ORDINANCE NO. 09-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 10, LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING ARTICLE VI, DIVISION 7, SPECIAL REGULATORY PROVISIONS, BY RENUMBERING SECTIONS 10-6.705, 10-6.706, 10-6.707, 10-6.708, 10-6.709 AND 10-6.721 TO PROVIDE FOR CONSECUTIVE NUMBERING; AMENDING SECTION 10-7.502, GENERAL LAYOUT DESIGN STANDARDS TO PROVIDE FOR REGULATIONS PREVIOUSLY ADOPTED BY ORDINANCE BUT INADVERTENTLY OMITTED DURING CODIFICATION; AMENDING SECTION 10-7.522, BUFFER ZONE STANDARDS TO PROVIDE FOR REGULATIONS PREVIOUSLY ADOPTED BY ORDINANCE BUT INADVERTENTLY OMITTED DURING CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the codification of ordinances for Supplement No. 14 of the Leon County Code was completed in September 2008; and

WHEREAS, scrivener's errors and inadvertent discrepancies have been found in Chapter 10, the Land Development Code, as a result of the codification of ordinances for Supplement No. 14; and

WHEREAS, the Board of County Commissioners desires to correct these scrivener's errors and inadvertent discrepancies in Chapter 10 of the Leon County Code;

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

Section 1. Chapter 10, Article VI, Division 7, Section 10-6.705, of the Code of Laws of Leon County, Florida, entitled "Conservation Areas," is hereby amended by being renumbered as Section 10-6.704, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.705~~ 10-6.704. Conservation areas.

* * *

Section 2. Chapter 10, Article VI, Division 7, Section 10-6.706, of the Code of Laws of Leon County, Florida, entitled "Preservation areas," is hereby amended by being renumbered as Section 10-6.705, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.706~~ 10-6.705. Preservation areas.

* * *

Section 3. Chapter 10, Article VI, Division 7, Section 10-6.707, of the Code of Laws of Leon County, Florida, entitled "Special development zones," is hereby amended by being renumbered as Section 10-6.706, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.707~~ 10-6.706. Special development zones.

* * *

Section 4. Chapter 10, Article VI, Division 7, Section 10-6.708, of the Code of Laws of Leon County, Florida, entitled "Canopy roads overlay district," is hereby amended by being renumbered as Section 10-6.707, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.708~~ 10-6.707. Canopy roads overlay district.

* * *

Section 5. Chapter 10, Article VI, Division 7, Section 10-6.709, of the Code of Laws of Leon County, Florida, entitled "Historic Preservation Overlay District," is hereby amended by being renumbered as Section 10-6.708, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.709~~ 10-6.708. Historic Preservation Overlay Distraict.

* * *

Section 6. Chapter 10, Article VI, Division 7, Section 10-6.721, of the Code of Laws of Leon County, Florida, entitled "Bradfordville Mixed Use Overlay District," is hereby amended by being renumbered as Section 10-6.709, Code of Laws of Leon County, Florida, as follows:

Sec. ~~10-6.721~~ 10-6.709. Bradfordville Mixed Use Overlay District.

* * *

Section 7. Chapter 10, Article VII, Division 5, Subdivision 1, Section 10-7.502, of the Code of Laws of Leon County, Florida, entitled "General layout design standards," is hereby amended to read as follows:

Sec. 10-7.502. General layout design standards.

(a) A subdivision and every lot therein, as well as each undivided site to be developed, shall have legal access to a publicly dedicated street. Except for use with subdivisions that are to be platted, legal access shall also include licenses of way which are held by property owners, on

the condition that the license holder agrees to execute a license recognition agreement with Leon County as a condition for the issuance of the permit. The license recognition agreement shall be in a form approved by the county attorney, and shall include covenants which shall run with the land, acknowledging the existence of a terminable license agreement as the access basis for the issuance of the permit and agreeing that the licensee shall hold Leon County harmless for the issuance of such permit. Each permit granted pursuant to this license provision shall only be issued after the department has given notice of intent to issue such permit to the owners of all property that abut the license location, other than the licensor and any entity maintaining a public street adjoining the license area. The requirement for legal access for a lot of record as of January 1, 1984 shall be waived where the existing parcel does not have legal access at the time a permit application is filed for any residential use, provided that the existing parcel has at the time the permit application is filed and has previously maintained actual access through one or more adjoining parcels, one of which is at least 1,000 acres in size; provided that as a condition for approval of such permit, the applicant acknowledges such lack of legal access in a form approved by the county attorney, and records such form in the public records of Leon County, and agrees to hold Leon County harmless for the subsequent issuance of any such permits.

