ORDINANCE NO. 15- _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA; AMENDING CHAPTER 10, THE LAND DEVELOPMENT CODE, OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA; AMENDING SECTION 10-6.616, LAKE PROTECTION ZONING DISTRICT; ADDING A NEW SECTION 10-6.660, ENTITLED "LAKE PROTECTION NODE ZONING DISTRICT"; AMENDING SECTION 10-7.529, GENERAL REQUIREMENTS FOR SIDEWALKS WITH NEW DEVELOPMENT, FEE IN-LIEU OF SIDEWALK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the intent of the Lake Protection Zoning District is to ensure that environmentally sound and sustainable development occurs within the Lake Jackson drainage basin with minimal impacts to water quality; and,

WHEREAS, the Board is desirous to ensure the continued protection of the water quality in the Lake Jackson drainage basin; and,

WHEREAS, the Ordinance will create a new zoning district intended to allow compact, mixed-use and multi-modal neighborhood centers; and,

WHEREAS, the Ordinance will clarify and improve the clustering option which is intended to encourage more sustainable residential development; and,

WHEREAS, the implementing regulations for the Lake Protection Zoning District are located in Chapter 10 of the Leon County Code of Laws; and,

WHEREAS, amendments to the applicable provisions of Chapter 10 will be required to maintain consistency with the Comprehensive Plan; and,

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

SECTION 1. Section 10-6.616 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Lake Protection Zoning District," is hereby amended to read as follows:

Sec. 10-6.616 Lake Protection.

~~(a) Purpose and intent. The purpose and intent of the lake protection district is for activities in the area immediately adjacent to and affecting Lake Jackson while protecting that water body and ecosystem. This district's location is based on the lake basin boundary so adjusted to include contributing watersheds but to exclude existing, more intensely developed areas south of Interstate 10. This district allows residential uses to a maximum density of one unit per two acres. An option to cluster residential uses is allowed on 40 percent of the site at a net density of two units per acre on the developed portion of the property. The remaining 60 percent of the property must remain in natural open space in perpetuity. This cluster option is intended to leave large areas of land undisturbed within the critically impacted area and be designed to minimize non-point pollution from the site. Minor office and minor commercial uses may be approved through review by the PUD process. Approval of the PUD by the board of county commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated herein and the proposed development will comply with the provisions of subsection 10-4.323(b)(3). All other commercial, office, and industrial uses are prohibited. Urban services are intended for this category inside the urban service area. Existing nonresidential uses within this district that meet all water quality standards set forth in the comprehensive plan and the environmental regulations of the county will be considered permitted, lawfully established conforming uses.~~

~~(b) Allowable uses. For the purpose of this article, the following land use types are allowable in this zoning district and are controlled by the land use development standards of this article, the Comprehensive Plan and schedules of permitted uses.~~

~~(1) Minor commercial, planned unit development approval required and runoff retained on-site required.~~

~~(2) Minor office, planned unit development approval required and runoff retained on-site required.~~

~~(3) Low-density residential, runoff retained on-site required.~~

~~(4) Passive recreation, runoff retained on-site required.~~

~~(5) Active recreation, runoff retained on-site required.~~

~~(6) Community services.~~

~~(c) List of permitted uses. Some of the uses on these schedules are itemized according to the Standard Industrial Code (SIC). Allowable uses, appropriate permit level and applicable development and locational standards in the lake protection district are as follows:~~

~~P = Permitted use R = Restricted use S = Special exception~~

~~Legend~~					
~~Ag~~	~~=~~	~~Agricultural~~	~~LR~~	~~=~~	~~Low-density residential~~
~~MO~~	~~=~~	~~Minor office~~	~~AR~~	~~=~~	~~Active recreation~~
~~MC~~	~~=~~	~~Minor commercial~~	~~CS~~	~~=~~	~~Community services~~

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		~~Development and Locational Standards~~					
~~SIC Code~~	~~Name of Use~~	~~Ag~~	~~MO*~~	~~MC*~~	~~LR~~	~~AR~~	~~CS~~
	~~RESIDENTIAL~~						
	~~Dwelling, one-family~~				~~P~~		
	~~Dwelling, two-family~~				~~P~~		
	~~Dwelling, townhouse~~				~~R~~		
	~~Dwelling, mobile home~~				~~P~~		
	~~Mobile home park~~				~~S~~		
	~~AGRICULTURE, FORESTRY, AND FISHING~~						
~~01~~	~~Agricultural production—Crops~~	~~R~~					
~~02~~	~~Agricultural production—Livestock~~	~~R~~					
~~092~~	~~Fish hatcheries and preserves~~	~~S~~					

	~~TRANSPORTATION AND PUBLIC UTILITIES~~						
~~43~~	~~Postal service~~						~~S~~
	~~RETAIL TRADE~~						
~~581~~	~~Eating and drinking places~~			~~S~~			
~~591~~	~~Drugstores and proprietary stores~~			~~S~~			
~~592~~	~~Liquor stores~~			~~S~~			
~~5992~~	~~Florists~~			~~S~~			
~~5993~~	~~Tobacco stores and stands~~			~~S~~			
~~5994~~	~~News dealers and newsstands~~			~~S~~			
	~~FINANCE, INSURANCE, AND REAL ESTATE~~						
~~602~~	~~Commercial banks~~		~~S~~				
~~603~~	~~Savings institutions~~		~~S~~				
~~606~~	~~Credit unions~~		~~S~~				
~~611~~	~~Federal and federal sponsored credit~~		~~S~~				
~~614~~	~~Personal credit institutions~~		~~S~~				
~~616~~	~~Mortgage bankers and brokers~~		~~S~~				
~~62~~	~~Security and commodity brokers~~		~~S~~				
~~64~~	~~Insurance agents, brokers, and service~~		~~S~~				
~~65~~	~~Real estate~~		~~S~~				
~~654~~	~~Title abstract offices~~		~~S~~				
	~~SERVICES~~						
~~703~~	~~Camps and recreational vehicle parks~~					~~R~~	
~~721~~	~~Laundry, cleaning, and garment services~~			~~S~~			
~~7215~~	~~Coin-operated laundries and cleaning~~			~~S~~			
~~723~~	~~Beauty shops~~		~~S~~				

~~724~~	~~Barber shops~~		~~S~~				
~~725~~	~~Shoe repair and shoeshine parlors~~		~~S~~				
~~7311~~	~~Advertising agencies~~		~~S~~				
~~732~~	~~Credit reporting and collection~~		~~S~~				
~~7361~~	~~Employment agencies~~		~~S~~				
~~737~~	~~Computer and data processing services~~		~~S~~				
~~784~~	~~Video tape rental~~			~~S~~			
~~7997~~	~~Membership sports and recreation clubs~~		~~S~~			~~S~~	
~~801~~	~~Offices and clinics of medical doctors~~		~~S~~				
~~802~~	~~Offices and clinics of dentists~~		~~S~~				
~~804~~	~~Offices of other health practitioners~~		~~S~~				
~~807~~	~~Medical and dental laboratories~~		~~S~~				
~~808~~	~~Home health care services~~		~~S~~				
~~81~~	~~Legal services~~		~~S~~				
~~821~~	~~Elementary and secondary schools~~						~~S~~
~~823~~	~~Libraries—Less than 7500 sq. ft.~~		~~S~~	~~S~~			
~~823~~	~~Libraries—7500 sq. ft. or more~~						~~S~~
~~835~~	~~Day care services~~		~~S~~				
~~836~~	~~Residential care~~		~~S~~				
~~841~~	~~Museums and art galleries~~					~~S~~	
~~842~~	~~Botanical and zoological gardens~~					~~S~~	
~~864~~	~~Civic and social associations~~						~~S~~
~~866~~	~~Religious organizations~~						~~S~~
~~871~~	~~Engineering and architectural services~~		~~S~~				
~~872~~	~~Accounting, auditing, and bookkeeping~~		~~S~~				
~~873~~	~~Research and testing services~~		~~S~~				
~~874~~	~~Management and public relations~~		~~S~~				

