision of Policy 2.1.9 of the Land Use
20 Element of the Comprehensive Plan and conveyed to an originally intended heir, as defined
21 herein, and the applicant is an originally intended heir or an heir through successive
22 generations of ~~that property owner~~ the originally intended heir. Any subdivision ~~or~~
23 ~~conveyance~~ of the parcel after February 1, 1990, shall thereafter void the eligibility to

1 subdivide the parcel under this section for use as a homestead by a family member, unless
2 such that subdivision or ~~conveyance~~ was undertaken pursuant to the family heir provision of
3 Policy 2.1.9 of the Land Use Element of the Comprehensive Plan.

4 3. *Criteria for approval.* [Same]

5 4. *Additional criteria for approval for subdivision to create parcels for use as a homestead*
6 *by a family member* (subsection, 10-7.202.2). [Same]

7 5. *Substantive requirements for the subdivision of land pursuant to this section.* [Same]

8 6. *Timely completion of a deficient application.* [Same]

9 7. *Approval subject to condition.* [Same]

10 8. *Timely revision of an application approved subject to condition.* [Same]

11 9. *Limitations on the Use of Parcels Created Pursuant to 10-7.202.2; creating parcels of property*
12 *for use solely as a homestead by a family member:*

13 [Same]

14 10. *Procedural standards.*

15 [Same]

16 **Section 5. Conflicts.**

17 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby
18 repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-
19 Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any part of
20 this ordinance which is inconsistent, either in whole or in part, with the said Comprehensive Plan.

21
22 **Section 6. Severability.**

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24 If any word, phrase, clause, section or portion of this ordinance shall be held invalid or
25 unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a
26 separate and independent provision and such holding shall not affect the validity of the remaining
27 portions thereof.

1 **Section 7. Effective date.**

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3 This ordinance shall have effect upon becoming law.
4

5 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County,
6 Florida, this _____ day of _____, 2009.

7

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LEON COUNTY, FLORIDA

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12 BY: _____
13 Bryan Desloge, Chairman
14 Board of County Commissioners
15

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18

19 ATTEST:
20 BOB INZER, CLERK OF THE COURT

21

22

23 By: _____
24 Clerk

25

26

27 APPROVED AS TO FORM:
28 COUNTY ATTORNEY'S OFFICE
29 LEON COUNTY, FLORIDA

30

31

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