

## CHAPTER 4

### LAND USE CATEGORIES

#### SECTION 4000. LAND USE.

##### Subsection 4001. Purpose.

The purpose of this Chapter is to describe the Land Use Categories, the allowable land uses within those categories and the land use districts depicted on the Future Land Use Map Series. These regulations are intended to allow development and use of property only in compliance with the goals, objectives and policies of Gadsden County as expressed in the Comprehensive Plan. This Chapter delineates the distinction between Land Use Categories-(Section 4100) and types of Land Uses (Section 4200). Table 4300 depicts the land uses allowable in each district.

(Ord. # 2003-006, 8-19-03)

##### Subsection 4002. Establishment of Categories and Districts.

Land use categories for Gadsden County are established in the Comprehensive Plan and Future Land Use Element. These land use categories are established and depicted on the future land use map series as amended. These categories shall be the determinants of permissible activities on any parcel in the jurisdiction. Refer to the Future Land Use Element of the Comprehensive Plan for the definition of each category. Allowable uses are listed in Subsection 4200 to correlate individual land use activities with the land use categories.

(Ord. # 2003-006, 8-19-03)

#### SECTION 4100. Land Use Categories.

In order to carry out the purpose and provisions of the Gadsden County Comprehensive Plan, the County is hereby divided into the following land use categories:

- A. **Urban Service Area (USA)**
- B. **Rural Residential (RR)**
- C. **Agricultural (Agricultural 1, 2 and 3)**
- D. **Neighborhood Commercial (NC)**
- E. **Commercial (COMM)**
- F. **Light Industrial (LI)**
- G. **Industrial (IND)**
- H. **Conservation (CONS)**
- I. **Recreation (REC)**
- J. **Silviculture (SILV)**
- K. **Public (PUB)**
- L. **Historical (HIS)**

**M. Mining (MINING)**

(Ord. # 2003-006, 8-19-03)

**Subsection 4101. Urban Service Area (USA).**

The **Urban Service Area** land use category provides for the widest range of mixed uses and the highest density and intensity of development. Residential uses are allowed at a maximum density of five (5) dwelling units per acre (5:1), with appropriate supporting services. Residential, commercial, professional service office, light industrial, recreation, public and historic land uses are permitted in this category. Urban infrastructure exists or is planned for expansion or installation to serve the allowable densities and intensities permitted in this category. Development performance standards are provided which support the mixed use and intense development of this category. Maximum densities shall depend on the availability of supporting infrastructure as follows:

(Ord. # 2003-006, 8-19-03)

**Table 4101 Required Infrastructure for Residential USA Development**

Land Use Category	Minimum Lot Size	Required Infrastructure*
USA1	1.0 Acres	paved public roads
USA2	0.5 Acres	central water and paved roads
USA5	0.2 Acres (except multi-family)	central water, central sewer and paved roads**

\*Paved Roads are a minimum requirement for all development in USA.

\*\*Central Water and Sewer are required if the adjacent municipality has permitted capacity and the existing service is within 0.25 miles of the development.

(Ord. 2003-006, 8-19-03)

1. High Density Development: High density residential uses, (lots less than 1.0 acres), within the Urban Service Area land use districts can be developed concurrent with the provision of the supporting infrastructure systems. In order to achieve these densities and preserve the quality of life in a rural setting, residential units, whether single family or multi-family shall be site built structures using prefabricated component units no greater than wall sections or truss systems. Multi family development shall not exceed the net density requirement of 5DU/acre.

(Ord. 2003-006, 8-19-03)

2. Mixed Uses Coverages: The intensity of non-residential land use, as measured by area, shall not exceed sixty-five percent (65%) *per* USA district.

The relative proportion of land uses is intended to be:

Residential	50%
Commercial	25%

Lt. Industrial            20%  
Other                      5%

(Ord. 2003-006, 8-19-03)

3. All non-residential development applications in Urban Service Areas are Class II developments requiring a public approval process through the Planning Commission and the Board of County Commissioners.

(Ord. 2003-006, 8-19-03)

Appropriate neighborhood commercial uses are also permitted in accordance with the non-residential performance standards contained in this Code. Existing agricultural uses in Rural Residential areas may be grandfathered until such time as residential development is appropriate.

