

LEON COUNTY ORDINANCE NO. _____

AN ORDINANCE AMENDING LEON COUNTY ORDINANCE NO. 92-11 TO PROVIDE FOR A CHANGE IN ZONE CLASSIFICATION FROM THE LP LAKE PROTECTION ZONING DISTRICTS TO THE PUD PLANNED UNIT DEVELOPMENT ZONING DISTRICT IN LEON COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Official Zoning Map as adopted in Leon County Ordinance No. 92-11 is hereby amended by changing the zoning classification from LP Lake Protection to North Monroe PUD as it pertains to the following described real property:

A tract of land lying in Section 32, Township 2 North, Range 1 West, Leon County, Florida, more particularly described as follows:

Commence at a concrete monument #1254 marking the Southwest corner of the Northwest Quarter of said Section 32 and run North 88 degrees 19 minutes 03 seconds West 27.80 feet to a concrete monument #1254 lying on the Easterly right of way boundary of State Road No. 267 (Capital Circle N.W.) (100 foot right of way), thence North 09 degrees 47 minutes 06 seconds East along said right of way boundary 287.02 feet to an iron pin LB #732 marking the Northwest corner of property described in Official Records Book 1244, Page 2323 of the Public Records of Leon County, Florida, for the POINT OF BEGINNING. From said POINT OF BEGINNING continue North 09 degrees 47 minutes 06 seconds East along said Easterly right of way boundary of State Road No. 263 a distance of 774.24 feet to a concrete monument LB #732 lying on the Southwesterly right of way boundary of State Road No. 63 (U.S. Highway No. 27), said concrete monument also lying on a curve concave to the Southwesterly, thence Southeasterly along said curve and along said right of way boundary being a line 160 feet Southwesterly of and parallel with the centerline of survey of said State Road No. 63 with a radius of 8025.16 feet, through a central angle of 02 degrees 15 minutes 50 seconds, for an arc distance of 317.08 feet (the chord of said arc being South 36 degrees 33 minutes 27 seconds East 317.06 feet) to a concrete monument, thence South 35 degrees 25 minutes 32 seconds East along said right of way boundary and along said parallel line a distance of 315.65 feet to a concrete monument LB #732, thence South 85 degrees 37 minutes 12 seconds East along said right of way boundary 29.87 feet to a concrete monument LB #732 lying on a curve concave to the Northwesterly on the Northwesterly boundary of a 60 foot roadway known as Tower Road Extension, thence leaving the right of way boundary of said State Road No. 63 run Southwesterly along the Northwesterly boundary of said Tower Road Extension and along said curve with a radius of 129.04 feet, through a central angle of 20 degrees 55 minutes 34 seconds, for an arc distance of 47.13 feet (the chord of said arc being South 54 degrees 47 minutes 51 seconds West 46.87 feet) to a concrete monument LB #732 marking a point of reverse curve, thence along the boundary of said Tower Road Extension and along said reverse curve with a radius of 162.00 feet, through a central angle of 51 degrees 08 minutes 49 seconds, for an arc distance of 144.61 feet (the chord of said arc being South 39 degrees 41 minutes 13 seconds West 139.86 feet) to an iron pin #2658 lying on the Northeasterly boundary of property described in Official Records Book 1512, Page 391 of the Public Records of Leon County, Florida, thence leaving the boundary of said Tower Road Extension run North 23 degrees 31 minutes 59 seconds West along the Easterly boundary of said property 35.33 feet to an iron pin #2658, thence South 66 degrees 36 minutes 07 seconds West along the Northerly boundary of said property 190.89 feet to an iron pin #2658 marking the Northwest corner of said property and also marking the most Northerly corner of property described in Official Records Book 1486, Page 567 (Tract 12) of the Public Records of Leon County, Florida, thence South 45 degrees 12 minutes 42 seconds West along the Northwesterly boundary of said property 85.41 feet to an iron pin #2658 marking the Northeast corner of said property described in Official Records Book 1244, Page 2323, thence South 86 degrees 06 minutes 51 seconds West along the Northerly boundary of said property 156.01 feet to the POINT OF BEGINNING; containing 4.54 acres, more or less.

