



LAND DEVELOPMENT CODE

Chapter 2 Zoning Regulations

- (6) *Prohibited Activities.* Any other activity related to preparation, wholesale storage, distribution, transfer, cultivation, or processing of any form of marijuana or marijuana product not specifically authorized by the license issued by the Florida Department of Health to the dispensing organization for the subject facility or center.
- (7) *Business Tax Receipt Requirement:* Owners or ownership entities of medical marijuana dispensing facilities or treatment centers licensed by the Florida Department of Health, must obtain a Business Tax Receipt from the Okaloosa County Tax Collector for such use.
- (8) *Compliance with other laws.* Medical marijuana dispensing facilities or treatment centers shall at all times be in compliance with all applicable state and local laws and regulations. In the event of a conflict between the provisions of state law and this Ordinance, then the provisions of state law shall control.
- (9) *Enforcement.* The provisions of Section 2.20.10 may be enforced by the Code Enforcement Division of the Okaloosa County Growth Management Department or by the Okaloosa County Sheriffs Office. Nothing herein shall preclude or limit the ability of the Okaloosa Sheriffs Office or any other law enforcement entity from pursuing any action authorized by law.

2.21.00 ACCESSORY USES AND STRUCTURES

2.21.00 Purpose: Provide guidelines and standards for those uses and structures that may be customarily incidental or commonly associated with permitted uses as may be appropriate to maintaining the purpose and integrity of any particular zoning district.

2.21.01 Applicability: Accessory uses and structures are a permitted use on any lot or parcel when such use is customarily incidental and commonly associated with a principal permitted use as may be specified in any particular zoning district. A finding of whether or not a use or structure is customarily incidental to or commonly associated with a permitted use shall be supported by the following:

1. the use is so necessary or commonly to be expected that it cannot be supposed that the zoning regulations were intended to prevent it, and;
2. consideration of the impact upon the surrounding area and the zoning district involved. Any range of accessory uses and structures may be permitted when it has been commonly, habitually, and by long practice established that such uses and structures are reasonably related to, and associated with, a principal permitted use. The requirements specified herein are not intended to apply to temporary uses and structures.

2.21.02 Residential Accessory Uses and Structures: The following accessory uses and structures are considered commonly associated with residential uses.

1. The following are permitted on lots or parcels in [R-1](#), [R-2](#), [R-3](#), [SR](#) and [MU](#) zoning districts.
 - a. Private, freestanding garage or carport;



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- b. Fence (except barbed wire, razor wire, glass-topped or other similar type not commonly associated with residential use);
 - c. Storage shed;
 - d. Freestanding deck, patio;
 - e. Dock or pier;
 - f. Swimming pool and enclosure, pool house;
 - g. Gazebo, cabana;
 - h. Vegetable or ornamental garden;
 - i. Playhouse;
 - j. Television or radio antennae;
 - k. Keeping of domesticated animals as pets;
 - l. Guest house;
 - m. Garage apartment.
 - n. Home occupation/office;
 - o. Home or kitchen garden;
 - p. Other similar uses and structures.
2. The following are permitted as part of an overall residential neighborhood or development and as part of a mixed use development or multi-family building development in [R-1](#), [R-2](#), [R-3](#), [SR](#) and [MU](#) zoning districts.
- a. Recreation areas including playgrounds, fields, courts, trails, etc.;
 - b. Community center, club house;
 - c. Community parking area or garage;
 - d. Vehicle/boat storage area;
 - e. Maintenance facilities and yards;
 - f. Security gates, guard house;
 - g. Docks or piers, private marina;
 - h. Golf course, including club house, pro shop, and restaurant;
 - i. Identification and directional signs;
 - j. Business office;
 - k. Dumpsters;
 - l. Home or kitchen garden;
 - m. Other similar uses and structures.

2.21.03 Nonresidential Accessory Uses and Structures: Commercial accessory uses and structures commonly associated with commercial, industrial, or institutional permitted uses are permitted in [C-1](#), [C-2](#), [C-3](#), [I-1](#), [I-2](#), and [INST](#) zoning districts as follows.

1. Drive-up/through windows;
2. Automatic tellers, kiosks;
3. Vehicle/equipment storage areas;
4. Dumpsters;
5. Facilities operated primarily for the convenience of employees, clients, or customers of a permitted principal use which is operated as an integral part of such use and does not create a separate business or commercial activity;



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6. Home or kitchen garden;
7. Other similar uses and structures.

2.21.04 Agriculture Accessory Uses and Structures: Agriculture accessory uses and structures commonly associated with agricultural permitted uses are permitted in the [AA](#) zoning district as follows.

1. General Agriculture: Barn; stable; keeping farm animals, livestock, poultry, bees ([see paragraph 10](#)); produce/vegetable stand; equipment and storage shed; silo; windmill; fuel tank; water tank; poultry house; animal pen; irrigation devices, and; other similar uses.
2. Conservation, Outdoor Recreation, Public/Institutional: Uses and structures commonly associated with these permitted uses.

2.21.05 Limitations and Restrictions: Permitted accessory uses and structures shall be subject to the following limitations and restrictions.

1. No accessory use or structure shall be installed, constructed, or placed so as to prevent the safe use of any driveway, or to cause a vision obstruction in any intersection vision triangle, or otherwise create a hazard by obstructing the view of pedestrians, cyclists, or motorists.
2. Accessory uses or structures located in side or rear yards shall be no closer than five (5) feet to any property line, except as otherwise specified herein.
3. Accessory uses and structures located in front yards must conform to the front minimum building setback requirement for the zoning district in which it is located, except as otherwise specified herein.
4. Fences: Fences are permitted in any zoning district subject to the following restrictions.
 - a. Fences may be installed or constructed along or within any property line.
 - b. Fences must be constructed using customary fencing materials such as wood, metal, wire, or masonry.
 - c. Use of barbed wire, razor wire, or chicken wire is prohibited in residential districts.
 - d. Fences shall not exceed eight (8) feet in height.
 - e. No fence shall be placed across any public right-of-way or public easement unless permission is granted by the agency of jurisdiction.
 - f. Certain uses may be subject to state fencing laws including, but not be limited to: game preserves (s. [379.302](#), F.S.); open pits (s. [768.10](#), F.S.); waste disposal (s. [62-701](#), FAC); junkyards (s. [339.241](#), F.S.); swimming pools ([Ch. 515](#), F.S.); livestock fences ([Ch. 588](#), F.S.).
5. Dumpsters: Dumpsters are permitted in all zoning districts except [R-1](#) and [R-2](#) subject to the following restrictions.
 - a. Temporary construction dumpsters are permitted in [R-1](#) and [R-2](#) zoning districts.