(b) New development shall be designed to support the development of a network of interconnecting streets that work to disperse traffic while connecting and integrating neighborhoods with the existing fabric of the community. Such a network makes the following possible: provides choices for drivers, bicyclists, and pedestrians, connects neighborhoods to each other and to local destinations, reduces vehicle miles of travel and travel times, improves air quality, reduces emergency response times, increases effectiveness of municipal service delivery, and frees up arterial capacity to better serve regional long distance travel needs.

The following standards shall apply to all new development, including subdivisions, undivided sites proposed to be developed, and construction of new streets:

(1) Within the urban services area, nonresidential and multi-family development shall be designed to require vehicular and pedestrian cross access to adjacent commercial, office, multi-family, recreation, and community facility uses to reduce the necessity of using the public street system in order to move between adjacent and complementary land uses. The following shall apply:

(a) If the adjacent site is developed, the developer shall design and build the appropriate cross-access to the property line of the adjacent parcel, unless found infeasible by the development review committee based on the criteria listed in paragraph (9)(e)i. and (9)(e)ii. of this section.

(b) If the adjacent site is undeveloped or if the adjacent site is developed but cross-access is not possible at the time of application, the developer shall design and build the cross-access to the property line of the adjacent parcel in anticipation of future connection when that site is developed or redeveloped, unless found infeasible by the development review committee based on the criteria listed in paragraph 9(e)(i) and 9(e)(ii) of this section.

(c) The minimum pavement width of a vehicular and pedestrian cross-access shall be determined by the county engineer or designee and shall be designed to allow for vehicular and pedestrian cross access to adjacent commercial, office, multi-family, recreation, and community uses and to allow shared access points on public or private streets.

(d) Shared access points, rather than individual access points, on public or private streets shall be required where it is determined by the county engineer or designee that such shared access points would protect capacity on adjoining roadways or be in the interest of public safety.

~~[Note, DPW indicated that this condition is already a prerequisite for payment of a fee in lieu]~~

(2) Streets shall interconnect within a development and with adjoining development, and the street system of a proposed development shall be designed to coordinate with any existing or proposed streets outside of the development.

a. The proposed development shall include street connections to existing or proposed streets or rights-of-way that abut, are adjacent to, or terminate at the development site, unless determined impractical by the county engineer or designee. If the adjacent ROW is not paved, the new development shall construct that offsite portion of roadway necessary to complete the interconnection.

b. The proposed development shall dedicate right-of-way that extends to undeveloped or partially developed land that is adjacent to the development site or that is separated from the development site by a drainage channel, transmission easement, survey gap, or similar property condition. Right-of-way shall be provided to the property line to provide for future development, and shall be in locations that will not prevent the adjoining property from developing consistent with applicable standards, as determined by the development review committee.

c. In cases where the creation of a new collector would significantly enhance the internal and external transportation network supporting the new subdivision, as determined by the development review committee, such collector, built to standards of this Code, shall be incorporated into the design of the new subdivision.

d. Subdivisions with individual driveway cuts into new or existing arterial and collector streets shall not be allowed, unless approved by the development review committee through the deviation process. This provision shall not apply if such application would completely remove ingress or egress from the parcel, as determined by the county engineer.

e. The requirements of paragraph (2)a. and b. above do not apply if it is demonstrated, as determined by the development review committee, that a connection cannot be made because of the existence of one or more of the following conditions:

i. Physical conditions preclude development of the connecting street. Such conditions may include, but are not limited to, topography or likely impact to natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, wildlife habitat area, or other conservation or preservation features;

ii. Buildings or other existing development on adjacent land, including previously subdivided but vacant lots or parcels, physically preclude a connection now or in the future. The potential for redevelopment of adjacent lands shall be considered in evaluating whether or not a connection will be required.

