ORDINANCE NO. 15- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-1.101, DEFINITIONS; AMENDING SECTION 10-6.612, RURAL ZONING DISTRICT; AMENDING SECTION 10-6.619, COMMERCIAL SITE LOCATION STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the intent of the Rural Zoning District is to maintain and promote agriculture, silviculture and natural resource based activities, to preserve natural systems and ecosystem functions and to protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas; and

WHEREAS, the Ordinance will protect and enhance the Rural area as an amenity; and,

WHEREAS, the Ordinance allows for the development of residential and non-residential uses compatible with agricultural, silvicultural and other natural resource based activities; and,

WHEREAS, the implementing regulations for the Rural Zoning District are located in Chapter 10 of the Leon County Code of Laws; and,

WHEREAS, amendments to the applicable provisions of Chapter 10 will be required to maintain consistency with the Comprehensive Plan; and,

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

SECTION 1. Section 10-1.101 of Article I of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Definitions" is hereby amended to include the following new definitions:

Sec. 10-1.101. Definitions.

*** * ***

Agritourism shall mean any agricultural related activity consistent with a bona-fide farm or ranch or in a working forest which allows members of the general public to view or enjoy activities related to farming, ranching, historical, cultural or harvest-your-own attractions for recreational, entertainment or educational purposes.

Ecotourism shall mean tourism that focuses on the appreciation of natural areas, wildlife or cultural and historical resources and strives to minimize ecological impact or damage. This nature-based tourism involves education and interpretation of the natural environment and is managed to be ecologically sustainable. Activities may include cycling, camping, fishing, hunting, paddling, hiking, birding, visiting scenic by-ways, agritourism, and wildlife viewing.

Natural resource-based activities shall mean activities directly dependent upon naturally occurring resources, such as minerals, forests, water, and fertile land. These activities include, but are not limited to, farming, forestry, grazing, mining, hunting and fishing.

* * *

SECTION 2. Section 10-6.612 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Rural zoning district," is hereby amended to read as follows:

Sec. 10-6.612. Rural zoning district.

~~(a) *Purpose and intent.* This section applies to the rural zoning district which includes undeveloped and nonintensively developed acreage remotely located away from urbanized areas containing majority of county's present agricultural, forestry and grazing activities. Land use intensities associated with urban activity are not anticipated during the time frame of the Comprehensive Plan, due to lack of urban infrastructure and services. Very low residential density (one unit per ten acres) and small scale commercial activities designed to service basic household needs of area residents are allowed as are passive recreational land uses. Industrial and ancillary commercial land uses associated directly with the timbering and/or agribusiness are permitted. This district is intended to maintain and promote present and future agricultural and silvicultural uses and to prohibit residential sprawl into remote areas lacking basic urban infrastructure and services.~~

~~(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.~~
~~(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 residency~~	~~LF~~	~~=~~	~~Light infrastructure~~
~~PR~~	~~=~~	~~Passive recreation~~	~~HLF~~	~~=~~	~~Heavy infrastructure~~
~~AR~~	~~=~~	~~Active recreation~~			

-

1

		~~Development and Locational Standards~~							
~~SIC Code~~	~~Name of Use~~	~~Ag~~	~~MC~~	~~LR~~	~~PR~~	~~AR~~	~~CS~~	~~LI~~	~~HLF~~
	~~RESIDENTIAL~~								
	~~Dwelling, one-family~~	~~P~~		~~P~~					
	~~Dwelling, two-family~~	~~P~~		~~P~~					
	~~Dwelling, mobile home~~	~~P~~		~~P~~					
	~~AGRICULTURE, FORESTRY, AND FISHING~~								
~~01~~	~~Agricultural production—Crops~~	~~P~~							
~~0181~~	~~Ornamental nursery products~~	~~P~~							
~~02~~	~~Agricultural production—Livestock~~	~~P~~							
~~074~~	~~Veterinary services~~	~~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~~							
~~203~~	~~Preserved fruits and vegetables~~	~~R~~							
~~204~~	~~Grain mill products~~	~~R~~							
~~205~~	~~Bakery products~~	~~R~~							
~~206~~	~~Sugar and confectionery products~~	~~R~~							
~~21~~	~~Tobacco products~~	~~R~~							
~~24~~	~~Lumber and wood products~~	~~R~~							
	~~TRANSPORTATION AND PUBLIC UTILITIES~~								
~~401~~	~~Railroads~~						~~S~~		~~S~~
~~43~~	~~Postal service~~		~~P~~						
~~4513~~	~~Air courier services~~								~~S~~