(Ord. 2003-006, 8-19-03)

#### **Subsection 4102. Rural Residential.**

The **Rural Residential** category represents those areas that are suitable for development at moderate densities and/or intensities. Residential development density is based upon a minimum lot size of one acre. The Rural Residential category development standards are designed to encourage development consistent with nearby agricultural uses. Clustering of residential units is encouraged for site built homes, provided net density does not exceed one dwelling unit per acre, and adequate buffering is provided for dissimilar development. Due to the historical loss of value of mobile and modular homes, clustering will not be permitted for subdivisions that do not restrict mobile home development. For Subdivisions that restrict new housing to site built homes, clustering may be calculated on gross acreage rather than net density.

(Ord. 2003-006, 8-19-03)

Density shall be calculated, for clustering purposes, on that portion of the parent parcel or parcels that is not included in jurisdictional wetlands or flood prone areas. Density considerations may be made up to a minimum lot size of 0.25 acres for regulated low income or very low income housing initiatives approved by the Department of Community Development. No lot less than one half of an acre shall be created under clustering provisions. All lots created on private streets that are platted to centerline shall have the minimum lot size contained outside of access easements.

(Ord. 2003-006, 8-19-03)

#### **Subsection 4103. Agriculture.**

The **Agricultural** land use category is divided into three (3) subcategories. The subcategories in the Agricultural land use category and their corresponding densities are as follows:

(Ord. # 1999-002, 8-18-99)

1. Agriculture 1 (1:5)
  2. Agriculture 2 (1:10)
  3. Agriculture 3 (1:20)
- (Ord. 2003-006, 8-19-03)

The Agricultural category designates those areas that are to be protected for the continuation or establishment of agricultural activities. All agricultural activities may be allowed, including silviculture land uses. Limited residential may be allowed, provided gross density requirements are maintained as permitted by each subcategory. Recreational Vehicle Parks and campgrounds may be permitted with a special exception permit in (Agriculture-3 (AG-3)) areas in close proximity to major transportation facilities such as I-10 and US 27 and in close proximity to natural and recreation areas. Solar Power Generation Facilities are also a permitted use in Agriculture 2 and Agriculture 3. These uses must be approved pursuant to the Type II review procedure. For criteria for density and intensity of development refer to §5200 and Subsection 5900.

(Ord. 2006-020, 8-8-29-06, Ord. 2016-019, 9-06-16)

Residential clustering is encouraged to protect sensitive environmental areas.

**Table 4103 Residential Clustering in Agriculture**

Land Use Category	Maximum Gross Density	Minimum Lot Size Un-clustered	Minimum Lot Size, Clustered	Minimum Easement
Agriculture 1	1DU/5 Acres	5.0 acres	2.0 acres	50%
Agriculture 2	1DU/10 Acres	10.0 acres	4.0 acres	50%
Agriculture 3	1DU/20 Acres	20.0 acres	5.0 acres	65%

(Ord. 2003-006, 8-19-03)

Appropriate neighborhood commercial and residential clustering uses are permitted in accordance with the performance standards contained in this Code.

Preserved areas created under Rural Residential and Agricultural clustering shall remain under protection for a minimum of 30 years and shall be protected by plat and deed restriction. Conservation areas may be platted in rear lot areas provided that they do not make up more than twenty-five percent (25%) of the lot area.

(Ord. 2003-006, 8-19-03)

**Subsection 4104. Neighborhood Commercial (NC).** This district is intended for small-scale commercial uses or services of a convenience nature whose primary market base is the local neighborhood.