(3) Pedestrian, bicycle, and emergency access will be provided to any public building, public park, trail, bikeway, transit stop, or to any abutting public school where such connection is approved by the school system.

(4) Where residential developments have cul-de-sac or dead-end streets, such streets shall be connected to the closest local or collector street or to cul-de-sac in adjoining subdivisions via a sidewalk or multi-use path, unless deemed impractical or unsafe by the development review committee.

(5) All paths shall connect to the street system in a safe and convenient manner, as determined by the development review committee, based on the following criteria:

a. All path connections shall be signed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) or as directed by the county engineer.

b. All paths shall be built in locations that are visible and easily accessible, for the personal safety of users.

c. All paths, including those where multiple uses are intended (i.e., shared pedestrian and bicycle traffic), shall be constructed of durable, low-maintenance materials, with sufficient width and clearance to allow users to proceed at reasonable speeds, as determined by the county engineer or designee.

(c) No direct driveway access shall be permitted to a canopy road or, inside the urban service area, to a major collector or arterial roadway from any newly created residential subdivision lot, unless a variance is granted by the county.

(d) Access points for a development shall be designed to prevent avoidable interference with traffic flow.

(e) Frontage roads when required shall separate commercial development from adjacent arterial and major connector roadways.

(f) Bicycle lanes and bicycle paths are required in conjunction with planned minor collector and above roadways to provide access in and between developments.

(g) The following apply to easements:

(1) Off-road utility easements shall be at least 20 feet wide. Off-road utility easements may be reduced, if approved by the County Engineer or the utility provider, to minimum of 15 feet in width if it can be adequately demonstrated by the applicant that such width is sufficient for the effective operation and maintenance of said utility(ies). The county shall develop criteria to be utilized by the engineer of record in determining whether or not to allow an off-road utility easement width of less than 20 feet.

(2) Drainage easements shall conform substantially to the 100-year floodplain of watercourses, waterbodies and wetlands and shall be of sufficient width for construction and maintenance, unless a broader conservation easement is more appropriate.

(h) The following apply to lots:

(1) No lot shall have a buildable area of less than 35 feet between the front and rear yard setback lines nor shall it be less than the required minimum width and depth specified in article X, or subsequent land development regulations which supersede same. Depth and width of lots subdivided for nonresidential purposes shall be adequate for building area, off-street parking, and service facilities required by the type of use and development anticipated. No lot shall have a minimum frontage of less than 15 feet.

(2) There shall be no double frontage residential lots access except to provide separation of development from arterial streets or canopy roads or to overcome specific disadvantages of topography, orientation and property size.

(3) No development shall occur in areas where physical constraints or hazards exist as determined by Article IV. In such areas, density or intensity of use shall be located in adjacent areas to reflect the constraint.

(4) Flag lots are prohibited unless their use is specifically granted by a variance.

(5) No new developments shall be permitted which would allow development to occur within 100 feet of the centerline of a canopy road except for legal access (provided no alternative exists) or for health, safety or welfare of the public and only within the written approval of the Board of County Commissioners.

(6) Lot corners shall be marked with permanent monumentation by a land surveyor upon approval and recordation of the final plat.

(7) The following apply to blocks in the urban services area only:

a. Residential blocks shall not be greater than 1,400 feet in length.

b. Through-block pedestrian rights-of-way or easements not less than 20 feet in width in residential blocks greater than 1,000 feet in length shall be required where necessary to provide access to schools, play grounds and other community facilities.

(8) Preservation of existing protected trees is encouraged and is subject to the provisions of Article IV.

(9) Notwithstanding vested status pursuant to this article, in approved subdivisions which are recorded or unrecorded, no lot shall be developed as a road which is not dedicated to the public without the express approval of Leon County Commission and the owners of two-thirds of the other lots within that subdivision.

