

ORDINANCE BOOK 15 PG 106

ORDINANCE 2017 - 08

AN ORDINANCE RELATING TO SANTA ROSA COUNTY, FLORIDA; AMENDING ORDINANCE 91-24 AS AMENDED AND AMENDING APPENDIX C LAND DEVELOPMENT CODE OF THE SANTA ROSA COUNTY FLORIDA CODE; AMENDING ARTICLE 3, PROVIDING DEFINITIONS FOR BORROW PIT AND SURFACE WATER STORAGE (PONDS/LAKES), REMOVING OLF HOLLEY FROM THE DEFINITION OF AIRPORT, AND REVISING THE DEFINITION OF GROUP HOME; AMENDING ARTICLE 6, ADDING GROUP HOMES AS PERMITTED USES TO MULTIFAMILY RESIDENTIAL ZONING DISTRICTS AND CORRECTING CONDITIONAL USE INCONSISTENCIES WITHIN THE ARTICLE; AMENDING ARTICLE 10, ADDING REFERENCE TO TECHNICAL AMENDMENTS; AMENDING ARTICLE 11, REMOVING OLF HOLLEY FROM MILITARY AIRPORT ZONES AND SURFACES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Santa Rosa County Ordinance 91-24 as amended and Santa Rosa County Florida Code, Appendix A, Land Development Code, Article Three Section 3.00.01, Article Six Sections 6.05.02, 6.05.03, 6.05.10, 6.05.11, 6.05.12, 6.05.12, 6.05.13, 6.05.14, 6.09.02, Article Ten Section 10.00.02, Article Eleven Sections 11.04.00, 11.04.02, 11.04.04 of the to read as follows: (Language added is printed in type which is bold underline type, and language deleted is printed in struck-through type).

ARTICLE 3. DEFINITIONS

3.00.01

AIRPORT: Any area of land or water designated and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purposes, including but not limited to:

1. Milton "T" Airport;
2. NAS Whiting Field (North and South) (T-34 & Helo);
3. Outlying Landing Field (OLF) Choctaw (Jet & T-34);
4. OLF Harold (Helo);
5. OLF Spencer (Helo);
6. OLF Pace (Helo);
7. OLF Santa Rosa (Helo); and
8. ~~OLF Wholly (T-34).~~

BORROW PIT: ~~A site or tract of real property where soils, clays, gravel or similar materials are (or were) excavated, mined, or removed and transported off the site; also referred to as a mining, mineral, or resource excavation or extraction site.~~

An area from which soil or other unconsolidated materials are removed and transported off the site to be used as fill for activities such as landscaping, building construction, highway construction and maintenance, or any other purpose. Excluded from this definition is excavation necessary and incidental to site development or building construction consistent with an approved development order.

GROUP HOME (Special Community Residential Facility): A dwelling unit licensed to serve residents who are clients of the Florida Department of Elderly Affairs, the Florida Agency for Persons with Disabilities, the Florida Department of Juvenile Justice, or the Florida Department of Children and Families or licensed by the Florida Agency for Health Care Administration. Such facilities shall be located consistent with the requirements of Chapter 419, F.S. as follows:

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- (a) ~~A special residential facility~~ **Group homes** which provide a living environment for six (6) or ~~less~~ **fewer** unrelated residents. Pursuant to s. 419.001 F.S., ~~group homes of six or less residents~~ **are deemed a single family dwelling unit** may be located in single family or multifamily residential districts; ~~and~~

Group homes housing seven (7) or more residents shall be deemed multi-family dwelling units and permitted in any zoning district where multi-family dwellings are permitted, including the mixed-use land use categories.

POND (LAKE/ SURFACE WATER STORAGE): A natural or man-made body of open water. Soil removed for the construction of man-made ponds must remain on the site from which it was removed.

ARTICLE 6. LAND USE, TYPE, DENSITY, INTENSITY ZONING AND REGULATORY CONTROLS

6.05.02 AG-RR – Rural Residential Agriculture District

B. **Permitted Principal Uses:** In this district as a permitted use a building or premises may be used only for the following purposes: Detached single family residential structures; **group homes housing six (6) or fewer residents;** and mobile homes.