~~458~~	~~Airports, flying fields and 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~~		~~R~~						
~~526~~	~~Retail nurseries and garden stores~~		~~R~~						
~~533~~	~~Variety stores~~		~~R~~						
~~539~~	~~Misc. general merchandise stores~~		~~R~~						
~~541~~	~~Grocery stores~~		~~R~~						
~~542~~	~~Meat and fish markets~~		~~R~~						
~~543~~	~~Fruit and vegetable markets~~		~~R~~						
~~544~~	~~Candy, nut and confectionery stores~~		~~R~~						
~~545~~	~~Dairy products stores~~		~~R~~						
~~546~~	~~Retail bakeries~~		~~R~~						
~~553~~	~~Auto and home supply stores~~		~~R~~						
~~554~~	~~Gasoline service stations~~		~~S~~						
	~~Convenience store~~		~~R~~						
~~581~~	~~Eating and drinking places~~		~~R~~						
~~591~~	~~Drugstores and proprietary stores~~		~~R~~						
~~592~~	~~Liquor stores~~		~~R~~						
~~593~~	~~Used merchandise stores~~		~~R~~						
~~5961~~	~~Catalog and mail-order houses~~		~~R~~						
~~5983~~	~~Fuel oil dealers~~		~~S~~						
~~5984~~	~~Liquefied petroleum gas dealers~~		~~S~~						
~~5992~~	~~Florists~~		~~R~~						
~~5994~~	~~News dealers and newsstands~~		~~R~~						
	~~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 recreational vehicle parks~~					~~R~~			
~~7353~~	~~Heavy construction equipment rental~~	~~R~~							
~~7359~~	~~Equipment rental and leasing, 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 7500 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~~				

~~(d) *The maximum allowable gross square footage in the rural district is as follows:*~~

~~COMMERCIAL LAND USE TYPE~~	~~RURAL~~
~~MINOR~~	
~~Total location~~ ~~Single site or quadrant~~ ~~Single structure~~	~~20,000~~ ~~10,000~~ ~~5,000~~

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

~~(e) *Minimum development standards in the rural district are as follows:*~~

	~~Low Density Residential~~	~~Commercial~~	~~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~~	~~50~~	~~30~~	~~25~~
~~Parking~~	~~—~~	~~40~~	~~50~~	~~40~~	~~—~~
~~Corner yard~~					
~~Building~~	~~30~~	~~20~~	~~50~~	~~30~~	~~25~~
~~Parking~~	~~—~~	~~25~~	~~50~~	~~40~~	~~—~~
~~Side yard~~					
~~Building~~	~~20~~	~~25~~	~~50~~	~~40~~	~~15~~
~~Parking~~	~~—~~	~~25~~	~~50~~	~~40~~	~~—~~
~~Rear yard~~					
~~Building~~	~~50~~	~~50~~	~~50~~	~~50~~	~~50~~
~~Parking~~	~~—~~	~~40~~	~~50~~	~~50~~	~~50~~
~~Adjoining lower intensity use~~					
~~Building~~	~~—~~	~~15~~	~~100~~	~~—~~	~~—~~
~~Parking~~	~~—~~	~~15~~	~~100~~	~~—~~	~~—~~
~~Maximum percent impervious surface area~~	~~30~~	~~30~~	~~30~~	~~30~~	~~30~~
~~Maximum height at building envelope perimeter~~	~~35~~	~~35~~	~~35~~	~~35~~	~~35~~
~~Maximum height~~	~~1'/1'~~	~~1'/1'~~	~~1'/1'~~	~~1'/1'~~	~~1'/1'~~

~~per additional setback~~					
~~Total maximum height~~	~~—~~	~~45~~	~~45*~~	~~45~~	~~—~~
~~Minimum lot area (acres)~~	~~10.0~~	~~0.5~~	~~10.0~~	~~1.0~~	~~0.5~~
~~Minimum lot frontage~~	~~15~~	~~40~~	~~100~~	~~—~~	~~15~~

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

~~(f) *Development standards.* All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (Subdivision 3 of Division 5 of Article VII).~~

~~(1) *Mining activities.*~~

~~a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes SIC items 144 and 145.~~

~~b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:~~

~~1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.~~

~~2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.~~

~~3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a~~

~~condition that will allow an effective reuse comparable to surrounding properties.~~

~~4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the county administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.~~