(i) Private streets providing sole access to one or more lots are permissible only if all the following requirements are met:

(1) The minimum width of the right-of-way shall comply with county requirements. Additional width may be required if necessary for drainage or utilities outside the area of the driving surface or on-street parking facilities if permitted. A lesser width may be granted to protect large trees or other environmental features.

(2) Design, location, and improvement shall provide for safe intersection with public streets, safe passage of public service and emergency vehicles, and protection of adjoining property, and adequate turnaround at the end of the dead-end.

(3) Private streets shall be built to public construction standards; provided, however, that access to lots created pursuant to policy 2.1.9 of the comprehensive plan is not required to comply with this requirement.

(4) The term "private street" shall not include driveway.

(5) Agreements for the continuing common use of the private street by occupants of the property served, drainage, access easements for public service and emergency vehicles, and continuing private maintenance to keep the street in condition for safe passage of public service and emergency vehicles shall be reviewed and approved in advance by the county attorney.

(6) For private streets, the final plat and any sales documents on their face, in boldface letters, shall contain the following language: The county does not have responsibility for maintenance of the streets and drainage easements serving this property, if any, and the purchaser may be responsible for such maintenance.

(7) The land area within a private street, stormwater, conservation areas, and other such private facilities shall not be included in calculations for meeting design standards for individual lots as specified in Article–VI. Common ownership and maintenance of these private facilities shall be provided.

(j) Within developments created pursuant to this article, the applicant shall install, grade, and construct all new streets in accordance with the requirements and specifications of the county.

(k) Bikeways either along streets or through a separate system of recorded easements shall be provided in residential developments created inside the urban services area and approved pursuant to these regulations and shall be installed in accordance with the requirements and specifications of the county.

(l) The following design standards shall apply to all streets:

(1) All streets, whether public or private, shall be paved within the urban service area and designed in accordance with the Green Book standards for pavement and base specifications.

(2) Pavement widths, median strips, parking lanes, sidewalks and other traffic engineering features shall be constructed, unless otherwise herein specified, in accordance with adopted policies and guidelines of the Board of County Commissioners.

(3) Within or adjacent to the proposed development, arterial and collector streets shall provide for the continuation of arterial or collector streets from surrounding areas, except where topographic or other conditions make such continuance projection unnecessary, or impracticable. Collector streets shall intersect with collector or arterial streets at safe and

convenient locations.

(4) Local streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation, but such connections should not be permitted where the effect would be to promote vehicular traffic at speeds that are unsafe for pedestrians and cyclists.

(5) Local streets shall be designed – by incorporation of such features as reduced front setbacks, professionally accepted methods of traffic calming, landscaping, street furniture, pedestrian scale street lighting, etc. – to discourage vehicular traffic at speeds that are unsafe for pedestrians and cyclists, but to provide linkages between neighborhoods, access to commercial, office multi-family, recreation, community facilities, and school, and maintaining access for service and emergency vehicles.

(6) Street jogs shall meet the offset standards established by the County Engineer.

(7) Street intersections shall not include more than four street approaches.

(8) Streets shall be designed to intersect as nearly as possible at right angles and no street shall intersect another at less than 75 degrees, provided that other arrangements for smooth merging of traffic shall be permitted when the total effect of the intersection is to reduce traffic hazards and provide for smooth traffic flow at the intersection as a whole.

(9) A roadway which connects two public roads classified higher than local is a connector road and shall be built to public standards and dedicated to the public for maintenance.

(10) In the urban fringe and within the urban service area dead-end streets shall have at least minimum turnaround dimensions for a single unit design vehicle.

(11) In the urban fringe and within the urban services area, any new street that exceeds one lot in depth will require construction of a temporary turnaround.

(12) All new streets shall be designed and built with geometric features to accommodate a single-unit design vehicle.