C. **Conditional Uses:** In this district, as a conditional use, a building or premises may be used only for the following purposes, upon determination by the County Zoning Board that the respective use complies with standards regulating conditional uses in Section 4.04.00 et. seq. and complies with site plan review requirements listed in Section 4.04.00: educational institutions; golf courses; places of worship; private airstrips; recreation and park areas; recreational activities; public fairgrounds; commercial antennas; towers and telecommunications facilities; public and private utilities and public facilities; placement of an accessory building on a lot directly across the right-of-way from where the principle single family dwelling is located and is under the same ownership; **administrative services;** business and professional offices; restricted sales and service; trade service and repair; veterinary medical services; guest houses; boarding houses and transient quarters; nursing homes; **group homes housing seven (7) or more residents;** and child care services.

6.05.03 AG-2 - Agriculture District – 2

B. **Permitted Principal Uses:** In this district as a permitted use a building or premises may be used only for the following purposes: Detached single-family residential structures; **group homes housing six (6) or fewer residents;** and mobile homes. Accessory structures and facilities and uses customarily found on farms and used expressly for activities conducted in connection with farming operations, commercial and non-commercial agriculture, poultry, horse and livestock raising, provided all buildings for such accessory uses meet setback requirements for primary buildings.

6.05.10 R-3 - Medium High Density Residential District

C. **Conditional Uses:** In this district as a conditional use, a building or premises may be used only for the following purposes upon determination by the County Board of Adjustment (Zoning Review and Appeals Board) that the respective uses comply with standards regulating conditional uses in Section 6.09.00 et. seq. and comply with the site plan review requirements listed in Section 4.04.00: public and private not for profit administrative services; child care services; civic or cultural activities and clubs; public facilities; educational institutions; golf courses; places of worship; recreation and park areas; accessory parking lots; recreational activities; public and private utilities and public facilities; **administrative services;** business and professional offices; medical services; nursing homes; special residential facilities; and placement of an accessory building on a lot directly across the right-of-way from where the principle dwelling is located and is under the same ownership.

6.05.11 AG-1 – Estate Residential District Agriculture District

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B. Permitted Principal Uses: In this district as a permitted use a building or premises may be used only for the following purposes: Detached single family residential structures, group homes housing six (6) or fewer residents, and mobile homes. Accessory structures and facilities and uses customarily found on farms and used expressly for activities conducted in connection with farming operations, commercial and non-commercial agriculture, poultry, horse and livestock raising, provided all buildings for such accessory uses meet setback requirements for primary buildings.

C. Conditional Uses: In this district, as a conditional use, a building or premises may be used only for the following purposes, upon determination by the County Zoning Board that the respective use complies with standards regulating conditional uses in Section 4.04.00 et. seq. and complies with site plan review requirements listed in Section 4.04.00: educational institutions; golf courses; places of worship; private airstrips; recreation and park areas; recreational activities; public fairgrounds; commercial antennas; towers and telecommunications facilities; public and private utilities and public facilities; placement of an accessory building on a lot directly across the right-of-way from where the principle single family dwelling is located and is under the same ownership; administrative services; business and professional offices; restricted sales and service; trade service and repair; veterinary medical services; guest houses; boarding houses and transient quarters; nursing homes; group homes housing seven (7) or more residents; and child care services.

6.05.12 PUD - Planned Unit Development District**B. Intent and Purpose, Permitted Uses**

2. Permitted Uses: The uses permitted within this district shall include the following:

- a. Residential units, including single-family attached and detached dwelling, two-family dwellings, group homes, and multiple-family dwellings.

6.05.13 PBD - Planned Business District**B. Intent and Purpose, Permitted Uses and Conditional Uses**

2. Permitted Uses: The uses permitted within this district shall include the following:

- a. Residential units, including single-family attached and detached dwellings, two-family dwellings, group homes, and multiple-family dwellings.

6.05.14 NC – Neighborhood Commercial District

C. Conditional Uses: In this District, as a conditional use, a building or premise may be used only for the following purposes upon determination by the County Board of Adjustments (Zoning Review and Appeals Board) that the respective use complies with the standards regulating conditional uses in Section 6.09.00 et. seq. and complies with the site plan requirements listed in Section 4.04.00: public and private utilities and public facilities, guest houses, (or boarding houses) and transient quarters, single and multiple family dwelling structures.

6.09.00 CONDITIONAL USES**6.09.02 Criteria Regulating Conditional Uses:**

A. Administrative Services, Business and Professional Offices and Medical Services (R-3, AG-RR, AG-1)

1. Sites shall be located within the more highly accessible portions of the respective residential district and near commercial district boundaries, thereby serving as a logical transitional use between residentially and commercially developed areas in the impacted area; and **generally** should be located on a major thoroughfare as opposed to a local residential street; and where not located on a major thoroughfare, the site should not be adjacent to a single family residential district. Medical Services shall only be allowed as a conditional use within R-3 zoning districts and not within AG-RR and AG-1 zoning districts.

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- B. Child Care Services (AG-RR, AG-1, R-2, R-2M, and R-3)
- D. Educational Institutions (AG-RR, AG-1, AG-2, RR-1, R-1, R-1A, R-1M, R-2, R-2M, R-3)
- F. Guest Houses, (or Boarding Houses) and Transient Quarters (AG-RR, AG-1, NC, HCD)
- G. Nursing Homes and ~~Special Residential Facilities~~ group homes housing seven (7) or more residents; (AG-RR, AG-1, R-2, R-2M, and R-3)
- J. Public and Private Utilities and Public Facilities (AG-RR, AG-1, AG-2, ~~ER~~, RR-1, R-1, R-1A, R-1M, R-2, R-2M, R-3, NC, HCD, PID and C-1M)

T. Recreational Vehicles in Flood-Prone Areas (100-year Flood Plain)

- ~~1. The recreational vehicle (RV) shall be self-contained and there shall be no need for, or connection to, a septic tank.~~
- ~~2. The RV shall be placed so as to be easily and quickly removed from the site in advance of any approaching flood waters.~~
- ~~3. The owner of the RV shall be solely responsible for any liability or damage caused to persons or property (public or private) as a result of the RV being located in the flood plain. If the location of the RV impedes the flow of flood waters and causes damage upstream from the RV site, or if the RV is carried downstream by flood waters and causes damage to property, the responsibility for reparations to such property rests solely with the owner of the RV.~~
- ~~4. The placement of the RV shall not have any adverse impact upon adjoining or nearby properties.~~
- ~~5. The Board of Adjustment may impose additional criteria or restrictions based on site-specific circumstances and characteristics.~~

T. Restricted Sales and Services (AG-RR, AG-1)

1. Sites must be located within the more highly accessible portions of agricultural districts, in the vicinity of a major thoroughfare.
2. A twenty-five (25) foot setback must be maintained between any structure, including accessory buildings, and the property line.
3. One (1) parking space must be provided for each 250 square feet of gross floor area.
4. The scale, intensity and operation of the use shall not generate unreasonable noise or potential hazard to contiguous uses and should be compatible to surrounding commercial uses.
5. The maximum building size shall be 3,000 square feet.

V. Recreational Activities:

1. Recreational activities limited to the following: archery range, baseball and/or football fields, bicycle path, boat dock, botanical garden, cabanas, excursion or charter boat dock, handball or racquetball courts, outdoor rifle and pistol range, basketball courts, boat anchorage, boat launching ramp, bridle trails, lawn bowling, cemeteries, concession stands, fishing pier, horseshoe pitching courts, public park, indoor rifle and pistol range, softball field, stadium and bleachers, shuffleboard courts, soccer fields, tennis courts, track and field facilities. However, rifle and pistol ranges shall only be allowed as a conditional use in AG-RR, AG-1 and AG-2 districts.

Recreational activities in HCD, M-1, M-2, C-1M, C-2M, AG-RR, AG-1 and AG-2 may be private enterprise (private ownership for profit) or publicly held (state or county) activities.

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W. Accessory Buildings: (AG-RR, AG-1, AG-2, RR-1, R-1, R-1A, R-1M, R-2, R-2M, R-3)

CC. Towers and Telecommunications Facilities (AG-RR, AG-1, AG-2, PBD, HCD, M-1, and M-2, CT, and PID)

1. Towers and Telecommunications Facilities must meet the standards in Article 7.021,15

DD. Public Fairgrounds (AG-RR, AG-1, AG-2, M-1, M-2, and PID)

EE. Commercial Outdoor Amusement Activities (HCD, M-1, M-2, C-1M, and C-2M, and PID)

ARTICLE 10. FLOOD PLAIN MANAGEMENT**10.00.00**

10.00.02 Intent. The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* and the technical amendments to the Florida Building adopted in Ordinance 2016-04 are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

ARTICLE 11. MILITARY AIRPORT ZONES AND SURFACES**11.04.00**

G. Military Airport Zone (MAZ): The Military Airport Zone (MAZ) is an overlay district providing regulatory measures and zoning standards to achieve land use compatibility and protection of public health and safety in the areas exposed to impacts generated by military flight or ground activities occurring at, near, or above military airports.

For Naval Air Station Whiting Field North and South, and for Naval Outlying Landing Fields Spencer, Harold, Santa Rosa, ~~Holley~~, Site X, and Pace, the MAZ boundaries extend one half mile from the perimeter of each airfield and encompass all Air Installation Compatible Use Zones (AICUZ) and noise zones. For NOLF Choctaw, MAZ boundaries are as depicted on the attached map which is incorporated as part of the MAZ overlay to the Zoning Map.

I. Military Airport Notification Zone: Military Airport Notification Zones are those areas within which notification of airfield proximity is required when property is sold or leased. For Naval Air Station Whiting Field North and South, ~~and for Naval Outlying Landing Field Holley~~, the notification zone boundaries extend one mile from the perimeter of each airfield. For Naval Outlying Fields Spencer, Harold, Santa Rosa, Site X and Pace, the notification zone boundaries extend one half mile from the perimeter of each airfield.

11.04.02 USE RESTRICTIONS:

D. Conditional Uses or Activities:

Table 11-4 Potential Compatible Uses within Military Airport Zones					
Land Use	CZ	APZ 1	APZ 2	MAZ	MAIA
Residential					
Single Family Dwelling	N	C,1	C,2	Y	Y
Multifamily Dwellings, Including Duplexes	N	N	N	N, 7	Y
Transient Lodging Including Hotels And Group Quarters	N	N	N	Y	Y

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7. Multifamily up to 4 units per building may be allowed within the NOLF Holley MAZ. Left Blank Intentionally.

11.04.04 Within zones A, B1, C1, OLF Holley, single family dwellings, up to a density of four units per acre, may be placed or constructed on any existing or future lot despite the fact that it does not conform with the minimum lot requirements set forth in Table 11-4.

SECTION 3. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the County of Santa Rosa. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon filing of a certified copy of this Ordinance with the Department of State within ten (10) days after enactment.

PASSED AND ADOPTED by a vote of 4 yeas and 0 nays and 1 absent of the Board of County Commissioners of Santa Rosa County, Florida, on the 27th day of April, 2017.

**BOARD OF COUNTY COMMISSIONERS
SANTA ROSA COUNTY, FLORIDA**

By: [Signature]
Robert A. "Bob" Cole, Vice Chairman

ATTEST:

[Signature]
Donald C. Spencer, Clerk of Court



I, Donald C. Spencer, Clerk of Court of Santa Rosa County, Florida, do hereby certify that the same was adopted and filed of record and sent electronically to the Secretary of the State of Florida, on this 11th day of May, 2017.

[Signature]
Clerk of Court