- A. Allowable Uses: Convenience commercial uses; retail and services; child care facilities; restaurants; professional offices and services; centralized utilities and package plants; private recreation; houses of worship.
- B. Density: None
- C. Intensity: The floor area ratio shall not exceed 0.60.
- D. Minimum lot area: One (1) acre.
- E. Maximum lot area: Three (3) acres.
- F. Minimum lot frontage: Forty (40) feet.
- G. Impervious Surface Ratio: No more than .75 lot coverage, except that centralized utility uses are exempted from impervious surface requirements.
- H. Setbacks: Setbacks shall be measured as defined in Chapter 2 of this Code.
  - 1. The front setback shall be a minimum of fifteen (15) feet.
  - 2. The rear setback shall be a minimum of fifteen (15) feet.
  - 3. The side setbacks shall be a minimum of five (5) feet.
  - 4. Setbacks from any public right-of-way shall be a minimum of twenty (20) feet on collector roadways and a minimum of thirty-five (35) feet on arterial roadways.
  - 5. Accessory structures setbacks shall be a minimum of five (5) feet from any side or rear property line, and a minimum of twenty (20) feet from the front property line.
- I. Development Restrictions:
  - 1. No outdoor storage of equipment is allowed.
  - 2. The sale of alcohol may be permitted only as an accessory use to a commercial retail use, or for consumption in a restaurant use.
  - 3. Neighborhood commercial uses must have frontage along a collector or arterial roadway, as designated on the Functional Classification of Roadways Map in the Transportation Element.
  - 4. The maximum square footage of all structures on site shall be a combined amount of under five thousand (5,000) square feet of heated and cooled space.

5. Lots platted as part of a residential subdivision cannot be designated on the Future Land Use Map or the zoning map as Neighborhood Commercial.

(Ord. 2016-015, 11-15-16)

#### **Subsection 4105. Commercial.**

The **Commercial** land use category provides for a predominance of general and high intensity commercial activity, as well as professional services and office uses, institutional and public service/utility uses. Mobile home parks and Recreational Vehicle Parks may be permitted in the Commercial land use category as a special exception use. These uses must be approved pursuant to the Type II review procedure. For criteria for density and intensity of development refer to §5200 and Subsection 5900. (Ord. 2003-006, 8-19-03) (Ord. # 2006-020, 8-29-06)

#### **Subsection 4106. Conservation.**

The **Conservation** land use category designates those areas having environmental characteristics that limit development potential. The land in this category has been identified in the Gadsden County Comprehensive Plan as having low development capability, or one or more characteristics which require preservation and/or conservation. Agriculture and silviculture land use activities are permitted in these areas.

(Ord. 2003-006, 8-19-03)

#### **Subsection 4107. Recreation.**

The **Recreation** land use category includes most outdoor recreational and open space uses, such as parks, public recreation facilities and preservation areas. These uses are generally characterized by large site areas and minimal permanent development except for access roads and public amenities, although specialized recreation buildings are allowed. Restricted residential densities one (1) dwelling unit per forty (40) acres (1:40) are permissible.

(Ord. 2003-006, 8-19-03)

#### **Subsection 4108. Public.**

The **Public** land use category provides for educational uses, recreational uses and public facilities, grouped into one category pursuant to Rule 9J-5, F.A.C. Uses in this category include institutional, outdoor recreational and public service/utility.

(Ord. 2003-006, 8-19-03)

#### **Subsection 4109. Historical.**

The **Historical** land use category provides for the recognition and designation of historic resources and sites throughout Gadsden County. Further designation

of historic resources and sites may be designated on the Future Land Use Map series by amendments to the Comprehensive Plan. Minimum criteria would include listing on the Federal Register of Historic Places, The State of Florida Site File or nomination by a Gadsden historical society with standing.

(Ord. # 2003-006, 8-19-03)

#### **Subsection 4110. Light Industrial.**

The **Light Industrial** land use category provides development opportunities for a wide range of research and development, light assembly and manufacturing and service companies that may require fleet parking and minimal outside storage of raw or finished products.

(Ord. # 1999-002, 8-17-99)

#### **Subsection 4111. Industrial.**

The **Industrial** land use category provides for areas to locate wholesale and retail business for heavy manufacturing, processing, storage or the distribution of goods. Included in this category are uses which require primarily outdoor storage or industrial activities conducted outdoors. These uses generally have more significant off-site impacts than Light Industrial uses.

(Ord. # 1999-002, 8-17-99)

#### **Subsection 4112. Mining.**

The **Mining** land use category has been established to designate areas for mining land use activities and to recognize the economic importance of the Attapulgitic mining industry in Gadsden County. This category has also been established to locate any surface mining, rock quarries and extraction activities.