(13) Railroad rights-of-way and limited-access highways, where so located as to affect the development of adjoining land, shall be treated as follows:

a. In residentially zoned districts, the lot depth adjacent to the

railroad right-of-way or limited-access-highway shall be 25 feet more than the minimum required by Article VI. No structure shall be placed within 25 feet of such lot adjacent to the railroad right-of-way or highway.

b. No street which crosses a railroad at grade shall intersect another street within 150 feet of the railroad right-of-way, except that such minimum shall not apply in nonresidential subdivisions when the street is neither the primary nor sole accessway to the adjacent lots.

c. Traffic signals shall be required where indicated by the County Engineer.

(14) *Connections to Private Streets.* In cases where a private street is being built, but there is potential for interconnection to adjacent properties or roads, the proposed development shall dedicate right-of-way that extends to the adjacent property or road. Right-of-way shall be provided to the property line and shall be in locations that will not prevent connection to the adjoining property or road.

(15) *Future Street Connection Signage.* All dead-end streets, dedicated right-of-way, and street stubs that have the potential to connect to adjacent property or with nearby streets must be signed with the following language, or its equivalent: "This cul-de-sac or stub-out is temporary. The street will be extended when the adjacent property develops." Additionally, in the case of right-of-way which is platted but not paved, permanent, concrete markers shall be placed on either side of the right-of-way. These concrete markers shall be 4 inch by 4 inch and extend at least 6 inches above adjacent ground elevations shall be placed at locations where the right of way limits change. Unless otherwise approved by the County Engineer, the County shall install these signs and markers at the expense of the developer.

(16) *Coordination with City Public Works.* In cases where a property is bounded by the Tallahassee City Limit line, the applicant shall provide evidence that the location of proposed interconnections and access points have been coordinated with and approved by the City of Tallahassee Public Works Department.

(17) *Relation of streets to long range transportation plan.* Arrangement, character, extent, width, grade and location of all streets shall conform to the long range transportation plan of the city and county or elements thereof officially adopted, and to the topographic and other natural features, public convenience, and safety and appropriate relations to proposed uses of land to be served by such streets and existing or potential land uses in adjoining areas.

(m) The following apply to street names:

(1) Streets which are extensions of existing streets shall have the same name.

(2) No street names shall be used which will duplicate or be confused with the names of existing or proposed streets.

(3) All street names shall be approved by the county administrator prior to the approval of the site and development plan.

(4) Any changes in names of streets must be approved by the Board of County Commissioners.

Section 8. Chapter 10, Article VII, Division 5, Subdivision 1, Section 10-7.522, of the Code of Laws of Leon County, Florida, entitled "Buffer zone standards," is hereby amended to read as follows:

(a) *Buffering standards:* The following buffering standards are intended to implement the provisions of the Land Development Code and applicable policies of the Comprehensive Plan. Should there be a conflict between the provisions of this article and those of the Comprehensive Plans and Article IV, the most restrictive or that imposing the higher standard shall govern.

(1) A buffer zone is a landscaped strip along parcel boundaries that serve a buffering and screening function between uses and zoning districts, provides an attractive boundary of the parcel or use, or as both a buffer and attractive boundary. This shall not be interpreted to mean that parcels within a planned mixed use development must meet these requirements.

(2) The width and degree of vegetation required depends on the nature of the adjoining uses. The standards specified below prescribe the required width and landscaping of all buffer zones.

(3) The standards for buffer zones are set out in the following illustrations that specify the number of plants required per 100 linear feet. To determine the total number of plants required, the length of each side of the property requiring a buffer shall be divided by 100 and multiplied by the number of plants shown in the illustration. The plants shall be spread reasonably evenly along the length of the buffer.

(4) The buffering standards applicable to community services/institutional uses shall be determined during the course of the required land development review process pursuant to section 10-6.806.

(5) The foregoing standards shall be applied between abutting parcels as

follows:

BUFFERING AND SCREENING REQUIREMENTS

* * *

TYPE "A" LANDSCAPE BUFFER

* * *

TYPE "B" LANDSCAPE BUFFER

* * *

TYPE "C" LANDSCAPE BUFFER

* * *

TYPE "D" LANDSCAPE BUFFER

* * *

(6) Buffering for mixed use developments shall be based on the more intense use in the building or cluster of buildings.