~~(g) *Restricted uses and special exception uses.* If uses are restricted or are special exception uses according to the schedule of permitted uses, they will not be allowed unless they follow the general development guidelines for restricted uses as provided in this division or for special exceptions as provided in this subsection. Specific restricted uses are addressed in this division.~~

~~(1) *Lumber and wood products.*~~

~~a. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:~~

~~1. All buildings and outside activities associated with the use shall be set back a minimum of 200 feet from the nearest off-site residence or subdivision intended primarily for residential land uses.~~

~~(2) *Camps and recreational vehicle parks (SIC 703).*~~

~~a. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:~~

~~1. Sanitary facilities shall be provided.~~
~~2. Not more than ten campsites per acre shall be provided.~~
~~3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.~~

~~(3) *Heavy construction equipment rental and equipment rental and leasing (SIC 7353 and 7359).*~~

~~a. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:~~

~~1. Such equipment rental and leasing must be associated with timbering and/or agribusiness.~~

~~2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.~~

~~(4) *Retail Trade*~~

~~a. A plan and supporting narrative must be submitted pursuant to the Type B site and development plan process that demonstrates compliance as applicable with the following:~~

~~1. Free-standing onsite signs shall be limited to monument-style signs and the sign base shall be consistent with the materials and design context of the primary onsite building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited.~~

~~2. Building design including any proposed accessory buildings and structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments. Flat roof treatments are prohibited.~~

~~3. Onsite lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination.~~

~~4. Perimeter buffering and/or fencing requirements shall be based on the density of the adjacent residential uses. If the adjacent density is one residential unit per two acres or less, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.~~

~~5. The trash collection dumpster shall be assessable to waste collection vehicles, and shall be located in the side or rear setback area of the onsite principle building. The dumpster shall be screened with a material and design treatment consistent with the building façade of the principle building.~~

~~6. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary onsite building.~~

~~7. The site design shall integrate internal and where appropriate external pedestrian circulation and interconnection including the accommodation of bike circulation were applicable.~~

~~8. The hours of operation shall be limited to 6:00 am to 10:00 pm.~~

~~9. The site shall be designed were applicable to provide a cross-access easement to adjoining property in the commercial node. The cross access easement shall be improved to the property boundary.~~

~~10. Other site design treatments and considerations as may be applicable to the proposed use and shall be identified during the proposed project's application review meeting.~~

~~11. The applicant shall submit documentation demonstrating compliance with the trade area and customer expectation provisions outlined in Section 10-6.619(b)c.~~

1 Sec. 10-6.612 Rural

1. District Intent	2. Allowable District Location
The intent of the Rural zoning district is to maintain and promote agriculture, silviculture, and natural resource-based activities, preserve natural systems and ecosystem functions, and protect the scenic vistas and pastoral development patterns that typify Leon County's rural areas. Allowable land uses within this district include agriculture, silviculture, ecotourism based activities, very low density residential, and community and passive recreational facilities. Non-residential uses, with the exception of community and passive recreational facilities, that are not functionally related to and supportive of agriculture, silviculture and other natural resource-based activities shall be prohibited within the Rural zoning district. This district is not intended to accommodate commercial activities designed to service basic household needs of area residents. Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein. Due to the need to protect and preserve existing Rural lands from fragmentation and to promote infill and redevelopment within the Urban Services Area and Rural Communities, urban services are not planned or programmed for this area. Design standards and development standards for non-residential development and restricted uses, as noted herein, shall be required to prevent encroachment and fragmentation of agricultural uses as well as to ensure compatibility with adjacent uses.	The district may only be located within areas designated Rural on the Future Land Use Map.