The refinement, packaging and processing plants or extracted materials are included as allowable uses. Physical plant construction shall be subject to the development review process in compliance with the standards for industrial development contained in this Code.

(Ord. # 1999-002, 8-17-99)

#### **Subsection 4113. Silviculture.**

The Silviculture land use category is established to preserve large tract timber production properties. The loss of the paper production facilities in Port St. Joe has created an economic environment that encourages the breakup of the traditionally large acreage timber lots into smaller private holdings. This category is intended to preserve large holdings while retaining some rights for limited residential uses. Home sites in the Silviculture category require a minimum lot size of eighty (80) acres. No commercial activities are permitted.

(Ord. # 2003-006, 8-19-03)

### **SECTION 4200. LAND USES.**

## **Subsection 4201.**

This part of the Code describes the specific types of land use activities allowed in the land use category as described in the Comprehensive Plan and this Land Development Code.

(Ord. # 1996-005, 7-2-96)

## **Subsection 4202. Types of Uses.**

### **A. Residential Uses.**

1. The category of residential uses includes single-family dwellings, accessory apartments, multi-family dwellings in a variety of housing types, modular and manufactured housing, but specifically excludes recreational vehicles (RVs) parks. Recreational vehicles (RVs) parks are considered commercial uses and as such, are located in commercial land use categories except when located in an Agriculture-3 (AG-3) or Neighborhood Commercial Overlay (NC) land use category with a special exception use permit. This does not preclude the parking of RV's on parcels of land, provided that the RV is owned by the person who owns the parcel of land, is associated and accessory to a primary permitted use and the RV is not used for residential purposes. All classifications of residential subdivisions are located on agricultural or residential lands only. (Ord. # 1999-002, 8-17-99) (Ord. # 2006-020, 8-29-06)
2. Livestock shall be prohibited in residential areas where the keeping or use of any livestock destroys or materially impairs the value of adjacent premises. "Materially impairs" shall include, but not be limited to unpleasant odors. Horses and other equine species or breeds as pets may be permitted on properties of less than five (5.0) acres as a special exception use only to be permitted by the Planning & Zoning Commission and the Board of County Commissioners. (Ord. # 2003-006, 8-19-03)

### **B. Agricultural Uses.**

"Agricultural uses" means activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas. (Ord. # 2003-006, 8-19-03)

Agricultural land uses include croplands, pastures, silviculture, aquiculture, feed lots, wholesale plant nurseries, and buildings which are an accessory to these agricultural uses. This category of uses does not include processing or distribution plants for agricultural products and supplies, unless the processing and distribution plants are primarily for agricultural products produced on-site. Other agricultural products that are not produced on site may be sold from agricultural properties, provided the agricultural products



do not make up more than fifty percent (50%) of the total annual inventory which is to be sold. Livestock pens that have existed and have been in prior use since 1991 but are surrounded by predominantly residential lands will be sun-setted. Such lots will be notified and will have a maximum of five years to relocate operations to largely agricultural areas.

(Ord. # 1999-002, 8-17-99)

1. Certain non-agricultural uses by right are allowed in all Agricultural land use categories, provided site plan approval is granted by the Planning Department. Uses by Right are as follows:
  - a. Sales of produce and other agricultural products, which are not produced on site, provided such products do not make up more than fifty percent (50%) of the total annual inventory which is to be sold.
  - b. Carnival and fair uses. Such carnival and fair activities must be a temporary use. For purposes of this code, temporary means no longer than three (3) months. These will be permitted as Class II developments. Any activity with an anticipated attendance of over 5,000 shall require a special exception permit in any land use category.
  - c. Churches, residence(s) subject to density restrictions, cemeteries, historic uses, recreation facilities, communication towers per Section 5800.A., forest management residences.