(7) The use of existing native vegetation in buffer zones is preferred. If a developer proposes to landscape a buffer zone with existing native vegetation, the environmental compliance staff may recommend, and the director may allow, a waiver from the strict planting requirements of this section if:

1. The waiver is necessary to prevent harm to the existing native vegetation; and

2. The buffering and/or aesthetic purposes of the buffer zone are substantially fulfilled despite the waiver.

(8) The desired width of a buffer zone between two parcels is the sum of the required buffer zones of the parcels. Where a new use is proposed next to an existing use that has less than the required buffer zone for that use, the lower standards will be tolerated until the nonconforming parcel is redeveloped and brought into conformity with the buffer zone requirements of this article. The developer of the new adjoining use is encouraged, however, to take into account the inadequacy of the adjoining buffer zone in designing the site layout of the new development.

(9) In any case where an unbuffered view exists within 500 feet from the side or rear service areas of any nonresidential land use to any single-family or two-family residential land use, uncomplimentary land use buffer requirements shall apply as if such residential uses were located on immediately adjacent lands.

(10) A buffer fence as defined in section 10-1.101, which may include the use of berms for visual screening, shall be required, in addition to minimum landscaping standards, when non-residential uses are adjacent to existing single-family or manufactured/mobile home uses. When required, a buffer fence shall meet standards in subsection (b) below. The buffer fence may be exempted for the following reasons:

a. If the uncomplimentary land use areas are occurring within an approved planned unit development or site and development plan, provided that the objectives of this division are met in the design of the planned unit development.

b. If a transitional character, sufficient to satisfy the purpose and intent of this division, has been achieved through the design of the planned unit development or site and development plan as determined by the director.

(11) *Prevailing requirement.* Whenever development activity is subject to both the perimeter landscaping requirements and the uncomplimentary land use buffer strip requirements of this subdivision, the latter requirement shall prevail.

(b) *Buffer fence standards:*

(1) Whenever a buffer fence is required, it shall be of sufficient height to obstruct the view between adjoining properties, as determined by the director, presumably a minimum of eight feet in height, unless the applicant can prove to the satisfaction of the director that the intent of this article will be met by a fence of lesser height under the particular circumstances. The buffer fence shall be solid opaque, constructed of durable materials appropriate for the intended use and consistent with materials commonly used in surrounding neighborhoods, and shall include provision for access to all landscape materials.

(2) The side of a fence facing a less intensive use shall have a finished appearance to furnish an aesthetically pleasing view.

(3) At least one-half of all required plant materials shall be installed and maintained on the side facing the less intensive use, unless otherwise specifically provided.

(4) *Fencing shall be maintained in good repair.*

(5) In the case when a buffer fence and vegetative buffer is required, the required vegetative buffer shall be reduced by one landscape standard.

(c) *Use of buffer areas.* No use shall be made of, nor development activity permitted in, the uncomplimentary land use buffers. No accessory structures, garbage or trash collection points or receptacles, parking or any other functional use contrary to the intent and purpose of this article shall be permitted in a required buffer area except for:

(1) Planting material approved as part of the landscape plan.

(2) Installing and maintaining completely underground utilities and essential, specifically approved, overhead or above-ground utilities which do not interfere with the mature growth of required plant material.

(3) Installing and maintaining grass ditches, with back slopes no steeper than 3:1, which can support the required landscaping materials.

This does not prohibit the combining of compatible functions such as landscaping, drainage facilities, passive recreation areas and preservation areas into an effective and beneficial multiple use of the subject land resource.

(d) *Development.* All development must be consistent with Article IV.

Section 9. Conflicts. All ordinances or parts of ordinances 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 part of this ordinance which is inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 10. Severability. 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 thereof.

Section 11. Effective date. This ordinance shall have effect upon becoming law.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this _____ of _____, 2009.

LEON COUNTY, FLORIDA

By:_____
Bryan Desloge, Chairman
Board of County Commissioners

ATTEST:
BOB INZER, CLERK OF THE COURT

By:_____
Clerk

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

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