	~~PUBLIC ADMINISTRATION~~						
~~91~~	~~Executive, legislative and general~~						~~S~~
~~922~~	~~Public order and safety~~						~~S~~
~~9221~~	~~Police protection~~						~~S~~
~~9224~~	~~Fire protection~~						~~S~~
	~~RECREATION~~						
	~~Hiking and nature trails~~					~~P~~	
	~~Picnicking~~					~~P~~	
	~~Canoe trails~~					~~P~~	
	~~Bicycle trails~~					~~P~~	
	~~Horseback riding trails~~					~~P~~	
	~~Tot lots~~					~~P~~	
	~~Court sports~~					~~R~~	
	~~Field sports~~					~~R~~	
	~~Boat landings~~					~~P~~	
	~~Archaeological historical sites~~					~~S~~	

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~~* Minimum criteria for approval shall require a finding that the proposed uses would be consistent with the district intent; would not be likely to create significant detrimental environmental impacts; nor be likely to interfere with any lawfully established uses.~~

~~(d) The maximum allowable floor area in the lake protection district is as follows:~~

~~COMMERCIAL LAND USE TYPE~~	~~LAKE PROTECTION~~
~~MINOR~~	
~~Total location~~	~~40,000~~
~~Single site or quadrant~~	~~20,000~~
~~Single structure~~	~~20,000~~

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~~(e) The minimum development standards in the lake protection district are as follows:~~

	~~Low-Density Residential~~		~~Commercial Office~~		~~Community Services; Active Recreation; Public, Primary and Secondary Schools~~
	~~Noncluster~~	~~Cluster*~~	~~Noncluster~~	~~Cluster*~~	
~~MINIMUM SETBACKS (FEET)~~					
~~Front yard~~					
~~Building~~	~~25~~	~~25*~~	~~30~~	~~25*~~	~~30~~
~~Parking~~	~~—~~	~~—~~	~~40~~	~~40*~~	~~40~~
~~Corner yard~~					
~~Building~~	~~25~~	~~25*~~	~~30~~	~~25*~~	~~30~~
~~Parking~~	~~—~~	~~—~~	~~40~~	~~40*~~	~~40~~
~~Side yard~~					
~~Building~~	~~15~~	~~15*~~	~~40~~	~~20*~~	~~40~~
~~Parking~~	~~—~~	~~—~~	~~40~~	~~20*~~	~~40~~
~~Rear yard~~					
~~Building~~	~~25~~	~~25*~~	~~50~~	~~30*~~	~~50~~
~~Parking~~	~~—~~	~~—~~	~~40~~	~~10*~~	~~40~~
~~Adjoining lower intensity zoning district~~					
~~Building~~	~~—~~	~~—~~	~~50~~	~~50*~~	~~—~~
~~Parking~~	~~—~~	~~—~~	~~50~~	~~50*~~	~~—~~
~~Maximum % impervious surface area~~	~~30~~	~~25**~~	~~40~~	~~25**~~	~~40~~
~~Maximum height at building envelope perimeter~~	~~—~~	~~35~~	~~35~~	~~35~~	~~35~~
~~Maximum additional height/additional zoning setback~~	~~1′/1′~~	~~—~~	~~1′/1′~~	~~1′/1′~~	~~1′/1′~~

~~Maximum total height~~	~~35~~	~~35~~	~~45~~	~~45~~	~~45***~~
~~Minimum lot frontage~~	~~15~~	~~15~~	~~40~~	~~40~~	~~—~~
~~Minimum lot area~~	~~2.0~~	~~****~~	~~2.0~~	~~1.0~~	~~—~~

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~~* This number applies to the perimeter setback only.~~

~~** Maximum percent impervious area of developable portion of site.~~

~~*** This height applies to habitable portion of a structure.~~

~~**** If central sanitary sewer is not available, lot sizes shall be at a minimum one-half acre of contiguous buildable area.~~

~~(f) Development standards. All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (Subdivision 3 of Division 5 of Article VII).~~

~~(g) Specific restrictions. If uses are restricted according to the schedule of permitted uses, they are not allowed unless they follow the general development guidelines for restricted uses as provided in this division. Specific restricted uses are addressed below.~~

~~(1) Nonresidential uses allowed only upon approval of a site and development plan by the Board of County Commissioners.~~

~~(h) Vested developments. Any development meeting the requirements of Footnote 1 of the Lake Protection Future Land Use Category in the 2010 Tallahassee-Leon County Comprehensive Plan shall be vested as provided therein.~~

Sec. 10-6.616 Lake Protection.

1. District Intent	2. Allowable District Location
The purpose and intent of the Lake Protection (LP) zoning district is to allow for the regulation and, where appropriate, limitation of development and redevelopment of land within the Lake Jackson Basin in a manner that improves water quality within the Lake. The bounds of the category include the Lake Jackson Basin and contributing watersheds and limited to the Urban Service Area. Intensely developed properties and areas south of Interstate 10 (I-10) have been excluded from the boundary. The LP zoning district shall permit single-family residential development at one (1) dwelling unit per two (2) gross acres. A Clustered Subdivision option is available that allows two (2) dwelling units per gross acre, consistent with environmental and infrastructure constraints. The Clustered Subdivision option allows an increased number of residential units if developed on 40 percent of the property, provided central water and sewer are available and leaving the remaining 60 percent of the property as contiguous, undisturbed open space in perpetuity. The Cluster Subdivision option is intended to leave large areas of natural open space within the watershed and minimize pollution. Community services, light infrastructure and passive recreational facilities, including boat ramps, consistent with the applicable provisions of section 10-6.806, may be approved by the Board of County Commissioners through review by the existing Type "C" process. Approval by the Board of County Commissioners shall be based upon findings that the proposed use is consistent with the purpose and intent stated herein and the proposed development will comply with the provisions of Section 10-4.323(b), as well as all current stormwater regulations. Other nonresidential uses are not permitted within the LP zoning district. However, lawfully established, nonresidential uses within this district that meet all current water quality and stormwater management standards set forth in the Comprehensive Plan and the environmental regulations of the County will be considered permitted, conforming uses. These sites shall be regulated by the allowable uses provided in Section 10-6.660, Lake Protection Node, subject to additional limitations noted herein. Urban services are intended for this district. The density of permitted development may depend upon the availability of such services.	The district may only be located within areas designated Lake Protection on the Future Land Use Map.

PERMITTED, PROHIBITED AND RESTRICTED USES

3. Principal Uses	4. Prohibited Uses	5. Restricted Uses
(1) Single-family detached dwellings. (2) Community services in accordance with section 10-6.806 of these regulations. (3) Passive recreational facilities and boat ramps. (4) Light Infrastructure	(1) Commercial, retail, office, and industrial activities (2) Active Recreation, except for boat ramps (3) Golf Courses (4) Manufactured and/or Mobile Home Parks (5) High schools and post-secondary schools are prohibited (6) Heavy infrastructure (7) Other uses which, in the opinion of the County Administrator or designee, are of a similar nature to those prohibited uses in this district.	(1) Single-family attached dwellings shall be allowed in a Clustered Subdivision. (2) Mobile Homes and Standard Design Manufactured Homes may be replaced or may be located within subdivisions platted explicitly for manufactured housing. (3) Campgrounds and recreational vehicle parks* *Campgrounds and recreational vehicle parks shall address the provisions of Section 10-6.611, unless otherwise provided for in this section.