(Ord. # 2006-020, 8-29-06)

2. Certain Special Exception uses are permitted in the Agricultural land use categories. These Special Exception uses are permitted on a case-by-case scenario basis and require special exception permitting by the Board of County Commissioners.
  - a. Pinhooking
  - b. RV Parks and Campgrounds in AG-3 land use.
  - c. Neighborhood Commercial Overlay uses
  - d. essential utility services (see Comp Plan Policy 1.11.2)
  - e. Wholesale operations involving breeding of animals for pets are considered commercial uses of agricultural property and require special exception permitting by the Planning Commission and the Board of County Commissioners.

(Ord. # 2006-020, 8-29-06)

3. Other Special Exception Uses, such as pinhooking as considered appropriate by the Board of County Commissioners.

(Ord. # 1999-002, 8-17-99)

#### **D. Commercial Uses.**

##### Class I Commercial Uses

Class I Commercial land use activities include a wide variety of general commercial, recreational, entertainment and related activities. Examples

include the professional and office uses listed in Subsection 4202.E., as well as the following types of commercial uses. The below listed land use activities are not an exhaustive list of commercial activities, although are representative of the Class I General Commercial uses allowed by this Code.

Class I, General Commercial uses are considered uses by right, with proper planning controls in all areas designated as Commercial or Light Industrial on the Future Land Use Map. The Planning Commission and Board of County Commissioners will receive status reports of all Class I General Commercial applications in the monthly planning report.

(Ord. # 2003-006, 8-19-03)

1. Grocery stores, super markets and specialty food stores and bakeries, (< 20,000SF)
2. Medical Walk-In clinics.
3. Hotels and motels, (<24 units)
4. Small Shopping centers, (<50,000 sf, no major magnet stores)
5. Service businesses such as blueprinting, printing, catering, tailoring, travel agencies, upholstery shops and laundries/dry cleaners.
6. Miniature golf and golf driving ranges.
7. Retail plant nurseries.
8. Veterinary offices and animal hospitals, without outside kennels.
9. Restaurants, including take-out and sit down restaurants and restaurants with out-door seating.
10. Funeral homes with or without crematories.
11. Farm and garden supplies.
12. Financial institutions with or without drive-up facilities.
13. Motor vehicle sales, utility trailer sales, rental, service and repair, including truck stops, body shops, road services and car wash facilities.
14. Gasoline sales and service and the combination of gasoline sales and food marts and similar functions.
15. Roadside fruit, produce sales and fireworks stands. All fireworks stands must be inspected by the authority having jurisdiction for inspections.
16. Other commercial land use activities as determined to be Class I by the Planning Director, has minimal offsite impacts and would not be considered to be a nuisance to adjacent properties.

(Ord. # 2003-006, 8-19-03) (Ord. # 2006-020, 8-29-06)

#### Class II Commercial uses.

Class II, General Commercial land use activities include those activities which require outdoor storage, have higher trip generation rates and/or the potential for greater nuisance to adjacent properties than Class I, General Commercial land use activities. Class II General Commercial land use activities are considered Special Exception uses and require review by the Planning Commission and approval by the Board of County Commissioners.

(Ord. # 2003-006, 8-19-03)

1. Recreational vehicle parks and travel trailer parks (see Subsection 5900),

- mobile home parks. This does not include mobile home sales.
2. Truck Stops and fuel facilities with more than 6 fueling stations.
  3. Taverns, bars, lounges, night clubs, restaurants with alcoholic beverage sales, and dance halls.
  4. Outdoor flea markets, and other similar markets.
  5. Veterinary offices and animal hospitals, with outside kennels.
  6. Civic and Fraternal organizations.
  7. Light industrial uses with no off-site impacts that are primarily oriented towards enclosed manufacturing, redistribution, assembly and warehousing. This includes self storage facilities over 10,000sf GFA.
  8. Theaters and auditoriums.
  9. Circuses, fairs and carnivals.
  10. Other land use activities as determined to be Class II.
  11. Childcare / Daycare facilities
  12. Adult Daycare and Adult Congregate Living Facilities (ACLFs) with more than six clients. See Subsection 5105.B. and Subsection 2102, Special Residential Uses.

(Ord. # 2003-006, 8-19-03) (Ord. # 2006-020, 8-29-06)

#### **E. Professional Service and Office Uses.** (Ord. # 2003-006, 8-19-03)

This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions and personal service businesses where service is performed on an individual to individual basis as opposed to services which are performed on objects or personal property. Examples of personal businesses are barber shops, beauty shops, copying and reproduction services. This group of uses may include a dispatching/ communications/office center for the distribution of goods, but specifically excludes the warehousing or actual distribution of goods. This category also includes veterinary offices and animal hospitals, without outside kennels. Office buildings over two stories or 10,000 square feet shall be considered under Type II review.

(Ord. # 1999-002, 8-17-99)

#### **F. Light Industrial Uses.**

This type of use is primarily directed at high-tech, light industrial low polluting uses. The targeted uses shall have a low level of impact to the natural and the built environment. These uses may have minor daytime offsite impacts that will have little effect on neighboring sites. These uses may include mobile homes sales lots, light manufacturing, assembly, warehousing, operations centers, parking of fleet vehicles for equipment that require ten wheels or less and minor outdoor storage of palletted stock materials in opaque enclosures. Light Industrial uses are Class I uses that do not require the emission of any substances in the environment, (this does not include waste water omissions which are properly permitted and operating-) have minimal sight and noise impacts and are considered uses by right in a Light Industrial area.

**Allowable uses.**

1. Building supply, including retail sales of lumber, agricultural supplies and machinery sales.
2. Laboratories, indoor research and development facilities.
3. Mobile home and recreational vehicle sales.
4. Warehouses, including buildings for commercial storage of personal property not used for commercial uses.
5. Printing, publishing and allied printing.
6. The manufacturing of electrical and electronic equipment, machinery and related supplies.
7. Assembly of minor components into larger assemblies or finished products, and the manufacture of finished products from sub-assemblies, components or raw materials.
8. Central facilities for service companies requiring the parking of fleet vehicles with ten wheels or less.
9. The manufacturing of apparel and other finished products made from fabrics and similar materials, other than fiberglass products.
10. The manufacturing of measuring, analyzing and control instruments, photographic, medical, and optical goods, watches and clocks.
11. The manufacturing of computers, related components and communications equipment.
12. Central plant locations for dry cleaners.
13. Auxiliary service uses which support the needs of businesses and employees in a light industrial context such as drive through banking, restaurants, commercial service providers, and retail gasoline stores with convenience stores.
14. Flea Markets with closeable bay doors on vendor stalls.

In addition, certain Class I Commercial uses may locate in Light Industrial areas to provide goods and services to those employed in or near the Industrial zone. These uses are:

1. Grocery stores, super markets and specialty food stores and bakeries, (< 20,000SF)
2. Medical Walk-In clinics.
3. Hotels, motels, (<24 units)
4. Service businesses such as blueprinting, printing, catering, tailoring, travel agencies, upholstery shops and laundries/dry cleaners.
5. Veterinary offices and animal hospitals without outside kennels.
6. Restaurants, including take-out and sit down restaurants and restaurants with out-door seating.
7. Funeral homes with or without crematories.
8. Financial institutions with or without drive-up facilities.
9. Gasoline sales and service and the combination of gasoline sales and

- food marts and similar functions.
10. Other commercial uses may locate in Light Industrial areas as Type II review applications with the required public hearings.

(Ord. # 2003-006, 8-19-03)

## **G. Industrial Uses.**

Industrial uses generally have more significant off-site impacts than Light Industrial. These uses generally require large areas to attenuate impacts associated with the development and operation of the uses. This type of use often requires open storage for vehicles associated with the transportation of products, goods and services such as interstate tractor haulers, tankers, trailers etc with twelve (12) to eighteen (18) wheels. The outside storage of large inventories, such as sub-assemblies or finished products, trailers, houses and mineral resources (including Attapulgitic or fuller's earth or limestone products), shall be included in this category. Manufacturing uses with outdoor processing areas such as concrete or asphalt batch plants or lumber milling operations are considered Industrial. Commercial pressurized propane gas storage and solid bulk transfer stations are allowed, but storage and bulk transfer of liquid petroleum products, other than LPG, is prohibited. Land uses which provide the daily convenience goods and services of persons who work in industrial areas are considered as special exemption uses. All applications for development in Industrial Areas that are not already governed by DRI approvals shall be considered as Class II applications and will require Board of County Commissioners approval.

(Ord. # 1999-002, 8-17-99)

## **H. Recreational use.**

These uses include areas for outdoor activities, such as picnicking, jogging, cycling, arboretums, hiking and nature trails and natural history tours, golf courses, play grounds, ball fields, outdoor ball courts, stables, outdoor swimming pools (public and private) and water related or water dependent uses, such as boat ramps, fishing docks, hunting camps and all other similar outdoor recreational uses. Specifically excluded from this group of uses are firing ranges and gun clubs, marinas, miniature golf courses, race tracks and similar commercial recreational or quasi-recreational activities. The DRC may recommend that some applications may be reviewed as Class II applications.

(Ord. # 2003-006, 8-19-03)

## **I. Silviculture**

Silviculture is the propagation, growth and harvesting of trees of any species for timber, chip or pulp production. The clear cut harvesting of trees on tracts planned for development on corridor roads may incur penalties in the way of reforestation or landscaping requirements at the development approval or land use amendment stage.

(Ord. # 2003-006, 8-19-03)

## **J. Public/Utility.**

This group of activities includes those uses which provide essential or important public services, and which may have characteristics of outdoor storage or potential nuisances to adjacent properties due to noise, light glare or appearance. Government offices and government agency offices are included in this group of uses. Uses include the following and substantially similar activities, based upon similarity of characteristics. These land use activities are grouped into Class I and Class II Public Service/Utility uses.

(Ord. # 1999-002, 8-17-99)

### **1. Class I Uses:**

Class I uses are considered uses by right, with proper planning controls.

- a. Emergency service activities such as buildings, garages, parking and/or dispatch centers for ambulances, fire, police and EMS services.
- b. All local government buildings and facilities.
- c. Additions or expansions to existing public or private schools that create less than one hundred twenty-five percent (125%) of existing classroom capacity.

(Ord. # 2003-006, 8-19-03)

### **2. Class II Uses:**

Class II Public/Utility land use activities are considered special exception uses and require approval by the Planning Commission and the Board of County Commissioners. New public, private, or charter schools can be developed within the Type II review criteria in all residential and agricultural zones noting that site approval and construction requires a subsequent Land Use Amendment change to Public on the next scheduled submission of a Map Amendment to the Department of Community Affairs.

- a. New schools, public, private or chartered. Maintenance facilities and storage yards for schools, government agencies, telephone and cable companies.
- b. Utility facilities, such as water plants, wastewater treatment plants and their offsite disposal facilities and electricity substations, public landfills.
- c. Airports, airfields, and truck or bus terminals.
- d. Regional, state and federal government facilities.
- e. Wholesale export of water from the County packaged as bottled may be permissible as a Class II use by Special Exception.
- f. Export by pipeline

(Ord. # 2003-006, 8-19-03)

3. Essential Services:

The County may permit essential services by special exception and with planning controls in any land use category. These essential services are hereby defined to include and not be limited to; water, sewer, gas, telephone, television, radio, and electrical systems, (including transmission lines and substations) provided that all other requirements of the Comprehensive Plan are met.

(Ord. # 2003-006, 8-19-03)

**K. Institutional Uses**

1. Class I Institutional Uses:

Churches and associated cemeteries are Class II Institutional uses which are a use by right in all agricultural and residential areas. Only those activities which are associated with worship services; weddings, funerals, and similar activities relating to the normal functions of an active congregation are permitted as a use by right. Weekday educational classes, adult or child daycare services, homeless shelters, and other 'outreach' or community counseling activities are considered Class II uses and require special exception permission from the BOCC.

(Ord. # 2003-006, 8-19-03)

2. Class II Institutional uses:

This type of use includes educational facilities (public or private), commercial cemeteries, pre-school and day care facilities (public or private), residential care facilities, drug treatment centers, nursing homes, halfway housing and other similar institutional uses, which may be approved by the BOCC.

(Ord. # 2003-006, 8-19-03)

**L. Historical uses.**

Sites that have been designated as having historical significance to or having historical resources important to Gadsden County. For new sites to be included in this category, a comprehensive plan amendment is a requirement. All new uses in historical structures and on lands which have been designated as Historical and are included on the Future Land Use Map as Historical must receive authorization from the Board of County Commissioners to conduct any commercial use. These commercial uses may include, Bed and Breakfast, Taverns, Inns, Hunting lodges and camps, natural history tours and associated commercial operations. Other uses may be included upon approval by the Board of County Commissioners. All re-development of historical structures and commercial operations in historical structures and properties are considered Class 2 uses and are subject to review and approval by the Board of County Commissioners. Acquisition and land use changes of lands by the County for historic resource

preservation and heritage or history related activity centers have priority in the Land Use Amendment processing for the period in which they are submitted.

(Ord. # 1999-002, 8-17-99)

**M. Mining uses.**

The types of uses in this group include any extraction activities, specifically the mining of Attapulgite Clay, Fuller's Earth or rock mining. Included as allowable uses are the associated industrial the processing, refinement, packaging and transportation of extracted materials. Offices for such mining activities are also included in this group.

(Ord. # 1999-002, 8-17-99)

**N. Home Occupations.**

Home Occupations are uses which are unobtrusive with minimal to no impact on the surrounding area and do not require additional employees, numerous deliveries or additional outdoor storage areas or structures.

There shall be no display of the use and no person not a resident of the premises shall be employed specifically in connection with the home occupation. No mechanical equipment shall be installed and used for the customary home occupation except that type of equipment which is normally used for domestic or professional purposes. No more than twenty-five percent (25%) of the total floor space of the structure shall be used for home occupations. Home occupations must comply with all necessary building code requirements. Home Occupations are limited to one (1) sign no greater than four (4) square feet.

(Ord. # 2003-006, 8-19-03)

**SECTION 4300. Allowable Land Uses in Each Land Use Category.**

The following table outlines the permitted uses included in the listed land use category. Uses not listed may be permitted by special exception by the Board of County Commissioners.

**TABLE 4300 Permitted Uses**

LAND USE CATEGORY	PERMITTED USES
<b>Urban Service Area</b> Subsection 4101	Residential (5:1) with water & sewer & paved roads Residential (2:1) with water & paved roads Residential (1:1) with either central water or paved roads- Recreation Institutional Public Commercial



	Light Industrial Home Occupations
<b>Rural Residential</b> Subsection 4102	Residential (1:1) Recreation Class I Institutional Public Agriculture Silviculture Neighborhood Commercial Home Occupations
<b>Agriculture 1</b> Subsection 4103	Residential (1:5) Agriculture Silviculture Class I Institutional Public Historic Neighborhood Commercial Home Occupations
<b>Agriculture 2</b> Subsection 4103	Residential (1:10) Agriculture Silviculture Class I Institutional Public Historic Neighborhood Commercial Home Occupations Solar Power Generation Facilities
<b>Agriculture 3</b> Subsection 4103	Residential (1:20) Agriculture Silviculture Recreation Class I Institutional Public (Except Schools) Historic Neighborhood Commercial Home Occupations Solar Power Generation Facilities
<b>Commercial</b> Subsection 4104	Commercial Professional/Service/Office Institutional Public

<b>Conservation</b> Subsection 4105	Recreation Silviculture with (BMP's)
<b>Recreation</b> Subsection 4106	Recreation Public
<b>Public</b> Subsection 4107	Public Institutional
<b>Historic</b> Subsection 4108	Historical Recreation Residential Agriculture Conservation Other approved uses
<b>Light Industrial</b> Subsection 4109	Light Industrial Class I Commercial Public
<b>Industrial</b> Subsection 4110	Commercial Light Industrial Industrial Public
<b>Mining</b> Subsection 4111	Mining Landfills
<b>Silviculture</b> Subsection 4112	Silviculture Residential (1:80)

- Notes: 1. Existing Silviculture and Agriculture are allowable uses in all land use categories prior to other more intense development.  
2. Undeveloped lots of record in predominantly residential areas that have a commercial designation may elect for residential use.

(Ord. #. 2003-006, 8-19-03, Ord. #. 2016-019)