

LEON COUNTY ORDINANCE NO. 23- 07

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF LEON COUNTY, FLORIDA,
AMENDING CHAPTER 10 OF THE CODE OF LAWS OF LEON
COUNTY, FLORIDA; AMENDING SECTION 10-6.616
ENTITLED LAKE PROTECTION; PROVIDING FOR
CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING
FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE
DATE.

RECITALS

WHEREAS, the Board of County Commissioners desires to enact an ordinance amending
Section 10-6.616 of the Leon County Code of Laws, relating to the Lake Protection Zoning District.

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

Section 1. Section 10-6.616 of the Code of Laws of Leon County, Florida, entitled “Lake Protection
Zoning District” is hereby amended to read as follows:

Sec. 10-6.616. Lake Protection Zoning District.

* * *

9. Clustered Subdivision:

1. Density and layout. The maximum gross density allowed for new residential development in the
LP district is one dwelling unit per two gross acres. As an alternative to large-lot developments, a
clustered subdivision shall be permitted within the lake protection zoning district. Clustered
subdivisions shall:

(a) Contain a minimum of 60 percent open space as a reserve area hereinafter referred to as the
Clustered Subdivision Reserve Area (CSRA), ~~comprised of such things as special development
zones, preservation and conservation features, undeveloped uplands, passive recreation areas,
and stormwater facilities designed as a community amenity;~~

(b) Be developed at a maximum density of two dwelling units per gross acre;

(c) Be served by central water and sewer systems.

2. Design Principles for Clustered Subdivision Reserve Area (CSRA). The CSRA shall be selected
first and designed according to the following steps for the identification and protection of natural

resources. Notwithstanding the priority for designating areas to be included in the 60 percent provided herein, all clustered subdivisions under this section shall be consistent with all minimum environmental standards in Article IV of the Land Development Code and the Conservation Element of the Comprehensive Plan.

The CSRA shall be formed utilizing the following process:

(a) Step 1: Identification of Natural Features. Consistent with the requirements of Sec. 10-4.202(a)(1) & (2), the applicant shall conduct a Natural Features Inventory (NFI).

(b) Step 2: CSRA map. Utilizing the NFI, the applicant shall prepare a map that depicts the proposed CSRA, comprising the primary, secondary, and tertiary CSRA features as described below in accordance with the following standards:

1. Primary CSRA features.

a) Features to be preserved.

i. All Conservation and Preservation Areas, as defined in Sec. 10-4.202(a)(1)a. and b, shall be set aside and reserved for conservation credit towards the CSRA 60 percent open space; and

ii. Protected portions of Lake Special Development Zones A and B, consistent with Sec. 10-4.323.

b) A significant presence of Conservation and Preservation Areas may require a CSRA greater than 60 percent.

2. Secondary CSRA features.

a) Features to be preserved. If the preservation of primary conservation areas does not reach the 60 percent threshold for area to be reserved, the following areas shall be included:

i. Wooded areas;

ii. Scenic corridors and views; and

iii. Stormwater Management Facilities designed in a manner consistent with Section 10-4.350(c).

3. Tertiary CSRA features.

a) Features to be preserved. If the preservation of primary and secondary CSRA features does not reach the 60 percent threshold for area to be reserved, the following areas may be included:

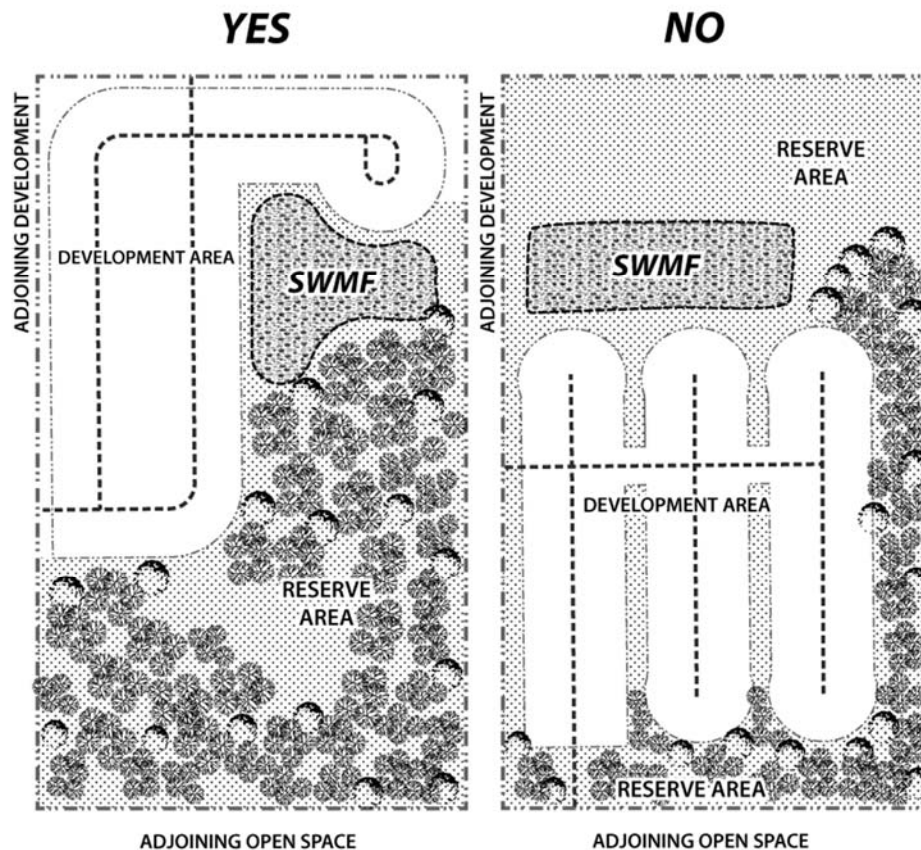
- i. Other developable areas contiguous to primary or secondary CSRA features; and
- ii. Areas that could serve to connect existing greenways, trails, parks or recreation areas.

4. Clustered Subdivision Reserve Area Exclusions:

The following shall not be included in the CSRA:

- a) Required Buffers;
- b) Active recreation;
- c) Stormwater Conveyance Systems;
- d) Utilities and other Infrastructure;
- e) Required Landscape areas.

(c) Step 3: Layout. Design the CSRA as a single contiguous area with logical, straightforward boundaries to eliminate fragmentation.



(d) Step 4: Mandatory Pre-submittal meeting. The applicant shall submit a conceptual layout, whereas the CSRA area is shown as a single contiguous area with logical, straightforward boundaries to eliminate fragmentation. DSEM staff shall review and provide feedback at a scheduled pre-submittal meeting to:

1. Identify potential site development issues; and
2. Provide an opportunity to discuss site development concepts, including the general layout of CSRA and potential locations for proposed structures, utilities roads and other development features.

~~2. Reserve area. The acreage of the reserve area shall comprise no less than 60 percent of the total parcel; shall be permanently preserved through the creation of a perpetual easement; shall be continuous and contiguous with other portions of the site; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to ensure the protection of all critical on-site resources that are to be preserved and to accommodate authorized uses.~~

~~(a) All preservation areas, special development zones, conservation areas, archaeological sites and view shed areas within designated protection zones for canopy roads shall be incorporated into the reserve area even if total acreage exceeds the minimum requirement of 60 percent of the total parcel; other open space areas shall be incorporated into the reserve area to the greatest extent practicable.~~

~~(b) The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan. In those instances where a clustered subdivision will be located adjacent to another existing or approved clustered subdivision, the proposed clustered subdivision shall be designed so that reserve areas are adjacent to the greatest extent practicable.~~

~~(c) Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater facilities, or other environmental conservation purposes.~~

~~(d) Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, special development zones, and meet either of the applicable following two standards:~~

~~1. Wet retention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.~~

~~2. All other retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area. All such facilities shall be designed as community amenities, with trails, observation decks, or platforms where appropriate.~~

~~(e) All applicants for a clustered subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.~~

3. Design Principles for Clustered Subdivision Development aArea. The development area shall be the area not set aside ~~as reserve area~~ in the CSRA and shall comprise no more than 40 percent of the total parcel. The development area shall be located on the least environmentally sensitive or otherwise significant portions of the total clustered subdivision parcel; and be shown as a single contiguous area with logical, straightforward boundaries to eliminate fragmentation ~~contiguous~~ to the greatest extent practicable; ~~and allow maximum open space to be easily maintained in the reserve area.~~ Design of the development area shall follow the procedural steps set forth below.

(a) Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection 2 of this section;

(b) Determine the number of allowable lots ~~desired~~;

(c) Locate potential development sites on the area of the tract not delineated as ~~reserve area~~ CSRA, with due consideration for topography, soil suitability for construction, and efficient service by public or central water and sewerage systems;

(d) Align streets to serve residential sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned;

(e) Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets; and

(f) Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.

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Section 2. Conflicts.

1 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby
2 repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon
3 County 2030 Comprehensive Plan as amended, which provisions shall prevail over any parts of this
4 ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

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6 **Section 3. Severability.**

7 If any word, phrase, clause, section, or portion of this ordinance is declared by any court of competent
8 jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions
9 of this ordinance shall remain in full force and effect.

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11 **Section 4. Applicability.**

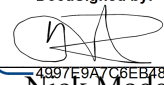
12 This ordinance shall apply to and be effective in the unincorporated area of Leon County.

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14 **Section 5. Effective Date.**


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16 This ordinance shall have effect upon becoming law.

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18 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon County, Florida,
19 this 21 day of March, 2023.

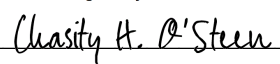
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21 LEON COUNTY, FLORIDA

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24 By: 
25 4897E9A7C6EB483...
26 Nick Maddox, Chair
27 Board of County Commissioners

28 ATTESTED BY:
29 Gwendolyn Marshall Knight, Clerk of
30 Court & Comptroller, Leon County, Florida

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36 APPROVED AS TO FORM:
37 Chasity H. O'Steen, County Attorney
38 Leon County Attorney's Office

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40 DocuSigned by:
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