DEVELOPMENT STANDARDS									
6. Minimum Lot or Site Size				**7. Minimum Building Setbacks**				**8. Maximum Building Restrictions**	
Use Category	**a. Lot or Site Area**	**b. Lot Width**	**c. Lot Depth**	**a. Front**	**b. Side-Interior Lot**	**c. Side-Corner Lot**	**d. Rear**	**a. Building Size (excluding gross building floor area used for parking)**	**b. Building Height (excluding stories used for parking)**
Conventional Residential									
Single-Family Detached Dwellings	2 acres	80 feet	100 feet	35 feet	15 feet on each side; or any combination of setbacks that equals at least 30 feet, provided that no such setback shall be less than 10 feet	25 feet	25 feet	Not applicable	3 stories
Clustered Subdivision									
Single-Family Detached Dwellings	5,000 square feet	40 feet	100 feet	15 feet; 10 feet w/ alley-loaded garage	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	15 feet; 10 feet w/ alley-loaded garage	Not applicable	3 stories
Single-Family Attached Dwellings	3,750 square feet end unit; 2,400 square feet interior lot	37.5 feet end unit; 25 feet interior lot	80 feet	15 feet; 10 feet w/ alley-loaded garage	Not applicable	15 feet	15 feet; 10 feet w/ alley-loaded garage	maximum length: 8 units	3 stories
Existing Non-residential, Non-conforming Uses									
Lawfully Established Non-Residential Use; refer to additional standards noted in subsection 10	N/A	60 feet	100 feet	25 feet	7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet	15 feet	25 feet	10,000 square feet of gross building floor area per acre	3 stories

GENERAL NOTES:

1. If central sanitary sewer is not available, residential lots shall contain a minimum of 0.50 acres of contiguous buildable area. Nonresidential development and community facilities are limited to a maximum of 900 gallons of wastewater flow per day. Refer to sanitary Sewer Policy 2.1.12 of the Comprehensive Plan for additional requirements.
2. Residential lots in Clustered Subdivisions less than 60 feet in width shall be alley-loaded.
3. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
4. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

9. *Clustered Subdivision*.

1. Density and Layout.

The maximum gross density allowed for new residential development in the LP district is one (1) dwelling unit per two (2) gross acres. As an alternative to large-lot developments, a Clustered Subdivision shall be permitted within the Lake Protection zoning district. Clustered Subdivisions shall:

(a) contain a minimum of 60% open space as a reserve area, comprised of such things as Special Development Zones, preservation and conservation features, undeveloped uplands, passive recreation areas, and stormwater facilities designed as a community amenity;
(b) Be developed at a maximum density of two (2) dwelling units per gross acre;
(c) Be served by central water and sewer systems

2. Reserve area.

The acreage of the reserve area shall comprise no less than 60 percent of the total parcel; shall be permanently preserved though the creation of a perpetual easement; shall be continuous and contiguous with other portions of the site; shall be contiguous with or proximal to existing or planned public or private greenspace to the greatest extent practicable, and shall be of sufficient size and buffered to ensure the protection of all critical on-site resources that are to be preserved and to accommodate authorized uses.

(a) All preservation areas, Special Development Zones, conservation areas, archaeological sites and view-shed areas within designated protection zones for canopy roads shall be incorporated into the reserve area even if total acreage exceeds the minimum requirement of 60 percent of the total parcel; other open space areas shall be incorporated into the reserve area to the greatest extent practicable.
(b) The reserve area shall adjoin any existing or planned adjacent areas of open space, or natural areas that would be potential sites for inclusion as part of a future area of protected open space as depicted in the Greenways Master Plan. In those instances where a Clustered Subdivision will be located adjacent to another existing or planned Clustered Subdivision, each Clustered Subdivision shall be designed so that reserve areas of each are adjacent.
(c) Reserve area land shall be reserved permanently by easement for natural open space, passive recreation uses (e.g., greenbelts, trails, picnic areas or open fields), stormwater facilities, or other environmental conservation purposes.
(d) Stormwater management facilities which are otherwise permissible are allowed in the reserve area provided that the facilities are located outside of preservation areas, canopy road protection zones, naturally forested areas, Special Development Zones, and meet either of the applicable following two standards:
    1. Wet retention ponds shall have side slopes of 6:1 or flatter with appropriate wetland tree and aquatic plants species that visually integrates the stormwater facility into the overall reserve area.
    2. All other retention ponds shall have side slopes of flatter than 4:1 or with appropriate tree and plant species that visually integrates the stormwater facility into the overall reserve area. All such facilities shall be designed as community amenities, with trails, observation decks, or platforms where appropriate,
(e) All applicants for a Clustered Subdivision shall submit a management plan describing how the reserve area land will be maintained in perpetuity, including provision of a dedicated source of funds approved by the local government, to finance the timely and consistent execution of the plan.

3. Development area.

The development area shall be the area not set aside as reserve area and shall comprise no more than 40% of the total parcel. The development area shall be located on the least environmentally sensitive or otherwise significant portions of the total Clustered Subdivision parcel; be contiguous to the greatest extent practicable; and allow maximum open space to be easily maintained in the reserve area. Design of the development area shall follow the procedural steps set forth below.

(a) Delineate areas of the site to be reserved due to their significant features and value to the area's continued natural character in accordance with subsection 2 above;
(b) Determine the number of allowable lots desired;

(c) Locate potential development sites on the area of the tract not delineated as reserve area, with due consideration for topography, soil suitability for construction, and efficient service by public or central water and sewerage systems;

(d) Align streets to serve residential sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned; and

(e) Delineate boundaries of individual residential lots where lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites that are properly related to topography and the character of surrounding development, encourage a range of housing types and sizes, and provide safe and convenient vehicular access to public streets.

(f) Specific development and locational standards shall be subject to the minimum standards of the underlying land use category and base zoning district and shall be established at the time of development plan submittal.

10. *Existing Nonconforming Non-residential Uses.*

Existing non-residential uses within the Lake Protection land use category that meet all water quality and stormwater standards for their respective use, as specified within the land development regulations, will be considered permitted uses.

11. *Sidewalks.*

Sidewalks shall be provided in the LP district consistent with the provisions of Sec. 10-7.529. For Clustered Subdivisions, all required sidewalks shall connect to existing and proposed sidewalks to the maximum extent possible. Multi-use trails designed for non-motorized vehicles and pedestrians are also encouraged in the LP district to promote connectivity and to reduce automobile dependency.

12. *Stormwater Management.*

Refer to Sec. 10-4.301 for water quality treatment and volume control standards associated with development. Whenever possible, Low Impact Development (LID) techniques, as outlined in Section 10-4.308, such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

SECTION 2. A new Section 10-6.660 of Article VI of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "Lake Protection Node Zoning District," is hereby created to read as follows:

Sec. 10-6.660. Lake Protection Node Zoning District.

1. District Intent	2. Allowable District Location
The Lake Protection Node (LPN) zoning district is intended to: 1. Accommodate compact mixed-use development at designated major intersections to provide retail, service and recreation opportunities to nearby residents; 2. Provide a development pattern that is transit supportive, based on a high degree of interconnected streets, and a compact layout of uses that addresses streets and sidewalks; 3. Create a development pattern that maximizes infrastructure and minimizes environmental impact by concentrating non-residential uses around major intersections; 4. Protect community health and safety by minimizing automobile dependency and reducing vehicle miles traveled through design supporting a variety of travel modes; 5. Create a community where travel by foot and bicycle is safe, convenient, and comfortable; 6. Minimize stormwater runoff by limiting surface area devoted to parking and requiring strict volume control stormwater facilities; and, 7. Facilitate compatibility with nearby neighborhoods through buffers, transitioning building mass and scale, and through careful site design. The LPN District shall permit residential, non-residential, and mixed-use development (including, but not limited to, office and commercial uses) utilizing urban services. Non-residential development allowed within this district is limited to office, retail, services, and community facilities. The LPN district also allows certain community and recreational facilities related to residential uses. Urban services are intended for this district inside the urban service area. The density or intensity of permitted development may depend upon the availability of such services. Existing nonresidential uses within this district that meet all water quality and stormwater treatment standards set forth in the Comprehensive Plan and the environmental regulations of the County will be considered permitted, lawfully established conforming uses.	a. The district may only be located within areas designated Lake Protection on the Future Land Use Map; and, b. The Lake Protection Node zoning district shall be permitted only within ¼ mile of the center of the following intersections and as specifically illustrated in Exhibits A, B, C and D of this section: (1) Highway 27 North and Sessions Road (2) Highway 27 North and Fred George Road (3) Highway 27 North and Capital Circle NW/Old Bainbridge Road (4) Bannerman Road and Bull Headley Road, and c. Within the areas described in (b), the location of the district may be further limited to facilitate compatibility with existing residential areas in the Lake Protection Future Land Use category or to minimize potential adverse environmental impacts on Lake Jackson and its tributaries and other environmental features; and, d. Shall be located in areas served by central sewer and central water.

PERMITTED, PROHIBITED, AND RESTRICTED USES

3. Principal Uses	4. Prohibited Uses	5. Restricted Uses	6. Accessory Uses
(1) Active and Passive Recreation Facilities (2) Automotive Retail, Service, and Repair, including Car Wash (3) Banks and Other Financial Institutions (4) Community facilities related to the permitted principal uses, including libraries, religious facilities, police/fire stations, and elementary, middle, high, and vocational schools. (5) Government Offices and Services (6) Live-Work Units (7) Lodging (8) Medical and Dental Offices, Services, Laboratories, and Clinics (9) Nursing Homes and Other Residential Care Facilities (10) Daycare Centers (11) Office	(1) Campgrounds and recreational vehicle parks, except where legally established and in existence prior to 01-01-2010 (2) Gas stations, fuel/oil dealers and liquefied petroleum products (3) Golf Courses (4) Heavy Equipment Rental (5) Manufactured Home Parks (6) Outdoor storage (7) Residential – Mobile Homes and Standard Design Manufactured Homes (8) Scrap Material storage or processing (9) Towing, wrecking, and recovery (10) Warehouses and Self-Storage (11) Welding and machine shops (12) Wholesale Trade (13) Dry Cleaners	(1) Small appliance repair. a. All repair activity shall occur within an enclosed structure; (2) Pet Day Care. a. Shall be an accessory use to a veterinary clinic or pet store. b. Outside boarding and unsupervised outside activity are prohibited. (3) Shared stormwater management facilities. a. Shall be designed as an amenity b. Safety fences shall be planted with vegetation equal to the fence height at plant maturity. c. Shall meet the requirements of Section 10-4.301 of the LDC.	(1) Any use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure, as determined by the County Administrator or designee. (2) Light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the County Administrator or designee.

(12) Residential – Any Unit Type (13) Restaurants, without Drive-in Facilities (14) Retail (15) Studios for Photography, Music, Art, Dance, and Voice (16) Retail Commercial	(14) Other uses, which in the opinion of the County Administrator or designee are of a similar and compatible nature to those uses described in this district.		

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DEVELOPMENT STANDARDS										
	7. Density, Intensity and Building Restrictions			8. Lot or Site Area Restrictions			9. Building Setbacks			
Use Category	*a. Allowable Densities (dwelling units/ acre)*	*b. Allowable Intensities (square feet/ acre)*	*c. Maximum Building Height*	*a. Minimum Lot Area*	*b. Lot Width*	*c. Minimum Lot Depth*	*a. Front*	*b. Side Interior*	*c. Side Corner*	*d. Rear*
SINGLE USE DEVELOPMENT										
Single-Family Detached and Attached Residential	Min: 4 Max:8	None	35 feet	None	None	None	Min: 10 feet Max: 15 feet	Min: 0 feet Max: 10 feet Adjoins existing single family subdivisions : 25 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins existing single family subdivisions 40 feet min.
Multi-Family Residential	Min: 4 Max:8	None	35 feet	None	None	None	Min: 5 feet Max: 15 feet	Min: 10 feet Max: 15 feet Adjoins RP Future Land Use Category: 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins existing single family subdivisions: 40 feet min.
Non-Residential and Community Facilities	N/A	10,000 sf/ac, Vertical mixture of uses may receive a bonus of 2,500 sf/ac for a total of 12,500 sq ft/ac	4 stories	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings] or 10 feet Max: 15 feet Adjoins existing single family subdivisions :	Min: Zero Max: 15 feet	Min: 20 feet Adjoins existing single family subdivisions : 40 feet min.

								40 feet min.		
MIXED-USE DEVELOPMENT										
Mixed-Use Development	Min: 4 Max:8	10,000 sf/ac Vertical mixture of uses may receive a bonus of 2,500 sf/ac for a total of 12,500 sq ft/ac	4 stories	N/A	N/A	N/A	Min: 5 feet Max: 15 feet	Min: Zero [abutting buildings]or 10 feet Max: 15 feet Adjoins existing single family subdivisions : 40 feet min.	Min: 10 feet Max: 15 feet	Min: 20 feet Adjoins existing single family subdivisions : 40 feet min.

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10. Building Size Standards		
Use Category	*a. Maximum Building Size*	*b. Maximum building floor area per structure*
Single-Family Detached and Attached Residential	N/A	N/A
Multi-Family Residential	15,000 sq. ft.	N/A
Non-Residential and Community Facilities	Standard: 10,000 sq ft.	Standard: 14,000 sq ft.
Mixed-Use Development	Standard: 10,000 sq ft.	Standard: 30,000 sq ft.

2

11. Mixed Use Incentive qualifications.

Developments incorporating a vertical mixture of residential and non-residential uses within a single development application or those which retrofit an existing development to include a vertical mixture of residential and non-residential uses, qualify for additional density and intensity provided for mixed-use development, pursuant to the following criteria:

a. At the completion of all development phases, no less than 20% of the gross floor area within the development is devoted to either residential use or non-residential use;
b. The development consists of a mixture of uses within a single building or within multiple adjacent buildings, wherein the different uses are located no further than 200 feet apart; and,
c. The development application must provide a common plan for the development of all included parcels, including shared infrastructure.

12. Access Management:

a. Direct access to an arterial roadway or major collector shall be limited and provided via public right-of-way.
b. There shall be no more than one public right-of-way connection to an arterial roadway and to each adjacent collector street per each nodal quadrant; until such time as a street system is created to provide access to all parcels adjoining the adjacent arterial roadway or the adjacent collector street, individual properties may obtain access, if needed, on a temporary basis.
c. Applicants for development shall enter an agreement to cooperate in any future project to consolidate access points or to share access with abutting properties as opportunities arise.

13. Blocks, Frontage, &Sidewalks.

Street design and layout shall support an interconnected street network and pattern of a scale conducive to pedestrian and bicycle use.

a. **Block Length:** Long side: 600 feet maximum, except where divided by a mid-block pedestrian crossing or alley, in which case, maximum block length may be 850 feet. Short side: Distance may vary between 200 and 400 feet to accommodate environmental and physiographic limitations.
b. **Mid-block Pedestrian Crossings:** A publicly accessible pedestrian crossing shall be provided for blocks with a length greater than 600 feet on one or more sides.
c. **Sidewalk width and placement:** Frontage sidewalks shall be a minimum of eight feet in width. All other sidewalks shall be no less than five feet in width.
d. **Pedestrian weather protection:** Where practical, non-residential and mixed-use buildings shall provide weather protection – arcade, awning, etc. – along the frontage sidewalk extending at least three feet.
e. **Alternative Surface Material:** Use of distinctive paving texture, type, and color for transitions between neighborhoods and within pedestrian areas is encouraged. Interconnections between neighborhoods should also be distinguished through the use of vertical architectural elements, such as archways, gateways, or bollards.

14. Street Trees.

All development or redevelopment shall incorporate street trees within the right-of-way, preferably between the back of curb and sidewalk.

a. Street trees shall be planted between 20-30 feet on center, except when a greater distance may be required to avoid conflict with visibility, street lamps, utilities, or safety issues would be compromised with the required location.
b. A minimum planting strip of six (6) feet shall be provided between the back of curb and sidewalk, except where on-street parking is provided and tree wells or planters are more appropriate.
c. Tree selection and location shall be approved by the local utility provider and shall be no higher than 20 feet at maturity when located beneath power lines.

15. Parking.

a. **Location:** Parking shall not be located between the building façade and the right-of-way, and shall be located on-street, internal to the block, or to the rear of structures. Where site constraints necessitate, up to 25% of required parking may be permitted to the side of buildings.
b. **On-street parking:** All streets created or expanded in association with development in this district shall be designed to accommodate on-street parking.
c. **Quantity:** On-site parking shall be limited to a range of 40% to 70% of the general parking standard set forth in Section 10-7.545, Schedule 6-2. On-street parking, provided on adjacent rights-of-way within the LPN zoning district without crossing an arterial or collector street may be counted towards meeting the parking requirement. Shared parking may also count toward the requirement.
d. **Size:** Individual off-street surface parking lots shall not exceed 0.75 acre.