SECTION 2. Development of real property shall comply with all applicable standards and regulations not noted herein and other conditions of approval;

1. The concept plan shall be revised to include annotation for the Conservation component, "No development is allowed within the Conservation Easement."
2. The concept plan shall be revised to provide the parking and loading standards for the proposed PUD district, or annotation shall be provided in Section 3=1 Development Standards stating that parking requirements from the most current Land Development Regulations shall apply.
3. The concept plan application shall be revised to include how proposed amendments will be handled for the proposed PUD district.
4. The concept plan application shall be revised to include the following annotation:
 - a) Entrance and exit signs shall be provided only at vehicular access points of the proposed development, must be directional only and can not contain any overt branding; and,
 - b) All signs must be monument type or pedestal-mounted type; and,
 - c) Pole signs are prohibited.
5. The concept plan application shall be revised to clarify which components will make up the proposed 45% green space area.
6. The concept plan application shall be revised to address buffering the stormwater management facility against adjacent land uses.
7. The concept plan application shall be revised to clarify the type of residential use for the proposed component.
8. The concept plan application shall be revised to include a minimum lot size and maximum density for the proposed residential component.
9. The applicant shall revise the concept plan lighting standards to state, "lighting levels at the property line adjacent to residential areas shall not exceed 0.5 foot candles."
10. The concept plan application shall be revised to avoid any overlap between the conservation and utility (e.g., sanitary sewer) easements.
11. The concept plan shall be revised to adjust the natural area calculations for the redevelopment allowances.
12. The concept plan shall be revised to include annotation that stormwater management facilities that rely upon volume recovery via percolation shall be tested before and after construction of principal improvements to confirm the design infiltration rates are met.
13. The concept plan shall be revised to illustrate the area below elevation 110' (NGVD29). Annotation shall be added to the concept plan to state, "This area shall be densely planted to mimic the existing, natural conditions and buffer the view of proposed structural improvements".

14. Prior to public hearing before the Board of County Commissioners the existing conservation easements located onsite shall be properly abandoned and relocated before final concept plan approval.
15. The concept plan application shall be revised to include conceptual Environmental Impact Analysis (EIA) approval for the revised PUD configuration. The conceptual EIA shall address the integration of existing trees with 36" diameter at breast height into the PUD layout.
16. The concept plan application shall be revised to provide the width of the required buffer between the Minor Commercial component and the Residential Area component. Landscape Areas and Conservation Easements can be used to meet landscape buffering requirements.
17. The concept plan application shall be revised to provide the documentation indicating the proposed vehicular access to North Monroe is feasible given the severe slopes (20%+) at the location.
18. The concept plan shall be revised to identify a non-Leon County entity for the maintenance of the Tower Road Extension.
19. The concept plan application shall be revised to provide vehicular and pedestrian interconnection between residential and minor commercial components.
20. The concept plan shall be revised to remove the residential connection to Capital Circle.
21. The concept plan shall be revised to include annotation that the proposed development shall comply with all applicable Leon County sidewalk requirements.
22. The concept plan shall revise the residential component to be consistent with the ½ acre minimum lot size standard stated in the Comprehensive Plan, while maintaining compliance with the 40:60 clustering ratio.
23. The concept plan application shall provide the following annotation, "A portion of the stormwater management facility will be located in each component".
24. The applicant shall revise *Figure 4* on page 3 of the concept plan to account for the enlarged residential component.

SECTION 3. All Ordinance or parts of Ordinance in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with said Comprehensive Plan.

SECTION 4. If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on this ___ day of _____, 2008.

LEON COUNTY, FLORIDA

Jane G. Sauls, Chairman
Board of County Commissioners

ATTEST:
Bob Inzer, Clerk of the Court

By: _____

APPROVED AS TO FORM:
County Attorney's Office
Leon County, Florida

By: _____
Herbert W. A. Thiele, Esq.
County Attorney