PERMITTED, PROHIBITED, AND RESTRICTED USES

3. Principal Uses	4. Prohibited Uses	5. Restricted Uses	6. Rural Accessory Uses Functionally Related to Bona-Fide Agriculture, Silviculture or Natural Resource-Based Activities
(1) Agricultural (2) Silviculture (3) Wholesale Trade: Farm-product raw materials (4) Wholesale Nursery Products (5) Rural commercial (6) Community services (7) Low-density residential (single, two-family, or manufactured home) (8) Passive recreation (9) Light infrastructure (10) Cemeteries	(1) Manufacturing (2) Extraction and bottling of mineral or springwater – wholesale (3) High Pressure well stimulation/Acid Fracturing and/or Hydraulic Fracturing (4) Gas stations, fuel oil and liquefied petroleum products (5) Convenience stores (6) Grocery stores (7) General merchandise sales (8) Drug stores (9) Automotive repair (10) Motor vehicle racing tracks/amusement parks (11) Heavy Infrastructure (with the exception of those listed under restricted uses) (12) Active recreation (with the exception of those listed under restricted uses) (13) Other uses which are not functionally supportive of and accessory to established agricultural, silvicultural or natural resource-based activities within the Rural zoning district.	(1) Mining (2) Landscape counseling and planning (3) Airports, flying fields and services (4) Camps and recreational vehicle parks (5) Botanical and zoological gardens (6) Archaeological historical sites (7) Commercial kennels (8) Veterinary clinics (9) Riding academies/livery or boarding stables	Pursuant to Section 823.14, F.S., a bona-fide farm operation shall be exempt from local regulation, ordinance, rule or policy that prohibits, restricts, regulates or otherwise limits activities of a bona-fide farm operation on land classified as agricultural land pursuant to s. 193.461 FS. Pursuant to Section 823.14(3)(b), F.S., "farm operation" shall mean all conditions or activities which occur on a farm in connection with that farm's products.

2

7. Development Standards										
Use Category	a. Lot area (acres)	b. Minimum lot frontage	c. Front yard setback	d. Corner yard setback	e. Side yard setback	f. Rear Yard Setback	g. Maximum percent impervious surface area	h. Maximum height at building envelope perimeter	i. Maximum height per additional setback	j. Total maximum height
Low Density Residential	10 acres minimum	15 feet	30 feet	30 feet	20 feet	50 feet	30	35 feet	1'/1'	Not applicable
Rural Commercial	3.0 acres	40 feet	50 feet building,	50 feet building,	50 feet building,	50 feet building,	30	35 feet	1'/1'	45 feet

	minimum; 5.0 acres maximum*		50 feet parking	50 feet parking	50 feet parking	50 feet parking				
Community Services	3.0 acres minimum; 5.0 acres maximum	40 feet	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	50 feet building, 50 feet parking	30	35 feet	1'/1'	45 feet
Restricted Uses; Passive Recreation Facilities	3.0 acres minimum	Not applicable	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	50 feet building, 50 feet parking; unless otherwise specified in subsection 10	30	35 feet	1'/1'	45 feet
Comp. Plan Policy 2.1.9 Subdivision	0.5 acres minimum	15 feet	25 feet	25 feet	15 feet	50 feet	30	35 feet	1'/1'	Not applicable

GENERAL NOTES:

1. If central sanitary sewer is not available, residential development shall provide no less than 0.50 acre of buildable area. Nonresidential development and community service facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 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, schools, parks, etc.).

Footnotes:

* If subdivision is proposed to create the rural commercial parcel, then the remaining portion of the property shall meet the minimum lot size standards noted herein.

8. Development Standards for Community Service uses:

Community Service uses shall also be subject to the buffer zone standards (section 10-7.522), the parking and loading requirements (Subdivision 3 of Division 5 of Article VII) and applicable design standards outlined in subsection 11 of this section.

(1) Single structure: 5,000 gross square feet maximum

(2) Site area: 3 acres minimum; Maximum of 5 acres

9. Rural Commercial Intersection Location Standards:

The intersection location standard is intended to group rural commercial activities toward intersections to provide access and to prevent fragmentation of agricultural uses.

(1) *Major Function:*
Provide sales and services functionally related to and supportive of agriculture, silviculture and natural resource-based activities.

(2) *Location:*
On or near the intersection (access within 330 feet of the centerline of the intersection) of an arterial/arterial or arterial/major collector roadway

(3) *Site area:*
3.0 acres minimum with a maximum of 5.0 acres per quadrant

(4) *Allowable building square footage:*
Maximum of 10,000 gross square feet per intersection (only 2 quadrants per intersection may be developed for rural commercial). Single structure limited to a maximum of 5,000 gross square feet

10. Development standards for restricted uses.

All proposed restricted uses shall meet the applicable provisions of Section 10-6.611 (Special Exception uses and Restricted uses); the applicable design standards noted in subsection 11 of this section; the buffer zone standards (section 10-7.522); and, the parking and loading requirements (Subdivision 3 of Division 5 of Article VII). All restricted uses shall be limited to a maximum building area of 2,000 gross square feet per acre with no more than 5,000 gross square feet of retail commercial or office space. The following restricted uses require satisfaction of additional criteria:

(1) Mining activities.

a. All mining activities as defined on the schedule of permitted uses must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. This includes NAICS items 212321 and 212324.

b. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. The mining activity, all accessory uses and structures, internal roadways, and driveways onto the adjacent streets shall be set back a minimum of 100 feet from the perimeter property boundaries or 200 feet from the nearest off-site residence, residential zoning district, or subdivision intended primarily for residential land use, whichever distance is greater. This setback standard may be reduced if less of a setback is approved in writing by the adjacent property owner or owners prior to site plan approval or if the adjacent property is also used as a mining activity.
2. A plan of vehicular access to and from the site demonstrating that heavy trucks and equipment will not travel on that portion of a local or minor collector street with frontage containing residential land use, zoned for residential land use, or containing subdivision lots intended primarily for residential land use. For purposes of this requirement, local and minor collector streets shall be those identified in the local government Comprehensive Plan and the Tallahassee-Leon County Long Range Transportation Plan.
3. A land reclamation plan shall be submitted demonstrating that upon termination of the activity the land shall be returned to a condition that will allow an effective reuse comparable to surrounding properties.
4. Fencing requirement: All areas proposed for use in open-pit mining operations and/or construction and demolition debris disposal must be secured by a fence, unless the area is determined by the county administrator or designee to be a reclaimed open-pit mine. The fence must be at least four feet in height with openings that will reject the passage of a seven-inch diameter sphere. The fence must be equipped with a gate which shall remain locked when workers or employees of the land owner or mining company are not present at the site. At every gate or access point, at least one sign must be posted which states, in at least four-inch tall letters, "Danger," "Keep Out," "No Trespassing," or similar language indicate that there may be hazardous conditions on the premises.

(2) Camps and recreational vehicle parks (NAICS 721211 and 721214).

a. All camps and recreational vehicle parks must meet the specific development standards, as follows upon review and approval by the Board of County Commissioners following a duly noticed public hearing. A plan must be submitted demonstrating protection of adjacent properties and public interest which shall include, but not be limited to the following:

1. Sanitary facilities shall be provided.
2. Not more than five campsites per gross acre shall be provided.
3. Individual campsites, roadways, and accessory structures shall be located to meet the minimum building setback standards from the exterior property lines of the campground.

(3) Airports, flying fields and services

a. All airports, flying fields and services must meet the specific development standards as noted in this section and as required by state or federal law, and shall require review and approval by the Board of County Commissioners following a duly noticed public hearing.

11. Site Design Criteria.

Rural commercial uses, as well as restricted uses, may be allowed in this district but shall be limited to the locational and design standards as noted herein.

(1) A plan and supporting narrative must be submitted pursuant to the applicable site and development plan process outlined in Article VII that demonstrates compliance, as applicable, with the following:

a. Freestanding onsite signs shall be limited to monument-style signs and the sign base shall be consistent with the materials and design context of the primary onsite building. Signs shall be illuminated with externally mounted lighting focused on the sign in a manner that limits off-site illumination. Internally illuminated signs and pole signs are prohibited. For sites not located at intersections, onsite ground signs shall be limited to no more than 32 square feet in area and limited to no more than 10 feet in height.

b. Building design standards including any proposed accessory buildings and structures shall reflect or compliment the local vernacular architectural style. Building facade treatments and materials shall provide architectural interest through, but not limited to: the utilization of fenestration that allows for natural surveillance and gabled or parapet roof treatments.

c. On-site lighting including 24-hour security lighting shall be wall mounted with illumination focused on the building in a manner that limits off-site illumination, consistent with the “Dark Sky Friendly” guidelines.

d. All exterior lighting shall have recessed bulbs and filters which conceal the source of illumination. No wall or roof mounted flood or spot lights used as general grounds lighting are permitted. Security lighting is permitted.

e. Lighting at the property line (six feet above ground) adjacent to residential uses shall not exceed 0.1 footcandles.

f. Lighting for parking areas shall not exceed 15 feet in height as measured from average grade to the light fixture.

g. Perimeter buffering and/or fencing requirements shall be based on the density of the adjacent residential uses. If the adjacent residential density is 0.5 dwelling units per acre or greater, a Type C buffer shall be required. A wooden buffer fence may be utilized on sites where the required vegetative buffer cannot be established based on site limitations or constraints.

h. The trash collection dumpster shall be accessible to waste collection vehicles, and shall be located in the side or rear setback area of the onsite principle building. The dumpster shall be screened with a material and design treatment consistent with the building façade of the principle building.
i. All appurtenant mechanical and electrical equipment, outside collection/drop-off/storage areas, and other accessory or ancillary structures shall be screened from public view. The screening material shall be consistent with the materials and design context of the primary onsite building.
j. The site design shall integrate internal and where appropriate external pedestrian circulation and interconnection including the accommodation of bike circulation were applicable.
k. The hours of operation shall be limited to 6:00 am to 10:00 pm.
l. To ensure compatibility, other site design treatments and considerations may be applicable to the proposed use and shall be identified during the proposed project's application review meeting.

SECTION 3. Section 10-6.619 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Commercial site location standards," is hereby amended to read as follows:

Sec. 10-6.612. Commercial Site Location Standards.

(a) The provisions of this section apply to the following zoning districts: ~~Rural,~~ Urban Fringe, Activity Center, Rural Community, ~~Lake Protection~~, Residential Preservation, Lake Talquin/Urban Fringe, and Industrial. Commercial sites are determined through the use of site location standards. The intensity of the commercial use is dependent upon the land use category of the potential site and the classification of the immediate adjacent roads. Individual road classifications are depicted on map 14 of the Comprehensive Plan. The site location standard is intended to group commercial land use toward intersections to provide access and prevent strip commercialization.

(b) *Commercial classifications.*

(1) *Minor commercial.*

a. *Major function:* Provide for sale of convenience goods and services to immediate residential area.

b. *Location:*

1. On or near the intersection (within 330 feet of the centerline of the intersection) of, local and arterial, collector and arterial, and collector and collector. ~~Minor commercial uses are not allowed on or near the intersection of local and collector or local and arterial roadways in the Rural zoning district.~~

2. May be located within planned unit development provided it is located and designed to meet commercial needs of the majority of the residents of the development.

3. If on a local street, only one quadrant of the intersection shall be used for commercial purposes.

c. *Trade area:* Generally within one mile and not considered as an attractor.

d. *Design standards:*

1. Compatible with adjacent uses.
2. Adequate buffering, screening, landscaping and architectural treatment if integrated into neighborhood.
3. Sufficient parking; properly designed and safe internal traffic circulation.

(2) *Neighborhood commercial.*

a. *Major function:* Provide for the sale of convenience goods and personal services such as food, drugs, sundries and hardware items to one or more neighborhoods.

b. *Leading tenants:* Supermarket, drugstore and postal substation.

c. *Location:* At the intersection of major collector and arterial or arterial and arterial. Only one neighborhood commercial development will be allowed within one-quarter mile of the centerline of the intersection of a major collector and arterial road.

(3) *Community commercial.*

a. *Major function:* Same functions of neighborhood commercial but on a large scale, provide for sale of retail goods such as clothing, variety items, appliances and furniture, hardware and home improvement items.

b. *Leading tenants:* Supermarket, drug store, minor department store, home improvement center, variety or discount center.

c. *Location:* Within one-quarter mile of the centerline of the intersection of arterials. Prohibited on designated canopy roads.

d. *Radius of trade area:* Five miles or 15 to 20 minutes driving time. Service distinct geographical quadrants of three or more combinations of neighborhoods within community.

(4) *Regional commercial.*

a. *Major function:* Same functions of community center, provide full range and variety of shopping goods for comparative shopping such as general merchandise apparel, furniture and home furnishings.

b. *Leading tenants:* One or more full time department stores.

c. *Location:* Integrated into local transportation system and accessible by combination of arterials, major collectors, expressways and interstate highways. Potential on-site and off-site transportation improvements needed to provide adequate ingress and egress. Prohibited on designated canopy roads.

d. *Radius of trade area:* Regional.

e. *Site area:* Minimum 35 acres.

f. *Range of gross floor area:* Over 200,000 up to 1,000,000 square feet.

(5) *Highway commercial.*

a. *Major function:* Provide for consumer oriented retail services designed for drive-in convenience.

b. *Leading tenants:* Fast food franchise, liquor store, automotive service (i.e. oil change), and convenience stores.

c. *Location:* Access via a combination of arterials or major collectors or integrated into transportation network by comprehensive ingress and egress system. Parking within rear is encouraged.

d. *Radius of trade area:* May serve immediate area but relies heavily on passerby traffic.

e. *Range of gross floor area:* Up to 10,000 square feet.

f. *Design standards:*
   1. Adequate setback.
   2. Aesthetic landscaping.
   3. Rear parking

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 ____ day of _____, 2015.

LEON COUNTY, FLORIDA

BY: _____
MARY ANN LINDLEY, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

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

BY: _____

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY