

ORDINANCE NO. 2016-05

AN ORDINANCE OF SUWANNEE COUNTY, FLORIDA, AMENDING THE SUWANNEE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION, LDR 15-02, BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR AN AMENDMENT TO THE TEXT OF THE SUWANNEE COUNTY LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION; PROVIDING FOR ADDING SECTION 4.21 ENTITLED COMMERCIAL RURAL ACTIVITY CENTER; PROVIDING SEVERABILITY; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, as amended, empowers the Board of County Commissioners of Suwannee County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce land development regulations;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Comprehensive Plan;

WHEREAS, an application for an amendment, as described below, has been filed with the County;

WHEREAS, the Planning and Zoning Board of Suwannee County, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the Local Planning Agency of Suwannee County, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, as amended, and the Land Development Regulations, the Planning and Zoning Board, serving also as the Local Planning Agency, held the required a public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, and recommended to the Board of County Commissioners approval of said application for amendment, as described below;

WHEREAS, pursuant to Section 125.01, Florida Statutes, as amended, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency, concerning said application for an amendment;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, is consistent with the purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

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WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUWANNEE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 15-02, by the Board of County Commissioners, to amend the text of the Land Development Regulations, by adding Section 4.21 entitled Commercial Rural Activity Center, the text is hereby added as follows:

SEE ATTACHMENT "A"

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or portions of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, as amended, a certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This ordinance shall become effective upon filing of the ordinance with the Department of State.

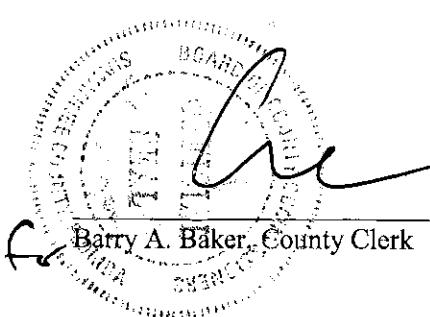
Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on this 15th day of September 2015.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners this 6th day of October 2015.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF SUWANNEE COUNTY, FLORIDA



Barry A. Baker, County Clerk



Jason Bashaw, Chairman

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Attachment A

SECTION 4.21 "RAC" COMMERCIAL, RURAL ACTIVITY CENTER

4.21.1 DISTRICTS AND INTENT

The **"RAC" COMMERCIAL, RURAL ACTIVITY CENTER** category includes one (1) zone district: RAC. This district is intended to encourage and allow for nodes of commercial uses, and agricultural-related commercial uses to meet the daily needs of residents in the Rural Area to reduce trips to the Urban Areas of the county for daily needs and services. This district shall be located within designated rural areas as defined by the County's Comprehensive Plan.

4.21.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Retail commercial outlets for sale of food, wearing apparel, fabric, toys, sundries and notions, books and stationery, leather goods and luggage, paint, glass, wallpaper, jewelry (including repair) art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal kennel), musical instruments, optical goods, television and radio (including repair incidental to sales), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs, plants and garden supplies (including outside storage of plants and materials), automotive vehicle parts and accessories (but not junk yards or automotive wrecking yards), and similar uses.
2. Retail commercial outlets for sale of home furnishings (furniture, floor coverings, draperies, upholstery) and appliances (including repair incidental to sales), office equipment or furniture, hardware, second-hand merchandise in completely enclosed buildings, and similar uses.
3. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, interior decorator, photographic studio, art or dance or music studio, reducing salon or gymnasium, animal grooming, self-service laundry or dry cleaner, tailor or dressmaker, laundry or dry cleaning pickup station, and similar uses.
4. Service establishments such as radio or television station (but not television or radio towers or antennae); funeral home, radio and television repair shop, appliance repair shop, letter shops and printing establishments, pest control, and similar uses.
5. Medical or dental offices, clinics, and laboratories.
6. Business and professional offices.
7. Newspaper offices.
8. Recovery homes.
9. Residential treatment facilities.
10. Churches and other houses of worship.
11. Residential dwelling units, which existed within this district on the date of adoption or amendment of those land development regulations.

Unless otherwise specified, the above uses are subject to the following limitations:

1. Sale, display, preparation, and storage to be conducted within a completely enclosed building, and no more than thirty percent (30%) of floor space to be devoted to storage;

2. Products to be sold only at retail; and
3. Site and development plan approval (see Article 14) is required for the following uses:
 - a. All commercial developments.

4.21.3 PERMITTED ACCESSORY USES AND STRUCTURES

1. Uses and structures which:
 - a. Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
 - b. Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
 - c. Do not involve operations or structures not in keeping with the character of the district.
2. On-site signs (see Section 4.19).
3. On the same premises and in connection with permitted principal uses and structure dwelling units only for the occupancy by owners of employees thereof.

4.21.4 PROHIBITED USES AND STRUCTURES

1. Manufacturing activities, except as specifically permitted or permissible.
2. Warehousing or storage, except in connection with a permitted or permissible use.
3. Off-site signs.
4. Retail commercial outlets for sale of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, heavy machinery and equipment, lumber and building supplies, and monuments.

5. Motor vehicle body shop.
6. Class I landfills and Class III landfills (construction and demolition landfills).
7. Any other uses or structures not specifically, provisionally, or by reasonable implication permitted herein. Any use which is potentially dangerous, noxious, or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation, or likely for other reasons to be incompatible with the character of the district. Performance standards apply (see Section 4.19.20).

4.21.5 SPECIAL EXCEPTIONS AND SPECIAL PERMITS

A. Special Exceptions (see Articles 12 and 13)

1. Automotive service stations (see Section 4.19.6 for special design standards for automotive service stations).
2. Rental of automotive vehicles, trailers, and trucks.
3. Package store for sale of alcoholic beverages, bar, tavern, or cocktail lounge.
4. Child care centers and overnight child care centers, provided:
 - a. No outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.
 - b. Provision is made for areas for off-street pick-up and drop-off of children.
5. Private clubs and lodges.
6. Bed and breakfast inns.
7. Wholesale, warehouse, or storage use in completely enclosed buildings. However, bulk storage of flammable liquids is not permitted.

B. Special Permits (see Article 14.6)

1. Hospitals, sanitariums, nursing homes, and residential homes for the aged.
2. Public buildings and facilities, unless otherwise specified (see Article 4.19.9).

4.21.6 MINIMUM LOT REQUIREMENTS (area, width)

1. All permitted or permissible uses and structures (unless otherwise specified):

None, except as needed to meet other requirements set out herein.

4.21.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.19.30 for right-of-way setback requirements.)

1. All permitted or permissible uses and structures (unless otherwise specified):

Front 20 ft.

Side None, except where a side yard is provided, then a side yard of at least 10 ft. must be provided.

Rear 15 ft.

2. Child care centers and overnight child care centers:

Front 20 ft.

Side 10 ft. for each side yard.

Rear 15 ft.

Special Provisions:

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of thirty-five (35) feet from wetlands.

The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of fifty (50) feet from all perennial rivers, streams and creeks.

4.21.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED

(See also Section 4.19 for exceptions)

Thirty-five (35) feet

4.21.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

In addition to meeting the required yard, building height, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 0.25 floor area ratio.

4.21.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS

(See also Section 4.19)

1. All permitted or permissible uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall be not less than ten (10) ft. in width along the affected rear and/or side yards as the case may be. In addition, such land uses shall provide within this buffer landscaping which shall be designed, planted and maintained as to be 80 percent or more opaque between 2 and 6 feet above average ground level when viewed horizontally. A masonry or wood opaque structure may be substituted for the landscaped buffer.

2. Existing conventional single-family dwellings and mobile homes:

None, except as necessary to meet other requirements set out herein.

4.21.11 MINIMUM OFFSTREET PARKING REQUIREMENTS

(See also Section 4.19)

1. Commercial and service establishments (unless otherwise specified): one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.
2. Commercial establishments selling home furnishings and major appliances, and office equipment and furniture: one (1) space for each five hundred (500) sq. ft. of non-storage floor area.
3. Restaurants, cocktail lounges, bars, and taverns: one (1) space for each three (3) seats in public rooms.
4. Funeral homes: one (1) space for each three (3) seats in the chapel.

5. Medical or dental offices, clinics, or laboratories: one (1) space for each one hundred fifty (150) sq. ft. of floor area.
6. Business and professional offices: one (1) space for each two hundred (200) sq. ft. of floor area.
7. Newspaper office: one (1) space for each three hundred fifty (350) sq. ft. of floor area.
8. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.
9. Banks and financial institutions: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.
10. Professional, business, and technical schools: one (1) space for each two hundred (200) sq. ft. of floor area.
11. Community and little theaters, indoor motion picture theaters: one (1) space for each four (4) seats.
12. Hotels and motels: one (1) space for each sleeping room, plus two (2) spaces for the owner or manager, plus required number of spaces for each accessory use such as restaurant, bar, etc., as specified.
13. Dry cleaning and laundry package plants: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.
14. Each residential dwelling unit: two (2) spaces for each dwelling unit
15. Churches and houses of worship: one (1) space for each six (6) permanent seats in main auditorium.
16. Art galleries: one (1) space for each three hundred (300) sq. ft. of floor area.
17. Dance, art, and music studios: one (1) space for each three hundred fifty (350) sq. ft. of floor area.
18. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.
19. Hospitals: one (1) space for each bed.
20. Nursing homes: one (1) space for each three (3) beds.
21. Telephone exchange, motor bus or other transportation terminals: one (1) space for each three hundred fifty (350) sq. ft. of floor area.
22. Child care centers and overnight child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.
23. For other special exceptions as specified herein: to be determined by findings in the particular case.

Note: Off-street loading required (see Section 4.19).