16. Building Position.

a. **Orientation:** The principal building entryway shall be oriented to the street, other than an arterial roadway, and be designed to provide direct pedestrian access from that street. Where buildings are equidistant to two or more streets, the principal entryway may be located on either street. Buildings may be oriented toward the arterial roadway so long as there is a parallel street located between the arterial roadway and the building.

b. **Encroachments:** Porches, balconies, patios, pedestrian weather protection features and other like architectural features may encroach into 50% of the front setbacks. Seating within the required yard setbacks shall be allowed. Encroachments – permanent and temporary – shall not result in a constrained pedestrian passageway of less than five feet in width.

a. **Building Façade Length.**

Non-residential and mixed-use building façades along any public street frontage shall not exceed 100 feet, unless vertical structural elements and functional entrance doors divide that façade no less than every 50 feet.

b. Transparency.

Adjacent to streets, sidewalks, and publicly accessible parking areas, non-residential and mixed-use buildings shall provide a minimum façade transparency of 50% at pedestrian level – between 2 and 8 feet above finished grade – and residential buildings shall provide a minimum façade transparency of 25% at pedestrian level.

c. Building materials.

i. The following materials are prohibited: corrugated metal, standing seam, or v-crimp metal sheeting exterior walls or wall coverings.

ii. The use of vinyl siding may not comprise more than 20% of any exterior wall plane.

d. Roof types:

i. All roof types are allowed. The use of gable roofs, cross gable roofs, and dormers are encouraged for buildings of two stories or less.

ii. Flat roofs shall provide horizontal articulation with a building cap at the top of the building base and/or incorporate the use of parapets.

22. Buffering, fencing, and screening.

a. **Buffer Zone Standards:** Buffering is not required between uses in the LPN zoning district. Where development abuts existing single-family subdivisions, the landscape buffer standards of Section 10-7.522 shall apply.

b. **Fencing:** Chain link fencing visible from public right-of-way or property is prohibited, unless screened by vegetation that covers completely at plant maturity.

c. **Screening of service connections and facilities:** Outdoor service areas – loading docks, trash collection, outdoor storage, mechanical equipment – shall be mitigated by the use of screening material consistent with the materials and design treatments of the primary facade of the primary building and/or evergreen landscape plant material.

i. Landscape plans shall provide sight lines for natural surveillance between 3 and 8 feet above grade.

ii. The service areas shall not be within 50 feet of any adjoining residential property.

iii. The service areas shall be screened with vegetation and fences/ masonry walls that are of sufficient height (min. 6') and opacity (min. 50%) to screen from nearby streets and residential areas. Fences or masonry walls shall be constructed with materials that are incorporated in the design of the principal building.

iv. Above-ground utility boxes visible from the street shall be screened with landscaping on at least two sides, thereby preserving access for the utility provider.

d. **Off-street parking–Landscaping**: A minimum 10-feet wide landscaping strip shall line the perimeter of surface parking lots, and shall be landscaped with one canopy tree per 20 linear feet of frontage and a continuous row of shrubbery not to exceed three feet at maturity.

e. **Required Landscaping–Alternative Compliance Methods.** Development is encouraged to utilize the site design alternatives set out in Section 10-4.346 and 10-4.350.

23. Lighting:

a. **Intensity limits.** Lighting levels at the property line as measured at 6 feet above ground level shall not exceed 0.5 foot-candles. The foot-candle average in on-site parking lots should not exceed 2.0 foot-candles. The recommended maximum uniformity ratio (average: minimum light level) is 4:1.

b. **Light fixture types and location:**

i. "Shoebox" and "Cobrahead" lights are prohibited.

ii. All light fixtures shall be full cut-off type fixtures and direct light internal to the site.

iii. Individual light poles and wall mounted light fixtures shall be no taller than 20 feet above grade. Wall mounted light fixtures shall be placed no closer than every 25 feet along the façade. Lighted bollards are encouraged along pedestrian routes.

24. Signage.

All signs shall comply with the County sign code and requirements set out in this section; where conflicts occur, the most restrictive standard applies.

a. **Prohibited Signs:** Roof signs, billboard signs, pole signs, signs that rotate or are in motion, including animated signs, are not allowed in this district.

b. One free-standing monument ground sign of no greater than 80 square feet display area per side, with no more than two sides, may be provided for each tenant. Properties shall be entitled to one ground sign per 500 feet of frontage.

c. **Maximum height** of monument signs shall not exceed six feet above grade for single tenant structures and shall not exceed 15 feet above grade for multiple tenant structures.

d. Monument ground signs shall incorporate the same exterior materials as the principal structure, and should utilize exterior finish of metal, wood, or masonry materials.

e. Two on-site directional signs, not to exceed 4 square feet each, shall be allowed per tenant. Such signs are intended for navigational purposes and shall be free of logos, advertisements, badges, or slogans.

f. **Sign Illumination:**

i. Prohibited lighting: Flashing, rotating, pulsing, search, laser, or lights moving in any manner.

ii. Ground sign lighting: Ground signs are encouraged to be illuminated with an opaque field and letters of a lighter tone to control glare.

iii. Wall sign lighting: Wall mounted signs shall be internally illuminated or externally illuminated with full cut off-type light fixtures directed downward.

25. Stormwater Management Facilities.

a. Refer to Sec. 10-4.301 for water quality treatment and volume control standards associated with development.

b. Whenever possible, Low Impact Development (LID) techniques such as rain gardens and bio-retention swales are encouraged to allow stormwater infiltration to occur as close to the source as possible. A decentralized stormwater management design which disperses stormwater facilities across the site rather than to a centralized treatment facility is encouraged.

c. Landscape vegetation shall be incorporated around the perimeter of the stormwater facility, which at maturity will visually conceal required fencing.

d. Landscape plants should be native. A minimum of four different species of trees and shrubs shall be utilized. Stormwater management facilities shall incorporate appropriate tree and plant species that take into account the soil, hydrologic, and other site and facility conditions. Existing vegetation should be incorporated into the facility design where possible.

e. Existing non-residential uses within the Lake Protection land use category that meet all water quality and stormwater management standards for their respective use, as specified within the land development regulations, will be considered permitted uses.

26. Sidewalks.

Sidewalks shall be provided in the LPN district consistent with the provisions of Sec. 10-7.529. For clustered subdivision, all required sidewalks shall connect to existing and proposed sidewalks to the maximum extent possible. Multi-use trails designed for non-motorized vehicles and pedestrians are also encouraged in the LPN district to promote connectivity and to reduce automobile dependency.

GENERAL NOTES:

1. Central sanitary sewer and water are required within LPN.
2. Refer to the Environmental Management Act (EMA) for information pertaining to the regulation of environmental features (preservation/conservation features), stormwater management requirements, etc.
3. Refer to the Concurrency Management Ordinance for information pertaining to the availability of capacity for certain public facilities (roads, schools, parks, etc.).

4. Development standards. All proposed development shall meet the commercial site location standards (section 10-6.619); buffer zone standards (section 10-7.522); and the parking and loading requirements (Subdivision 3 of Division 5 of Article VII).

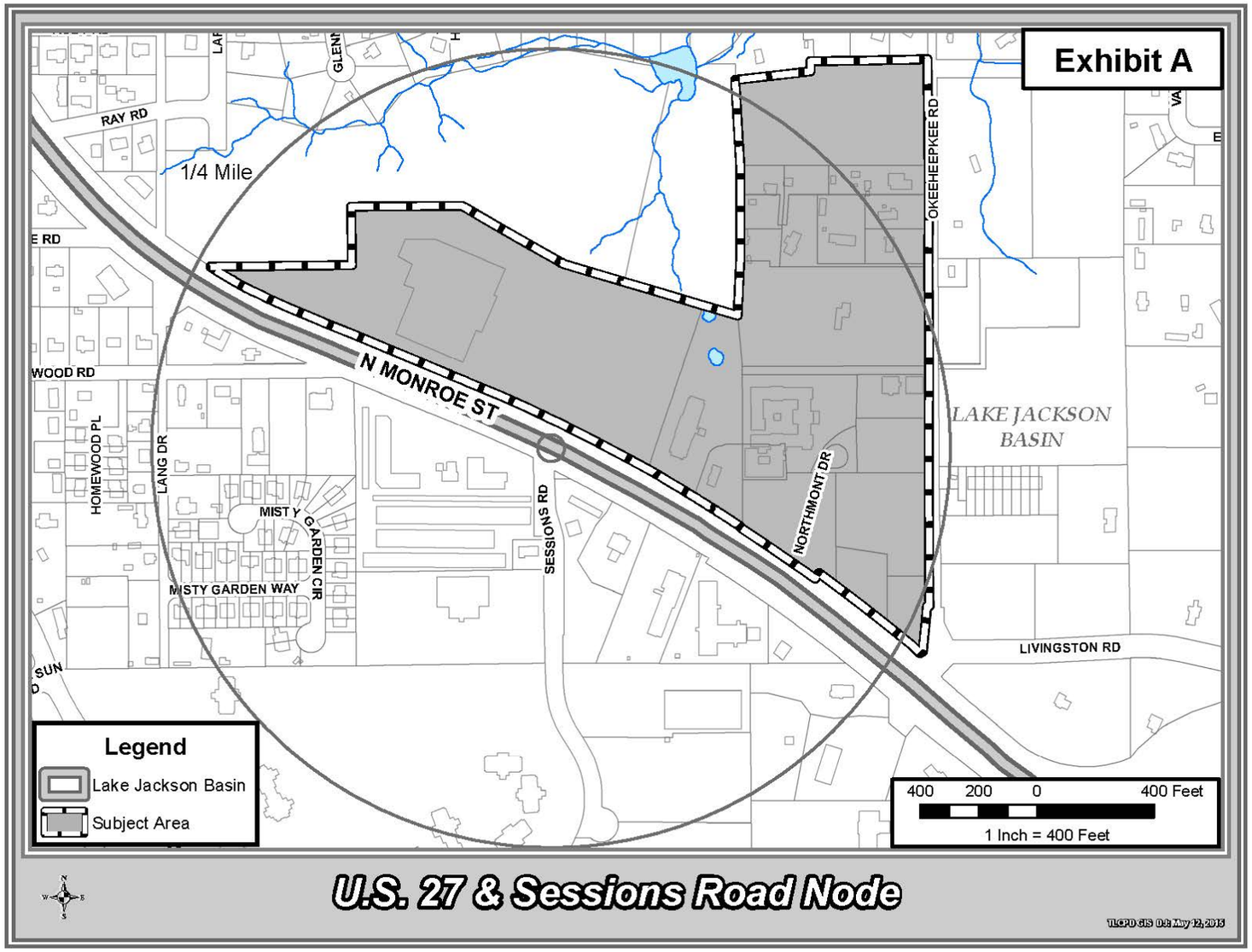
Exhibit A
RAY RD
1/4 Mile
E RD
WOOD RD
HOMEWOOD PL
LANG DR
MISTY GARDEN CIR
MISTY GARDEN WAY
N MONROE ST
SESSIONS RD
NORTHMONT DR
OKEEHEEPKEE RD
LAKE JACKSON BASIN
LIVINGSTON RD
Legend
Lake Jackson Basin
Subject Area
400 200 0 400 Feet
1 Inch = 400 Feet
U.S. 27 & Sessions Road Node
TLCPD GIS Date: May 12, 2015

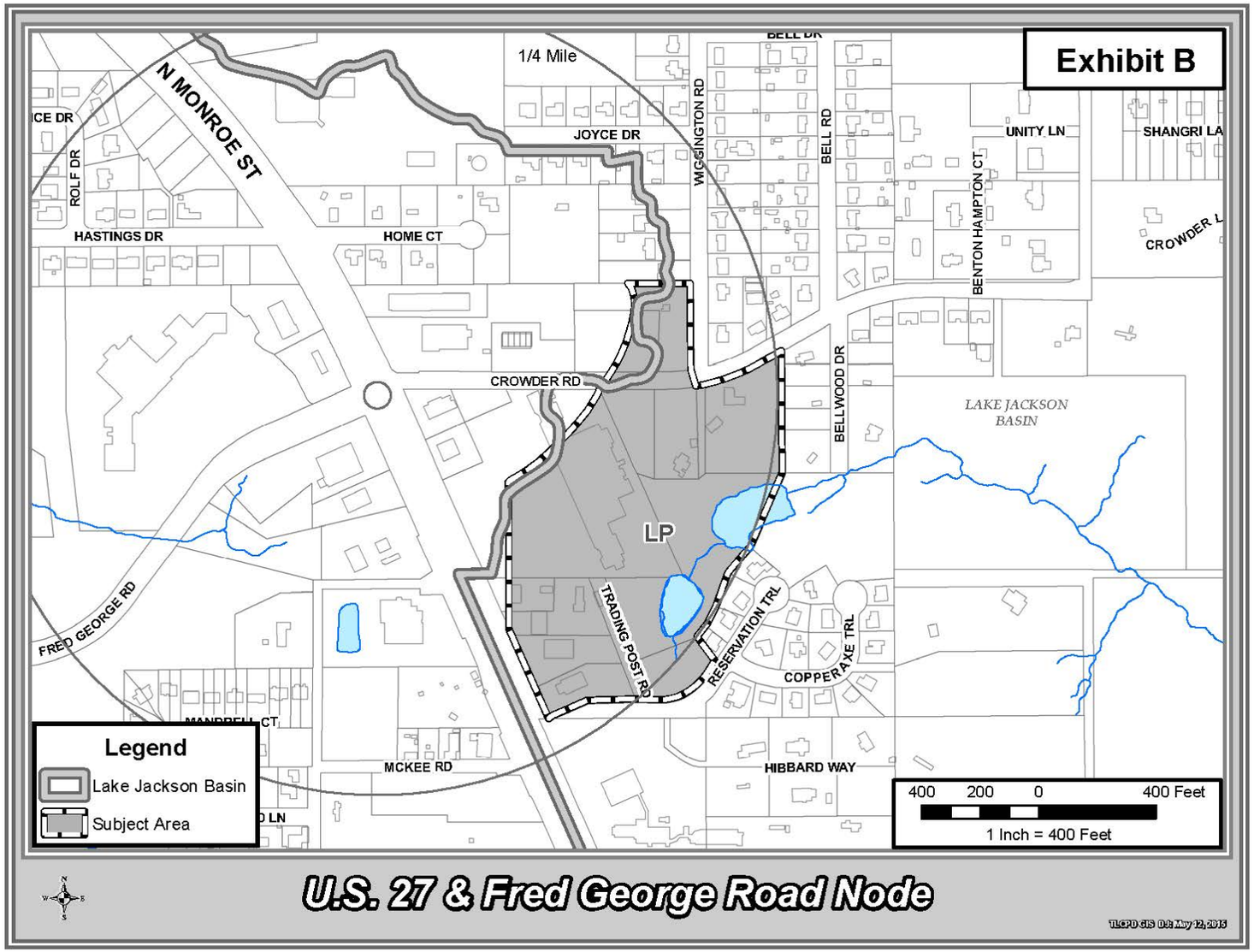
Exhibit B
1/4 Mile
N MONROE ST
JOYCE DR
WIGGINGTON RD
BELL RD
UNITY LN
SHANGRI LA
ROLF DR
HASTINGS DR
HOME CT
BENTON HAMPTON CT
CROWDER L
CROWDER RD
BELLWOOD DR
LAKE JACKSON BASIN
LP
TRADING POST RD
RESERVATION TRL
COPPER AXE TRL
FRED GEORGE RD
MCKEE RD
HIBBARD WAY
Legend
Lake Jackson Basin
Subject Area
400 200 0 400 Feet
1 Inch = 400 Feet
U.S. 27 & Fred George Road Node
TLCPD GIS Date May 12, 2016

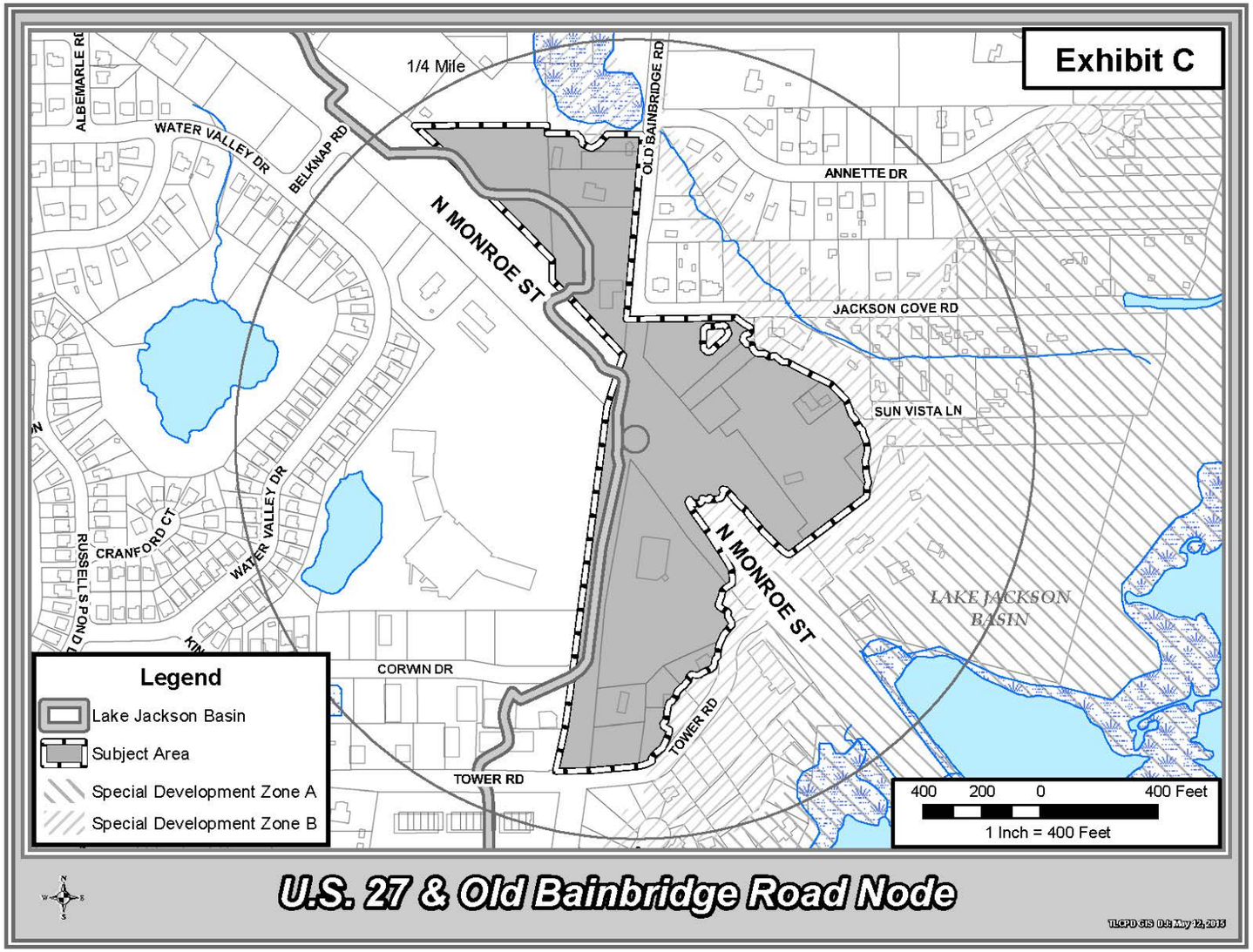
Exhibit C
1/4 Mile
ALBEMARLE RD
WATER VALLEY DR
BELKNAP RD
OLD BAINBRIDGE RD
ANNETTE DR
N MONROE ST
JACKSON COVE RD
SUN VISTA LN
CRANFORD CT
WATER VALLEY DR
RUSSELL'S POND
N MONROE ST
LAKE JACKSON BASIN
CORWIN DR
TOWER RD
TOWER RD
Legend
Lake Jackson Basin
Subject Area
Special Development Zone A
Special Development Zone B
400 200 0 400 Feet
1 Inch = 400 Feet
U.S. 27 & Old Bainbridge Road Node
TLCPD GIS D.R. May 12, 2015

1

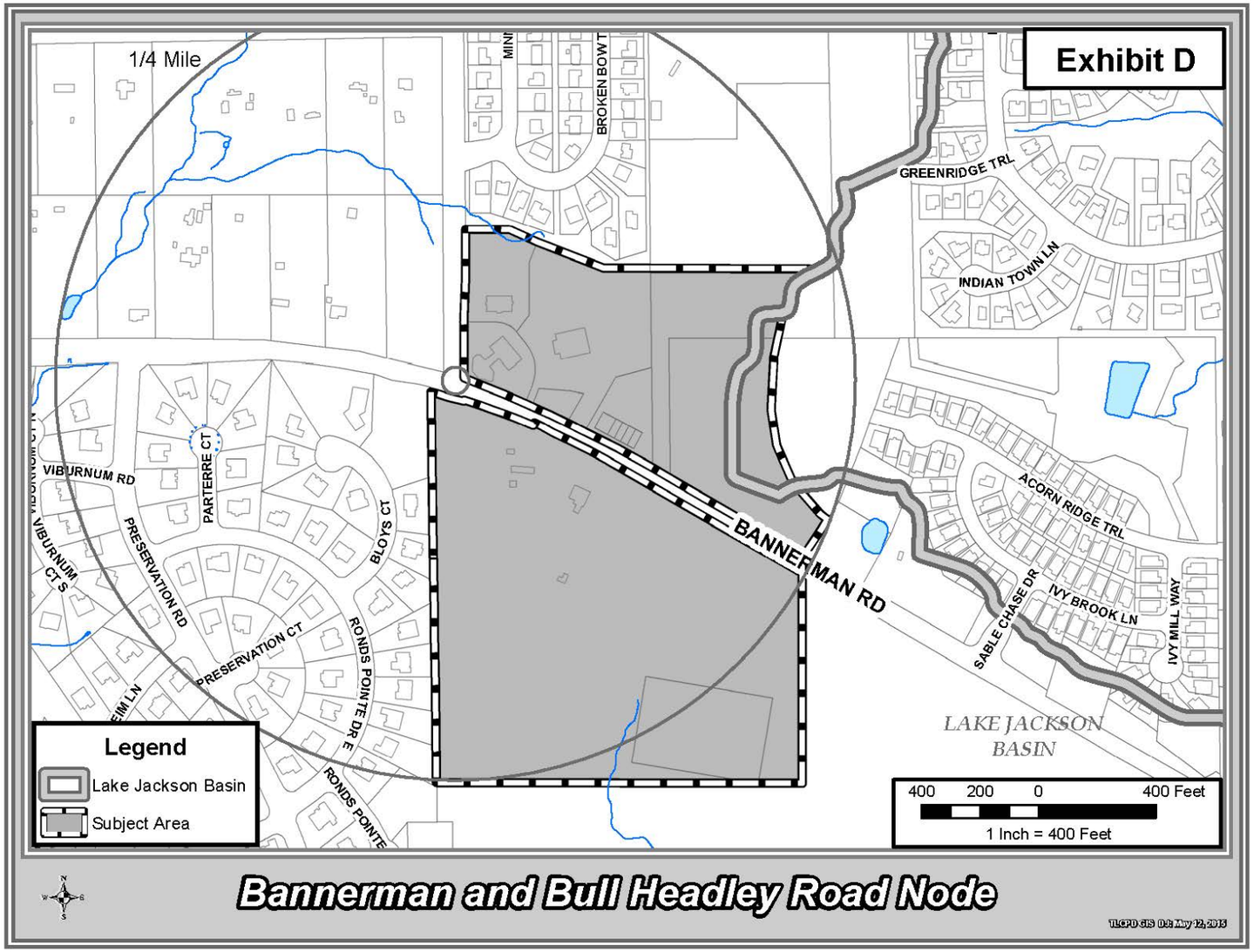
Exhibit D
1/4 Mile
BROKEN BOW T
GREENRIDGE TRL
INDIAN TOWN LN
VIBURNUM RD
PARTERRE CT
PRESERVATION RD
BLOYS CT
VIBURNUM CT S
PRESERVATION CT
RONDS POINTE DR E
RONDS POINTE
BANNERMAN RD
ACORN RIDGE TRL
SABLE CHASE DR
IVY BROOK LN
IVY MILL WAY
LAKE JACKSON BASIN
Legend
Lake Jackson Basin
Subject Area
400 200 0 400 Feet
1 Inch = 400 Feet
Bannerman and Bull Headley Road Node
TLCPD GIS D.R. May 12, 2015

1

SECTION 3. Section 10-7.529 of Article VII of Chapter 10 of the Code of Laws of Leon County, Florida, entitled "General requirements for sidewalks with new development; fee in-lieu of sidewalk construction," is hereby amended to read as follows:

Sec. 10-7.529. General requirements for sidewalks with new development; fee in-lieu of sidewalk construction.

(1) *Purpose and intent.* Within the urban services area, new development shall be designed and constructed to facilitate pedestrian mobility in and between residential developments; between residential development and nearby businesses, recreational opportunities, and community facilities; and, to connect places of business to one another and to residential developments.

(2) *Objective.* New development shall be designed to implement a pedestrian mobility system that facilitates access to residential development, business establishments, community facilities and other nonresidential land uses, and, provides safe and convenient linkage between developments and between the public and private street system.

(3) *Specific requirements for sidewalks.*

(a) Along adjacent streets and rights-of-way. Within the urban services area, all new development, as well as reconstruction, expansion, and extension, as defined in article VI, division 3, shall provide sidewalks along all public and private streets adjoining the development. However, no sidewalks shall be required if the expansion, reconstruction, or renovation is less than 1,000 square feet. Said exemption shall only be available once per subject property, and shall be expressly conditioned upon the fee simple title holder's (and any lien holder) execution of a document providing for sidewalk easement if and when the sidewalk is ultimately constructed by a third-party or a governmental entity. The sidewalk shall be located as follows: when sufficient right-of-way exists, the sidewalk shall be located within the public right-of-way; when sufficient right-of-way does not exist, the sidewalk shall be located at an alternative location parallel to the right-of-way or elsewhere on the development property, if approved by the county engineer. For those developments where sidewalks cannot be located within the public right-of-way, the developer must provide and record in the public records of Leon County, Florida, all easements necessary to guarantee public access to the sidewalk.

(b) Linking pedestrian on-site destinations and adjacent rights-of-way. Within the urban services area, nonresidential and multifamily residential development shall provide safe and efficient sidewalk linkages between building entrances and parking areas, adjacent portions of the development, and adjacent rights-of-way. At least one accessible route in accordance with the Florida Accessibility Code shall connect buildings to parking areas and adjacent rights-of-way.

(c) *Linking adjacent development.* In addition to the requirements of paragraph (2), within the urban services area, both commercial and office development shall provide internal sidewalk interconnection between adjacent commercial and office development. This requirement does not apply to the following development proposals: (i) where the building entrance is located within 30 feet of a sidewalk along an adjacent right-of-way serving both developments, (ii) where the length of the common property boundary of the two adjacent developments is less than 50 feet, (iii) where construction or use of the sidewalk would have an adverse impact upon a preservation area, as defined in article VI, or (iv) where a sidewalk would create a safety hazard.

(d) *Along new streets.* Within the urban services area, sidewalks shall be constructed on both sides of all new arterial and collector streets. Sidewalks shall be

constructed on at least one side of all other new streets within residential and nonresidential subdivisions.

(e) *Design and construction standard.* Sidewalks shall be installed and constructed in accordance with the requirements and specifications of the county engineer.

(f) *Exemptions.* Sidewalks shall not be required in association with new residential development within the Lake Protection zoning district provided that: (i) the development does not utilize the cluster option described in Sec. 10-6.616, or (ii) the development is not connected to a central sewer service, or (iii) there are no existing or planned sidewalk facilities adjacent to the development site, or (iv) the development is not adjacent to a zoning district that requires sidewalks.

(4) *Fee in-lieu of sidewalk construction authorized.* In those instances where the development review committee determines, pursuant to the satisfaction of applicable criteria set out herein, that the construction of a sidewalk required by section 10-7.502(b)(2) is inappropriate or unnecessary, the applicant for the development or subdivision shall be required to pay, into the applicable sidewalk area trust fund, a fee in-lieu of providing the sidewalk.

(5) *Fee in-lieu of sidewalk construction - process and criteria for approval.* In order to approve payment of a fee-in-lieu of sidewalk construction, the developer shall submit a formal request with sufficient documentation to the development review committee, which shall approve the request if it finds that one or more of the following criteria have been met:

(a) The location of the sidewalk would likely create a significant safety hazard; or

(b) Construction or subsequent use of the sidewalk would have an adverse impact upon a preservation area, as defined in article X; or

(c) Construction of the sidewalk has already been scheduled by its inclusion in the approved transportation improvement plan, the approved capital budget, a state- or federally-funded project, or a development agreement executed pursuant to F.S. § 163.3221; or

(d) The construction of sidewalks is not warranted at the time of development due the presence of safety hazard or environmental limitations off-site that would likely preclude the extension of sidewalks to the affected development site; or

(e) The affected development site lies within a subdivision recorded prior to August 1, 2006, that does not presently have sidewalks; or

(f) The construction of a sidewalk from the interior of the site connecting to the public sidewalk system along and parallel to street frontage, when the site is located within a the M-1, I, or PUD zoning district and principal use is proposed to be industrial or warehousing, and such sidewalk would not be warranted at the time of development due to projected low pedestrian accessibility demand.

(6) *Payment of fee in-lieu.* In those instances where the entity with authority to approve a proposed development or subdivision authorizes payment of a fee in-lieu of sidewalk construction, the following provisions shall apply:

(a) The developer shall pay a fee in-lieu to the sidewalk area trust fund account, applicable based upon project location, prior to receiving final approval for the development;

(b) The fee shall be adopted by resolution of the Board of County Commissioners.

(7) *Appropriation of fees paid in-lieu of sidewalk construction.* To facilitate the equitable and efficient expenditure of fee revenues for the exclusive purpose of improvements to the pedestrian mobility system within the area of affected development projects, there are hereby established the following Leon County Sidewalk Trust Fund Areas:

Trust fund area 1: That portion of county commission district 1, not including that area within the corporate limits of any municipality, located within the urban services area, as of July 31, 2004;

Trust fund area 2: That portion of county commission district 2, not including that area within the corporate limits of any municipality, located within the urban services area, as of July 31, 2004;

Trust fund area 3: That portion of county commission district 3, not including that area within the corporate limits of any municipality, located within the urban services area, as of July 31, 2004;

Trust fund area 4: That portion of county commission district 4, not including that area within the corporate limits of any municipality, located within the urban services area, as of July 31, 2004; and,

Trust fund area 5: That portion of county commission district 5, not including that area within the corporate limits of any municipality, located within the urban services area, as of July 31, 2004.

Fees collected pursuant to this section shall be held in an account for that trust fund area in which the affected development project is located; shall be expended only for the purpose of improvements to the pedestrian mobility system within that trust fund area; and, may not be combined with the assets of any other trust fund area account, except when used for improvements to the pedestrian mobility system facilities extending into two or more trust fund areas, in which case only those assets necessary for the improvements may be combined. Any fees paid in-lieu of sidewalk construction associated with an individual development project not expended within a period of seven years from the date of collection shall be refunded to the payer.

(8) *Interpretation.* The directors of the departments of development support and environmental management and public works or their designees shall be authorized to administer and provide interpretations regarding the implementation and administration of this section.

(Ord. No. 07-20, § 2, 7-10-07; Ord. No. 08-03, § 20, 1-29-08; Ord. No. 10-06, § 1, 3-23-10; Ord. No. 13-06, § 15, 3-12-13)

SECTION 4. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, as of the effective date of this Ordinance, except to the extent of any conflicts with the Tallahassee-Leon County Comprehensive Plan, as amended, which provisions shall prevail over any parts of this Ordinance which are inconsistent, either in whole or in part, with the Comprehensive Plan.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. Effective date. This ordinance shall be effective according to law.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this ____ day of _____, 2015.

LEON COUNTY, FLORIDA

BY: _____
MARY ANN LINDLEY, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST:
BOB INZER, CLERK OF THE COURT
AND COMPTROLLER
LEON COUNTY, FLORIDA

BY: _____

APPROVED AS TO FORM:
LEON COUNTY ATTORNEY'S OFFICE

BY: _____
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY